

Carla Hoekzema

From: Tom McCormick <tommccormick@mac.com>
Sent: Wednesday, October 14, 2020 2:35 PM
To: Plancom
Cc: Carla Hoekzema; Rachael Markle; Tom Mailhot; John John; Jerry Patterson; Bill Krepick; Phil Thompson; Bill Willard
Subject: [EXTERNAL] Comments re the proposed amendments to the Point Wells Subarea Plan and related development regulations
Attachments: 2020-09-17 TMcCormick edits-comments.pdf; T McCormick 10-18-2018 email.pdf

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To: Planning Commissioners:

Here are my comments for the October 15 Public Hearing on the proposed amendments to the Point Wells Subarea Plan and related development regulations:

1. Reject the maximum density provisions and suspend consideration until late next year.

Please reject the proposed amendments' maximum density provisions (discussed in 2. below), and please recommend that consideration of the proposed amendments be suspended until late next year. There are too many open issues, some of which I discuss below, to rush these important amendments. Despite the Town of Woodway's desire to annex Point Wells as soon as possible, which is driving these amendments, there is no hurry. The Point Wells property owner/developer (BSRE) has a development application pending in Snohomish County. A hearing on BSRE's application is scheduled for November. The Hearing Examiner's decision should be issued within a month or two after the hearing. If BSRE's applications are again denied, as many expect, BSRE will likely appeal. Then BSRE must wait a year to reapply. County Code 30.70.150 says that, "The department shall not accept an application for substantially the same matter within one year from the date of the final county action denying the prior application, unless the denial was without prejudice." There is no hurry.

2. Annexation, and failure to guarantee that a too-big development will never be permitted.

Two years ago, on October 14, 2018, the Town of Woodway passed Resolution 18-406, formally expressing its intent to annex Point Wells. The Town planned to use the annexation method found in RCW 35A.14.295 (annexation of unincorporated island of territory within code city), hoping to annex Point Wells without BSRE's consent. The City wasn't happy about this, as it too had a goal to annex Point Wells. BSRE and others objected. In a November 26, 2018, letter to the Town, BSRE said that,

BSRE will strenuously object to any attempts by Woodway to force annexation of the Point Wells Property. However, BSRE is not necessarily opposed to annexation by either Woodway or Shoreline, provided that such an annexation is done as part of a comprehensive agreement by all parties.

On October 18, 2018, I sent an email to the Town's Councilmembers and the City's Councilmembers (copy attached), urging the Town and City to settle their differences over who gets to annex, and outlining a settlement framework for the parties to consider.

The City and Town reached a settlement in 2019, which I supported. The City and Town entered into a Settlement and Interlocal Agreement (the 2019 Agreement) that gives the Town of Woodway the initial right to annex Point Wells, and

prescribes a process and conditions for the City and Town to amend their subarea plans and development regulations to accommodate future annexation. A key part of the 2019 Agreement pertains to traffic. It says:

[The parties will honor the City's] traffic restriction of 4,000 ADT on Richmond Beach Drive in Shoreline and a LOS D with 0.9 V/C for the remaining Richmond Beach Road Corridor. This requirement or level of service will apply within each city as well as for any development in Point Wells per the applicable County development regulations, such as Urban Center or Urban Village, to the fullest extent allowed by law. ...

The [parties] assume that the 4,000 ADT limitation should allow for approximately 400 to 800 multi-family residential units with such estimate being subject to appropriate mitigation. ...

Upon annexation of Point Wells by Woodway, Woodway shall require that any development or redevelopment of Point Wells of 25 or more units [shall] provide a general-purpose public access road wholly within Woodway that connects into Woodway's transportation network and provides a full second vehicular access point to Point Wells into Woodway.

I supported the 2019 Agreement, especially the above provisions, because I thought that it would help protect our community and the environment. I expected that future amendments to the City's and Town's subarea plans and development regulations would do the same, and **guarantee** that a too-big development at Point Wells would never be permitted. Sadly, the proposed amendments to the City's and Town's subarea plans and development regulations fail to make such a guarantee. The proposed amendments fail to guarantee that a too-big development at Point Wells will never be permitted. Rather than making such a guarantee, the proposed subarea plans and development regulations prescribe a maximum density of 2,684 residential units at Point Wells (44 residential units X 61 gross acres), with commercial space on top of that.

2,684 residential units!

Now back to the Town's current push to annex Point Wells. The Town believes that it must adopt the proposed amendments before it can annex Point Wells, taking advantage of a new annexation procedure enacted by the State earlier this year. The City and Town lobbied vigorously for this new procedure, which allows for annexation without the property owner's consent (without BSRE's consent), if certain conditions are satisfied. See RCW 35A.14.296 (annexation of unincorporated territory pursuant to interlocal agreement).

One condition in the new law is that the Town must commit, in an agreement with the Snohomish County, that:

for a period of five years after the annexation[,], any parcel zoned for residential development within the annexed area shall ... [n]ot have its **minimum** gross residential density reduced below the density allowed for by the zoning designation for that parcel prior to annexation. (Emphasis added.)

When I first read the phrase "minimum gross residential density," I thought it meant that the Town had to commit that it would not reduce the minimum density for Point Wells below the minimum density required by the County for urban villages (12 residential units per gross acre, per SCC 30.31A.115(4)). Apparently, however, the City and Town believe that the phrase means something else, and that the word "minimum" really doesn't mean minimum. I've been told that despite what the law says, the intent was to ensure that the Town sets a "maximum" density for the site that matches the County's maximum density for the site's urban village zoning (44 residential units per gross acre, per SCC 30.31A.115(4)). Hmm. So does minimum really mean maximum?

I oppose the City's and Town's efforts to adopt proposed amendments that prescribe a maximum density of 2,684 residential units in an effort to match the County's rules just so that the Town can annex Point Wells, especially when it is not clear that the new annexation law even requires that.

Let's avoid having the tail wagging the dog on one of the most important issues that residents have been up in arms about: too much density at Point Wells.

Because the Town wants to annex Point Wells, and because the Town believes that to do so it must amend its provisions to match the maximum density in the County's urban village development regulations (44 residential units per gross acre), the Town is proposing to increase its current maximum density of 44 units per **net** acre (Town Code 14.08.085 and 14.40.040(C)) to 44 units per **gross** acre. The difference is alarmingly huge! The City too is proposing a maximum density of 44 residential units per gross acre.

The Point Wells site has 61 gross acres, of which at least 31 acres are critical areas which must be disregarded, yielding about 30 net acres. Doing the math, under the Town's current provisions the maximum density is about 1,320 residential units (= 44 units * 30 net acres). In sharp contrast, under the proposed amendments, the maximum density would increase to about 2,684 units (= 44 units * 61 gross acres).

A massive development at Point Wells with 2,684 residential units must be fought. A development of that size would have severely adverse environmental impacts, and will affect the public's health and safety especially when considering that much of the site is in a landslide hazard area (see attached graphic, with my markings). And I suspect some Town residents may not like being vastly outnumbered by future Point Wells residents, with the loss of political control that could bring.

Rather than increasing the maximum density to match the County's rules, just to pave the way for the Town's forced annexation of Point Wells without BSRE's consent, the Town and City should seek to have the newly enacted annexation law clarified and revised to eliminate the need to match the County's 44-units-per-gross-acre rule. Or the Town and City should lobby vigorously for the County to lower its maximum density rules to match the Town's current rule—44 units per **net** acre. There is precedent for the County to revise its maximum density rules for urban villages. For example, the County's Comprehensive Plan, unlike its development code, already uses "net" density for urban villages, saying "residential net densities shall be at least 12 dwelling units per acre; maximum densities may be established as part of more detailed planning." And the County's development code for urban centers was amended in 2013 to use "net" site area rather than "gross" site area to determine maximum density. So why shouldn't the County's development code for urban villages be similarly amended to use "net" acres instead of "gross" acres to determine the maximum density for urban villages?

The annexation tail should not wag the dog. The City and Town should suspend consideration of the proposed amendments until late next year, providing time to seek solutions that don't involve increasing the maximum density at Point Wells to about 2,684 residential units, with commercial space on top of that.

3. Internal inconsistencies.

In the 2019 Agreement between the City and the Town, the parties agree to honor the City and Town's traffic level of service standards and the City's traffic limit on Richmond Beach Drive—4,000 average daily trips. The Agreement says that, "The Cities assume that the 4,000 ADT limitation should allow for approximately 400 to 800 multi-family residential units with such estimate being subject to appropriate mitigation." Adopting the proposed maximum density of 44 units per **gross** acre (about 2,684 units) is inconsistent with the 400 to 800 multi-family residential units projected in the 2019 Agreement, even if one considers a required second access road could accommodate some additional traffic.

