



# TOWN OF WOODWAY

## PLANNING COMMISSION MINUTES

9 FEBRUARY 2011

**CALL TO ORDER:** Chair Robert Allen called the meeting to order at 7:00 p.m. Commissioners Robert Allen, Jan Ostlund, Pat Tallon, Per Odegaard, and John Zevenbergen were present. Commissioners Tom Howard and Jennifer Ange had excused absences. Town Planner Bill Trimm, Patricia Lambert from Department of Ecology, and Clerk-Treasurer Joyce Bielefeld were also present.

**APPROVAL OF MINUTES:** *January 19, 2011*

Following a minor amendment, *Commissioner Ostlund* moved to approve the minutes of January 19, 2011 as amended. *Commissioner Zevenbergen* seconded the motion. Motion carried unanimously.

**PRESENTATION & DISCUSSION:** *Draft Shoreline Master Program - Alex Cohen, ESA Adolfson.*

Mr. Cohen gave a brief introduction, outlining his presentation. He then opened his presentation by reiterating the three main policy goals of the state shoreline management act: to encourage water dependent uses, to protect natural resources, and to promote public access. In addition, Woodway's Shoreline Master Program (SMP) should ensure no net loss (any new development or future uses cannot degrade the habitat or hydrology functions of the shoreline).

ESA Adolfson has almost completed the technical background. This includes the inventory and characterization report, draft shoreline designations, draft goals and policies, standards and use regulations, and administrative provisions. The three main findings from the inventory and characterization report are that BNSF railroad tracks have disconnected the shoreline from the coastal bluffs, disrupting the natural processes at the base of the bluff; that there is limited access to the shoreline; and that Point Wells offers an opportunity for shoreline restoration and public access.

Shoreline environmental designations add another layer of regulation to the current zoning code. The previous four designations included more area than the allowable 200' landward. Of the three proposed designations, two are for the existing Town lands, and one is for the Woodway MUGA [Point Wells shoreline].

Town Planner Bill Trimm clarified that the designation for the Point Wells shoreline would only be in effect if that area were annexed into Woodway.

The information contained in the draft SMP was taken from various sources, including the current SMP, the Snohomish County SMP [for the Point Wells area], the City of Shoreline [for the Point Wells area], other successful SMPs, and Mr. Cohen's technical knowledge.

Mr. Cohen explained the permitted uses table on page 22. He started by enumerating the prohibited uses. Commissioner Allen asked if the plan could or should include language prohibiting an oil drilling rig, or if the current language would be sufficient to ban it. Mr. Cohen commented that there is a state statute that states that uses not specifically addressed can be covered by the conditional use permit process.

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Uses allowed in Town shorelines: habitat restoration and single-family residences. Conditional uses allowed in Town shorelines: recreation, utilities, and maintenance of existing armoring. Uses allowed in Point Wells shorelines: water-oriented commercial, habitat restoration, recreation, multi-family & mixed-use residential, and roads. Conditional uses allowed in Point Wells shorelines: utilities, and maintenance of existing armoring. Commissioner Allen questioned the designation of railways as a prohibited use. Discussion followed regarding how Woodway would like to designate railways.

Mr. Cohen continued by relating that the SMP will regulate critical areas in shoreline area, not the critical areas ordinance. He recommends adopting by reference the critical areas standards but not the process; the process in the SMP would take precedence. Woodway's current critical areas ordinance includes protection for fish & wildlife habitat areas, including Puget Sound, but has no explicit mentions of shoreline area buffers. He proposes a buffer of 150' from the ordinary high water mark [OHWM], which would fall within the 200' shoreline setback.

Discussion followed about trails and bicycle paths as potential uses in the buffer.

Mr. Cohen explained that the shoreline modification section would apply to both the Town's shoreline areas and the Point Wells shoreline areas. Discussion followed about whether or not new boating facilities, docks, piers, floats, and buoys should be allowed. New shoreline stabilization structures, such as bulkheads and armoring, would be prohibited unless a structure is threatened; repair of current structures would be allowed. Commissioner Tallon would like to add strong language requiring restoration as part of the permit process. Commissioner Allen would like the language changed to allow buoys.

General discussion followed about beach cleanup, restoration, and whether to allow single family residential development at Point Wells. The Commissioners asked if our regulation is consistent with that of City of Shoreline. Mr. Cohen then explained that non-water oriented commercial use in the shoreline area at Point Wells would be prohibited unless it is part of a mixed-use development. The developer would have to provide public access, preserve views, and ensure that the development is compatible with adjacent properties. Transportation uses in the shoreline area would be limited to roadways for shoreline access and limited in size.

Mr. Trimm asked Ms. Lambert if Woodway would get some feedback on the draft before we submit our final copy. Ms. Lambert said that we should send in our final draft, along with the required checklist, for comments. After Woodway has approved a final copy, it will go to the Attorney General's office in Olympia. Further comments may be issued before the final approval.

Mr. Cohen will not be available for the March meeting, so the next draft will come back to the Planning Commission in April.

## **PRESENTATION & DISCUSSION:** *Other items of interest – Bill Trimm*

### *a. BSRE Pre-application Neighborhood Meeting*

BSRE held a Snohomish County-required pre-application neighborhood meeting on January 27, 2011, introducing the project to the public. Buildings will have heights from 30' to 180' and be interspersed with

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woodlands, arranged in three neighborhoods and an activity center/transit hub. The majority of the parking will be underground. There will be mixed-use buildings outside of the shoreline buffer. The developer will restore the shoreline and remove armoring.

Mr. Trimm relayed that BSRE set March 4, 2011 as the date they would submit their application. The application triggers a Snohomish County code provision that requires the applicant to work on interlocal agreements with surrounding jurisdictions. The applicant will have a total of 90 days to come to an agreement. If the applicant or one of the jurisdictions appeals the agreement, it will go to the Snohomish County Hearing Examiner.

Mr. Trimm reminded the Commission that the transportation analysis will be a major concern for Woodway, both after the project is finished and during the construction phase. Commissioner Ostlund asked if Shoreline's re-designation of Richmond Beach Drive from "Neighborhood Collector" to "Local Street" would have an impact on the project. Mr. Trimm responded that the developer would have to address how the approximate 4000 daily trips will impact the new street designation.

*b. Garfield Short Plat Access Change*

Mr. Trimm informed the Commission that the Garfields requested that they be allowed to change the circulation plan from the layout presented at the preliminary plat public hearing. They would like to loop the internal access instead of having to use the south driveway for just two lots and north driveway for two lots. Connecting the two driveways will also meet fire code. These changes do not affect the outcome of the preliminary plat hearing but will need to be approved at the time of final plat.

**AUDIENCE COMMENTS:** None

**NEXT MEETING:** The next meeting was scheduled for April 6, 2011.

**ADJOURNMENT:** The meeting was adjourned at 9:00 p.m.

**APPROVED BY THE PLANNING COMMISSION**

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Heidi K. S. Napolitano  
Secretary to the Planning Commission

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Robert Allen, Chair

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