

**CITY OF DAYTON
ORDINANCE NO. 2003**

ORDINANCE CONCERNING THE SHORELINE MASTER PROGRAM PERIODIC REVIEW REQUIRED BY
RCW 90.58.080(4)

WHEREAS, the Shoreline Management Act (SMA) requires the City of Dayton to develop and administer a Shoreline Master Program (SMP); and

WHEREAS, the City of Dayton adopted a comprehensive SMP update as required by RCW 90.58.080(2), which was effective as of May 2017; and

WHEREAS, RCW 90.58.080(4) requires the City of Dayton to periodically review and, if necessary, revise the master program on or before June 30, 2023; and

WHEREAS, the review process is intended to bring the SMP into compliance with requirements of the act or state rules that have been added or changed since the last SMP amendment, ensure the SMP remains consistent with amended comprehensive plans and regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, or improved data; and

WHEREAS, the Southeast Washington Coalition on behalf of the City of Dayton developed a public participation program for this periodic review in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines; and

WHEREAS, the Southeast Washington Coalition on behalf of the City of Dayton has followed its adopted public participation program, including holding two public workshops, providing information about the City of Dayton SMP update on the Southeast Washington Coalition website, holding a joint comment period and hearing with Ecology; and

WHEREAS, the City of Dayton used Ecology's checklist of legislative and rule amendments to review amendments to chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended, and determine if local amendments are needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i); and

WHEREAS, the City of Dayton reviewed changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii); and

WHEREAS, the City of Dayton considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii); and

WHEREAS, the City of Dayton completed a review of staff recommendations and prepared initial amendments; and

WHEREAS, the City of Dayton consulted with the Department of Ecology early and often during the drafting of the amendments. The City of Dayton worked collaboratively with the Department of Ecology to address local interests while ensuring proposed amendments are consistent with the policy of RCW 90.58.020 and applicable guidelines in accordance with WAC 173-26-104; and

WHEREAS, the City of Dayton conducted a formal public comment period in compliance with requirements of WAC 173-26-104; and

WHEREAS, the City of Dayton published a legal notice in the Dayton Chronicle on March 28 and April 3, 2023 for a public hearing and made recommendation(s), including a statement that the hearing was intended to address the periodic review in accordance with WAC 173-26-090(3)(c)(ii); and

WHEREAS, the City of Dayton took public testimony on the proposed SMP updates at a public hearing on April 10, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) environmental checklist was prepared based upon the proposed SMP draft updates, and the City of Dayton issued and circulated a copy of the checklist and a Determination of Non- Significance (DNS) on April 5, 2023; and

WHEREAS, the City of Dayton reviewed the public testimony and written comments on the proposed SMP revisions, and suggested revisions to the proposed amendments; and

WHEREAS, the City of Dayton staff recommends approval of the proposed amendments and forwarded it to the City of Dayton City Council for review and adoption on September 12, 2023, ; and

WHEREAS, the City of Dayton provided Notice of Intent to Adopt to the Washington State Department of Commerce in accordance with WAC 173-26-100(5); and

WHEREAS, after considering all public comments and evidence, the City Council determined that the proposed amendments comply with all applicable laws and rules; and

WHEREAS, this completes the City required process for periodic review in accordance with RCW 90.58.080(4) and applicable state guidelines (WAC 173-26).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Review and Evaluation. The City Council hereby finds that the review and evaluation required by RCW 90.58.080(4) have occurred, as described in the recitals above.

Section 2. Revisions. That the SMP is hereby amended to read as set forth in Exhibit 1 (SMP redlines). The remaining portions of the SMP shall remain unchanged.

Section 3. Adoption. The City Council hereby adopts the above referenced SMP revisions and finds the amended SMP consistent with the requirements of RCW 90.58 and WAC 173-26, as they apply to these amendments.

Section 4. Submission to Department of Ecology. The City of Dayton is directed to submit the SMP and associated documents to the Department of Ecology for their review and approval prior to formal adoption. If/Once approved by the Department of Ecology no further action is necessary for compliance with RCW 90.58.080(4) for the periodic review update due on June 30, 2023.

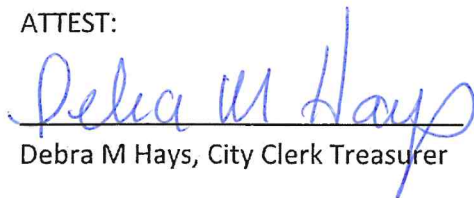
Section 5. Effective Date. The amendments to the SMP adopted through ordinance shall be effective 14 days after Department of Ecology final action as provided by RCW 90.58.090(7).

Passed by the City Council, City of Dayton, this 12th day of September, 2023, by a vote of 7 for, 0 against, and abstaining.

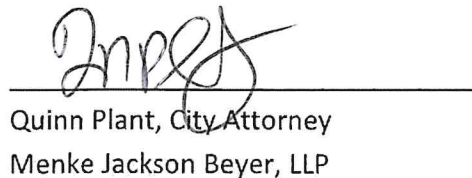
Approved:


Mayor Zac Weatherford

ATTEST:


Debra M Hays, City Clerk Treasurer

APPROVED AS TO FORM:


Quinn Plant, City Attorney
Menke Jackson Beyer, LLP

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES
ORDINANCE NO. 2003
AN ORDINANCE CONCERNING THE SHORELINE MASTER PROGRAM PERIODIC
REVIEW REQUIRED BY RCW 90.58.080(4)

The full text of Ordinance No. 2003, adopted the 12th day of September, is available for examination at the Dayton City Hall, 111 South 1st Street, Dayton, WA during normal business hours, 7:00 a.m. to 4:00 p.m., Monday - Friday.

By: /sf Zac Weatherford, Mayor

Attest: /s/ Debra Hays, City Clerk/Treasurer

Approved as to from: /s/ Quinn Plant, City Attorney

Published: October 12, 2023

The Waitsburg Times