

Richmond Beach Preservation Association  
19711 27<sup>th</sup> Avenue NW, Shoreline, Washington 98177  
February 17, 2011

**To: Shoreline Planning Commission**

**Subject: Shoreline Master Program Draft Regulations**

The residents on 27<sup>th</sup> Avenue, NW have been working with the Department of Planning and Development for better than a year as it has been developing the Shoreline Master Program for the City of Shoreline. This has involved a half dozen meetings, dozens of emails and phone calls and hundreds of hours of neighbors' time in research and discussions.

The neighborhood association (RBPA) would like to extend our gratitude to Miranda Redinger and staff for their time and feedback as we have worked through the SMP process together, at times including a representative from the State's Dept. of Ecology.

**The RBPA urges the Planning Commission to support the "public comment" revisions as presented in the draft SMP.**

- The RBPA has worked in close collaboration with City staff and DOE representatives in drafting the proposed edits.
- A majority of the recommended change verbiage has been taken directly from already approved SMP's of other jurisdictions.
- DOE has voiced agreement that the edits in the revised SMP are reasonable and within the scope and intent of the Shoreline Management Act (SMA).
- The one area not pinned down is that of a "common line setback"...we would like to continue to work with staff and DOE to refine what setback language to recommend to this Commission. A majority of property owners along 27<sup>th</sup> Ave NW are supportive of such language. (See additional comments below.)

On "Big Picture" items the RBPA offers the following comments:

**1. Non-Conforming Uses**

A major concern to RBPA is respect for the non-conforming codes as it regards a majority of properties in Waterfront Residential zoning. Existing homes along 27<sup>th</sup> which were legally established and now are classified as non-conforming, have been part of Shoreline's history for generations. **Restricting residential structures beyond the current non-conforming code will not improve near-shore habitat**, a basic goal of this SMP. Additional restrictions on residential structures will prohibit "highest and best use." It is hoped that this section of the City can be maintained and preserved for years to come. (Annual property taxation on these combined properties will be close to \$500,000 in a couple of years.)

## 2. Private Residential Docks

We are requesting that "joint-use" private residential docks be permitted (P) in Waterfront Residential zoning. Even though they are allowed under the SMA, we recognize that high-energy wave environment limits the probability of installation, and any application for a joint-use dock will still need a review and approval from DOE and WDFW as part of the required State JARPA permitting process.

## 3. Common-Line Setbacks

**A majority of property owners within the Waterfront Residential zone support a common-line setback provision.** The wording submitted by RBPA was meant as a starting point for discussion and edits to address concerns of one property owner. RBPA requests the opportunity to continue to work with staff and DOE to draft acceptable language on this issue. Through non-conforming codes, no residential structure will be forced to "move back" or hinder existing views. Common-line setbacks have been historically utilized by other jurisdictions and included in recently approved SMP's. (Attached are Google Earth prints showing structures in the Waterfront Residential zone and illustrate the impact is simply a matter of inches and not catastrophic.)

## 4. No-Harvest Zone

RBPA understands the issues surrounding this concept. Nevertheless unregulated harvesting has seriously effected near shore habitat for both plants and animals.

(See 1996/1997 King County Point Wells Beach Assessment report; "Use" section last page.)


The RBPA is committed to work with city and state agencies to help promote existing regulations and minimize the negative effects on the near shore environment.

In conclusion, the RBPA would like to again thank the City of Shoreline staff and the Department of Ecology for their time and feedback as we have worked through the draft SMP. Under SMA provisions, property owners within the Waterfront Residential designation are entitled to specific protections that differentiate the area from any other new or developing residential designations within the SMA. Our goal was and is to help the City create a document that acknowledges and preserves our unique environment, allowing us to protect and maintain what we have, while attempting to improve the overall near-shore environment as a responsibility.

The RBPA would welcome the Planning Commissioners to tour our neighborhood to better understand our intent and concerns.

Thank you again for the opportunity to participate in this process.

Sincerely,

  
Woody Hertzog, President  
Richmond Beach Preservation Association

# King County's 1996/1997 Beach Assessment

## *Point Wells, Shoreline*



### Site Description

The beach is located at the northern-most point in King County. The Richmond Beach pump station (formerly a wastewater treatment plant) is located across the railroad tracks to the east. This beach is one of those studied by Thom and Armstrong in the 1970s. A deactivated storage facility for petroleum products adjoins the beach on the north side. The eastern edge of the upper beach is protected by a rip-rap sea wall and the southern edge with a concrete one. The beach is steep down to the 3 foot level and then it becomes a large sand flat. Most of the lower beach is very sandy but there are a few patches of gravel and cobbles.

There were three sand flats, which probably migrate with seasonal wave impacts. The largest patch of suitable substrate for hardshell clams (littleneck and butter clams) was the ridge at the north end of the beach. There was another patch a short distance north of the middle and a third near the south end of the beach. In all three locations, much of the rock appears to have been crushed, indicating that these substrates are artificial.

### Invertebrates

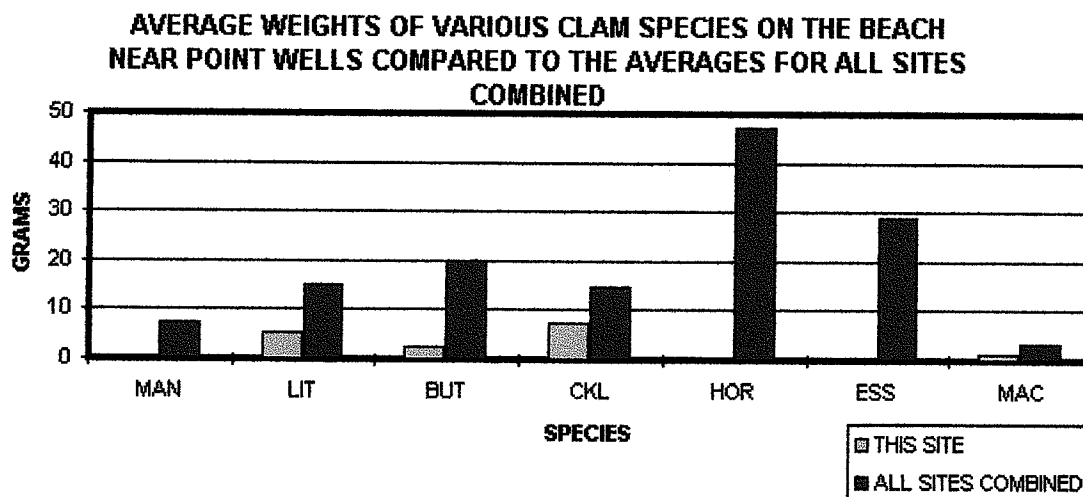
Thirty-one (31) species were identified on this beach, the fourth lowest diversity of all the beaches surveyed. The biota are primarily burrowers or animals which are present only when the tide is high and not observable to our surveyors.

