

PLANNING COMMISSION MINUTES

January 9, 2008

CALL TO ORDER: The meeting was called to order at 7:05 p.m. by Chair Stead. Commissioners present were George Stead, Tom Whitson, Robert Allen, Jennifer Ange, Jan Ostlund and Tom Howard. Jim Wilmer had an excused absence. Planner Bill Trimm and Deputy Clerk Heidi Swenson were also present.

Chair Stead welcomed new Commissioners Jan Ostlund and Tom Howard. Chair Stead advised he would not be voting as his commission had expired and the Town Council had not yet reappointed him. He relayed his plans to remain on the Commission for an additional 4-6 months before retiring.

MINUTES: November 14, 2007

Commissioner Allen moved for approval of the November 14, 2007 minutes. *Commissioner Whitson* seconded the motion. The motion carried unanimously.

STATUS REPORT & DISCUSSION: Pt. Wells Comprehensive Plan Amendment Request

Planner Bill Trimm provided background information, explaining Paramount Petroleum purchased the property from Chevron and subsequently sold the waterfront area to Alon. For purposes of the Snohomish County Comprehensive Plan amendment, Alon retained the name Paramount LLC which is separate from Paramount Petroleum. Paramount Petroleum still owns the upper bluff area.

Paramount/Alon submitted an application to Snohomish County for a Comprehensive Plan amendment to change the designation of the waterfront area from Industrial to Urban Center. He described Snohomish County Comprehensive Plan docket process, explaining Pt. Wells along and several other large Comprehensive Plan amendments were grouped together in Docket 13; decisions on Docket 13 will be made in late 2009/early 2010.

He described the process for reviewing items on Docket 13 which includes preparation of a supplemental Environmental Impact Statement (EIS) to the existing EIS on the Snohomish County Comprehensive Plan. The environmental review begins with a scoping process to identify potential environmental impacts and mitigations. Mayor Nichols presented a letter at the December 15 scoping meeting advising of the design principles and existing policies in Woodway's Comprehensive Plan with regard to Pt. Wells. He anticipated the supplemental EIS would be completed in late 2008 which would then be considered by Snohomish County Council and a final EIS issued. The decision whether to amend the Comprehensive Plan for the Pt. Wells site from Industrial to Urban Center could then proceed.

He described the typical process for zoning implementation that includes a public hearing before the Planning Commission, recommendation to the Council and action by the Council. In Snohomish County, the zoning for the Urban Center Comprehensive Plan designation is

determined via an Urban Center Demonstration Program which is an administrative process, does not include a public hearing and approval is administratively granted by the Planning Director. He advised four projects in Snohomish County have been reviewed under that process and the outcomes have not been very good.

Town Administrator Faison, Mayor Nichols and he met with Snohomish County Planning Director last week to voice their concern with the use of the Urban Center Demonstration Program process and to discuss the potential for an Interlocal Agreement between the Town and Snohomish County with regard to development of Pt. Wells. The Planning Director encouraged the Town to participate in the State Environmental Protection Act (SEPA) process. The Town plans to submit an Interlocal Agreement during the SEPA process. He advised the Town Council had not yet made a decision whether to annex Pt. Wells. The Town has hired an urban economist to study revenue generated compared to cost of providing services.

He explained the current Comprehensive Plan designation for Pt. Wells in the Woodway Comprehensive Plan is Industrial. Although the Pt. Wells Advisory Committee recommended three land use alternatives for the Pt. Wells waterfront area to the Planning Commission, all mixed use, the owner of the Pt. Wells site at that time requested the designation remain Industrial. As Alon/Paramount LLC is requesting Snohomish County change the designation from Industrial to Urban Center in Snohomish County, Woodway should have a similar designation in their Comprehensive Plan. He advised a Comprehensive Plan amendment was a Planning Commission process; the first step would be to meet with the property owner. He relayed the Town's intent to inform residents of Alon/Paramount LLC's plans regarding Pt. Wells that may include neighborhood meetings. He anticipated the process of amending the Town's Comprehensive Plan would take approximately one year.

Discussion followed regarding plans the property owner submitted to Snohomish County, required environmental cleanup of the site, design guidelines developed for the upper bluff (not yet adopted) plans to develop design guidelines for the waterfront, access to the waterfront area of Pt. Wells, Alon/Paramount LLC's interest in developing the waterfront area, advantages of negotiating a development agreement for the project, existing Urban Center Demonstration Program projects, Port Gardner development in Everett, inability for Woodway to be forced to annex Pt. Wells, potential for the population of residential units at Pt. Wells to exceed the existing population of Woodway, and potential for Shoreline to annex the Pt. Wells site via cross-county annexation.

Mr. Trimm described the timeline for the Comprehensive Plan amendment, development of a site plan, decommission existing activities/equipment, clean-up, submittal and review of a development application, concluding it would likely be 10+ years before any development occurred at Pt. Wells. Discussion continued regarding the likelihood that Alon/Paramount LLC would sell the property prior to development and past lawsuits regarding planning for the site.

DISCUSSION: Update of Environmental Sensitive Ordinance WMC 16.10

Mr. Trimm explained the existing Environmental Sensitive Area Ordinance was prepared 6-7 years ago and was valid based on the laws and Department of Ecology (DOE) guidelines in effect at the time. DOE now requires all critical area regulations be based on Best Available Science (BAS). The Town's ordinance is not based on BAS but on a former model used by King County. Snohomish County recently adopted updated critical area regulations.

He reviewed a consultant's (ESA Adolfson) proposal to audit the Town's critical area regulations, compare the Town's regulations to DOE guidelines and make a recommendation regarding necessary revisions for the regulations to be consistent with BAS. Staff would then update the code based on the consultant's recommendations,. The consultant estimated the cost for this review at less \$10,000. He advised the consultant's review would not include inventory of critical areas. He anticipated the Council would take action with regard to hiring the consultant at their next meeting.

MISCELLANEOUS: Commissioners Ostlund and Howard introduced themselves and described their backgrounds.

The next meeting was scheduled for February 13; topics to include update of the critical area ordinance and design guidelines for the Pt. Wells waterfront.

AUDIENCE COMMENTS: None

ADJOURNMENT: *Commissioner Whitson* moved to adjourn the meeting. *Commissioner Allen* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:35 p.m.

Heidi K. Swenson
Secretary to the Planning Commission

APPROVED BY THE PLANNING COMMISSION

George Stead, Chairman

(These minutes accurately reflect what was said at the Planning Commission Meeting. Publication does not vouch for the veracity of these statements.)