Also, since the 4,000 ADT limit is in the City's Comprehensive Plan, and included in both the Town's and City's proposed amendments, it appears that adopting a proposed maximum density of 44 units per **gross** acre (about 2,684 units) would violate RCW 36.70A.070, which provides that, "The plan shall be an internally consistent document and all elements shall be consistent with the future land use map." As noted in the 2019 Agreement, the 4,000 ADT limitation should allow for only 400 to 800 multi-family residential units. That's inconsistent with the proposed maximum density of about 2,684 units. And note that BSRE stated in a court filing last year that the 4,000 ADT limit would accommodate only 653 residential units.

The proposal also fails to include a minimum density requirement which is inconsistent with urban village principles generally, but more specifically is inconsistent with the City's Subarea Plan for Point Wells, which calls for "medium density multi-family residential housing situated in multi-story buildings of varying heights." The lack of a minimum density requirement is particularly troubling for the Town, given that the Town's current urban village rules provide for a minimum density of 12 units per **net** acre. Deleting that requirement is inconsistent with urban village zoning. Perhaps the Town wants to zone the site as something less than urban village? The Town can't have it both ways.

4. The proposed maximum density of 44 units per gross acre (about 2,684 units) is not meaningless.

The Town and City may say that the 2,684-unit maximum is meaningless, and we shouldn't worry about it, because LOS limits and the 4,000 ADT limit on Richmond Beach Drive, would preclude the 2,684-unit maximum from ever being reached. Well, if the 2,684 residential unit maximum is really meaningless, then get rid of it. The public needs an iron-clad **guarantee** that a too-big development will never be permitted at Point Wells. The 44-unit per gross acre provision in the proposed amendments does just the opposite; it leaves open the possibility that a 2,684-unit development could be built at Point Wells. Consider also that the density protection that everyone hopes is conferred by the 4,000 ADT limit is subject to a court challenge. BSRE has filed an appeal challenging the validity of the City's 4,000 ADT limit; the court case is pending. If the 4,000 ADT limit is invalidated, then a major constraint on the size of development disappears.

Next, when the City or Town say that the 2,684-unit maximum is meaningless, they assume that the traffic impact is the only adverse environmental impact. That is wrong. Even if the traffic impacts vanish (perhaps with a 1.3 mile tunnel from Point Wells to SR 104, as some have suggested), there remain numerous other adverse environmental concerns caused by a massive development.

A massive development on the shore of Puget Sound would, for example, have severely adverse impacts on the rich nearshore marine environment and Puget Sound generally. This is especially true if water taxi or passenger-only ferries are employed at Point Wells, as the current developer has proposed. Further, because more than half of the site is in a landslide hazard area, per Snohomish County rules (see attached graphic, with my markings), a large development at Point Wells would jeopardize both the environment and the public's health and safety. The site also poses a huge liquefaction risk, further jeopardizing the environment and the public's health and safety. (Liquefaction occurring beneath buildings and other structures can cause major damage during earthquakes.) These are just a few examples. There are many other environment impacts to consider, such as noise pollution, light pollution, water pollution, damage to streams and wildlife, etc.

5. Comments previously submitted.

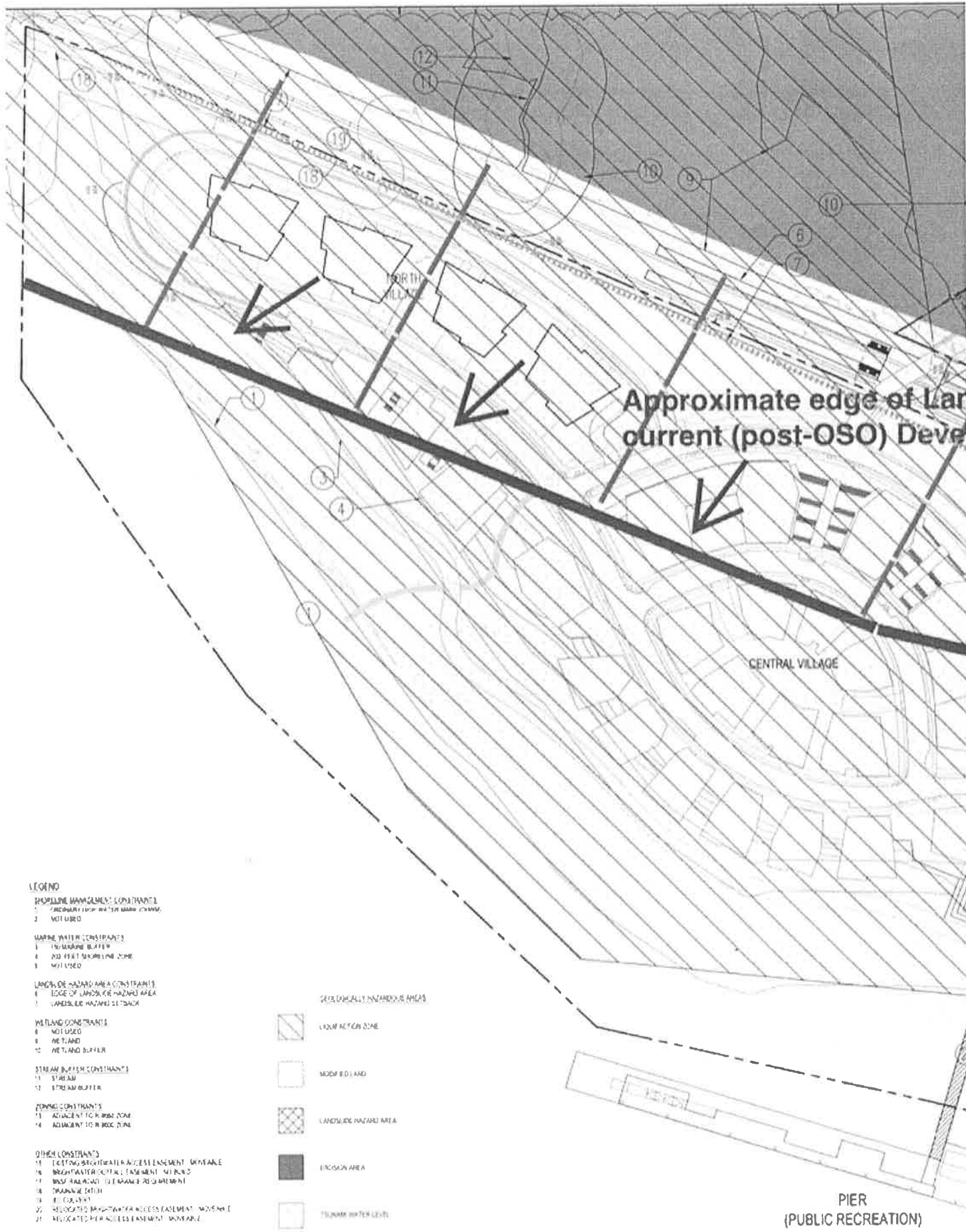
Please see my comments and edits to the proposed amendments that are embedded in the attached PDF. I submitted the same PDF for the Planning Commission's September 17 meeting.

There is no need to rush to adopt the proposed amendments. Please reject the proposed amendments' maximum density provisions (discussed in 2. above), and please recommend that consideration of the proposed amendments be suspended until next year. There are too many open issues to rush these important amendments.

Thank you.

Tom McCormick

*"A small development at Point Wells
with a second public access road,
or no development at all."*



Approximate edge of Large current (post-OSO) Development

CENTRAL VILLAGE

PIER
(PUBLIC RECREATION)

LEGEND

PROPOSED EASEMENTS CONSTRAINTS

- 1. PROPOSED EASEMENT FOR WATER CHANNEL
- 2. NOT USED

MARINE WATER CONSTRAINTS

- 3. 150 MARENE BUFFER
- 4. 200 FEET SHORELINE ZONE
- 5. NOT USED

LANDSLIDE HAZARD AREA CONSTRAINTS

- 6. EDGE OF LANDSLIDE HAZARD AREA
- 7. LANDSLIDE HAZARD SETBACK

WETLAND ZONE CONSTRAINTS

- 8. NOT USED
- 9. WETLAND
- 10. WETLAND BUFFER

STREAM BUFFER CONSTRAINTS

- 11. STREAM
- 12. STREAM BUFFER

ZONING CONSTRAINTS

- 13. ADJACENT TO R-100B ZONE
- 14. ADJACENT TO R-100C ZONE

OTHER CONSTRAINTS

- 15. EXISTING BRIDGE/WATER ACCESS EASEMENT - MOVABLE
- 16. BRIDGE/WATER ACCESS EASEMENT - PERMANENT
- 17. BNSF RAILROAD 12' EASEMENT REQUIREMENT
- 18. DRAINAGE DITCH
- 19. E. TOLSON
- 20. REGULATED BRIDGE/WATER ACCESS EASEMENT - MOVABLE
- 21. REGULATED BRIDGE/WATER ACCESS EASEMENT - MOVABLE

GEOTECHNICAL HAZARDOUS AREAS

- [Hatched Box] LIQUID ACTION ZONE
- [White Box] MODIFIED LAND
- [Cross-hatched Box] LANDSLIDE HAZARD AREA
- [Dark Grey Box] EROSION AREA
- [White Box] TIDAL WATER LEVEL

DRAFT – Revised September 9, 2020

Point Wells Subarea Plan

Geographic Context

The Point Wells Subarea is an unincorporated area of approximately ~~50~~⁶⁰ acres in the southwestern most corner of Snohomish County. It is bordered on the west by Puget Sound, on the east by the Town of Woodway, and on the south by the Town of Woodway and the City of Shoreline (see Figure 1). Point Wells is not contiguous with any other portion of unincorporated Snohomish County.



