



Documents from County Council Work Session, August 14, 2019

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**NINE STEP PLANNER
CLARK COUNTY WORK SESSIONS**

This form needs to be reviewed and approved by the council **before** a work session is scheduled.

REQUESTED BY: *Community Planning*

1. TOPIC: Shoreline Master Program 2020 Periodic Review

2. WORK SESSION:

Clark County is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other Clark County plans and regulations, and is responsive to changed circumstances, new information and improved data. A Public Participation Plan is required to describe how Clark County will encourage early and continuous public participation throughout the process of reviewing the SMP.

This work session would brief Council on the SMP 2020 proposed work program and public participation plan, discuss any initial questions on the project, and collect feedback on the public participation plan before it is submitted to Council for adoption.

NAMES OF STAFF MEMBERS TO PRESENT AND ATTEND THE WORK SESSION:

Jenna Kay and Oliver Orjiako.

3. TIME FRAME:

LENGTH OF TIME NEEDED: 30-min

DESIRED DATE: August 14, 2019

SCHEDULED DATE OF WORK SESSION: _____

4. TIMING CONSIDERATIONS: Clark County's Shoreline Master Program periodic review is due in June 2020. In order to meet the state-mandated due date, staff needs to begin public outreach in the fall of 2019 and will need Council adoption of a public participation plan to get started. This work session is being requested for August, prior to submittal of the public participation plan for adoption.

5. DESIRED RESULTS: This work session would provide initial information about this project to Council, provide a forum to answer Council questions on project requirements and process, and provide an opportunity for Council to provide input on the project's public participation plan.

6. IMPACTS (COMMUNITY/FINANCIAL/STAFF/OTHER):

If Council is interested in being briefed on the Shoreline Master Program Periodic Review prior to considering the project's public participation plan for adoption, then this work session makes sense at this time. However, if Council would prefer to be briefed later on in the process, then a work session is not necessary this summer and can take place later in the process.

7. POLICY IMPLICATIONS:

This project may lead to updates to the Shoreline Master Program map, comprehensive plan text, and/or Title 40 development code.

8. ISSUES TO BE CONSIDERED:

Staff are unsure at this time whether or not there will be areas of contention related to this project. While we are currently aware of a few changes we need to make to keep the Shoreline Master Program current, we will not have a gauge on community opinions on these, or other potential identified changes, until further public outreach takes place.

9. RECOMMENDED ACTION:

At the end of the work session, the questions for Council are:

1. What questions do you have about the shoreline periodic review requirements and proposed work program?
2. What feedback do you have on the proposed public participation plan before it is submitted for adoption?

Signature of requestor:

Jennifer Planner II
Name and Title

DATE: 6/11/19

Oliver Ojiko
Manager/Director

DATE: 6-11-19

APPROVED FOR SCHEDULING:

Shoreline Master Program Periodic Review 2020

Clark County Council Work Session
Public Service Center, 6th Floor Training Room

Oliver Orjiako and Jenna Kay

Community Planning

August 14, 2019



Agenda

- Shoreline Management Act
- Periodic Review
- Next Steps
- Discussion

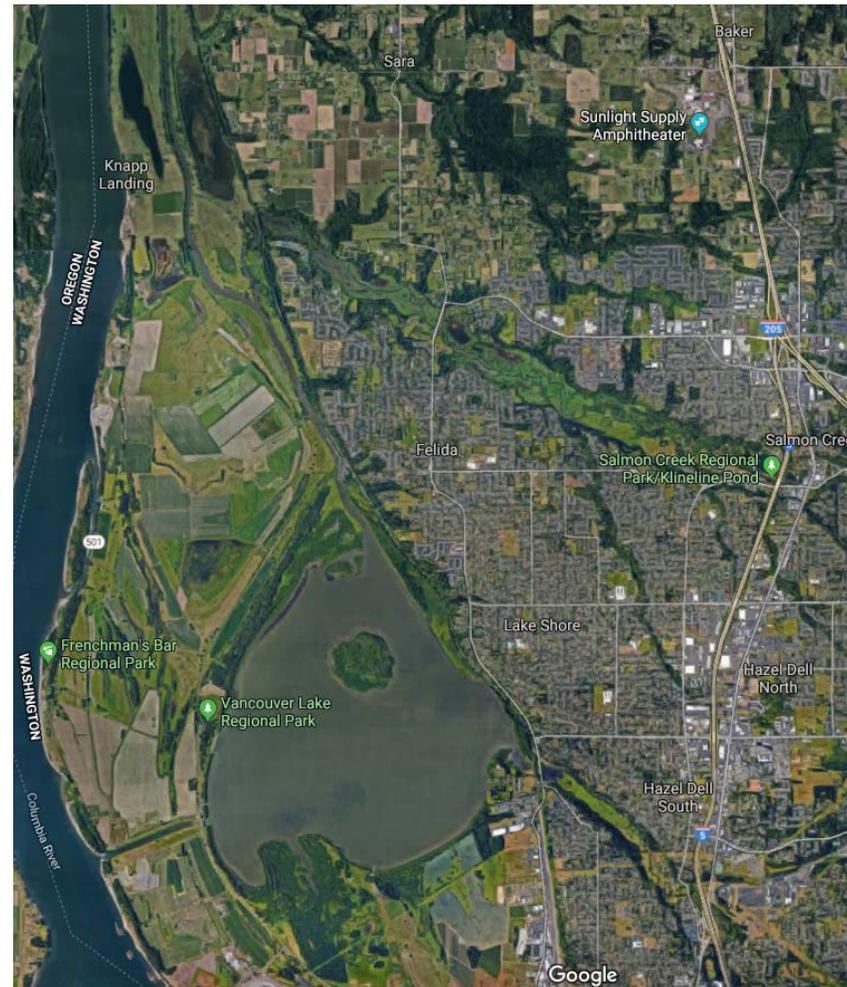


Shoreline Management Act (SMA)

Intent of the Act

“...prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.”

RCW 90.58.020



Shoreline Management Act (SMA)

Policy Goals of the Act

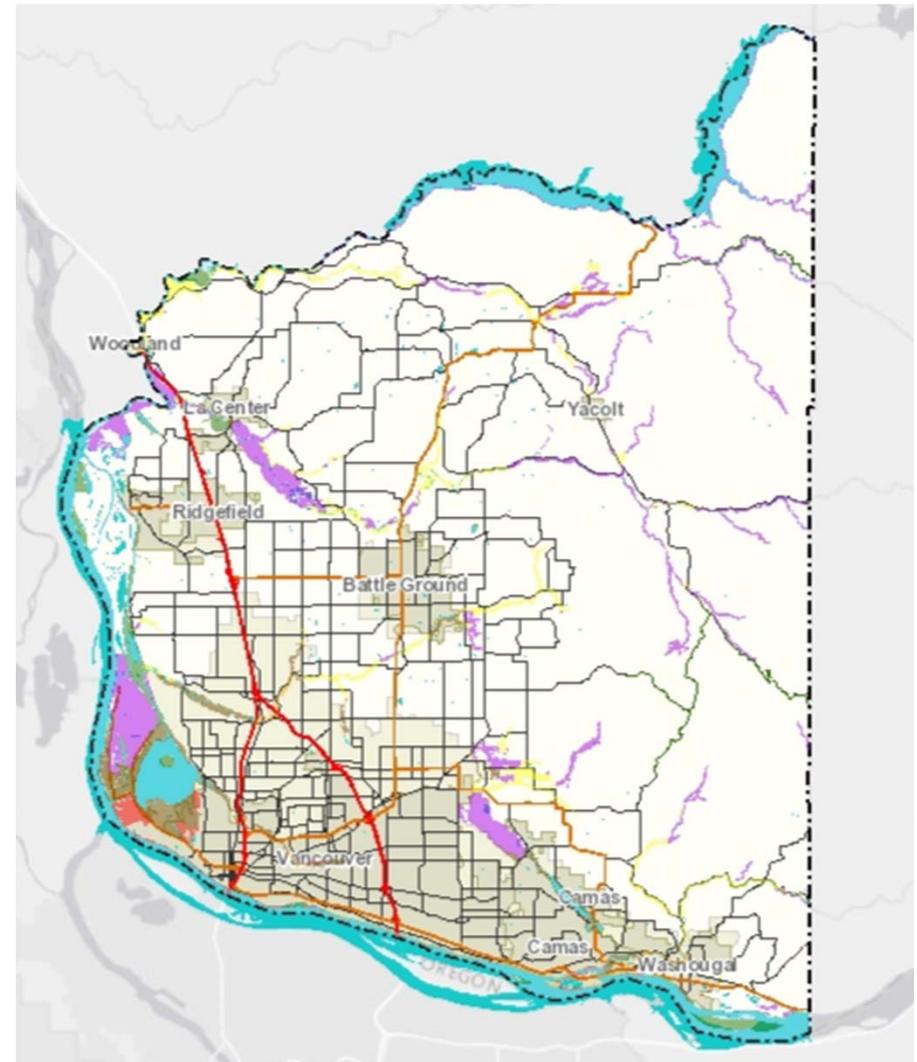
- Foster reasonable and appropriate uses
- Protect natural resources
- Promote public access



