



SHORELINE
CITY COUNCIL

Cindy Ryu
Mayor

Terry Scott
Deputy Mayor

Chris Eggen

Ron Hansen

Doris McConnell

Keith McGlashan

Janet Way

April 20, 2009

Mr. Craig Ladiser
Director, Planning and Development Services
Snohomish County
M/S #604
3000 Rockefeller Avenue
Everett, WA 98201-4046

RE: Point Wells

Dear Mr. Ladiser:

Thank you for your letter of January 29, 2009 regarding the City of Shoreline's designation of the Point Wells area as a Potential Annexation Area. I also appreciated the follow up meeting with you and your staff members on February 18. Your letter and the meeting were helpful in understanding the County's adopted policies.

I write to clarify the City of Shoreline's response to your letter and the related issue of land use planning for Point Wells. On April 13, 2009, the Shoreline City Council adopted Resolution 258, copy enclosed. The Resolution reiterates the City's long-term interest in annexation of a portion of the Point Wells unincorporated island, explains the City's opposition to the pending Snohomish County designation of "Urban Center" for Point Wells, and directs the City staff and Planning Commission to proceed with our own comprehensive plan amendment for Point Wells. A copy of the current City proposal is also enclosed.

At our meeting, I asked you to clarify the impetus for the County's policies opposing cross-county annexation, because we believe that it is important to look beyond positions to the *interests* and *impacts* that gave rise to those positions. You clarified that the cross-county annexation by the City of Bothell in the 1990's created numerous problems for the County and prompted the adoption of the policies cited in your letter.

We believe that the question of cross-county annexation of Point Wells is easily distinguishable from the County's experience with Bothell. The City of Shoreline's proposed Point Wells "Future Annexation and Service Area" is less than 2% of the size of Bothell's annexation (61 acres at Point Wells vs. 3,400 acres at Canyon Park). Whereas Bothell's annexation created literally hundreds of problematic permit applications, there is no building permit application pending at Point Wells and is unlikely to be one for many years.

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April 20, 2009
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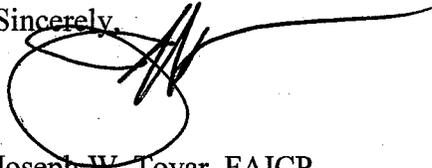
Finally, after Bothell's Canyon Park annexation, Snohomish County was left with dozens of county roads which met the perimeter of the newly expanded city limits, leaving unresolved and problematic questions about roadway and other capital improvements, service delivery and subsequent annexations. In contrast, the annexation of 61 acres at Point Wells to the City of Shoreline would raise no such problems because the only vehicular access into or out of the area is via Richmond Beach Drive through the City of Shoreline.

As you may know, recent comment letters on the Paramount Northwest SDEIS, from the Shoreline Fire Department, King County Sheriff's Office, and Shoreline Police Department have stated they will not provide urban governmental services to an unincorporated Urban Center at Point Wells. If this property is to be developed with residential and commercial uses that require public safety services from these providers, the only practical solution would be annexation to the City of Shoreline.

In the spirit of continuing inter-governmental coordination and cooperation, we invite the County to provide any comment on the City's draft Comprehensive Plan amendment. Please direct any comment letters to Steve Cohn, Senior Planner in my department, at the address below. Similarly, we look forward to seeing the Final Supplemental EIS for the Paramount Northwest Urban Center designation, and will be submitting additional public comment to the County Council soon thereafter.

Should you have any questions, please feel free to contact me at (206) 391-4956.

Sincerely,



Joseph W. Tovar, FAICP
Director, Planning and Development Services
City of Shoreline

Enclosures

cc The Honorable Mike Cooper, Snohomish County Councilman for District 3
The Honorable Dave Somers, Snohomish County Council Chairman
Jacqueline Reid, Supervisor, Snohomish County Planning
The Honorable Carla Nichols, Mayor of the Town of Woodway
Robert Olander, City of Shoreline City Manager
Steve Cohn, City of Shoreline Senior Planner

ORIGINAL

RESOLUTION NO. 285

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON CONCERNING POINT WELLS

WHEREAS Snohomish County's docket for potential comprehensive plan amendments includes a proposed designation of "Urban Center" for the portion of the Point Wells unincorporated island owned by Paramount Northwest, Inc.; and