Figure 1. Point Wells Subarea

The only vehicular access to Point Wells is via Richmond Beach Drive and Richmond Beach Road and the regional road network via the City of Shoreline. However, there is potential for easterly access through the Town of Woodway connecting to 116th Avenue West.

County and Regional Context

In order to meet the provisions of the Growth Management Act that ensure that plans are consistent and coordinated, the Snohomish and King County Countywide Planning Policies and the Puget Sound Regional Council's adopted growth strategy (Vision 2040) are used to guide the development of plans and development regulations for the subarea. The Snohomish County Comprehensive Plan designates the subarea as the Woodway Municipal Urban Growth Area (Woodway MUGA).

The Snohomish Countywide Planning Policies provide for the planning, development and annexation of unincorporated land situated in a municipality's MUGA. Specifically, Countywide Planning Policy DP-5 establishes the factors to be included in comprehensive plans for UGAs, and enables cities to prepare and adopt plans and development regulations for Municipal UGAs to which the city or town has determined it is capable of providing urban services at some point in the future via annexation. Further, policy DP-17 states that "*city comprehensive plans should have policies on annexing the areas in their unincorporated Urban Growth Area/Municipal Urban Growth Area*".

The Puget Sound Regional Council's adopted regional growth strategy, *Vision 2040*, directs unincorporated lands to annex to affiliated cities with services provided by the adjacent municipality. The *Vision 2040* goal for unincorporated urban growth areas states that "*all unincorporated lands within the urban growth area will either annex into existing cities or incorporate as new cities.*" Multicounty policies provide for unincorporated lands adjacent to cities to be affiliated with such cities and that annexation is preferred over incorporation. Additional policies support the provision of urban services to unincorporated urban areas by the adjacent city.

Thus, the Woodway Municipal Urban Growth Area Subarea Plan draws on the adopted goals and policies of both the County and Region in creating the plan's stated vision, goals, and policies.

Woodway Municipal Urban Growth Area Subarea Plan

Point Wells is situated within Woodway's Municipal Urban Growth Area (MUGA). A subarea plan for the Woodway MUGA was adopted in April 2013 by the Woodway Town Council and incorporated into the Snohomish County General Policy Plan in 2015. The Point Wells Subarea Plan for Shoreline was adopted by the Shoreline City Council in 2011.

The Woodway MUGA subarea contains two distinct geographic areas; Point Wells and the land area located east of the BNSF railroad right of way commonly referred to as the Woodway Upper Bluff. The Upper Bluff was annexed into the Town in June 2015 and is planned and zoned for low density residential development. The Point Wells portion of the subarea is unincorporated in Snohomish County and is mostly situated west of the BNSF right of way and extends westward to Puget Sound. The southernmost portion of Point Wells is adjacent to the City of Shoreline in King County.

Shoreline Future Service and Annexation Area

In 1998, the City identified Point Wells as a Potential Annexation Area, signifying its desire to annex Point Wells to the City. In 2012, the City amended this identifier to Future Service and Annexation Area (FSAA). The intent of the FSAA identification is not only to recognize Shoreline's intent that this area of unincorporated Snohomish County is appropriate for annexation to Shoreline at some point in the future but, that even if annexation did not occur, Shoreline would be the jurisdiction predominately providing public services to the area.

Although there is potential easterly access to Point Wells through the Town of Woodway connecting to 116th Avenue West, presently Point Wells is connected to the regional road network only via Richmond Beach Drive and Richmond Beach Road in the City of Shoreline. Therefore, services and infrastructure for future re-development of Point Wells would be most efficiently, effectively, and equitably provided by the City of Shoreline and its public safety partners. These would include police from the Shoreline police department and emergency medical services and fire protection from the Shoreline Fire Department. In addition, the City would be responsible for development permit processing, code enforcement, parks, recreation and cultural services, and public works roads maintenance.

Future residents of Point Wells would become a part of the Richmond Beach community by virtue of the shared parks, schools, libraries, shopping districts and road grid. As citizens of the City of Shoreline, they would be able to participate in the civic life of this "community of shared interests," including the City's Parks Board, Library Board, Planning Commission, or other advisory committees, and City Council.

Planning Background

Town of Woodway

The Town has been engaged in planning for the subarea for many years. In 1999, the Point Wells Advisory Committee was created to work with property owners, residents, and surrounding jurisdictions to prepare for the eventual conversion of the industrial asphalt use to an urban non-industrial use. The Advisory Committee prepared several alternatives for consideration by the Town Planning Commission and Council. The alternatives prepared by the Planning Commission focused on residential uses or passive open space for the upper bluff and a variation of three mixed-use land patterns with varying urban uses and densities for Point Wells. The separate alternative desired by the Point Wells landowner (Chevron-Texaco in 2000) was to maintain the current Industrial land use designation as set forth in the Snohomish County comprehensive plan. The Advisory Committee recommended that the Planning Commission select the residential alternative for the upper bluff and maintain the industrial alternative for Point Wells. The Town Council adopted the Planning Commission's recommendation with a specific policy in the 2000 Comprehensive Plan that stated the industrial designation would be used for the near-term but may be amended with a more intensive use when geo-political conditions warrant.

In 2009, Snohomish County received an application to amend its comprehensive plan for Point Wells from Industrial to Urban Center. As part of the Urban Center comp plan designation, the County received an application for the development of a mixed-use urban center. Following a ruling by the Central Puget Sound Growth Hearings Board that the Point Wells urban center designation did not meet the County’s criteria for an Urban Center, the County re-designated Point Wells in 2012 to the Urban Village future land use designation. Pursuant to the County’s General Policy Plan, Urban Villages are typically smaller and less intensive than an Urban Center.

With the re-designation of Point Wells by Snohomish County and the change in geo-political conditions, the Town embarked on a planning process to reconsider the previous Industrial designation of Point Wells. The Woodway Planning Commission prepared a new plan for the Point Wells portion of the MUGA subarea that was adopted by the Town Council in April 2013. That plan designates and zones the entire 60 acres of Point Wells as Urban Village. The Urban Village designation is implemented with the Town’s Urban Village zone district upon annexation. The district substantially replicates Snohomish County’s zoning, providing for mixed use land uses with a residential density range from 12 to 44 units per gross acre.

Note: Woodway's existing urban village rules use "net" acres, not "gross" acres. See Woodway Code sections 14.08.085 and 14.40.040(C).

City of Shoreline

net

The City of Shoreline also prepared a subarea plan for Point Wells in ~~2014~~ given that the primary access to Point Wells is via Richmond Beach Drive and that the majority of future transportation trips to and from Point Wells will impact Shoreline. The City’s subarea plan recognizes the Snohomish County development application of an intensive mixed-use proposal and seeks to mitigate land use, environmental, aesthetic, servicing and transportation impacts through the preparation of a transportation corridor study. The Shoreline subarea plan also proposes to provide urban services to the area following a future cross-county annexation.

2010

See Ord. 571 (2010).

In 2017 Shoreline began the process to enable a future annexation of Point Wells. The City proposed an amendment to the Snohomish County Planning Policies that, if approved, would allow the eventual cross-county annexation of Point Wells to Shoreline. The Snohomish County Tomorrow countywide planning group reviewed the proposal and recommended that Shoreline’s proposal be denied. The Snohomish County Council subsequently agreed and passed a motion rejecting the request in May 2018.

Woodway/Shoreline Settlement Agreement

As previously stated, Point Wells has been identified as a future annexation area for both the City of Shoreline and Town of Woodway in each jurisdiction’s Comprehensive Plan. Both plans include vision statements and policies regarding the planning, servicing and development of Point Wells. Given that both jurisdictions have had disagreements in the past concerning the governance of Point Wells that have resulted in litigation and attendant expenditure of valuable municipal resources, it is prudent for

both jurisdictions to move forward with a cooperative approach to plan for the desired future land uses, services, environmental considerations and annexation of Point Wells.

Toward this end, Woodway and Shoreline both agree that it is of mutual benefit to provide a framework on how both jurisdictions will work together to plan for future land uses, servicing and redevelopment of Point Wells. The mayors of both cities signed a Settlement and Interlocal Agreement in October 2019 to address issues regarding annexation, development standards, individual city responsibilities, servicing, and resolution of outstanding litigation between the two cities.