<b>Limpets</b>	
Plate Limpet	<i>Acmaea scutum</i>
Variegated Limpet	<i>Acmaea persona</i>
Finger Limpet	<i>Acmaea digitalis</i>
<b>Snails</b>	
Emarginate dogwinkle	<i>Nucella emarginata</i>
Moon Snail	<i>Polinices lewisi</i>
<b>Chitons</b>	
Lined Chiton	<i>Tonicella lineata</i>
Mossy Chiton	<i>Mopalia mucosa</i>
<b>Bivalves</b>	
Native Littleneck	<i>Protothaca staminea</i>
Butter Clam	<i>Saxidomus gigantea</i>
Cockle	<i>Clinocardium nutalli</i>
Horse Clam	<i>Tresus sp.</i>
Sand Clam	<i>Macoma secta</i>
Inconspicuous Macoma	<i>Macoma inconspicua</i>
Modest Tellin	<i>Tellina modesta</i>
Bay Mussel	<i>Mytilus edulis</i>
Jingle Shell	<i>Posodesmus cepio</i>
<b>Sea Slugs</b>	
Rough Mantled Doris	<i>Onchidoris bilamellata</i>
<b>Sea Stars</b>	
Mottled Star	<i>Evasterias troschelli</i>
<b>Barnacles</b>	
Small Acorn Barnacle	<i>Chthamalus dalli</i>
Thatched Barnacle	<i>Balanus cariosus</i>
<b>Crabs</b>	

Purple Shore Crab	<i>Hemigrapsus nudus</i>
Red rock crab	<i>Cancer productus</i>
Pygmy Rock Crab	<i>Cancer oregonensis</i>
Graceful Crab	<i>Cancer gracilis</i>
<b>Shrimp</b>	
California green shrimp	<i>Hippolyte californiensis</i>
<b>Hermit crabs</b>	
Hairy hermit	<i>Pagurus hirsutiusculus</i>
<b>Anemones</b>	
Colonial anemone	<i>Cribrina elegantissima</i>
<b>Hydroids</b>	
<b>Segmented worms</b>	
Shellbinder worm	<i>Thelepus crispus</i>
Scale worm	<i>Halosydna sp.</i>
<b>Tube worms</b>	
Calcareous tubeworm	<i>Serpula vermicularius</i>
<b>Flatworms</b>	
Small speckled	<i>Freemanina sp.</i>

## Clams

There does not appear to be a well defined clam band on this beach as are found on most of the other beaches, but there are a few patches of gravel and cobbles which support horse clams, butter clams, littleneck clams, bent nose and *Macoma irus* (inconspicuous macomas). Sand macomas can be found on some of the sand flats. Both numerically and by biomass, the most productive area was the ridge at the north end. Eighteen holes total were dug at three locations, but only thirteen contained one or more clams. One hundred and eighty-two (182) clams, weighing 560 grams, were collected. The average weight per clam of 3.1 grams and the square foot estimate of 463.1 grams were both the third lowest for a beach. The population density of 14 clams per square foot was in the mid-range.



Littleneck and butter clams dominated the clam population, both by number and by weight. Numerically, the littlenecks and butter clams comprised 30% and 39% of the total population, respectively. Their portions of the biomass were 53% for littlenecks and 31% for butter clams. Littlenecks, cockles and macomas were about half the size of the average for all beaches and the butter clams were about one tenth the average.

Check out the following graphs for more information about the clam population:

- **Numeric composition of clam population**  
(~/media/environment/waterland/puget\_sound\_marine/beaches/point\_wells2.ashx)
- **Weight composition of clam population**  
(~/media/environment/waterland/puget\_sound\_marine/beaches/point\_wells3.ashx)
- **Numeric distribution of clam population**  
(~/media/environment/waterland/puget\_sound\_marine/beaches/point\_wells4.ashx)
- **Biomass distribution of clam population**  
(~/media/environment/waterland/puget\_sound\_marine/beaches/point\_wells5.ashx)

No manila clams were collected. Only five of 51 littlenecks, or 10%, were of legal size for recreational harvesters and only two of 70, or 3%, of the butter clams were legal. In both cases, those percentages were the fourth lowest of the beaches surveyed. Horse clams can be found in the few patches of sand and gravel but they are so scattered that they escaped collection.

## Algae

There was no formal algae survey conducted but it was observed that larger species of *Desmarestia*, *Costaria* and *Sargassum* were present where cobbles and boulders were present in the subtidal area. Sea lettuce was attached to most of the rocks on the ridge to the north.

## Other

Various shorebirds and gulls were sited, including the following species: western gull, Bonaparte's gull, herring gull, western grebe, Arctic tern and great blue heron.

## Use

On all sample dates and days on which mapping activities were conducted, harvesters were observed if the low tide level was 0 foot or lower. The ridge at the north end is riddled with craters from the clam digging. Questionable harvesting practices were observed. Volunteers and staff helped a large group cull and release the undersized crabs they had collected. They helped another group correctly identify the horse clams that they thought were geoducks.

There are quite a few craters here left by clam diggers. Beachcombers and clam diggers were observed on nearly every low tide event for which we were present. Even without the harvesting pressure, the entire beach would not be very productive because of the substrate, although the three gravelly patches would support more biomass.

## Related Information

- **Central Puget Sound Watershed**  
(<http://www.kingcounty.gov/environment/watersheds/central-puget-sound.aspx>)
- **King County Animals and Plants**  
(<http://www.kingcounty.gov/environment/animalsandplants.aspx>)
  - **Clams**  
(<http://www.kingcounty.gov/environment/animalsAndPlants/clams.aspx>)
  - **Sea Stars**  
(<http://www.kingcounty.gov/environment/animalsAndPlants/sea-stars.aspx>)
- **Environmental Monitoring Data**  
(<http://www.kingcounty.gov/environment/data-and-trends/monitoring-data.aspx>)
- **Water and Land**  
(<http://www.kingcounty.gov/environment/waterandland.aspx>)

## Related agencies

- **Department of Natural Resources and Parks**  
(<http://www.kingcounty.gov/environment/DNRP.aspx>)
- **Water and Land Resources Division**  
(<http://www.kingcounty.gov/environment/wlr.aspx>)

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Imagery Date: 6/11/2010 1990