WHEREAS the City staff has reviewed and commented on the Draft Supplemental Environmental Impact Statement that the County prepared to disclose the likely environmental impacts of the proposed action; and

WHEREAS the scope of the DSEIS would enable the "Urban Center's" designation and implementing development regulations to allow up to 3,500 dwelling units; and

WHEREAS the City has identified deficiencies in the DSEIS, particularly with regard to the analysis of likely traffic impacts and the lack of police, fire, and emergency medical services available to Point Wells; and

WHEREAS the Shoreline Fire Department, Shoreline Police Department and King County Sheriff's Office have submitted letters to Snohomish County stating that they will not provide urban level of services to a project in unincorporated Snohomish County ; and

WHEREAS the City believes that the proposed designation of Point Wells as an "Urban Center" would be inconsistent with the Growth Management Act, including, but not limited to RCW 36.70A.020(1) because adequate public facilities do not now exist and cannot be provided in view of the stated positions of the Shoreline Fire Department and Shoreline Police Department; and

WHEREAS upon the annexation of land at Point Wells into the City of Shoreline, all city services and the services of both the Shoreline Fire Department and Shoreline Police Departments would automatically become effective; and

WHEREAS; the City's comprehensive plan has identified the Point Wells area as a "Potential Annexation Area" at least since 1998; and

WHEREAS, on February 23, 2009, the City Council passed a motion directing that the City's Planning Work Program be adopted, including preparation of appropriate amendments to the Point Wells portion of the City's Comprehensive Plan, updating and clarifying the City's interests and intents regarding this matter.

ORIGINAL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. The City of Shoreline opposes the designation by the Snohomish County Council of an "Urban Center" at Point Wells because such amendment would contemplate development of up to 3,500 dwelling units and 6,000 people that could only access through the City of Shoreline and thereby create excessive traffic safety and other impacts on Shoreline streets, parks, schools and libraries.

Section 2. The City Council opposes intensive development at Point Wells under Snohomish County policies and development permissions, but supports the development of appropriately scaled mixed use development pursuant at Point Wells after annexation to the City of Shoreline, subject to the City's policies and pre-annexation development regulations.

Section 3. The City Council also directs City staff and Planning Commission to proceed with preparation of an amendment to the City of Shoreline Comprehensive Plan to reiterate and clarify the City's concerns and interests with respect to land use, service delivery, governance, traffic safety, and other impacts associated with potential future development at Point Wells.

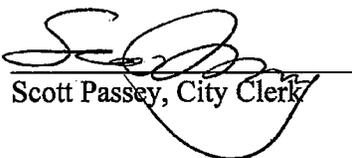
Section 4. The City Council directs the staff to continue with an open and continuous process of public participation in the development of the Comprehensive Plan Amendment mentioned in Section 2 above, with particular attention paid to the most potentially impacted neighborhood of Richmond Beach.

Section 5. The City of Shoreline declares its intent and desire to work with both Snohomish County and the Town of Woodway as the City develops its own Comprehensive Plan Amendment and pre-annexation development regulations for Point Wells.

ADOPTED BY THE CITY COUNCIL ON APRIL 13, 2009.


Cindy Ryu, Mayor

ATTEST:


Scott Passey, City Clerk



Point Wells Subarea Plan

Point Wells is an unincorporated island of approximately 100 acres in the southwesternmost corner of Snohomish County, bordered on the west by Puget Sound, on the east by the Town of Woodway (shown in yellow on Fig. 1), and on the south by the town of Woodway and the City of Shoreline (shown in blue on Fig. 1). The island is bisected roughly north-south by the Burlington Northern Railroad (B.N.R.R.) right-of-way.

The lowland portion of this island (shown in purple on Fig. 1) is approximately 61 acres in size. The only vehicular access to the lowland portion is to Richmond Beach Road and the regional road network via the City of Shoreline. There is a small segment of Richmond Beach Road within the corporate limits of the Town of Woodway, however, that segment does not connect to any other public road in Woodway.

The upland portion of the Point Wells Island (shown in white on Fig. 1) is approximately 40 acres in size. The upland does not have access to Richmond Beach Road due to very steep environmentally sensitive slopes that separate the upland portion from the lowland portion. However, the upland portion does have potential easterly access through the Town of Woodway via 238th St. SW.