Framework

Given that both jurisdictions have individual subarea plans for Point Wells, and Shoreline and the Town desire to coordinate their planning for the site, the policies and implementing development regulations (that would become effective upon annexation) presented below are intended to be largely identical in both jurisdictions' subarea plans.

Vision for Point Wells

2050

This should be at least 2050. Cleanup of the site will take many years, possibly even "decades" per an internal Dept. Of Ecology email that I have.

The current planning horizon for the Woodway and Shoreline Comprehensive Plans extends to ~~2035~~. The vision listed below is intended to guide land use decision-making throughout the planning period and provide the basis for a series of land use, servicing, governance and environmental policies that will be implemented with the application of practical development regulations and design standards.

The vision for Point Wells is:

To create a unique, primarily residential, Puget Sound shoreline community compatible with surrounding neighborhoods. Appropriately scaled mixed-use buildings will be pedestrian-oriented and incorporate exceptional architecture, sustainable design and building heights that preserve public view corridors. The community will be designed and developed with low-impact, environmentally sustainable development practices and infrastructure, and include a restored natural environment, well-designed public gathering spaces and a waterfront that emphasizes habitat restoration and extensive public access to the Puget Sound.

Point Wells Subarea Goals and Policies

A set of goals and policies are listed below to enable the communities to move forward with land use decisions and actions to implement the vision for Point Wells.

Land Use Goal 1: Point Wells is designated as Planned Area 4 by the City of Shoreline and an Urban Village by the Town of Woodway. Both designations are based on a coordinated planning effort and incorporated into the comprehensive plan for the Town of Woodway and City of Shoreline. Development of Point Wells occurs pursuant to a master plan approved through a development agreement enabled by the City's

Development Code and implementing Planned Area 4 regulations. The master plan is prepared by an applicant and includes a primarily residential community that is compatible with surrounding neighborhoods. Mixed-use buildings will be appropriately scaled and pedestrian-oriented and designed consistent with the City’s design standards. The development will be supported by a full range of urban services.

Land Use Policies

Note: Woodway's existing urban village rules use "net" acres, not "gross" acres. See Woodway Code sections 14.08.085 and 14.40.040(C).

LU Policy 1: Characteristics of the Planned Area 4 designation include a mix of land uses, integrated into a pedestrian-scaled pattern with sustainable site improvements, infrastructure, buildings, and open spaces. The predominant use is residential, with any medium density multi-family residential housing situated in multi-story buildings of varying heights, strategically sited to preserve and enhance public view corridors. The maximum allowable residential density is 44 units per gross acre, with attendant uses including but not limited to retail, office, transit facilities, structured parking, and public spaces. Site design emphasizes defined building envelopes separated with open space corridors, pedestrian circulation throughout the site and public access to a restored shoreline.

net

LU Policy 2: Implementation of the Planned Area 4 designation will occur through the adoption of a Planned Area 4 zone district that will best implement the vision, goals, and policies for the Point Wells Subarea. The implementing zone district should address at a minimum: permitted land uses, building height, open space requirements, bulk standards, parking, and master plan requirements. The maximum building height is 75 feet. A development agreement enabled by RCW 36.70B will serve as the entitlement for development approval of the master plan. The City’s development regulations, including but not limited to zoning, subdivision standards, critical area regulations, stormwater regulations, and shoreline master programs, will be applicable upon annexation.

including landslide hazard regulations

LU Policy 3: Urban design standards will be prepared to serve as a guide for the planning, design and construction of buildings, street network, parking, pedestrian spaces, signage, open space, utility placement, landscaping and servicing. Administration of the design standards will occur through administrative review and approval.

Capital Facilities/Utilities Goal 2: Point Wells is served with a full range of urban services, including sewer and water, stormwater facilities, fire protection, law enforcement, energy and telecommunication facilities provided through the City, special purpose districts, and regional providers. Alternative energy sources such as solar, wind and co-generation facilities should be incorporated into the master plan to reduce its carbon footprint.

CF/U Policy 1: The provision of urban services provided by special purpose districts, regional providers or other local governments will be managed by the City.

NOTE: Snohomish County's PDS determined that developer's current Urban Center application violates the County's landslide hazard rules, and has recommended denial of the developer's request for a deviation from those rules. Because landslide issues loom so large, the Subarea Plan should specifically incorporate reference to the City's landslide hazard regulations.

CF/U Policy 2: Each jurisdiction may negotiate with development proponents to determine which, if any, of required new capital facilities will be dedicated to the Town and which, if any, will remain private. All planned capital facilities for Point Wells should be coordinated with the City and service providers.

CF/U Policy 3: All proposed electric and communication line extensions to Point Wells should be installed underground in public rights-of-way or utility easements. All underground utility installations outside of public rights of way should be improved with appropriate landscaping.

Transportation/Circulation Goal 3: Vehicular access to and from Point Wells is of paramount concern. Transportation impacts are identified and fully mitigated in all development proposal applications. Richmond Beach Drive remains as a local access street to adjacent properties and the Richmond Beach Neighborhood, with multimodal street improvements. Secondary access through Woodway is designed and constructed to address environmental constraints and impacts to neighbors, to accommodate multimodal uses, including pedestrian, emergency services and vehicular access.

T/C Policy 1: A transportation corridor study and mitigation plan ~~should~~^{must} be prepared and funded by development applicants under the direction of the City, with input, participation, and leadership, as appropriate, from Woodway, Snohomish County, WSDOT, and other stakeholders. The scope of the study and mitigation plan should be prepared by each jurisdiction with an emphasis on identification of impacts and mitigating measures, design improvements and associated costs, needed services, including design and financing for multimodal solutions to improve mobility within the surrounding neighborhoods and communities.

T/C Policy 2: The needed improvements identified in the corridor study and mitigation plan should be built and operational concurrent with the occupancy of any approved phasing of the development.

T/C Policy 3: Development within Point Wells shall not generate more than 4,000 average daily trips onto Richmond Beach Drive within the City of Shoreline and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.

T/C Policy 4: Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation network and provides a full second vehicular access point from Point Wells into Woodway.

T/C Policy 5: A network of well-connected streets, sidewalks, and multipurpose pathways should be developed as part of a master plan and constructed and phased concurrently with redevelopment of the subarea.

must be

Environmental Preservation/Protection Goal 4: Point Wells is a unique landform on Puget Sound with sensitive environmental features that are identified and protected through federal, state, and local legislative edicts. The current site conditions and contamination ~~is~~ remediated and monitored to provide for a clean and safe environment for residents, visitors, flora, and fauna. Low impact development techniques are incorporated into site development and the near shore environment is enhanced and preserved consistent with the goals, policies and regulations of the City's Shoreline Master Program.

EP/P Policy 1: Site restoration and clean-up will be managed by the State Department of Ecology, with participation and input by Snohomish County, the Town of Woodway, the City, and other stakeholders.

EP/P Policy 2: Extensive environmental review, documentation and analysis will be managed by the City and funded by the applicants seeking entitlements for development. The scope of the environmental review will be determined by all jurisdictions and agencies affected by the proposal within the context of the State Environmental Policy Act (SEPA), including the impacts of sea level rise and climate change on the development proposal.

taking into account the date that full buildout of the site is likely to occur.

EP/P Policy 3: The proposed location of buildings, streets, infrastructure, and other physical site improvements set out in the master plan should avoid impacts to the sensitive environmental constraints and features in the subarea. The development agreement will include provisions for monitoring of environmental features including but not limited to soil, groundwater, and sea level rise.

EP/P Policy 4: Consistent with the goals, policies and regulations of the City's Shoreline Master Program, the near shore environment will be restored and enhanced to predevelopment conditions and incorporate extensive public access and passive open space improvements.

EP/P Policy 5: The master plan should incorporate sustainable site and building design that serves as a leader in current practices that implement sustainability.

Governance Goal 5: Planning for future development of Point Wells has been and will continue to be of interest to all three affected local jurisdictions - Snohomish County, Shoreline and Woodway as well as other key stakeholders. Pursuant to the Growth Management Act, PSRC Vision 2040, and Countywide Planning Policies, Point Wells is annexed to Woodway and provided with urban services. Woodway has coordinated all aspects of the proposed development with affected jurisdictions and agencies to assure each jurisdiction's respective interests are appropriately addressed. If Woodway, by resolution or formal action of its Town Council, notifies Shoreline of Woodway's election to not annex Point Wells, Shoreline may seek annexation of Point Wells pursuant to applicable statutes.

NOTE: Considering the many years, even decades, that cleanup could take, plus the time to secure all needed approvals and complete all construction, it could be 40 or 50 years or more before full buildout is achieved. Consider one example: if Puget Sound rises by one foot in 50 years (which some experts predict), the Ordinary High Water Mark could move inland by 5 - 15 feet, jeopardizing the site area.