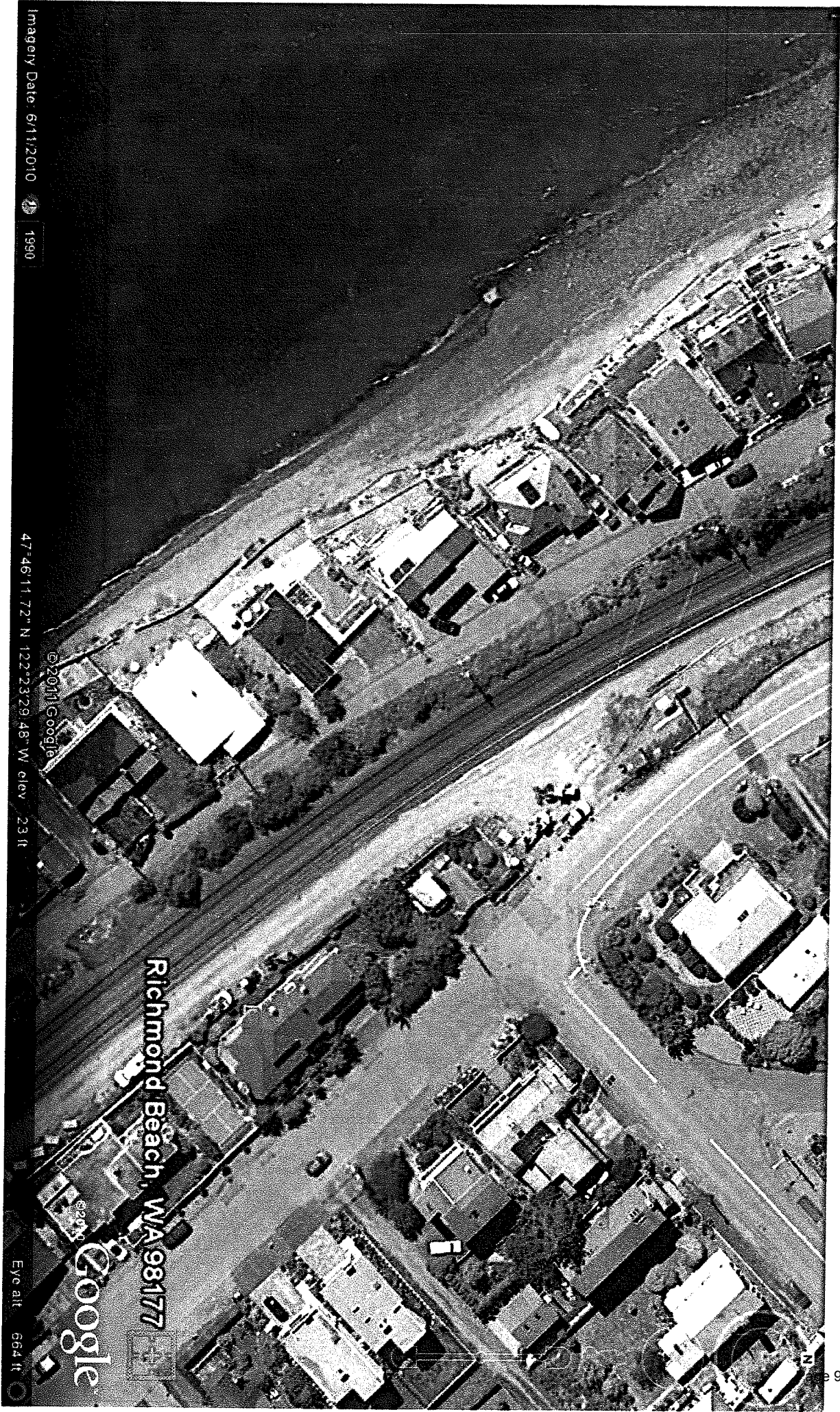
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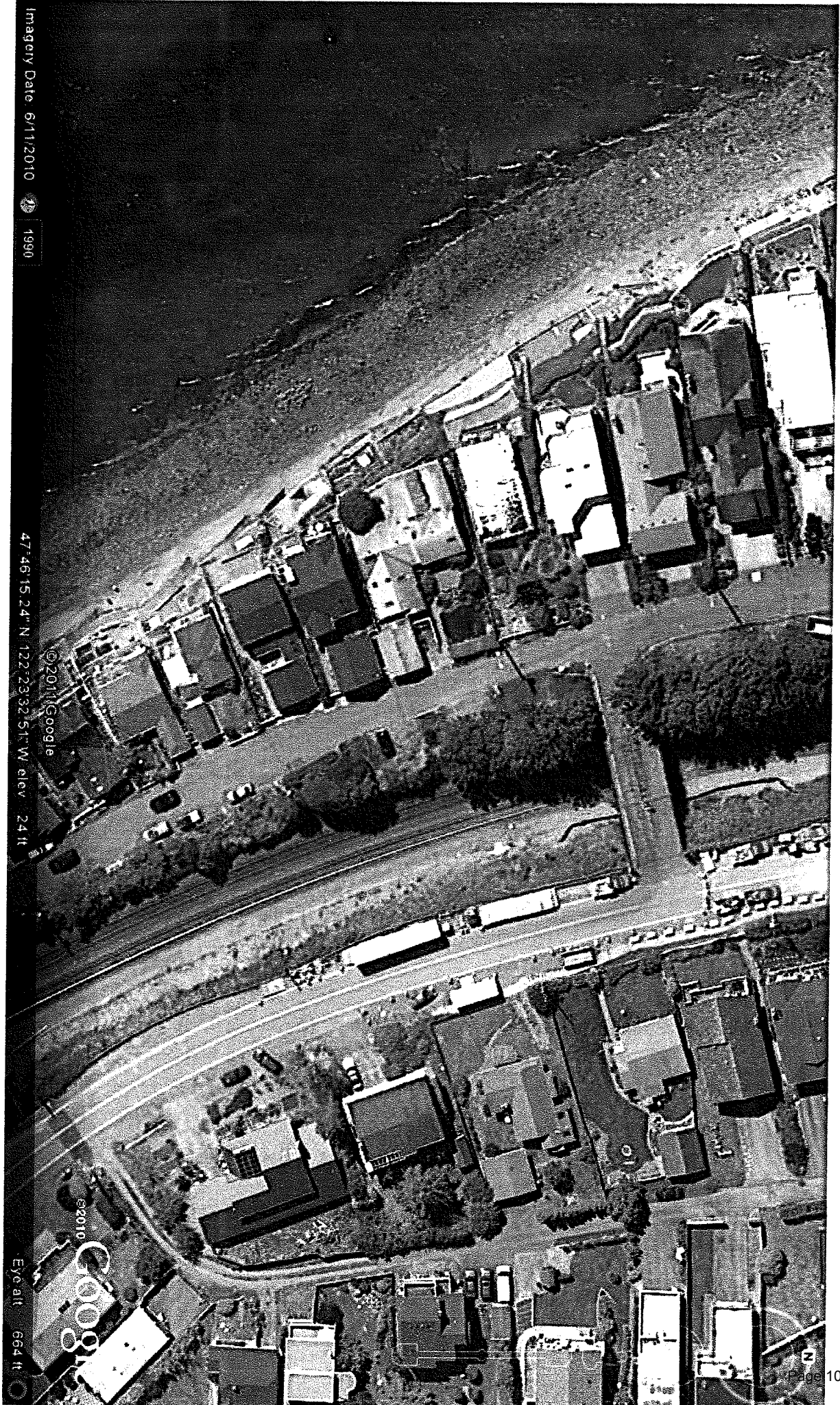
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Eye alt 664 ft





Imagery Date 6/11/2010 1990

47°46'15.24" N 122°23'32.51" W elev 24 ft

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Imagery Date: 6/11/2010 1990

