



TO: Tukwila Planning Commission
FROM: Nora Gierloff, AICP, DCD Director
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DATE: November 9, 2023
SUBJECT: **Natural Environment & Shoreline Elements - Briefing**

ISSUE

This agenda item is to brief the Planning Commission at their November 9, 2023, meeting on status of proposed amendments to the Natural Environment Element and Shoreline Element of the City's Comprehensive Plan.

BACKGROUND

The Growth Management Act requires that the comprehensive plans and development regulations support specific goals, as discussed in RCW 36.70A.020. Examples of these goals are as follows (*the full list is at the end of this memo*):

- (10) Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
- (14) Climate change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW [36.70A.210](#) and chapter [47.80](#) RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.
- (15) Shorelines of the state. For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW [90.58.020](#) shall be considered an element of the county's or city's comprehensive plan.

In support of this, the City is updating both the Natural Environment and the Shoreline Elements as a part of the 2024-2044 Periodic Comprehensive Plan Update. As described in RCW 36.70A.020, This update requires that cities be guided by regional policies, plans, and strategies (*links to this guidance is in the Additional Resources section at the end of this memo*). The King County Countywide Planning Policies provide guidance focused on addressing issues of Climate Change, Community Resilience and Equity, which have been incorporated into these draft elements.

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UPDATES IN THE NATURAL ENVIRONMENT & SHORELINE ELEMENTS

Shoreline Element

RCW 36.70A.020 states that the goals and policies of Shorelines of the State and the Shoreline Management Act (RCW 90.58.020) shall be considered in cities' comprehensive plans. Tukwila last updated its Shoreline Master Program (SMP) in 2019, and the Shoreline Element is largely consistent with that update, however, there are a few minor deviations.

Amendments to the SMP (and the associated Shoreline Element) require that the City engage with the Washington Department of Ecology in a defined review process that takes an extended period of time and involves a lot of agencies. At this time, there is not sufficient staff and Planning Commission capacity to integrate the requirements of a formal Shoreline amendment as a part of the Comprehensive Plan update process, however, we believe our proposed updates are minor enough to be acceptable without opening the full review process. The majority of the changes identified are either formatting changes, changes relating to differences between the DOE-adopted Element and what we have in our 2015 plan, and minor changes that bring the Element into consistency with adopted state laws.

In the past few months, staff have been unsuccessful in securing a meeting with DOE to review the proposed draft. We are still hoping to hear back from them before the end of the year. If necessary, we will need to set aside the proposed amendments until a later date when there is time to engage in the required DOE review process.

Natural Environment Element

Changes to the Natural Environment Element were initiated for several reasons – to address:

- Updates to old information – inventory information is no longer current or there is new information that can be added (e.g., conditions have changed)
- Changes to reflect new practices or procedures, either by the City or other agencies
- Changes to reflect climate change, resiliency, or equity requirements. These updates were completed both by staff and a consultant hired as a part of the Periodic Update Grant. (Many climate change additions have been marked with a grey highlight).

At this time, the City is integrating its Climate Change policies through the various elements of the Plan, although in 2029, we will be required to develop a separate comprehensive plan element to address climate change. The climate change section of the Natural Environment will serve as a starting place for that element. The description of the required content for that element is found in the Additional Resources section of this memo (starting on page 4).

Types of text changes that were made in the Natural Environment Element include the following:

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Page	Delete Old / Update with New	Changes / New			Notes
		Procedures	Climate Change/ Resiliency/Equity	Language cleanup/ consolidation	
1	x			x	
2	x			x	Archaeology – to be moved to Community Image;
3				x	
4	x			x	
5	x	x		x	
6	x	x		x	Air quality resulting from wildfires added
7	x		x	x	Air quality resulting from transportation system impacts added
8	x			x	
9	x	x		x	
10		x	x	x	
11	x	x		x	
12		x	x	x	
13		x	x	x	
14		x	x	x	
15		x	x	x	Climate change additions
16		x	x	x	Climate change additions
17		x	x	x	
18		x		x	
19		x	x	x	
20		x	x	x	
21		x	x	x	
22	x	x	x	x	
23					Levee discussion moved to Capital Facilities Element
24		x		x	
25	x		x	x	
26			x	x	
27		x	x	x	
28		x	x	x	
29		x		x	
30		x	x	x	
31		x	x	x	
32		x	x		
33		x	x		
34		x	x		

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ATTACHMENTS

- Shoreline - CLEAN
- Shoreline - TRACK CHANGES
- Natural Environment - CLEAN
- Natural Environment - TRACK CHANGES

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Additional Resources

- **Planning Goals of Growth Management Act ([RCW 36.70A.020](#))**

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW [36.70A.040](#) and, where specified, also guide the development of regional policies, plans, and strategies adopted under RCW [36.70A.210](#) and chapter [47.80](#) RCW. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans, development regulations, and, where specified, regional plans, policies, and strategies:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(3) Transportation. Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled, and are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

(14) Climate change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW [36.70A.210](#) and chapter [47.80](#) RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency

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to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.