G Policy 1: The City’s institutional processes related to the planning, servicing and administration of entitlements should be participatory, accountable, transparent, efficient, inclusive and respect the rule of law.

G Policy 2: The City shall provide the Town of Woodway with at least 30 calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, before any legislative actions that may modify or amend the Point Wells Subarea Plan or implementing development regulations, or that otherwise impacts the uses, development, or redevelopment of the subarea. Notice shall include, but not be limited to, notice of all Planning Commission and City Council meetings and hearings related to such legislative considerations or actions.

Subarea Land Use Plan Designation

[Insert Subarea Map Designating Subarea “Planned Area 4”]

Figure 2 – Land Use

Subarea Zoning

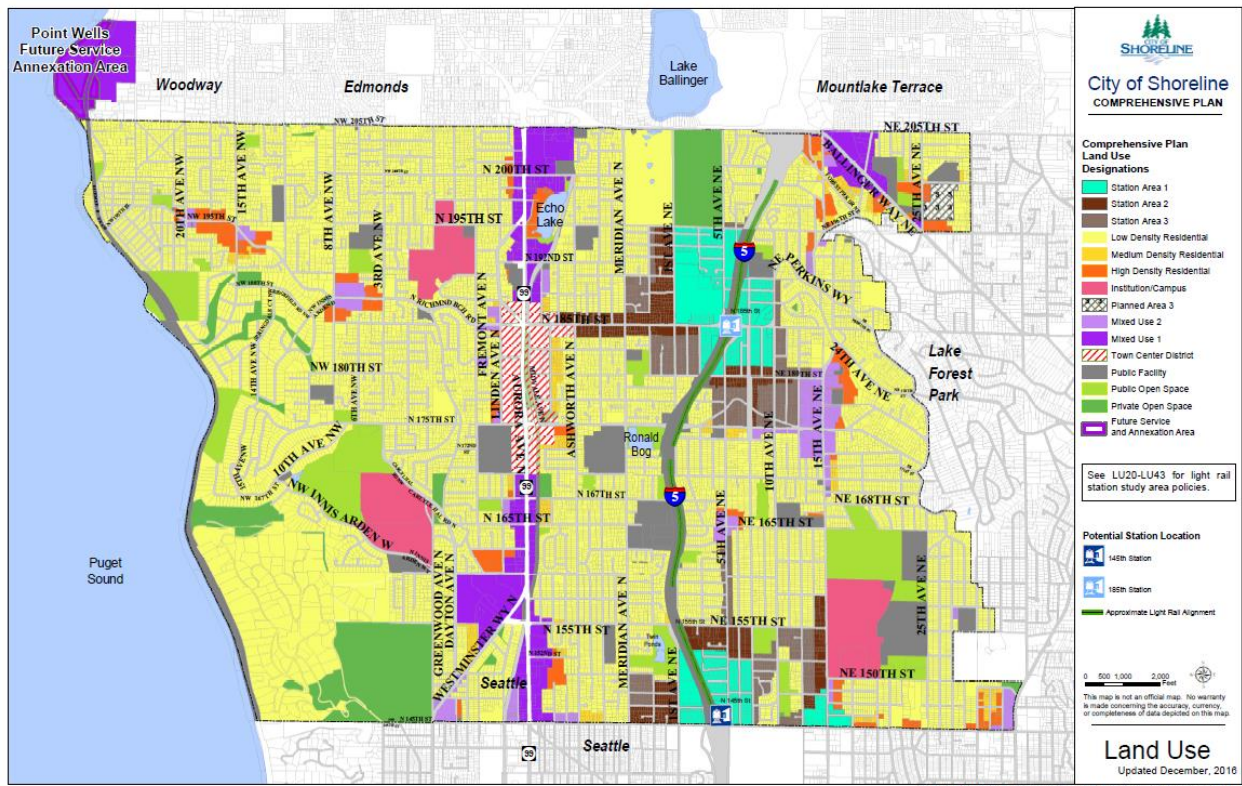
[Insert Subarea Map Designating Zoning “Planned Area 4”]

Figure 3 – Zoning

Proposed Comprehensive Plan Amendments

LU51: Pursue annexation of Point Wells pursuant to the Settlement and Interlocal Agreement Between City of Shoreline and Town of Woodway. If annexed to the City of Shoreline, and implement the Planned Area 4 land use designation and the City of Shoreline Point Wells Subarea Plan for this area.

Revise Land Use Map to Change Point Wells FSAA from Mixed Use 1 to Planned Area 4



DRAFT - Revised August 28, 2020

NEW – Chapter 20.94

Point Wells – Planned Area 4

20.94.010 Purpose and applicability.

The purpose of the Point Wells – Planned Area 4 (“PA 4”) zone is to implement the goals and policies of the Point Wells Subarea Plan, which envisions a pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation access.

20.94.015 Relationship to other regulations.

Development in the PA 4 zone is subject to SMC 20.80, Critical Areas; Division II of the Development Code, Shoreline Master Plan; and SMC 13.12, Floodplain Management. Where conflicts occur between provisions of this subchapter and other City regulations, the more restrictive provisions shall apply.

20.94.020 Permitted uses.

- A. Land uses listed in Table 20.94.020A are permitted, subject to an approved development agreement.
- B. Land uses not listed in Table 20.94.020A may be permitted as part of an approved development agreement, provided the development agreement includes written findings that the unlisted land use(s) is consistent with the Point Wells Subarea Plan and the purpose of this subchapter.

Table 20.94.020A

NAICS #	SPECIFIC LAND USE
	Live/work units
	Assisted living facilities
	Apartment/Multifamily
	Single-Family Attached (Townhomes)
	Single-family Detached
722	Eating and Drinking Establishments (excluding Gambling Uses) ¹
72111	Hotel/Motel
	General Retail Trade/Services ²
	Professional Office
	Parks and Trails
	Recreation/cultural
	Personal services
	Financial institutions
	Parking structures and surface parking lots, accessory to a primary use
	Health and fitness facilities
921	General government/public administration facilities
92216	Fire facility
92212	Police facility
221	Utilities ³
	Wireless Telecommunication Facility ⁴
	Home Occupation
	Accessory dwelling units

Footnotes:

1. Drive-thrus are prohibited.
2. These general retail trade/services are prohibited in the PA 4 zone:
 - a. Adult use facilities;
 - b. Smoke/vape shop (a business that sells drug paraphernalia and smoking products);
 - c. Marijuana Operations
 - d. Firearm sales;
 - e. Pawnshops; and
 - f. Vehicle sales and service.
3. Utility facilities necessary to serve development in the PA 4 zone are permitted. Utility transmission and distribution shall be located underground. Utility facilities in existence as of [date of ord.] are not subject to a Development Agreement or Master Development Plan.
4. Subject to the provisions of SMC 20.40.600.