Shoreline Management Act (SMA)

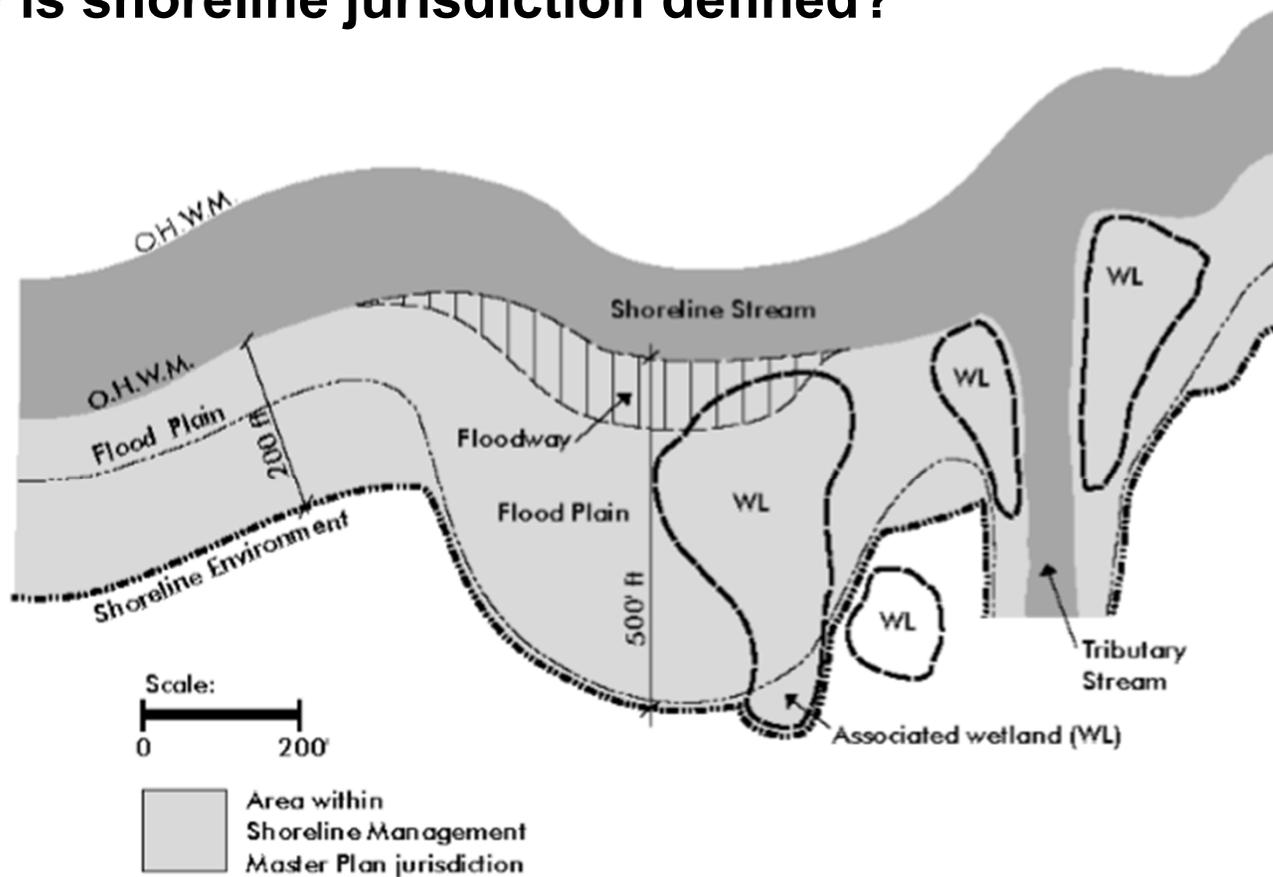
What is a Shoreline Master Program (SMP)?

