

**City of Blaine**  
**Request for Council Action**  
**Meeting Date: July 22, 2019**

**Subject: Ordinance 19-2930 updating the Shoreline Master Program and the Blaine Municipal Code.**

**Department:** CDS Department

**Prepared By:** \_\_\_\_\_  
(Digital Signature)

**Agenda Location:**     Consent Agenda     Council Action     Unfinished Business

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**Attachments:**

1. Ordinance 19-2930
  2. Planning Commission Recommendation
  3. Washington State Department of Ecology (ECY) Initial Determination of Concurrence
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**Background/Summary:**

The City of Blaine is required to update the Shoreline Management Master Program (Master Program or SMP) based on state statues and the Shoreline Management Act of 1971. The multi-year effort to update the SMP has resulted in a large volume of material, including the supporting documentation; ECY checklists; code drafts; and public comments. All the materials are available at the City's following Shoreline Master Program Update page:

<https://www.ci.blaine.wa.us/404/DRAFT-Shoreline-Master-Program-UPDATE>

The majority of the proposed amendments were approved by Council with the passage of Resolution 1683-16 on March 28, 2016, which included the following:

- A new Shoreline Master Program document (please note the Master Program is an entirely new document. The tracked changes in this document represent proposed changes after Council's approval of Resolution 1683-16);
- A new appendix to the Master Program with critical area management regulations that will only apply in Master Program's jurisdiction (aquatic lands and 200 feet landward from the shoreline);
- A new section of the Municipal Code containing the administrative process of the proposed Master Program.

The Washington State Department of Ecology (Ecology), as the final approval authority, provided a list of required and recommended changes necessary to complete the Master Program comprehensive update initiated under Resolution 1683-16. Ecology then provided notice that in addition to the comprehensive update, a periodic update of the Master Program must also be completed by June 30, 2020 pursuant to a new section of the Washington Administrative Code approved by the state in 2017 (WAC 173-26-090).

The comprehensive update and the periodic update processes have been combined into one proposal to satisfy both state mandates. This combined effort with Ecology will bring the City's 1996 Shoreline Master Program up-to-date with state statutes and ECY's best available science.

The Washington State Department of Ecology has completed an Initial Determination of Concurrence of the Shoreline Master Program Update proposed under Ordinance 19-2930; meaning Ecology will approve the proposal as drafted.

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**Budget Implications:**  Current Budget     New Budget Request     Non-Budgetary

No budget impacts are anticipated.

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**Recommendation:**  Waive the second reading

The Planning Commission recommends City Council make a motion to approve Ordinance 19-2930, updating the Shoreline Master Program and the Blaine Municipal Code.

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**Reviewed By:**

City Manager \_\_\_\_\_ Finance Director \_\_\_\_\_ City Clerk \_\_\_\_\_  
(Digital Signature) (Digital Signature) (Digital Signature)







# PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL

**PROPOSAL NAME:** Comprehensive and Periodic Updates to the City of Blaine Shoreline Management Master Program (SMP)

**APPLICATION TYPE(S):** Legislative

**DOCUMENTS AVAILABLE AT:** <https://www.ci.blaine.wa.us/404/DRAFT-Shoreline-Master-Program-UPDATE>

**PUBLIC HEARING BODY:** City of Blaine Planning Commission

**PUBLIC HEARING DATE:** June 27, 2019 at 7 PM

**CITY COUNCIL DELIBERATIONS:** July 8, 2019 at 6 PM

**RECOMMENDATION:** The Planning Commission recommends that the City Council consider confirming the proposed updates to the City of Blaine Shoreline Management Master Program (3-1-3-0). The confirmation will then be forwarded to the Department of Ecology (ECY) for approval.

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact and recommendations to the Blaine City Council.

**Findings of Fact**

1. The City of Blaine last amended the City of Blaine Shoreline Management Master Program in 1996 by adoption of Ordinance 96-2247.
2. The Revised Code of Washington (RCW) 90.58 and the Washington Administrative Code (173-26) require the City of Blaine to implement both comprehensive and periodic updates to the Shoreline Management Master Program.
3. The City has prepared a Shoreline Inventory and Analysis Report, a Cumulative Impact Analysis, a Restoration Plan, a Public Access Plan, and a series of shoreline reach maps.
4. The City has developed a complete Draft Shoreline Master Program including general goals, policies and regulations; environment designations, use and modification policies, regulations and standards; and Draft administrative provisions for adoption in the Blaine Municipal Code.