net

20.94.025 Development standards.

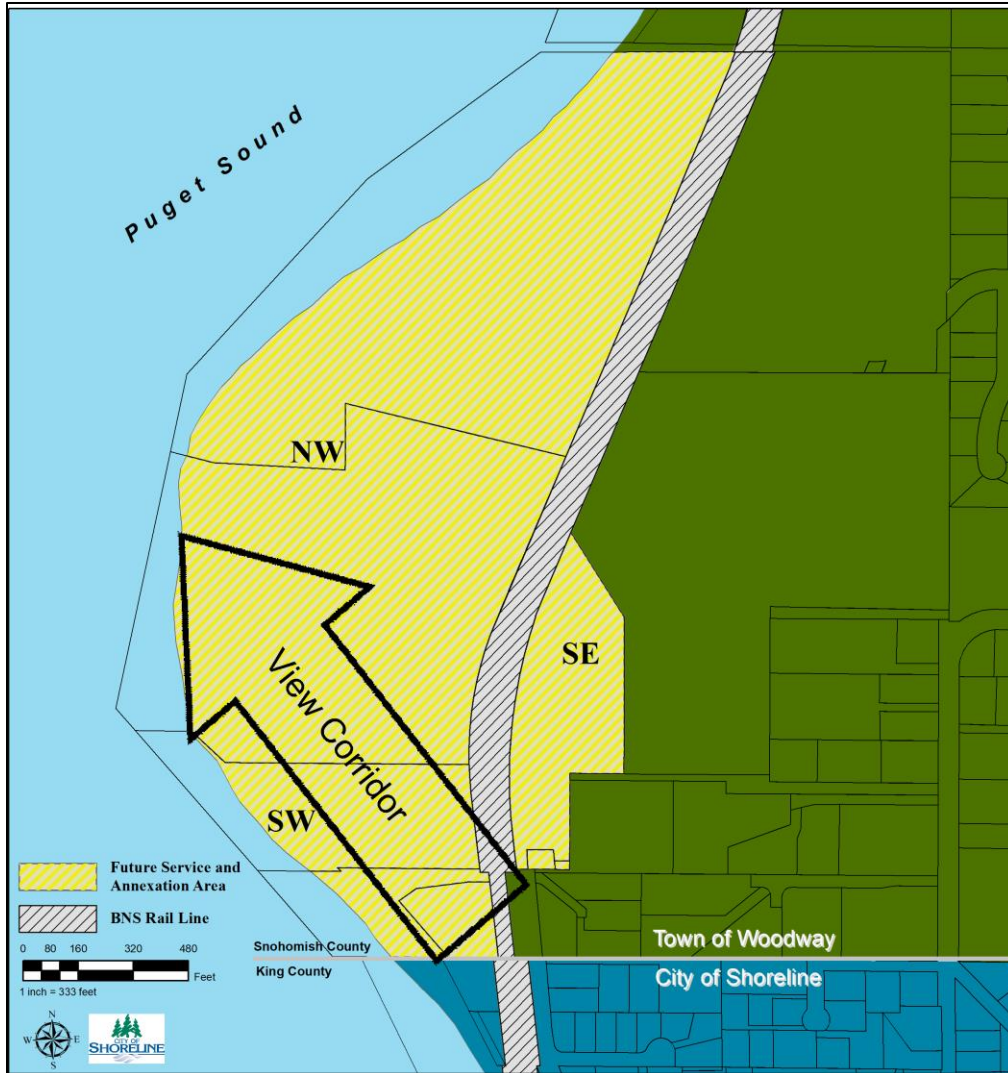
- A. Residential Density. Development shall not exceed a maximum density of 44 dwelling units per ~~gross~~ acre.
- B. No building within the development shall exceed 60 dwelling units.
- C. No building within the development shall have a footprint that exceeds 10,000 square feet.
- D. Setbacks. Setbacks shall be consistent with applicable design standards and identified as part of an approved development agreement.
- E. Lot dimensions. There is no minimum lot size or width. Any subdivision of land or alteration of property lines is subject to Subchapter 7 of the Development Code, Subdivisions.
- F. Utilities. All utilities shall be underground. Location of utilities and mechanical areas shall comply with applicable design standards.

20.94.030 Building Height

- A. The maximum building height shall be 45 feet, except areas east of the BNSF railroad right-of-way the maximum building height shall be 35 feet.
- B. The maximum building height may be increased to 75 feet west of the BNSF railroad right-of-way provided the applicant conducts a view analysis demonstrating public views from Richmond Beach Drive to Admiralty Inlet are not impacted (as depicted on Figure 20.94.030A). The view analysis and accompanying height limits shall be reviewed and approved concurrently with a development agreement.
- C. Building height shall be measured pursuant to SMC 20.50.050.

Figure 20.94.030A

Note: Woodway's existing urban village rules use "net" acres, not "gross" acres. See Woodway Code sections 14.08.085 and 14.40.040(C).



20.94.035 Parking.

A. Development in the PA 4 zone shall comply with the following parking ratios:

Table 20.94.035A

Use	Minimum Spaces Required
Single-family detached/attached/townhouse	2.0 per dwelling unit
Apartment/Multifamily:	1.0
Studio and one bedroom units	0.75 per dwelling unit ←
Two bedroom or more units	1.5 per dwelling unit
Accessory dwelling units	1.0 per dwelling unit
Home occupation	In addition to required parking for the dwelling unit, 1 for any nonresident employed by the home occupation and 1 for patrons when services are rendered on site
Assisted Living Facilities	1 per 3 dwelling or sleeping units
Restaurants	1 per 75 square feet in dining or lounge area

Should be 1.0. This is especially important because of Point Wells" remote location and lack of high capacity transit access.

Hotel/Motel	1 per unit
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces
Retail trade uses	1 per 400 square feet
Professional office uses	1 per 500 square feet
Recreation/culture	1 per 300 square feet
Parks and trails and public beach access	Parking analysis
General services uses	1 per 300 square feet
Health and fitness facilities	1 per 300 square feet
Public facilities and utilities "net square feet," the	Parking analysis excluding

Note: ~~Net~~ square feet in the table above refers to net usable area ~~and excludes~~ walls, corridors, lobbies, bathrooms, etc.

- B. If the formula for determining the number of parking spaces results in a fraction, the number of parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.
- C. Uses not listed, or uses listed with a parking ratio referring to "Parking analysis" in Table 20.94.035A shall undergo a parking demand analysis prepared by a qualified professional with expertise in parking demand studies. The parking demand study shall be reviewed and approved concurrently with a development agreement.
- D. Public parking areas shall be distributed throughout the project and provided at a rate appropriate to serve publicly-accessible recreation and open space areas.
- E. An applicant may request a reduction of the minimum required parking spaces with the approval of a parking management plan. The parking management plan shall be reviewed and approved concurrently with a development agreement.
- F. Development in the PA 4 zone shall comply with SMC 20.50.410, Parking design standards; SMC 20.50.420, Vehicle access and circulation; and SMC 20.50.440, Bicycle facilities.

20.94.040 Recreation and open space.

- A. Development in the PA 4 zone shall provide an integrated public open space network that links together the various open spaces throughout the development and provides public access to shorelines, public open space areas, and publicly-accessible parking.
- B. All development shall provide public recreation and open space at a minimum rate of 10 percent of the gross site area. The minimum public recreation and open space area shall not include, **and shall be** shoreline public access as required pursuant to the Shoreline Management Act, RCW 90.58. **in addition to,**
- C. Public recreation and open space areas shall include a mix of active and passive uses.
- D. For developments with an approved phasing plan, each phase of a development shall include a minimum of 10 percent of the gross recreation and open space area required for the phase.

20.94.045 Transportation.

A transportation study shall be prepared and submitted with the application for a development agreement. The scope of the transportation study shall be established by the City Traffic Engineer and include at a minimum the following elements:

- A. Development within Point Wells shall not generate more than to 4,000 average daily trips (ADT) onto Richmond Beach Drive within the City of Shoreline and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.
- B. Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway’s transportation network and provides a full second vehicular access point from Point Wells into Woodway.
- C. Connectivity. Development in the PA 4 zone shall provide a network of streets, sidewalks, and multipurpose pathways that are well connected and provide efficient circulation throughout the zone and connect to the surrounding transportation network.
- D. Public and private street cross sections. Street cross sections shall be developed to complement adjoining land uses and implement applicable design standards while also meeting engineering standards for safety and function, and the most recently adopted City of Shoreline Engineering Development Manual. Cross sections for each type of street within the development shall be reviewed and approved concurrently with a development agreement. The table below describes the primary elements for types of streets anticipated within a development.

Table 20.94.045A

Feature	Primary Street (both sides)	Secondary Street (both sides)
Sidewalk	12'	7'
Amenity Zone	5'	5'
Landscaping	Street trees 30' on center	Street trees 30' on center
On Street Parking	Yes (both sides)	Yes (one side)
General Purpose Lane	11' max. lane width	10.5' max. lane width
Right-of-Way Minimum	60'-70'	52.5'