47°46'18.60" N 122°23'34.10" W elev 24 ft

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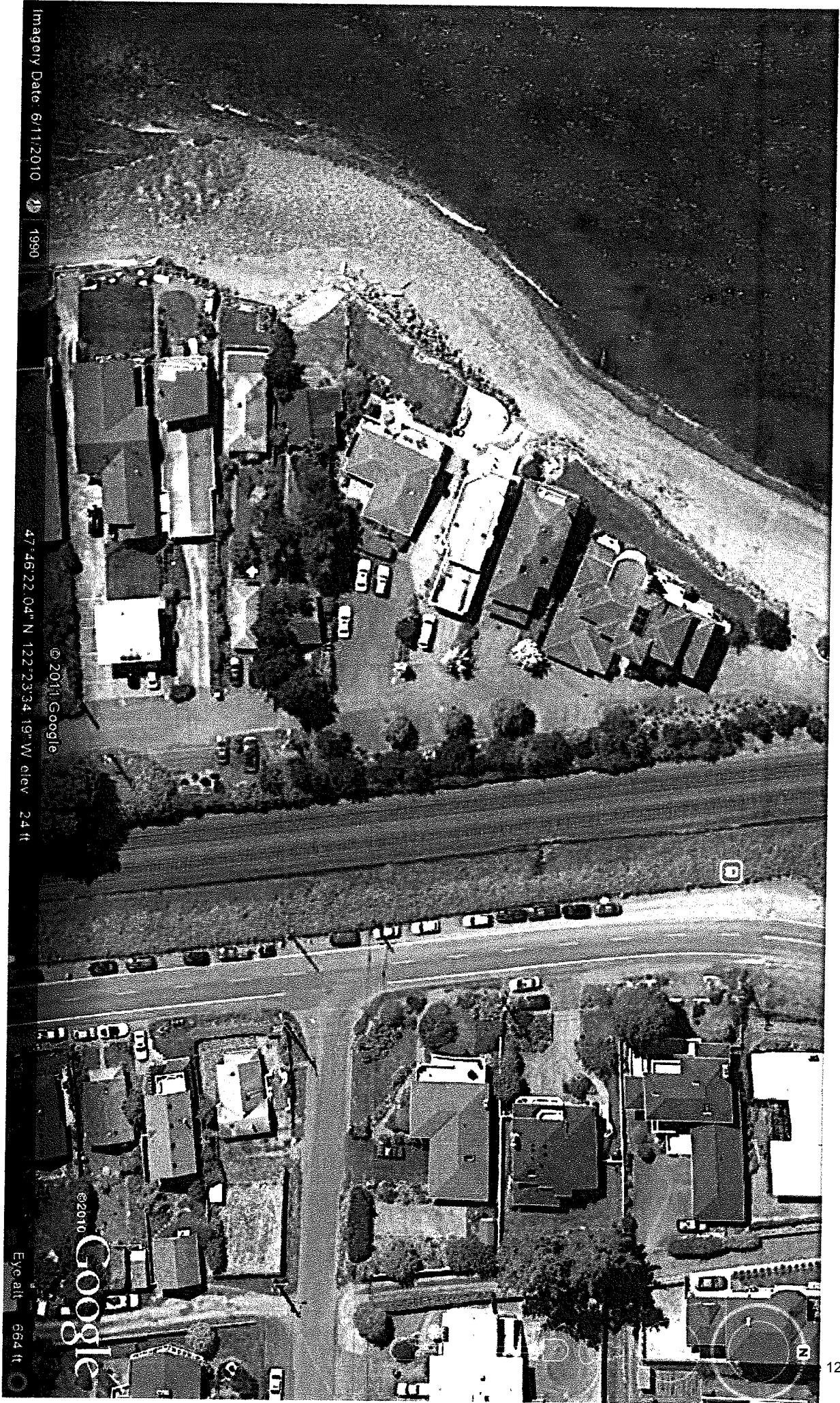
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GoogleEarth Placemark

GoogleEarth Placemark





Imagery Date: 6/11/2010 1990

47°46'22.04" N 122°23'34.19" W elev 24 ft

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Eye alt 664 ft

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**From:** Janne Kaje  
**Sent:** Wednesday, February 16, 2011 10:25 PM  
**To:** Plancom  
**Cc:** Miranda Redinger  
**Subject:** RE: Shoreline Master Plan Update

Miranda and Commissioners,

I will not be in attendance on Thursday but want to offer a few brief comments about the "big picture" issues noted in the meeting packet:

**Point Wells Marina:** As I have expressed in the past, I think we should NOT rule out the possibility of a marina or similar facility as part of the Point Wells development. I am very sensitive to environmental impacts in the nearshore, having been a marine science instructor and a marine policy graduate student in the past. However, Point Wells is a severely impacted site that includes some existing infrastructure that might be usable in a future scenario. I also feel that it provides a unique opportunity for a fantastic amenity for Shoreline. Any marina and associated facilities would need to provide public access and launching facilities, and berths should not be limited to only residents of Point Wells. Crafting strong language regarding the scale of marina facilities and any appurtenant infrastructure will be important. I am not in favor of additional jetties, breakwaters or groins being constructed. I don't have any specific recommendations ready, but we may need some input from other communities that have marinas. In any case, I don't think we should rule this out prior to full consideration and public hearing.

**Community vs Joint Use vs Individual docks:** I feel very differently about individual docks and their cumulative impacts on the Shoreline. I believe individual and joint use docks pose disproportionate impacts relative to the public benefit, which exists only for the homeowner. There are no existing docks and I'm sure there are reasons for that related to tides and the cost of construction and maintenance. I would welcome a public access facility at Point Wells, but I see no reason to leave the door open for a proliferation of private docks in a portion of the nearshore that still holds some promise for ecological function. A community dock in this setting is a better option, but I am not wild about that either. But if some potential for docks must be left in place, they should in my view be limited to community (4+ properties) facilities.

**Common Line Setbacks:** I agree with the staff recommendation and the comments from a community member regarding this matter.

**Non-conforming uses:** I believe we should be very strict about preventing any further encroachment or other increase in the level of non-conformity, but given the setting, relatively small number of affected properties and the lack of potential for substantial new development (outside of Point Wells), I tend to lean toward allowing the current, legal, non-conforming uses to continue. The scale of the issue does not justify, in my view, treating the Shoreline non-conformities differently than those in other parts of the city. I do not believe we will gain notably in shoreline functions by forcing existing structures/uses to come into conformity in the future as a result of remodel/repair/replacement in kind.

Janne

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**From:** Plancom  
**Sent:** Wednesday, February 16, 2011 11:54 AM  
**To:** Ben Perkowski; Jessica Simulcik Smith; John Behrens; Michael Broili; Michelle Linders Wagner; Steve Cohn; Janne Kaje; Cynthia Esselman; Donna Moss  
**Subject:** FW: Shoreline Master Plan Update

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**From:** Miranda Redinger  
**Sent:** Wednesday, February 16, 2011 11:54:49 AM  
**To:** Plancom  
**Subject:** Shoreline Master Plan Update  
Auto forwarded by a Rule



Dear Commissioners,

In the staff report for this Thursday's SMP study session, I mentioned that residents of Apple Tree Lane had submitted a proposal to use common line setbacks (included as Attachment 5 of staff report). I said that staff was not supportive of this proposal and that I would compose a separate memo explaining rationale that would be sent to the Richmond Beach Preservation Association leaders and to you via Plancom. Attached, please find that memo, the original proposal, and comments received from another resident of Apple Tree Lane who also does not support the proposal. Please feel free to call me with any questions at 801-2513.