- A planning document (Chapter 13, Comp. Plan)
- A set of regulations (CCC 40.460)
- A map



Shoreline Management Act (SMA)

How is shoreline jurisdiction defined?



Shoreline Management Act (SMA)

Connection to GMA

- Shoreline management is 14th goal of GMA
- SMP regulates critical areas in shoreline jurisdiction
- Shoreline regulations must protect at least as well as critical areas regulations



Periodic Review

- 2020 Mandate: RCW 90.58.080(4)
- Review SMP every 8 years and revise, if necessary
- Requires Council legislative action
- Requires Ecology final approval
- Grant: \$84,000



Periodic Review

Scope of Work

Ensure the SMP is:

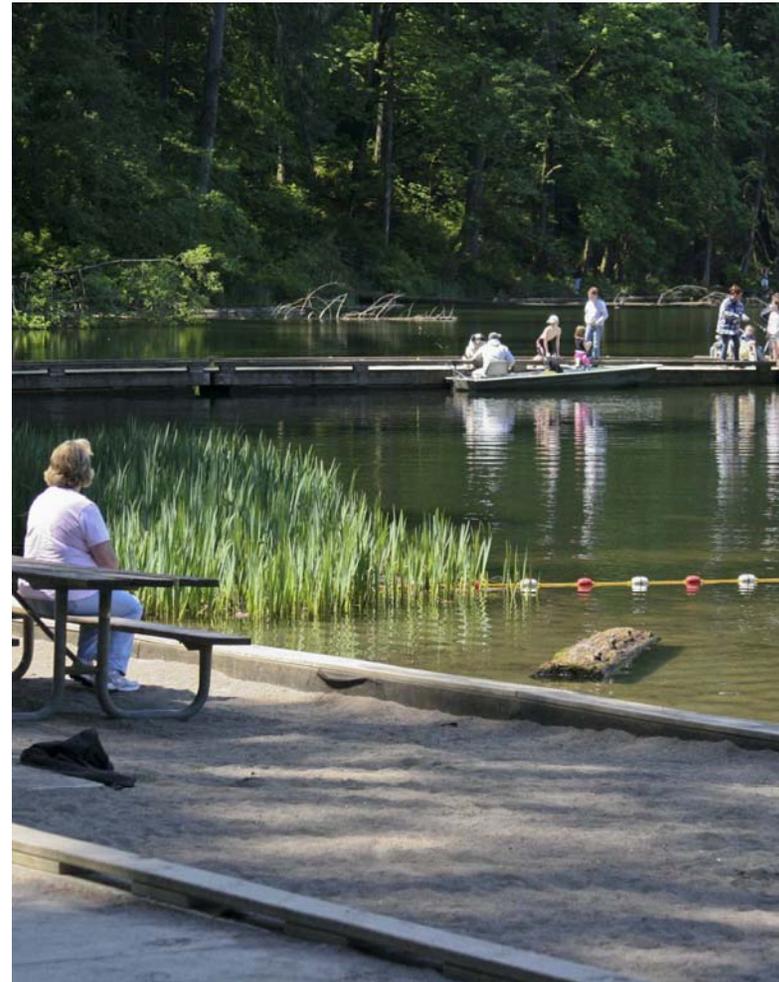
- Current with changes in laws and rules
- Consistent with other Clark County plans and regulations
- Responsive to changed circumstances, new information and improved data



Periodic Review

Public Participation Program (PPP)

- PPP required as part of periodic review
- Two process options for coordination with Ecology
- Staff recommendation: joint comment period with Ecology



Next Steps

Periodic Review Kick-off

Summer 2019

- Council work session (Aug. 14)
- Council hearing to establish Public Participation Plan (Sept. 3)
- Launch project webpage and email list

Outreach & Proposal Development

Fall-Winter 2019

- Open houses
- Meetings with
 - Advisory boards
 - Interest groups
- Develop draft proposal

Adoption Process

Spring 2020

- SEPA & 30-day comment period
- Planning Commission Work Session & Hearing
- Ecology Initial Determination
- County Council Work Session & Hearing
- Ecology Final Determination



Thank you!