Figure 20.94.045A

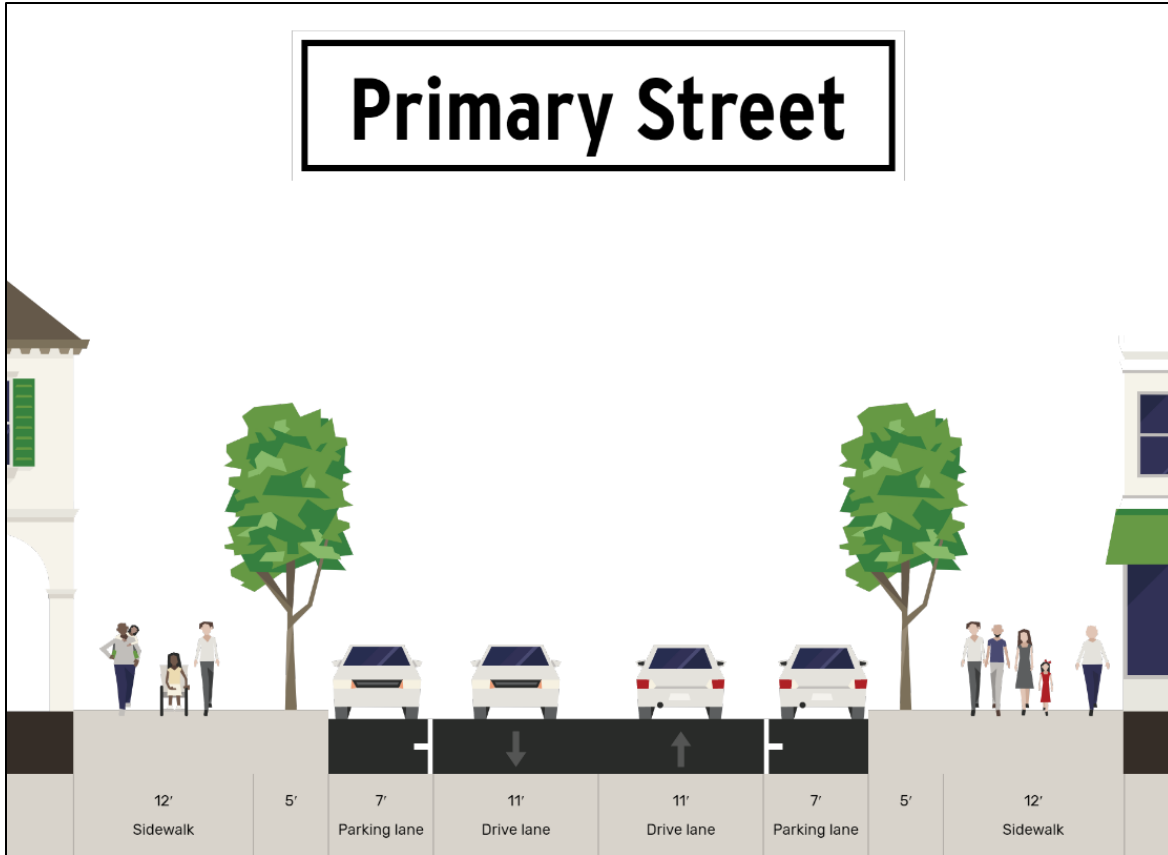
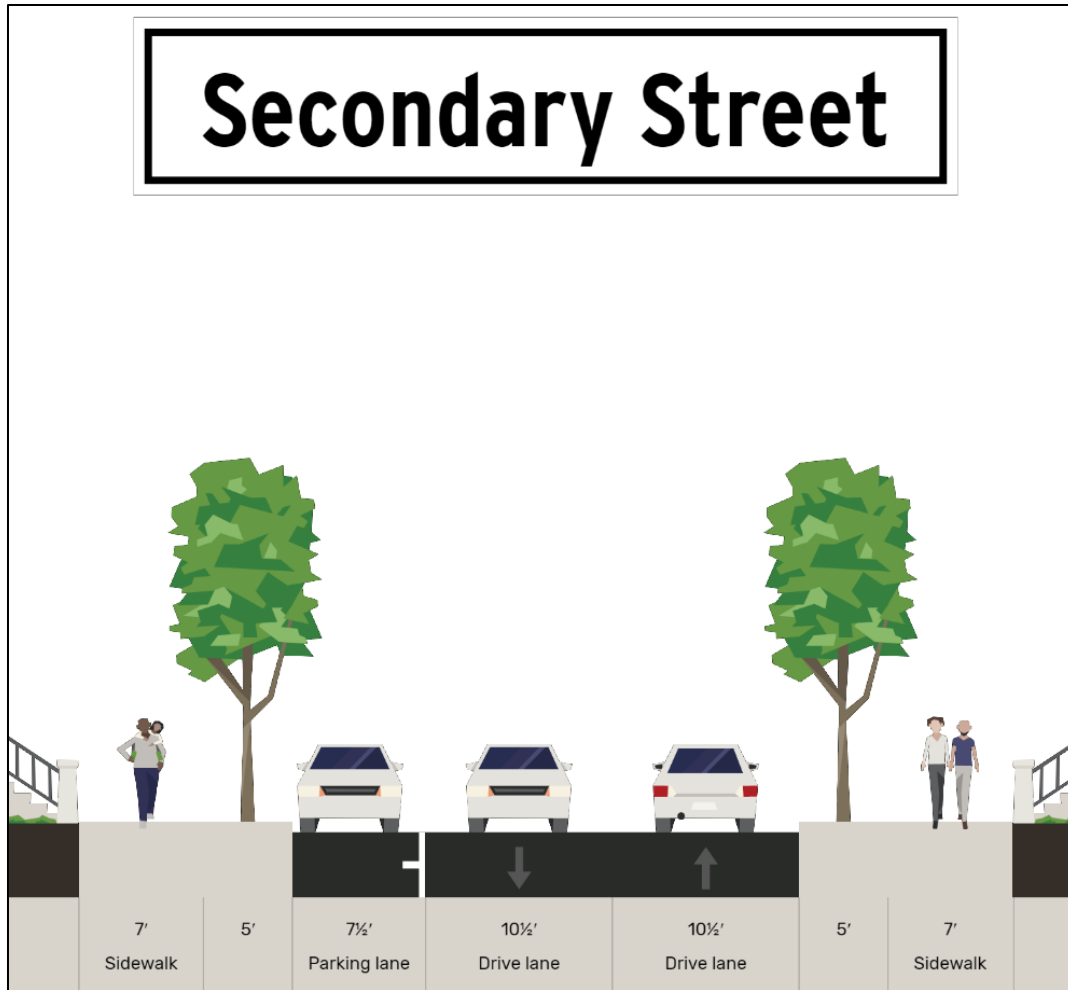


Figure 20.94.045B



20.94.050 Design standards.

Development in the PA 4 zone other than single family detached homes is subject to SMC 20.50 Subchapter 3, Single-Family Attached Residential Design or SMC 20.50 Subchapter 4, Commercial and Multifamily Zone Design.

20.94.055 Landscaping.

Landscaping shall be provided throughout the site and integrated as part of the overall project design. Landscaping shall be provided on the perimeter of the site adjacent to existing development. A development-wide conceptual landscape plan identifying landscape locations, dimensions, and type shall be reviewed and approved with the development agreement.

20.94.060 Signs.

Signs within the PA 4 zone shall comply with SMC 20.50 Subchapter 8, Signs.

20.94.065 Sustainability.

Development in the PA 4 zone shall meet or exceed Tier 4 of the Deep Green development standards, as defined in SMC 20.50 Subchapter 9, Deep Green Incentive Program.

20.94.070 Outdoor Lighting.

- A. In addition to the lighting standards in SMC 20.50.115 and the lighting requirements in the design standards, outdoor lighting shall be located and designed to eliminate light pollution by meeting the following:
 - 1. Fixtures shall contain shielding and/or direct cut-off lighting;
 - 2. Fixtures shall be no brighter than necessary to light the intended area;
 - 3. Color temperatures shall minimize blue light emissions to the extent feasible;
 - 4. Timers, dimmers, motion sensors or other adaptive control methods shall be utilized where feasible to turn off lighting when unnecessary; and
 - 5. Up-lighting shall be limited to accent features, landscaping, and state or federal flags.

20.94.075 Tree Preservation and Management

Development in the PA 4 zone shall comply with SMC 20.50 Subchapter 5, Tree Conservation, Land Clearing and Site Grading Standards.

20.94.080 Neighborhood meeting.

- A. The applicant shall conduct a neighborhood meeting to discuss the proposed development. The meeting must be held at least 30 days prior to submitting a development agreement application.
- B. The purpose of the neighborhood meeting is to:
 - 1. Ensure the applicant pursues early and effective public participation in conjunction with the proposal, giving the applicant an opportunity to understand and mitigate any real and perceived impacts the proposed development might have to the neighborhood or neighboring cities;
 - 2. Ensure that residents, property owners, business owners, and nearby cities have an opportunity at an early stage to learn about how the proposed development might affect them and to work with the applicant to resolve concerns prior to submittal of a development application.
- C. The neighborhood meeting shall meet the following requirements:
 - 1. Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time and location of the neighborhood meeting and a description of the project, zoning of the property, site and vicinity maps, the land use applications that may be required, and the name and contact information of the applicant or representative of the applicant to contact for additional information.
 - 2. The notice shall be provided at a minimum to property owners located within 1,000 feet of the proposal, the neighborhood chair as identified by the Shoreline Office of Neighborhoods (note: if a proposed development is within 500 feet of adjacent neighborhoods, those chairs shall also be notified), any city or town whose municipal boundaries are within one mile of the subject property, and to the Department.
 - 3. The notice shall be postmarked 10 to 14 days prior to the neighborhood meeting.
 - 4. The neighborhood meeting shall be held within the City limits of Shoreline.
 - 5. The neighborhood meeting shall be held anytime between the hours of 5:30 p.m. and 9:30 p.m. on weekdays or anytime between the hours of 9:00 a.m. and 9:00 p.m. on weekends.
- D. The neighborhood meeting agenda shall cover the following items:
 - 1. Introduction of neighborhood meeting organizer (i.e. developer, property owner, etc.);
 - 2. Description of proposed project that includes proposed mix of land uses including the number of dwelling units and amount of nonresidential square footage, number of parking spaces, and location and amount of open space;

3. Listing of permits that are anticipated for the project;
 4. Description of how comments made at the neighborhood meeting will be used;
 5. Provide meeting attendees with the City's contact information;
 6. Provide a sign-up sheet for attendees.
- E. The applicant shall provide to the City a written summary of the neighborhood meeting to be included with the development application. The summary shall include the following:
1. A copy of the mailed notice of the neighborhood meeting with a list to whom it was mailed;
 2. A list of persons who attended the meeting and their addresses;
 3. A summary of concerns, issues, and problems expressed during the meeting.