Thank you,

Miranda

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**From:** Miranda Redinger  
**Sent:** Wednesday, February 16, 2011 11:55 AM  
**To:** Plancom  
**Subject:** Shoreline Master Plan Update  
**Attachments:** response to common line setback proposal.docx; WR Common Line Setbacks.pdf; Ed Somers comments.pdf

Dear Commissioners,

In the staff report for this Thursday's SMP study session, I mentioned that residents of Apple Tree Lane had submitted a proposal to use common line setbacks (included as Attachment 5 of staff report). I said that staff was not supportive of this proposal and that I would compose a separate memo explaining rationale that would be sent to the Richmond Beach Preservation Association leaders and to you via Plancom. Attached, please find that memo, the original proposal, and comments received from another resident of Apple Tree Lane who also does not support the proposal. Please feel free to call me with any questions at 801-2513.

Thank you,  
Miranda

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## Memorandum

**DATE:** February 14, 2011

**TO:** Randy Stime, Dick Kink, Woody Hertzog

**FROM:** Miranda Redinger

**RE:** Common Line Setbacks and Decks

**CC:** Steve Cohn, Rachael Markle, City of Shoreline Planning Commission

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On February 4<sup>th</sup>, representatives from the Richmond Beach Preservation Association (RBPA) submitted a proposal to Planning staff that the draft regulations for the Shoreline Master Program (SMP) be amended to include provisions for “common-line setbacks”. The proposed policies are included below, and the full text and graphics are included as Attachment A.

*Policy: Maintain shoreline views so that views from adjacent residences be comparable.*

*Policy: Maintain an average setback such that neighboring residences are in a common line of site. As such new or modified residences shall be setback the greater of the 20 foot buffer or the average setback of the adjacent residences.*

In reviewing this proposal, City staff has concerns about applying an average setback based on neighboring residences for new or modified residences. The main concerns are as follows:

- The application of the proposed policy and regulations could result in disproportionate limitations for development of undeveloped and redeveloped lots based on actual topography and location of structures on adjacent lots;
- The application of the proposed policy and regulations may deny a property owner that is developing or redeveloping from obtaining views that are comparable to his/her neighbors; and
- The proposal does not clearly define where the common lines shall be drawn. It states that the “common line” shall be drawn between the nearest corners of the adjacent residences. Would accessory structures, decks or porches be counted as the adjacent residence?

It is understandable the desire to maintain views for all residents. However, it is unclear to staff how it would be decided how much of a view each resident would be afforded or if it is equitable to restrict the last property owner who redevelop's view by the placement of existing structures.

On February 7, staff also received a phone call and fax from another resident of Apple Tree Lane who wished to submit his comments and graphics regarding the common-line setback proposal (Attachment B). Rather than paraphrase those arguments, it will suffice to say that it supported staff opinion that proposed regulations could be confusing to administer and may create issues of inequity.

Also on February 7, staff received a follow-up email from Dick Kink with some questions about SMP regulations in regard to decks.

Currently, the required shoreline setbacks are treated similar to critical area setbacks where no projections are allowed, though existing improvements can be maintained. Decks, eaves, patios, pavers, and other non-native vegetation surfaces do not meet the intent of the setback requirements to maintain native vegetation areas, and even where they are not currently native vegetation, replacement with hardscape would result in a net decrease in ecological function of these areas.

The proposed regulations should allow projections into the standard setbacks that apply to the sides and front (away from water) setbacks, but not to the shoreline setback. The same would be true for exempt accessory structures – they would not be allowed in the shoreline setback.

I hope this answers your questions. If you would like additional clarification, feel free to contact me. Thank you for your continued input and participation in this process.

Sincerely,

Miranda Redinger

Attachment A: RBPA common-line setback proposal

Attachment B: Edward Somers comments on proposal

## Waterfront Residential – Residential Development

Policy: Maintain shoreline views so that views from adjacent residences be comparable.

Policy: Maintain an average setback such that neighboring residences are in a common line of site. As such new or modified residences shall be setback the greater of the 20 foot buffer or the average setback of the adjacent residences.

### Regulation:

1. Where an existing residential structure is set back beyond the 20 foot buffer, it may be expanded water ward to the extent that the setback is the greater of the 20 foot buffer or the average setbacks of the adjacent residences. The buffer shall be determined as 1) the common line drawn between the nearest corners of the adjacent residences (“nearest corners” of the adjacent residences are those closest to the side-yard property line of the subject structure property.) see figure 1a, or 2) a common line calculated by the average of both adjacent residences existing setbacks  $((y+z)/2 = x)$  see figure 1b.
2. A proposed new residential structure shall be setback the greater of the 20 foot buffer or the average setbacks of the adjacent residences. The “average setback” buffer shall be determined as the greater of either, 1) the common line drawn between the nearest corners of the adjacent residences (“nearest corners” of the adjacent residences are those closest to the side-yard property line of the subject structure property.) see figure 1a, or 2) a common line calculated by the average of both adjacent residences existing setbacks  $((y+z)/2 = x)$  see figure 1b.
3. Where there is only a residence on one side of the subject lot, then the buffer shall be the greater of the 20 foot setback or the average setback of the adjacent residence and the next closest residence on the opposite side. The “average setback” buffer shall be determined as the greater of either, 1) the common line drawn between the nearest corners of the adjacent and closest residences (“nearest corners” of the closest residences are those closest on opposite sides to the side-yard property line of the subject structure property.) see figure 1c, or 2) a common line calculated by the average of both adjacent residences existing setbacks  $((y+z)/2 = x)$  see figure 1d.
4. Figures 1a-d below illustrates examples of common line buffer allowance. Where discrepancy between the text and the graphs exist, the text shall govern. Graphs are for illustration only, buffer shall be measured perpendicularly from the Ordinary High Water Mark as per this section.