Discussion

Clark County Public Service Center

1300 Franklin Street • PO Box 5000

Vancouver, WA 98666-5000



Clark County Shoreline Master Program:

Periodic Review Public Participation Plan

Introduction

Clark County is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other Clark County plans and regulations, and is responsive to changed circumstances, new information and improved data.

A Public Participation Plan is required to describe how Clark County will encourage early and continuous public participation throughout the process of reviewing the SMP.

This Public Participation Plan describes the steps that Clark County will take to provide opportunities for public engagement and public comment, as well as Clark County contact information and web addresses. This plan is in addition to any other minimum requirements for public participation required by Clark County Code Section 40.510.040 and Chapter 40.560.

The Public Participation Plan includes a communication program that provides:

- Continuous education and updates to the public about progress and products;
- Outreach to get input at key points in the process; and,
- Periodic updates to the County Councilors and Planning Commission to keep them aware of progress and issues.

This plan is a working document and will be adjusted as needed to provide for the greatest and broadest public participation.

1.0 Public Participation Goals

- Provide interested parties with timely information, an understanding of the process, and multiple opportunities to review and comment on proposed amendments to the SMP.
- Actively solicit information from citizens, property owners and stakeholders about their concerns, questions and priorities for the Periodic Review process.
- Encourage interested parties to informally review and comment on proposed changes to the SMP throughout the process and provide those comments to decision makers.
- Provide forums for formal public input at project milestones prior to decision-making by local officials.
- Consult and consider recommendations from neighboring jurisdictions, federal and state agencies, and Native American tribes.

2.0 Public Participation Opportunities

Clark County is committed to providing multiple opportunities for public participation throughout the process. Clark County will use a variety of communication tools to inform the public and encourage their participation, including the following:

2.1 Website

Clark County's website will include a Periodic Review webpage where interested parties can access status updates, draft documents, official notices, minutes and other project information. The webpage will be the primary repository of all information related to the Periodic Review process. The page will include who to contact for more information and an email link for questions and comments. Documents will be available for review at the Clark County Community Planning Department, and copies will be provided at the established copying cost.

2.2 Email Distribution List

An email list of interested parties will be created and maintained by Clark County. The list will be used to notify interested parties regarding Periodic Review progress and participation opportunities. Interested parties will be added to the list by contacting the Community Planning Department. To join the Shoreline Master Program Periodic Review email list, contact the Planning Department at 564-397-4968 or online at <https://www.clark.wa.gov/project-updates>.

2.3 Mailers

Mailed notice to shoreline property owners and nearby properties may be used as a noticing tool regarding key information and dates in the process.

2.4 News media

The local news media will be kept up-to-date on the Periodic Review process and receive copies of all official notices. In addition, notices will be published in the paper of record.

2.5 Open Houses

Clark County will organize informal public gatherings to solicit public feedback on Clark County's Periodic Review. Community Planning commits to hold meetings at convenient times and at locations that are accessible. Information is made available through display exhibits and staff.

2.5a Online Open House

An online open house option will be available for those who are unable to attend an in-person event. Materials available at the in-person events will be made available through the project website.

2.5b Survey

A community survey is an optional tool that may be employed in conjunction with the open house events. If used, results will be posted on the Periodic Review webpage.

2.6 Written Comments

Interested parties will be encouraged to provide comments to Clark County by letter, email, or web-based forms throughout the public process. All comments received will be entered into the public record and forwarded to the Clark County Council and Planning Commission for their consideration prior

to their hearings. A 30-day joint public comment period will be held in conjunction with the Department of Ecology prior to the Planning Commission hearing.

2.7 Meetings with Interest Groups

Project staff will be available to meet with interest groups to discuss the project.

2.8 Public Comment Periods and Hearings

The Planning Commission will conduct a public comment period and at least one public hearing to solicit input on the Periodic Review. The Clark County Council will hold one public hearing before final adoption. Interested parties are encouraged to provide comments for review and provide testimony during hearings.

Planning Commission and Council hearings will be televised by CVTV.

Clark County will coordinate with the Department of Ecology on public notification of comment periods and hearings to take advantage of Ecology's optional SMP amendment process that allows for a combined state-local comment period (WAC 173-26-104).

Public notice of all hearings will state who is holding the comment period and/or hearing, the date and time, and the location of any public hearing. Notices will be published per official policy and comply with all other legal requirements such as the Americans with Disabilities Act. A notice will be sent to the email list (2.2, above) and the Department of Ecology.

