

**PUBLIC HEARING:** Westport Planning Commission

April 18, 2023



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## Announcement

- The “Joint Review” process is cancelled
- Instead, switching to the standard review process
- What does this mean? Following local review and adoption there will be an additional comment period by Ecology



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## Background

- State Law requires the City's Shoreline Master Program be reviewed and revised, if needed, on an eight-year schedule

*DUE DATE: JUNE 30, 2023*

- Ecology has prepared a checklist of all laws and rules to be adopted
- Where gaps exist, draft amendments have been prepared



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## Shoreline Management Act

- State law passed in 1971 and affirmed by voters in 1972
- State legislature issued new rules in 2003
- Governs the use and development of state shorelines
- Three policies:
  1. Protect environmental resources of state shorelines
  2. Preserve and enhance public access and enjoyment opportunities
  3. Give priority to uses that require a shoreline location



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## Shoreline Master Program

- Implements the Shoreline Management Act (SMA)
- Serves as City and State's plan for managing shoreline areas
- Establishes goals, policies, and regulations for shoreline protection, use, and development
- Establishes a plan for restoring shoreline in those areas where it has been degraded



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## Local and State Roles

### City of Westport

- Leads shoreline planning within the City
- Prepares, adopts, oversees, and enforces the SMP
- Updates and keeps program current

### Ecology:

- Provides state “guidelines,” financial support, and technical assistance
- Approves each local SMP before it can take effect



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## Key Concept: “No Net Loss”

- “No net loss of ecological functions necessary to sustain shoreline natural resources”
- No net loss is measured from the existing baseline documented in the Shoreline Inventory and Characterization Report
- New impacts must be avoided or mitigated
- More stringent development controls in areas of high ecological function
- Restoration plan will help restore and improve functions through non-regulatory approaches



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## Summary of Proposed Changes to the SMP

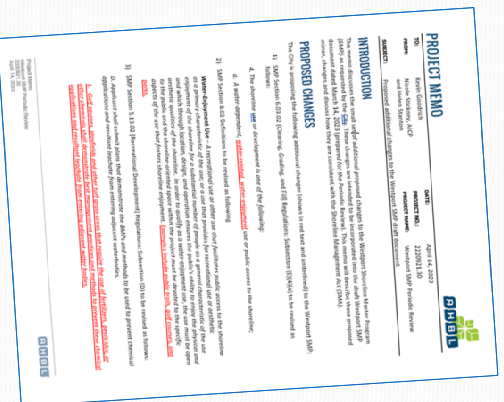
1. Minor typographical edits or revisions including table footnotes
2. Updating / Adding Various Definitions
3. Added exceptions for certain local review (Section 1.05(F))
4. Section 1.04 added info about the Periodic Review Process
5. Various changes according to ORMA and MSP
6. Added a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects



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# Additional Proposed Changes to the SMP

- Per Memo Dated April 14, 2023
- Revise 6.03.02 (Clearing, Grading, Filling)
- Revise “Water Enjoyment Use” definition
- Expand Recreational Development Regulations to include examples



**ECOLOGY NOTIFIED THE CITY TODAY THAT THEY CONSIDER THESE CHANGES SUBSTANTIVE**



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# Proposed Changes to the SMP Appendix 2

- Table 2-1 updated (and Table 2-3 added) to incorporate Best Available Science (BAS)
- Updated various references to state statutes and regulations including for Groundwater (Critical Aquifer Recharge Areas) regulations
- Removed references to Bald Eagle habitat
- Consolidated buffer width recommendations (Type F)



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## What Isn't Changing

- Previous update effort was extensive; Proposed changes are narrow in scope; consistent with Ecology
- Ecology is not funding any additional scientific analysis of shorelines
- No changes to any mapping
- No changes to development standards (setbacks, height, width, lot coverage, etc.)





## Next Steps

- Planning Commission to hold the public hearing
- Next meeting: make a formal recommendation
- **Suggested Findings of Fact have been prepared**
- City / consultant to prepare formal responses to comments (if any)
- City Council Public Hearing and **Adoption**
- **SMP is not effective until accepted by Ecology**
- Submit materials with request for final determination from Ecology
- Obtain final Ecology Approval



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