(15) Shorelines of the state. For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW [90.58.020](#) shall be considered an element of the county's or city's comprehensive plan.

- **Comprehensive plans—Mandatory elements. RCW [36.70A.070](#) (excerpt)**

...

(9)(a) A **climate change and resiliency element** that is designed to result in reductions in overall greenhouse gas emissions and that must enhance resiliency to and avoid the adverse impacts of climate change, which must include efforts to reduce localized greenhouse gas emissions and avoid creating or worsening localized climate impacts to vulnerable populations and overburdened communities.

(b) The climate change and resiliency element shall include the following subelements:

(i) A greenhouse gas emissions reduction subelement;

(ii) A resiliency subelement.

(c) The greenhouse gas emissions reduction subelement of the climate change and resiliency element is mandatory for the jurisdictions specified in RCW [36.70A.095](#) and is encouraged for all other jurisdictions, including those planning under RCW [36.70A.040](#) and those planning under chapter [36.70](#) RCW. The resiliency subelement of the climate change and resiliency element is mandatory for all jurisdictions planning under RCW [36.70A.040](#) and is encouraged for those jurisdictions planning under chapter [36.70](#) RCW.

(d)(i) The greenhouse gas emissions reduction subelement of the comprehensive plan, and its related development regulations, must identify the actions the jurisdiction will take during the planning cycle consistent with the guidelines published by the department pursuant to RCW [70A.45.120](#) that will:

(A) Result in reductions in overall greenhouse gas emissions generated by transportation and land use within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state;

(B) Result in reductions in per capita vehicle miles traveled within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state; and

(C) Prioritize reductions that benefit overburdened communities in order to maximize the cobenefits of reduced air pollution and environmental justice.

(ii) Actions not specifically identified in the guidelines developed by the department pursuant to RCW [70A.45.120](#) may be considered consistent with these guidelines only if:

(A) They are projected to achieve greenhouse gas emissions reductions or per capita vehicle miles traveled reductions equivalent to what would be required of the jurisdiction under the guidelines adopted by the department; and

(B) They are supported by scientifically credible projections and scenarios that indicate their adoption is likely to result in reductions of greenhouse gas emissions or per capita vehicle miles traveled.

(iii) A jurisdiction may not restrict population growth or limit population allocation in order to achieve the requirements set forth in this subsection (9)(d).

(e)(i) The resiliency subelement must equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities. The resiliency subelement must prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change. Specific goals, policies, and programs of the resiliency subelement must include, but are not limited to, those designed to:

(A) Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;

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(B) Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice; and

(C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.

(ii) A natural hazard mitigation plan or similar plan that is guided by RCW [36.70A.020](#)(14), that prioritizes actions that benefit overburdened communities, and that complies with the applicable requirements of this chapter, including the requirements set forth in this subsection (9)(e), may be adopted by reference to satisfy these requirements, except that to the extent any of the substantive requirements of this subsection (9)(e) are not addressed, or are inadequately addressed, in the referenced natural hazard mitigation plan, a county or city must supplement the natural hazard mitigation plan accordingly so that the adopted resiliency subelement complies fully with the substantive requirements of this subsection (9)(e).

(A) If a county or city intends to adopt by reference a federal emergency management agency natural hazard mitigation plan in order to meet all or part of the substantive requirements set forth in this subsection (9)(e), and the most recently adopted federal emergency management agency natural hazard mitigation plan does not comply with the requirements of this subsection (9)(e), the department may grant the county or city an extension of time in which to submit a natural hazard mitigation plan.

(B) Eligibility for an extension under this subsection prior to July 1, 2027, is limited to a city or county required to review and, if needed, revise its comprehensive plan on or before June 30, 2025, as provided in RCW [36.70A.130](#), or for a city or county with an existing, unexpired federal emergency management agency natural hazard mitigation plan scheduled to expire before December 31, 2024.

(C) Extension requests after July 1, 2027, may be granted if requirements for the resiliency subelement are amended or added by the legislature or if the department finds other circumstances that may result in a potential finding of noncompliance with a jurisdiction's existing and approved federal emergency management agency natural hazard mitigation plan.

(D) A city or county that wishes to request an extension of time must submit a request in writing to the department no later than the date on which the city or county is required to review and, if needed, revise its comprehensive plan as provided in RCW [36.70A.130](#).

(E) Upon the submission of such a request to the department, the city or county may have an additional 48 months from the date provided in RCW [36.70A.130](#) in which to either adopt by reference an updated federal emergency management agency natural hazard mitigation plan or adopt its own natural hazard mitigation plan, and to then submit that plan to the department.

(F) The adoption of ordinances, amendments to comprehensive plans, amendments to development regulations, and other nonproject actions taken by a county or city pursuant to (d) of this subsection in order to implement measures specified by the department pursuant to RCW [70A.45.120](#) are not subject to administrative or judicial appeal under chapter [43.21C](#) RCW.

- **Regional and County Planning Policies:**

<https://www.psrc.org/planning-2050/vision-2050>

<https://kingcounty.gov/en/legacy/depts/executive/performance-strategy-budget/regional-planning/cpps>