3.0 List of stakeholders

CLARK COUNTY will engage the following stakeholders:

- Residents and neighborhood associations countywide
- Property and business owners in shoreline jurisdiction
- Environmental community
- Business community
- Tribes
- City and County Officials in Clark County
- Clark County and Neighboring Local Government Agencies
- State Government Agencies
- Federal Government Agencies
- Other interested parties

All parties will be informed and invited to participate throughout the process. Notification will be accomplished via email, mail, website, and press.

4.0 Public Participation Timeline

The following is a general project timeline including anticipated public participation opportunities. Clark County will coordinate with the Department of Ecology throughout the process. A detailed timeline will be posted on the Periodic Review webpage.

Timeline	Work Program	Key Decision Points	Key Public Participation Opportunities
Q1-Q3 2019	Staff prep work <ul style="list-style-type: none"> • Consult with Ecology • Preliminary checklist review • Review comprehensive plan and development regulations for internal consistency with SMP • Review SMP monitoring data since 2012 SMP update • Consult Community Development shoreline planners and biologists • Grant application • Draft work program and schedule 		
Q3 2019	Project kick-off <ul style="list-style-type: none"> • Work session with Council to share initial briefing and discuss proposed work program • Public Participation Plan development and Council action • Work session with Planning Commission to share initial briefing and discuss proposed work program • Set-up project webpage • Start project mailing list • Send initial email notification on project and how to stay involved • Publish press release on process and mailing list 	Council Action: Adoption of Public Participation Plan by resolution	Provide testimony at Council hearing on Public Participation Plan
End Q3-Q4 2019	Initial public outreach <ul style="list-style-type: none"> • Open house(s): in-person and web-based options available to 1) provide information about the SMP Periodic Review process and opportunities for public participation and 2) collect initial feedback on SMP issues • Collect feedback by email, mail, online comment form, in-person 	<i>While no formal actions will take place during this phase. This is the primary working stage of the project, where any SMP amendment proposals will be developed</i>	Learn about the SMP Periodic Review process and provide initial feedback through in-person or web-based open house Review draft SMP amendment proposals and provide feedback through in-person or

	<ul style="list-style-type: none"> • Meetings with interest and advisory groups, such as: <ul style="list-style-type: none"> ○ Development & Engineering Advisory Board ○ Clean Water Commission ○ Parks Advisory Board ○ Neighborhood Associations ○ Other interest groups <p>Draft SMP revisions</p> <ul style="list-style-type: none"> • Compile feedback received • Planning Commission work session(s) to review feedback and draft SMP amendments • Develop draft SMP amendments <p>Second public outreach</p> <ul style="list-style-type: none"> • Provide update to Council: in writing or in-person, format to be determined • Open house(s): in-person and web-based options available focused on review and feedback of draft SMP amendments • Collect feedback by email, mail, online comment form, in-person • Meetings with interest and advisory groups, such as: <ul style="list-style-type: none"> ○ Development & Engineering Advisory Board ○ Clean Water Commission ○ Parks Advisory Board ○ Neighborhood Associations ○ Other interest groups <p>Refine SMP revisions</p> <ul style="list-style-type: none"> • Compile feedback received • Work session(s) with Planning 		<p>web-based open house</p>
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	<p>Commission to review feedback and further revise SMP amendments, as needed</p> <ul style="list-style-type: none"> • Revise SMP revisions, as needed 		
Q1-Q2 2020	<ul style="list-style-type: none"> • SEPA analysis & public review • 60-day notice to Commerce • 30-day comment period/joint with Ecology • Planning Commission work session(s) • Planning Commission hearing and recommendation to Council • Ecology initial determination • Council work session(s) • Council hearing and action • Ecology final action • Notice of adoption 	<p>Planning Commission Action: recommendation to Council</p> <p>Council Action: action on SMP amendments</p> <p>Ecology Action: action on SMP amendments</p>	<ul style="list-style-type: none"> • Submit comments during the 30-day joint county/Ecology comment period • Provide testimony at Planning Commission hearing • Provide testimony at Council hearing
By June 30, 2020	Process complete		

DRAFT

**CLARK COUNTY COUNCIL WORK SESSION
08/14/2019**

Audio Link

Please Click Below:

https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/081419_WS_ShorelinePlan.mp3