



# TOWN OF WOODWAY

## PLANNING COMMISSION MINUTES

July 28, 2010

**CALL TO ORDER:** The meeting was called to order at 7:04 p.m. by Chair Jim Wilmer. Commissioners present were Jim Wilmer, Robert Allen, Jennifer Ange, Jan Ostlund, and Pat Tallon. Commissioner Tom Howard had an excused absence. Planner Bill Trimm and Deputy Clerk Heidi Napolitano were also present. Other guests included Alex Cohen, ESA Adolfson and Patricia Lambert, Department of Ecology (DOE).

### **APPROVAL OF MINUTES: June 16, 2010**

*Commissioner Tallon* moved to approve the minutes of June 16, 2010 as amended. *Commissioner Ostlund* seconded the motion. Motion carried unanimously.

### **DISCUSSION: Final Shoreline Inventory Results and Potential Amendments to Current Shoreline Master Plan Goals and Policies**

Alex Cohen, ESA Adolfson, provided a PowerPoint presentation that described the background of the Shoreline Management Act (SMA) and Shoreline Master Program (SMP), and the requirement for every shoreline city/county to update their SMP to be consistent with the 2003 State guidelines. The primary goals of the SMA are to, 1) encourage water-dependent uses, 2) protect natural resources and 3) promote public access and find a balance between the three.

The threshold for protecting shoreline resources is the concept in the SMP of no net loss, which requires communities to plan for shorelines in a manner that will not decrease ecological functions below existing levels. He explained the Inventory and Characterization Report establishes a baseline of current ecological functions in the Town that would be used to assess whether the goal of no net loss has been achieved.

He provided a map illustrating the SMA's jurisdiction, explaining that the jurisdiction was 200 feet landward of the ordinary high water mark and includes associated wetlands and the open water. In Woodway, the ordinary high water mark was assumed to be the railroad embankment. Their analysis did not identify any associated wetland outside the 200-foot area; there are wetlands inside the 200-foot area. Pt. Wells is included in the SMA jurisdiction because it is in the Town's Municipal Urban Growth Area (MUGA).

Mr. Cohen reviewed components of the update process. The SMP includes environment designations, goals and policies, development standards and regulations, and administrative provisions. He summarized the inventory findings and the physical environment. He provided a list of wildlife species and habitats, summarizing that marine vegetation is largely absent from the Town's shorelines due to the railroad, which limits interaction between terrestrial habitats and the shoreline. The railroad and bluff limit public access to the shoreline. Access at Pt. Wells is also currently limited, but there is an opportunity for future access.

# TOWN OF WOODWAY

Key management issues in the inventory report include:

- Disconnection between the bluff and shoreline
- Altered riparian vegetation
- Limited public access
- Opportunities that exist at Pt. Wells

He explained an SMP typically includes generic goals that describe a broad outcome the Town wishes to seek for the shoreline; policies that explain how the Town plans to achieve the goals; regulations that implement the policies; and administrative procedures. The SMP also includes SED (shoreline environment designations) that work in concert with zoning. They are applied to sections of the shoreline based on ecological conditions and zoning and provide a system for determining uses.

He provided a map of the Town's current SEDs: aquatic (open water), shoreline conservancy (includes railroad right-of-way), natural (top of bluff to railroad) and shoreline residential (top of bluff). He recommended updating the map as the current designations exceed the shoreline jurisdiction. The State's recommended guidelines have six designations; he recommended simplifying the Town's existing SEDs by retaining the aquatic designation for the open water, designating the remainder of the shoreline as urban conservancy, establishing a designation for Pt. Wells and possibly establishing a fourth designation for the railroad. Snohomish County has designated the shoreline in Pt. Wells as urban.

Discussion followed regarding the width of the railroad right-of-way; rationale for the designations in the Town's existing SMP; split designations on some parcels; Edmonds' and Shoreline's progress on their update; and the State's preference that Woodway's, Shoreline's, and Snohomish County's shoreline designations for Pt. Wells be coordinated.

He reviewed the goals and policies in the Town's current SMP, commenting that given the conditions of the shoreline, they likely could be simplified. Key considerations include ensuring the regulations address no net loss and updating the plan to include Pt. Wells. He reviewed the use table in the Town's current SMP that identifies uses allowed outright, uses allowed with a Conditional Use Permit, or uses that are prohibited in each of the four shoreline designations. He suggested reviewing the list to prohibit uses that are unlikely to occur in Woodway. He suggested using the Critical Areas Ordinance to regulate uses in the shoreline and to make the railroad an allowed use and require any widening be a conditional use.

Discussion followed regarding trespass on the shoreline; a suggestion to include language regarding construction/operation of the railroad; and culverts installed to allow foot traffic under the tracks that were subsequently filled.

## **PRESENTATION & DISCUSSION: Proposed Snohomish County Shoreline Master Plan Designation and Regulations for Pt. Wells**

Mr. Cohen explained Snohomish County has published a draft SMP and plan to have it locally adopted by September. DOE review will follow with DOE adoption by late 2010 or early 2011. Snohomish County designated the shoreline in Pt. Wells as urban because it is within urban growth areas, it is intended for

# TOWN OF WOODWAY

higher densities, to protect ecological functions, to provide public access and to restore ecological functions. He reviewed the urban management policies for the urban designation:

- Prioritizes water dependent uses over water-related and water enjoyment uses
- Commercial development limited to water-oriented uses except as part of a mixed use development
- Design of development should preclude the need for shoreline armoring
- Multi-family, multi-lot residential and recreation development should provide public access
- Access and public utilities need to be in place to serve the development
- Allowed uses in the urban environment include agriculture, aquaculture, commercial industrial, boating facilities, marinas, boat launches, docks and piers, residential, transportation, and utilities
- Hard shore armoring is not allowed
- Development standards for commercial and residential uses
- Maximum lot coverage
- Height limits for commercial, moderate to low density residential, and high density residential

Discussion followed regarding shoreline designation versus zoning and the location of the ordinary high water mark at Pt. Wells if armoring is removed.

## **DISCUSSION: Current Status of ILA for the Pt. Wells Urban Center and BSRE (Paramount) Open House on July 27**

Planner Bill Trimm explained that the goal is to have Snohomish County Council act on the Interlocal Agreement within the next 60 days. The Interlocal Agreement between the cities and Snohomish County establishes the general design framework and the development review process. Paramount's design team will use the Interlocal Agreement to begin development of a site plan. At a community meeting scheduled for September 23, they will present preliminary designs.

Mr. Trimm relayed Paramount's indication at the July 27 open house that they intend to remove the shoreline armoring and restore the beach to its natural condition. The timeline on display at the open house anticipated design, EIS, and outreach occurring 2010-2013 followed by permitting. They did not indicate a timeline for cleanup. The open house was well attended and BSRE (the real estate development division of ALON) accepted and will respond to written comments. A website will be available soon that contains the information provided at the open house. He offered to provide Commissioners a copy of the comments submitted at the open house.

**AUDIENCE COMMENTS:** None

**NEXT MEETING:** *Commissioner Tallon* moved to cancel the August Planning Commission meeting. *Commissioner Wilmer* seconded the motion. The motion carried unanimously.

**ADJOURNMENT:** *Commissioner Tallon* moved to adjourn the meeting. *Commissioner Ostlund* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:36 p.m.

# TOWN OF WOODWAY

**APPROVED BY THE PLANNING COMMISSION**

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Heidi K. S. Napolitano  
Secretary to the Planning Commission

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Jim Wilmer, Chairman

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