Figure 1.a

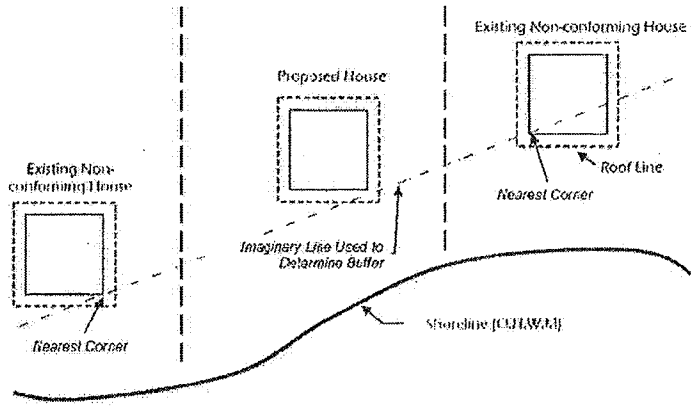


Figure 1.b

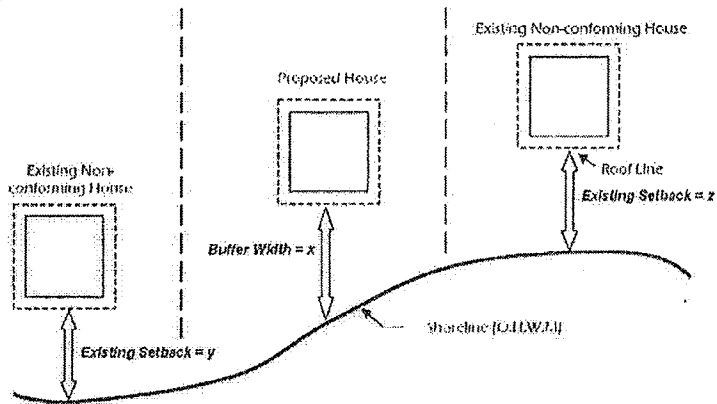


Figure 1.c

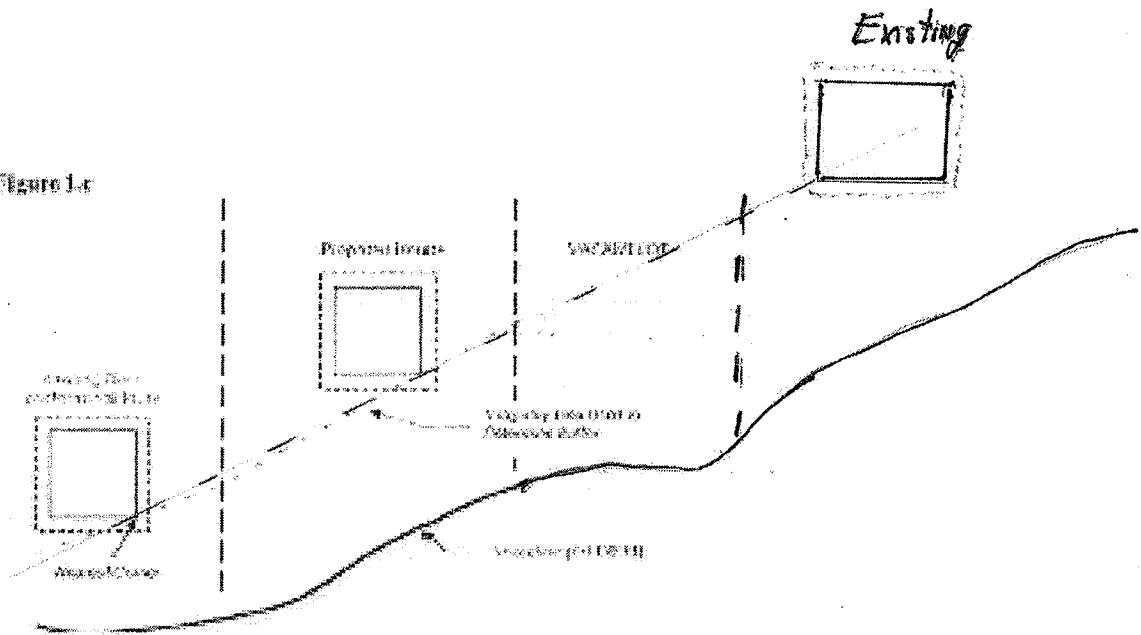
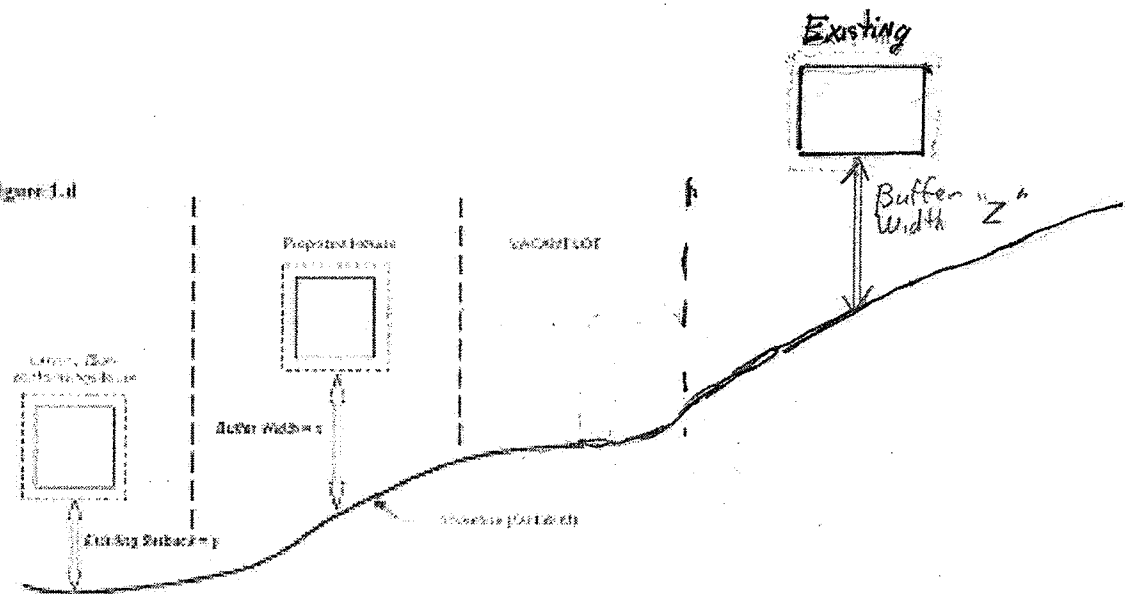


Figure 1.d



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February 11, 2011

Fax to: Miranda Redinger

Fax # (206)5468761

Phone # 206 801 2513

From: Edward Somers

Phone (305) 528 4321

Fax # (305) 866-6038

Re: Proposed Shoreline Management Act Policy that propose to require shoreline setbacks based on the setbacks of the adjacent residences. Attached are my revised comments and diagrams showing why this shoreline policy should not be adopted.

Thank you for this opportunity to comment.

Edward Somers  
741 86<sup>th</sup> St.



Miami Beach, Fl. 33141  
305 528 4321

**Discussion about the Shoreline Management Act policy to align new residential development setbacks along the shoreline with existing setbacks of the adjacent residences to protect views**

The proposed shoreline policy of "aligning new residential development setbacks along the shoreline with existing setbacks of the residences on each side of that development to protect views" on the surface sounds like a worthy objective. However, City planners, architects and developers, property owners, and lending institutions need reliable and unchangeable setbacks, and in that regard, the policy language does not really work. In reality, the policy language results in shoreline setbacks that can change daily depending on the development that occurs on adjacent properties, allows one property owner to control his neighbors development, results in an eventual creep of development towards the water, and in general has created huge legal problems for other jurisdictions who also adopted the same shoreline policies. Presumably, it is for that reason that the shoreline policy of aligning new residences with the residences on either side was not incorporated into the shoreline code, and instead the code has setback requirements that do not rely on adjacent development.

The issue of view blockage for waterfront properties is exactly the same issue for upland properties. Courts have found that views from private properties are not protected, and only public views from public designated view points can be protected. Otherwise, the owner of the first house to be built on a higher property can control and restrict all of the houses that are built down hill from it.