5. The Commission has included the Resort Semiahmoo Master Plan and the Wharf District Master Plan as components of the Shoreline Master Program and to create Special Management Units to regulate a portion of Semiahmoo Spit and the Blaine Wharf District.
6. The Planning Commission held public hearings on February 5, 2010; March 11, 2010; April 25, 2013; May 23, 2013; June 27, 2013; July 11, 2013; August 8, 2013; September 12, 2013; July 24, 2014; and, August 14, 2014.
7. The SEPA Responsible Official issued a non-project SEPA threshold Determination of Non-Significance on December 19, 2014.
8. The Planning Commission developed and modified the content of the Draft Shoreline Master Program in consideration of the entirety of the record over the course of numerous public meetings.
9. The Port of Bellingham and the Resort Semiahmoo, owners of significant portions of the City's shoreline, were consulted and participated in the development and review of the Program.
10. On January 8, 2015, the Planning Commission determined the Draft Shoreline Master Program and supporting documents to be both in compliance with the Shoreline Management Act and in the best interest of the citizens of the City of Blaine and the State of Washington.
11. City Council passed Resolution 1683-16 on March 28, 2016 expressing the intent to adopt an update of the Shoreline Master Program and authorizing the submittal of the proposed Shoreline Master Program Update to the Washington State Department of Ecology.
12. The Washington State Department Ecology reviewed the submittal and provided a list of required and recommended changes.
13. On September 20, 2018, the Washington State Department Ecology provided notification that pursuant to WAC 173-26-090 the City of Blaine must complete a Periodic Review of the Shoreline Master Program. The Periodic Update process must be completed by June 30, 2020 as established in RCW 90.58.080(4).
14. The City of Blaine and the Washington State Department of Ecology agreed to combine the completion of the Comprehensive Update process and the Periodic Update process to streamline the two update review processes into one public process.
15. The Planning Commission held study sessions during their regular public meetings on March 28, 2019 and May 9, 2019.
16. The Planning Commission and Washington State Department of Ecology held a public hearing on June 27, 2019 at Blaine City Hall. Notice of the public hearing was published in the Bellingham Herald on May 28, 2019, provided to the Parties of Record, and published on the City's website and notice board.

**Recommendations**

The Planning Commission recommends that the City Council consider affirming the proposed updates to the Shoreline Management Master Program.

**This recommendation approved June 27, 2019:**

<b>Commission Vote</b>	<b>Support</b>	<b>Oppose</b>	<b>Absent</b>	<b>Abstain</b>
Calvin Armerding, Chair			✓	
Kevin Owen, Vice Chair	✓			
Steven Hanrahan			✓	
Steve Hruitford			✓	
John LeBrun		✓		
Richard May	✓			
Sue Sturgill	✓			
<b>Total</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>0</b>

CITY OF BLAINE PLANNING COMMISSION

  
\_\_\_\_\_  
Kevin Owens, Chair

July 3, 2019  
Date

**Stacie Pratschner**  
Digitally signed by Stacie Pratschner  
DN: cn=Stacie Pratschner, o=US,  
ou=City of Blaine, ou=CDS,  
email=Spratschner@cityofblaine.com  
Date: 2019.07.02 09:37:44 -0700  
\_\_\_\_\_  
Stacie Pratschner, Secretary

7.2.2019  
Date



**MEMORANDUM**

**To:** Alex Wenger – Planner - City of Blaine  
**CC:** Jackie Chandler, Shoreline Administrator – WA Department of Ecology  
**From:** Chad Yunge, Shoreline Planner – WA Department of Ecology *W*  
**Date:** May 15, 2019  
**Subject:** City of Blaine Shoreline Master Program Periodic Review Amendment - Determination of Initial Concurrence

**Sent via email to:** awenger@cityofblaine.com, jcha461@ecy.wa.gov

Thank you for the July 12 submittal of the City of Blaine (city) Shoreline Master Program (SMP) periodic review amendments. The Department of Ecology (Ecology) is required under WAC 173-26-104(3)(b) to make an initial determination of consistency with applicable laws and rules.

**This serves as Ecology’s written statement of initial concurrence for your proposed SMP periodic review amendments.**

As described under WAC 173-26-104(4), the next step in the approval process is for your jurisdiction to formally adopt the amendment through resolution or ordinance and send the SMP final submittal for our formal agency approval as outlined in [WAC 173-26-110](#). The intent of this initial review & determination is to provide local elected officials an opportunity to consider Ecology’s analysis before local adoption. We have no comments at this time.

Please let me know if you have questions or concerns. I can be contacted at (360) 255-4374 or [chad.yunge@ecy.wa.gov](mailto:chad.yunge@ecy.wa.gov)