



**DAYTON PLANNING COMMISSION**  
**SHORELINE MASTER PROGRAM UPDATE**  
**JUNE 16, 2015**  
**REPORT AND RECOMMENDATION TO CITY COUNCIL**

**FACTS and FINDINGS**

- A. Washington's Shoreline Management Act was passed by the State Legislature in 1971 and adopted by voters in 1972 (RCW 90.58). The overarching goal of the Act is "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines".
- B. RCW 90.58.080 requires local governments to develop or amend master programs for the regulation and uses of the shorelines of the state consistent with the guidelines adopted by the Washington State Department of Ecology (Ecology).
- C. RCW 90.58.020 directs local governments developing shoreline master programs to give preference to uses in the shorelines in the following order of preference which:
  - 1) Recognize and protect the State-wide interest over local interest;
  - 2) preserve the natural character of the shoreline;
  - 3) result in long-term over short-term benefit;
  - 4) protect the resources and ecology of the shorelines;
  - 5) increase public access to publicly-owned areas of the shorelines;
  - 6) Increase recreational opportunities for the public in the shoreline; and
  - 7) Provide for any other element as defined in RCW 90.5 8.100 deemed appropriate or necessary.
- D. In 2003, Ecology adopted new rules, pursuant to RCW 90.58.200, which gave procedural and substantive direction to local jurisdictions for updating shoreline uses and regulations.
- E. In 1975, the City of Dayton (City) adopted the Shoreline Master Program (SMP) prepared for Columbia County and the incorporated communities of Dayton and Starbuck. Pursuant to RCW 90.58.080, the City is required to adopt a comprehensive master program update consistent with the criteria set forth in Ecology's guidelines (WAC 173-26).
- F. The one body of water within the City regulated under the City's SMP is the Touchet River designated as a "shoreline of the state".
- G. Early 2014, the City began its SMP update with the assistance of grant funding from Ecology whereby the city contracted for professional and technical services with URS (now AECOM) with their subcontractor RLO & Associates, LLC.
- H. March 2014, the City established a Public Precipitation Plan identifying stakeholders, a technical advisory group (TAG), manner for assuring technical review, and manner public involvement.
- I. A comprehensive inventory of the ecological functions and conditions within the city shoreline

jurisdiction was conducted to provide a scientific foundation for application of the shoreline environment criteria and assignment of the appropriate shoreline designations. The results of this comprehensive inventory are contained in the document entitled "Final Shoreline Inventory and Characterization Report", dated November 7, 2014.

- J. Consistent with the requirements of WAC 173-26-186(8)(d), an analysis of potential cumulative impacts of reasonably foreseeable future development on shoreline ecological functions and other shoreline functions was conducted. The results of this analysis are documented in the Shoreline Cumulative Impacts Analysis Report, final dated April 7, 2015.
- K. Consistent with the requirements of WAC 173-26-221(4), the City has conducted a public access analysis, developed policy and integrated public access provisions into the draft SMP.
- L. Consistent with the requirements of WAC 173-26-186(8)(c) and 173-26-201(2)(f), the City's SMP includes goals, policies and actions for restoration of impaired shoreline ecological functions and has formulated the Shoreline Restoration Plan document June 15, 2015 for adoption as a technical document of the Shorelines Master Program.
- M. Throughout the SMP update process, the City has made a concerted effort to generate public involvement, including holding three open houses, three days of manned display booth at the Columbia County Fair, seven Planning Commission meetings, creating a web page devoted to the SMP update, sending two mailings to all shoreline property owners making them aware of opportunities to participate in the process, providing door hangers as reminders of visioning meetings and maintaining an email list in order to keep interested parties informed.
- N. The City has utilized the scientific information from the Inventory and the Cumulative Impact Analysis to draft the proposed SMP update.
- O. On April 2, 2015, the Washington State Department of Commerce was notified pursuant to RCW 36.70A.106, providing a 60-day notice of intent to adopt amendments to Dayton development regulations and under the State Environmental Policy Act the City's Responsible Official issued a determination of non-significance for the proposed SMP Update.
- P. On April 9 2015, notice of the Planning Commission public hearing, and study sessions was published in the Waitsburg Times.
- Q. On May 19, 2015, the Planning Commission held a public hearing, received evidence, public testimony and comments, staff and consultant input, and certain documents and information, including:
  - 1) Inventory and Characterization Report;
  - 2) Cumulative Impacts Analysis;
  - 3) 1975 Dayton Shoreline Master Program,
  - 4) Comprehensive Plan Policies,
  - 5) Shoreline Master Program Update Draft Policies and Shoreline Regulations;
  - 6) Restoration Plan;
  - 7) SEPA Determination of Nonsignificance;
  - 8) All other Supporting Documents to Shoreline Master Program update.

- R. As a result of the public hearing, on June 11, 2015, the staff recommended revised text to the draft SMP and draft Restoration Plan to address both Ecology and public comments.
- S. This SMP update as revised on June 11, 2015 together with the Planning Commission edits includes the necessary master program elements required by WAC 173-26-191(b), the master program basic requirements set forth in WAC 173-26-191(2) and the general master program provisions set forth in WAC 173-26-221.

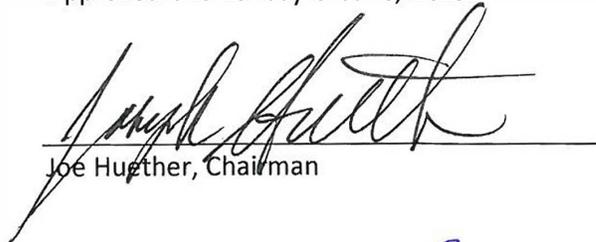
**CONCLUSIONS:**

- A. The Planning Commission concludes the SMP is consistent with the goals and policies of the Dayton Comprehensive Plan, and will promote the public health, safety, welfare, and protection of the environment.
- B. The policies of the SMP are valid and applicable and will further the public health and welfare.
- C. The SMP will provide the citizens of Dayton a program that is predictable and specific to the shorelines jurisdiction of the Touchet River.
- D. The public notices were given to offer the public participation opportunities consistent with the adopted City of Dayton Shoreline Master Program Public Participation Plan and DMC Title 10:
- E. The process employed by the City in preparing and reviewing the SMP is in compliance with chapter 90.58 RCW, WAC 173-26, Washington State Shoreline Management Planning Guidelines, and the adopted City of Dayton Shoreline Master Program Public Participation Plan.

**RECOMMEDATION:**

Adopt the draft Shoreline Master Program with revisions of June 16, 2015 as the City of Dayton Shoreline Master Program with Appendices and Supporting Documents, as attached herein, for the purpose of submission to the Department of Ecology for review and approval.

Approved this 16 day of June, 2015

  
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Joe Huether, Chairman

Attest:

  
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Karen Scharer, Planning Director