**The following is a discussion and example # 1 show how a shoreline policy language that requires new development to align with the setbacks of adjacent development would result in setbacks that could change daily and result in an eventual creep of development towards the water. Example # 1 shows existing house being demolished, leaving an accessory dwelling. The same case would occur if an existing house had a large set back from the water.**

Policy: Align new residential development setbacks along the shoreline with existing setbacks of the residences on each side of that development to



protect views unless it causes a property to be unbuildable.

Day 1. The City planner tells prospective buyer of lot 2 that he can build to within 20 ft of the water by aligning his new house with the two adjacent houses to the north and south.

Day 2. The owner of lot 1 demolishes the primary residence leaving an accessory dwelling. He intends to build a new house and the City planner tells the owner of lot 1 that he can rebuild a new residence to within 20 ft. of the shoreline by aligning with the houses to the north and south. .

The new owner of lot 2 is now told that he can no longer build to within 20 ft. of the shoreline and must set back his new house to align with the remaining house on lot 1 and the house to the north.

Day 3. The owner of lot 2 builds a new house on lot 2 that aligns with the houses to the north and south. The owner of lot 1 submits plans for a building permit and is told that he must now set his new house back to align with the new house on lot 2 and the house to the south.

Day 4. The owner on lot 1 builds his replacement house, and the owner of lot 2 realizes he can improve his views and now move his house 10 ft closer to the water by aligning with the new house on lot 1.

Day 5. The owner on lot 1 can now move his house 8 ft closer to the water.

Day 6. The owner on lot 2 can now move his house 6 ft closer to the water

Day 7 the owner on lot 1 can now move his house 3 ft. closer to the water.

Day 8 and on.... Both houses on lots 1 and 2 continue to creep closer and closer to the water in infinitely smaller and smaller moves that will eventually approach the original 20 ft. setback from the water that is provided by the houses to the north and south.

The above example would of course take longer than 8 days, but it is an

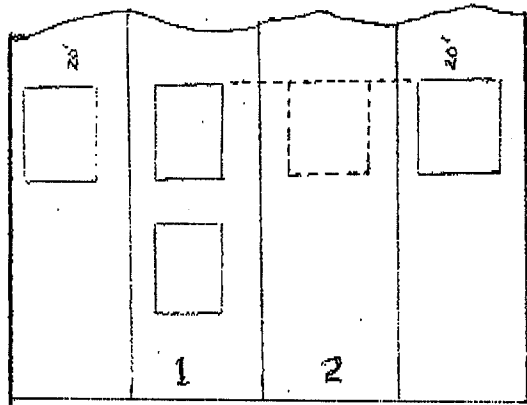
example of how the shoreline setback that is dependent on the adjacent houses could change from day to day depending on the development that occurred on the adjoining properties. It is for that reason that the City of Seattle did not incorporate the shoreline policy into the code when it adopted its new shoreline code, and presumably when the City of Shoreline adopted the same shoreline policies, they also did not adopt the policy language into the shoreline code.

The proposal to draw a line between the corners of the adjacent houses severely restricts the potential development of point lots when compared to the adjacent lots (see example # 2).

The proposal to align all waterfront development with a line drawn between the closest waterfront corners to the property line allows the first owners to build to be able to control the development on the private property adjacent to it. See Example #3 for ell shaped houses on either side of a vacant lot. The waterfront properties already have an unrestricted view directly out to the water. Policies should not be adopted to allow the first property owner to build to be able to control how his neighbor can build, or to allow the first houses views to take priority over his neighbors view or limit the ability of the neighboring property owner to have comparable development standards as the houses on each side.