All of the Point Wells Island was previously designated by the City of Shoreline as a "Potential Annexation Area" (PAA). The Town of Woodway, and Snohomish County, have previously identified all of the Point Wells unincorporated island as within the Woodway "Municipal Urban Growth Area" (MUGA). The Washington State Court of Appeals, in a 2004 decision, determined that the overlap of Shoreline's PAA and Woodway's MUGA does not violate the provisions of the Growth Management Act.

Upon a review of the topography and access options for Point Wells documented in the Draft Supplemental Environmental Impact Statement issued by Snohomish County in 2009, the City of Shoreline no longer wishes to include the upland portion of this unincorporated island within its designated urban growth area. Because of the upland portion's geographic proximity and potential for direct vehicular access to the Town of Woodway, the City of Shoreline concludes that the upland portion should be exclusively within the Town of Woodway's future urban growth area. Any people living in future developments in the upland portion of the Point Wells Island would feel a part of the Woodway community because they would share parks, schools, and other associations facilitated by a shared street grid.

Applying the same rationale to the lowland portion of the Point Wells Island, the City of Shoreline wishes to reiterate and clarify its policies. These lands all presently connect to the regional road network only via Richmond Beach Road in the City of Shoreline. Any enhanced governmental services to future redevelopment of this area could only be provided by the City of Shoreline and its public safety partners, the Shoreline Fire Department and Shoreline Police Department. Neither Snohomish County nor the Town of Woodway now provide vehicular access, police, fire, emergency medical services, parks, code compliance, or sewer service to the lowland areas, nor have they indicated their ability to provide such urban services or facilities in the future.

The City of Shoreline therefore opposes the designation by Snohomish County of Point Wells as an "Urban Center." Consistent with this policy, the City will not issue street cut, right-of-way or any other permits to any general or special purpose local government to increase the capacity of sewer lines to unincorporated urban development north of the city limits. This fact, together with the statements by the Shoreline Police Department and Shoreline Fire Department that they will not provide urban governmental services to more intensive development outside the Shoreline city limits, constrains more intensive land use at Point Wells. Snohomish County has not identified other police, fire or emergency medical resources to meet the public safety demands of an "Urban Center." Therefore, the designation of Point Wells as an Urban Center would not comply with Goal 1 of the Growth Management Act which states "Encourage development in urban areas where adequate public facilities exist or can be provided in an efficient manner."

The City no longer wishes to use the term "Potential Annexation Area" to describe its interests in lands north of the county line. Instead, the City now designates the Lowland Portion of the Point Wells Island shown on Figure 1 as the City of Shoreline's proposed future service and annexation area. At such future time that the lowland portion of the Point Wells Island annexes to the City of Shoreline, the necessary public services and facilities would be provided, including 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 the lowland portion 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.

The future geometry and operation of Richmond Beach Road to Point Wells is a major issue for the City. The City wishes to improve safety for local resident traffic as well as pedestrians and will identify appropriate measures to mitigate the traffic impacts of any future development at Point Wells, including but not limited to improvements to road segments and intersections. Any specific development projects will be subject to environmental review, a part of which will identify specific required developer-funded improvements to the City's road network and other infrastructure.

While an Urban Center of up to 3,500 dwelling units would be too large in magnitude for Point Wells, the City continues to support an urban designation with a broad mix of land uses. The maximum number of dwelling units, building heights, and allowable floor area should be determined by a pre-annexation zoning ordinance. As a matter of policy, the City supports residential, retail, restaurant, office, service and recreational uses.

The City strongly supports design review and design guidelines to promote sustainability, walkability, human scale, and a public realm along Puget Sound that takes advantage of the sweeping regional views. A public access trail should be provided and appropriate signage installed along the entire Puget Sound shoreline and secured with an appropriate public access easement document. Bicycle and pedestrian linkages should be made to both the Richmond Beach Neighborhood and the Town of Woodway.

The pre-annexation zoning ordinance for Point Wells should specify that building size, design, and placement will be evaluated and approved pursuant to an adopted Master Development Plan. The Shoreline Planning Commission should conduct public hearings on the proposed pre-annexation zoning document and provide a recommendation to the Shoreline City Council.