20.94.085 Review process.

- A. A development agreement, pursuant to RCW 36.70B.170 is required for any new development in the PA 4 zone and shall set forth the development standards, conditions, and other provisions that shall apply to govern and vest the development, use, and mitigation of the development. For the purposes of this section, "development standards" includes, but is not limited to:
1. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
 2. The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of State law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;
 3. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;
 4. Design standards such as building massing, architectural elements, maximum heights, setbacks, conceptual street and streetscapes, drainage and water quality requirements, palette of potential building materials, conceptual lighting, landscaping, and other development features;
 5. Affordable housing units;
 6. Park development and open space preservation;
 7. Phasing of development;
 8. Review procedures and standards for implementing decisions;
 9. A build-out or vesting period for applicable standards;
 10. Any other appropriate development requirement or procedure;
 11. Preservation of significant trees; and
 12. Connecting, establishing, and improving nonmotorized access.
- B. The City Council shall review the development agreement and may approve, or approve within conditions, the development agreement when all of the following are met:
1. The proposed development is consistent with goals and policies of the Comprehensive Plan as well as the goals and policies of the Point Wells Subarea Plan.
 2. The proposed development is consistent with the goals, policies, and regulations of the City's Shoreline Master Program.
 3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) that meet the City's adopted level of service standards (as confirmed by the performance of a transportation impact analysis) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases, or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to

support the proposed development agreement, the applicant must identify a plan for funding their proportionate share of the improvements.

4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.
 5. The development demonstrates high quality design elements consistent with the City's applicable design standards as referenced in SMC 20.50, Subchapters 2-4.
- C. Development agreement approval procedures. The City Council may approve development agreements through the following procedure:
1. A development agreement application incorporating the elements stated in subsection B of this section may be submitted by a property owner with any additional related information as determined by the Director. After staff review and SEPA compliance, ^{including preparation of a project-specific Environmental Impact Statement} the Planning Commission shall conduct a public hearing on the application. The Planning Commission shall then make a recommendation to the City Council pursuant to the criteria set forth in subsection B of this section and the applicable goals and policies of the Comprehensive Plan. The City Council shall approve, approve with additional conditions, or deny the development agreement by ordinance or resolution;
 2. Recorded Development Agreement. Upon City Council approval of a development agreement under the procedure set forth in this subsection C, the property owner shall execute and record the development agreement with the Snohomish County Auditor's Office to run with the land and bind and govern development of the property.
- D. Consultation on land use permit applications. The City shall provide the Town of Woodway written notice of all land use permit applications in the PA 4 zone within 30 days of permit application, consistent with chapter 36.70B RCW, Local Project Review. Staff from the Town of Woodway shall be invited to attend meetings between Shoreline staff and the applicant relating to such permit applications, pre-application meetings, and shall be provided an opportunity to review and comment.

20.94.090 Amendments to regulations and standards.

The City of Shoreline shall provide the Town of Woodway with at least 30 calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, before any legislative actions that may modify or amend the PA 4 development regulations, or that otherwise impacts the uses, development, or redevelopment of the Point Wells area. Notice shall include, but not be limited to, notice of all Planning Commission and City Council meetings and hearings related to such legislative considerations or actions.

From: Tom McCormick tommccormick@mac.com
Subject: Ending the Woodway-Shoreline fight over Point Wells
Date: October 18, 2018 at 4:20 PM



To: Mayor Carla Nichols cnichols@townofwoodway.com, Bill Anderson banderson@townofwoodway.com, Elizabeth Mitchell emitchell@townofwoodway.com, Tom Howard thoward@townofwoodway.com, Kent Saltonstall, MD ksaltontall@townofwoodway.com, Tom Whitson twhitson@townofwoodway.com, Keith Scully kscully@shorelinewa.gov, Doris McConnell dmccconnell@shorelinewa.gov, Mayor Will Hall whall@shorelinewa.gov, Chris Roberts croberts@shorelinewa.gov, Deputy Mayor Jesse Salomon jsalomon@shorelinewa.gov, Susan Chang schang@shorelinewa.gov, Keith McGlashan kmcglashan@shorelinewa.gov
Cc: Chair Stephanie Wright stephanie.wright@snoco.org, Vice Chair Brian Sullivan brian.sullivan@co.snohomish.wa.us, Terry Ryan terry.ryan@snoco.org, Nate Nehring Nate.Nehring@snoco.org, Sam Low Sam.Low@co.snohomish.wa.us, Dave Somers dave.somers@co.snohomish.wa.us, Jason Cummings jcummings@co.snohomish.wa.us, Barb Mock barbara.mock@snoco.org, Debbie Tarry dtarry@shorelinewa.gov, Margaret King mking@shorelinewa.gov, Lynne Danielson lynned@ovwater.com, Eric Faison eric@townofwoodway.com
Bcc: Tom McCormick tommccormick@mac.com

Council members:

Why can't the Town of Woodway and the City of Shoreline just get along? Let's stop spending hundreds of thousands of taxpayer dollars fighting each other.

As a concerned and affected Shoreline resident and taxpayer, I suggest that, in exchange for certain concessions by the City of Shoreline, the Town of Woodway cease its efforts to wrestle control of sewer services from Shoreline. This would entail permanently letting the Ronald Wastewater arm of Shoreline continue to provide sewer services to Point Wells and nearby residences. The parties would end all litigation, and Woodway would work with Olympic View to cease litigation too. And Woodway would urge Snohomish County to approve having the Ronald Wastewater arm of Shoreline continue to provide sewer services to Point Wells and nearby residences. I would expect that Shoreline would commit to treat all Snohomish County residents who now or in the future receive sewer services through the Ronald Wastewater arm of Shoreline the same as it treats its customers residing in Shoreline, thus the same rate structure and service commitment for all.

In exchange, I suggest that Shoreline let Woodway annex Point Wells (see Town of Woodway Resolution 18-406, attached), with the understanding that Woodway will not approve any development at Point Wells that would generate traffic in excess of 4,000 ADTs on Richmond Beach Drive, or LOS D at any intersection, or 90% of capacity on any arterial segment, whichever is less (collectively, Shoreline's three LOS standards). Further, the Town will commit to ensuring a second public access road to Point Wells, and commit to having the developer pay for all mitigation that Shoreline deems necessary or appropriate for its roads and sidewalks to handle the increased Point Wells traffic volume. And Woodway will not request or require Shoreline: to weaken any of its three LOS standards; to revert Richmond Beach Road to four lanes; or to condemn property to acquire the land needed to widen Richmond Beach Road to five lanes. In addition, Woodway will commit to paying Shoreline an annual amount to be determined for road and sidewalk maintenance for Richmond Beach Drive, 195th and 196th, and Richmond Beach Road continuing east to Aurora, and other designated road segments. Once a fair annual amount is agreed upon, along with a mechanism for securing the annual payments, I would expect that Shoreline would promise not to impose a toll on traffic that travels through Shoreline via Richmond Beach Drive to/from Point Wells or nearby residences in Snohomish County.

It seems to me that the City and the Town are not too far apart in their visions for Point Wells. Just read the Point Wells Subarea Plans in the City's and the Town's comprehensive plans. And read the Town's pre-annexation Urban Village zoning for Point Wells, contained in Chapter 14.40 of the Woodway Municipal Code. One section of that Code provides that, "The intensity of development shall be consistent with the level of service standards adopted by the entity identified as providing the public service, utility, or infrastructure." This language shows the Town's commitment to honoring Shoreline's three traffic LOS standards as discussed above.

I am aware that there are other issues besides those addressed by the above framework, but the parties must start somewhere unless we all want to keep wasting taxpayer dollars, and have the courts decide what is best.

One final thought: I suggest that the parties work together and submit a request to the Snohomish County Council to impose a moratorium on accepting any applications to develop Point Wells under the County's current Urban Village zoning. Considering that the County has denied BSRE's applications to develop Point Wells as an Urban Center, and that BSRE may appeal the denial to Superior Court, and that BSRE has an appeal pending before the Hearing Examiner regarding a Code interpretation, and that BSRE has an appeal pending before the Growth Management Hearings Board concerning the City's 4,000 ADT limit for Richmond Beach Drive, and that the parties are embroiled in litigation concerning Ronald Wastewater, and that the Town has just passed Resolution 18-406 which authorizes the town's Mayor to file a Notice of Intention to Annex Point Wells, it appears that such a moratorium is appropriate.

Thank you.

Tom McCormick

"A small development at Point Wells

*with a second public access road,
or no development at all."*

===



18-406 Notice
of Inte...DF.pdf