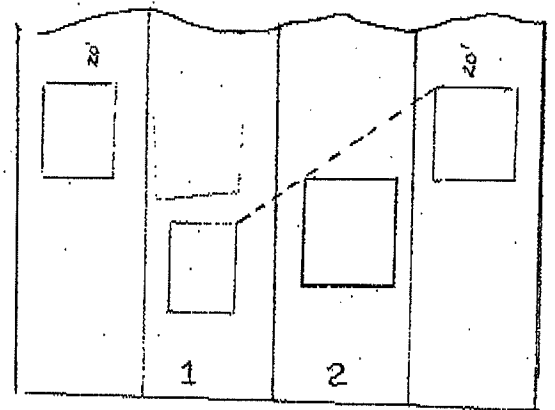
DAY 1

WATER



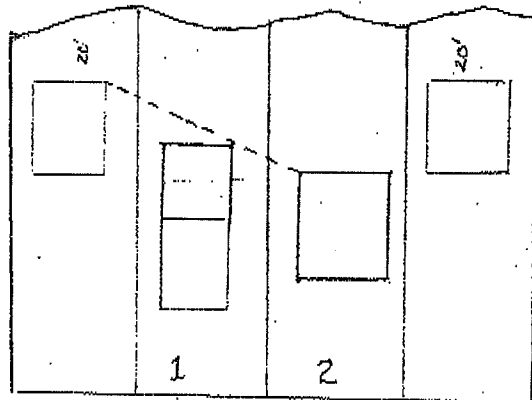
DAY 2

WATER



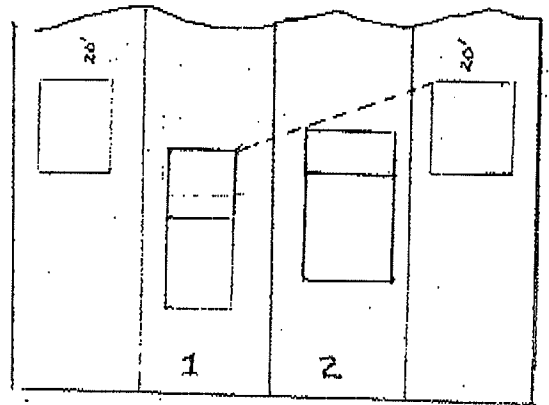
DAY 3

WATER



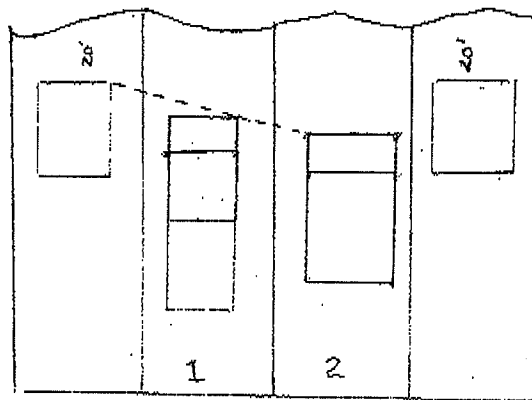
DAY 4

WATER



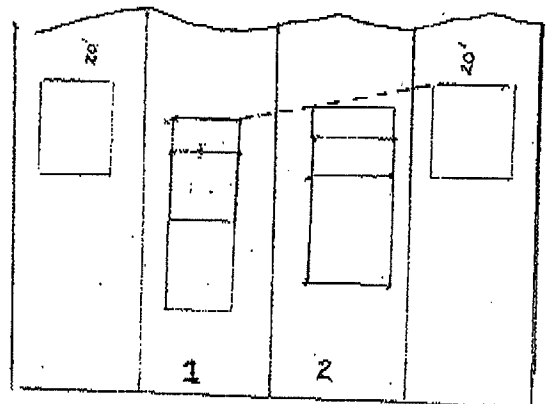
DAY 5

WATER



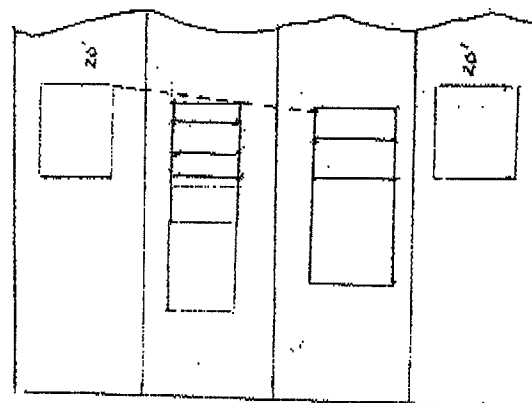
DAY 6

WATER



DAY 7

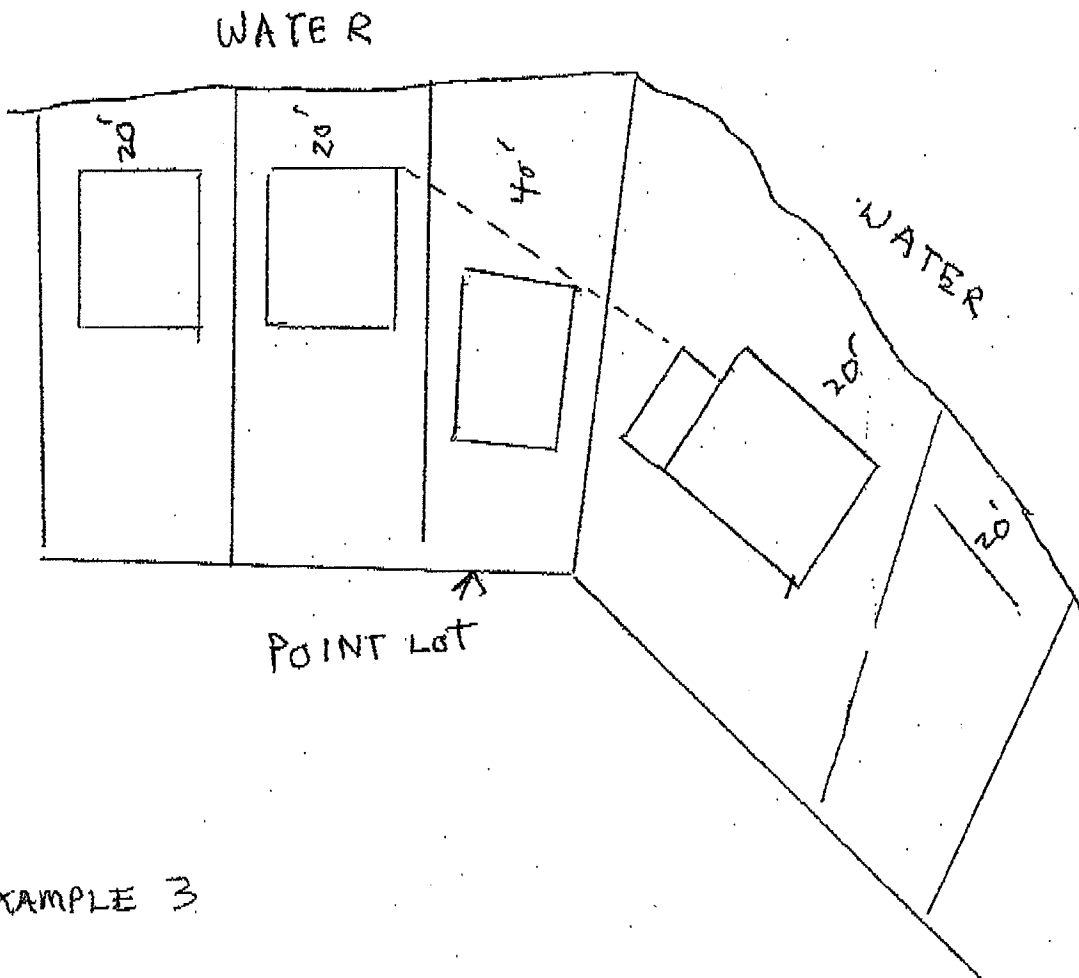
WATER



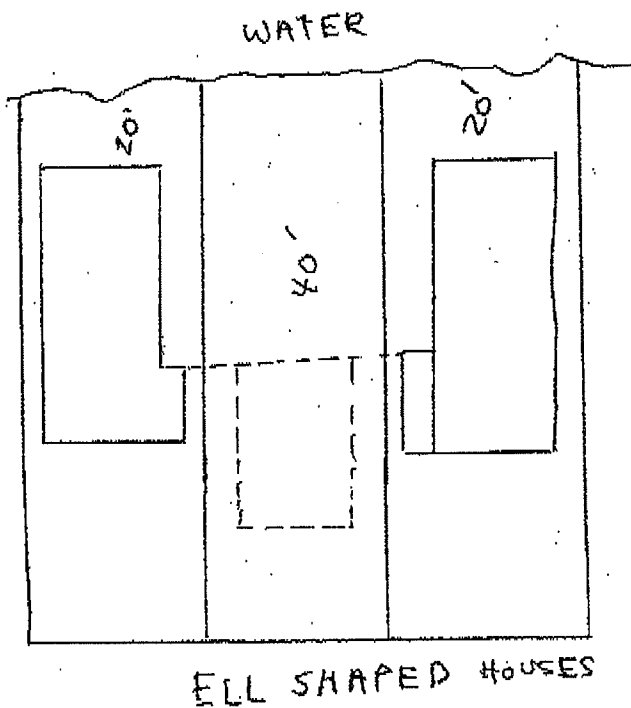
→ Z

EXAMPLE 1

### EXAMPLE 2



### EXAMPLE 3



Subject	Audience	Time
Community Vision	Public Workshop #1	Tuesday, January 25, 2011, 6:30 - 8:30 p.m.
Community Vision -- Project Briefing	Park Board meeting	Thursday, January 27, 2011, 7:00 - 9:00 p.m.
Exploring Options	Public Workshop #2	Wednesday, March 9, 2011, 6:30 - 8:30 p.m.
Exploring Options - Project Briefing	Park Board meeting	Thursday, March 24, 2011, 7:00 - 9:00 p.m.
Exploring Options -- Project Briefing	City Council Business Meeting	Monday, March 28, 2011, 7:00 - 9:00 p.m.
Selecting the Preferred Option	Public Workshop #3	Wednesday May 11, 6:30 - 8:30 p.m.
Reviewing and Recommending the Preferred Option	Park Board meeting	Thursday, May 26, 2011, 7:00 - 9:00 p.m.
Reviewing and Adopting the Preferred Option	City Council Business Meeting	Monday, June 13, 2011, 7:00 - 9:00 p.m.