Interjurisdictional Coordination

The City should work with the Town of Woodway to identify ways in which potential future development in the lowland portion of Point Wells could be configured or mitigated to reduce potential impacts on Woodway. The Town should be invited to consult with the City on the preparation of the City's pre-annexation zoning document.

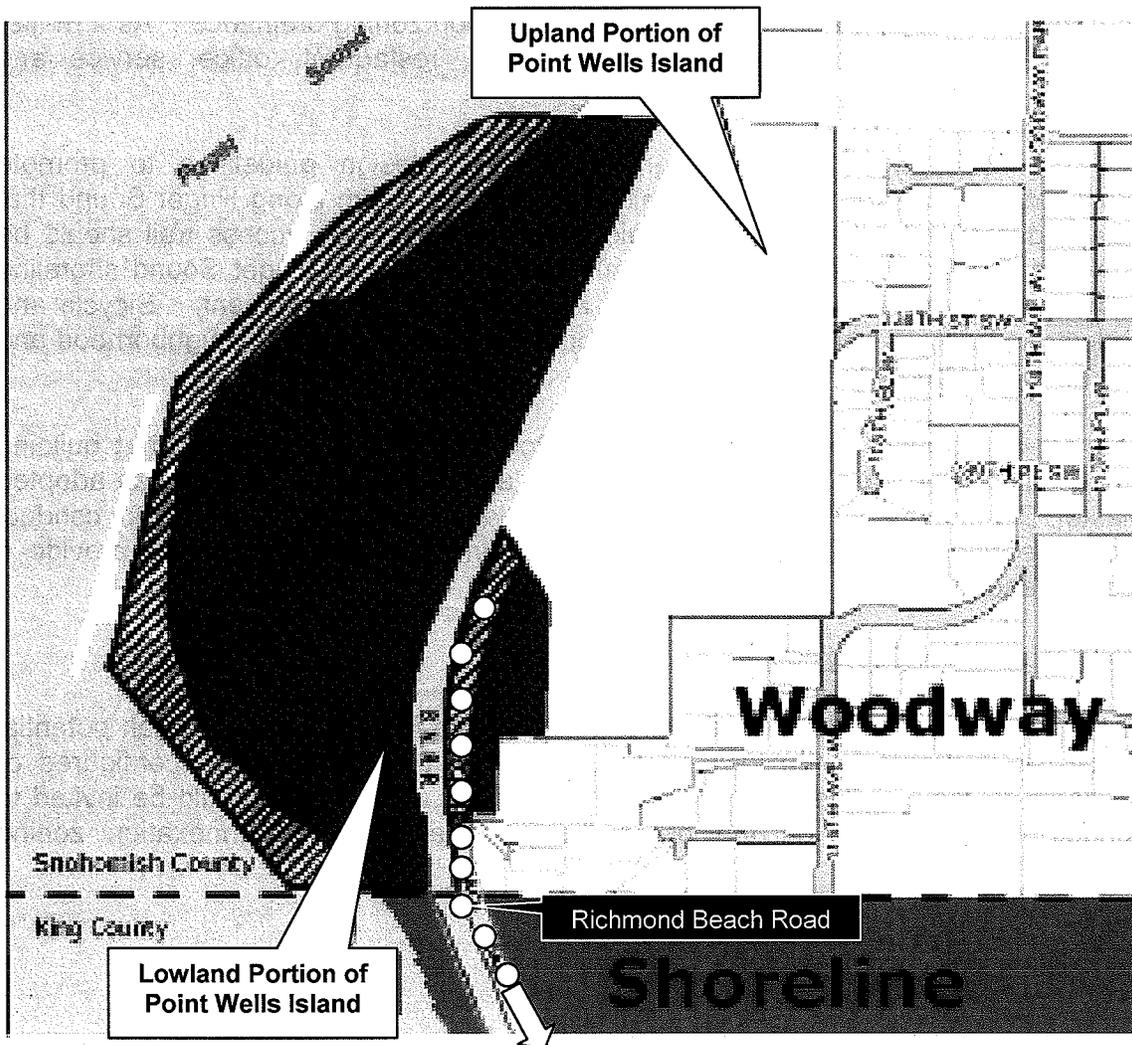


Fig. 1 - Point Wells Unincorporated Island