

---

**Planning Commission Meeting Date: April 16, 2009**

---

**PLANNING COMMISSION PUBLIC HEARING  
CITY OF SHORELINE, WASHINGTON**

**AGENDA TITLE:** Public Hearing on Point Wells Comprehensive Plan Amendment

**PRESENTED BY:** Joseph W. Tovar, FAICP, Director PDS  
Steven M. Cohn, Senior Planner

*JWT*  
*SMC*

**I. INTRODUCTION**

At its April 16, 2009 meeting, the Commission will hold the first of several public hearings to take public testimony on a proposed comprehensive amendment (CPA) to the City of Shoreline Comprehensive Plan concerning the Point Wells unincorporated area of Snohomish County, which lies immediately north of the City's Richmond Beach Neighborhood.

The proposed CPA would replace the prior terminology of "Potential Annexation Area" (PAA) with "Future Service and Annexation Area" (FSA) and amend the City's Future Land Use Map to delete the prior PAA designation and designate the lowland portion of the Point Wells area as the "Point Wells Service and Future Annexation Area." In addition, the CPA proposes text for a new "Point Wells Subarea Plan" to describe the City's interests, concerns, and intent with respect to land use, transportation, service delivery, and intergovernmental coordination, and to describe a future public process to engage all affected and interested parties in the preparation of detailed pre-annexation land use regulations.

One of the major issues remaining to be addressed with the proposed CPA is the issuance of a State Environmental Policy Act (SEPA) document describing the likely environmental consequences of the proposed action, with particular focus on transportation impacts. While the City staff has reviewed earlier information on this subject prepared by Snohomish County for its concurrent Plan Amendment Process for Point Wells, we do not believe that it accurate or sufficiently describes the likely traffic consequences of either the City's or the County's Plan proposals. We therefore are preparing our own transportation analysis as part of the SEPA compliance for this action and will make it available to the Commission and public prior to your next public hearing on this matter.

**II. BACKGROUND**

Shoreline's Comprehensive Plan, first adopted in 1998, now includes only three references to future development of the Point Wells area:

1. The Comprehensive Plan Map which designates the Point Wells area as appropriate for Mixed Use.
2. LU-17, which states that "the mixed use" designation applies to a number of stable or developing areas and to the potential annexation area at Point Wells.
3. Discussion in the Introduction which describes Point Wells as a "Potential Annexation Area".

In addition, there are a number of citywide maps throughout the Comprehensive Plan that refer to Point Wells as a "potential annexation area".

The three Plan references that would be deleted and replaced are in Attachment A.

**CHRONOLOGLY OF THE CITY'S PROPOSED COMPREHENSIVE PLAN AMENDMENT**

In late 2007, local media described a request by Paramount Northwest, Inc. for Snohomish County to docket consideration of its request to designate its property at Point Wells as an "Urban Center." While original reports were that up to 1400 dwelling units would be allowed under the requested designation, the docketed request and the County's Draft Supplemental Environmental Impact Statement (DSEIS) would allow up to 3500 housing units and 100,000 square feet of commercial use. The County's DSEIS was released in February of 2009.

The City staff has been monitoring the County's process since 2007, meeting with County staff, providing written comment several times, and keeping the Shoreline City Council updated on the matter. The Council expressed its concern about the County proposal by sending Councilman Ron Hansen to deliver remarks at the February 24, 2009 public hearing by the Snohomish County Planning Commission. Mr. Hansen stated that the City opposes the "Urban Center" designation, that the impacts to the City of Shoreline and its Richmond Beach neighborhood would be problematic, and that the City would be submitting detailed comments on the DSEIS before the deadline. He also requested that the County Planning Commission read all of the comment letters on the DSEIS prior to making a recommendation to the Snohomish County Council.

The County Planning Commission met again on March 3 to consider the testimony it heard at the public hearing. The Commissioners voted 5-3 to recommend approval to change the designation to Urban Center; however, their own rules require 6 votes to recommend approval. Therefore, their action will result in "no recommendation" going to the County Council regarding the proposal. The Snohomish County staff has informed City staff that the entire record, including the minutes of the County Planning Commission meetings, will be sent to the County Council, which is expected to hold an additional hearing in late May or early June and then vote on the proposal.

A summary of the "Urban Center" request by Paramount Northwest, Inc., Snohomish County's process, and the written comments submitted by the City of Shoreline, the Town of Woodway, the Shoreline Fire District and the Shoreline Police Department, are posted on the City's website at <http://www.shorelinewa.gov/index.aspx?page=176>.

At its February 23, 2009 meeting, the City Council adopted the City's Planning Work Program for 2009. See Attachment B. The City Council directed the staff to prepare an amendment to the City's Comprehensive Plan to reiterate the City's interest in annexing Point Wells, clarify concerns about potential impacts and methods to mitigate them, and provide a public process for determining the appropriate mix and magnitude of land uses at Point Wells. The City staff subsequently prepared the proposed CPA. See Attachment C.

### OVERVIEW OF CITY OF SHORELINE PROPOSED CPA FOR POINT WELLS

The proposed Subarea Plan text provides the following direction:

- Clarifies that the City of Shoreline interest in annexation applies only to the lowland portion (approximately 61 acres), which can only be accessed via Shoreline streets, and does not include the upland portion (approximately 40 acres), which cannot be accessed via Shoreline streets.
- Points out that the Washington State Court of Appeals in 2004 ruled that the Growth Management Act does not prohibit both the City of Shoreline and the Town of Woodway from declaring the same unincorporated area as a proposed future service and annexation area.
- Notes that neither Snohomish County, nor the Town of Woodway, deliver police, fire or other urban services to the Point Wells unincorporated area.
- Points out that both the Shoreline Fire Department, Shoreline Police Department and King County Sheriff's Office have stated they will not provide urban level of service to a project in unincorporated Snohomish County.
- States Shoreline's opposition to an Urban Center designation for Point Wells in the Snohomish County Comprehensive Plan.
- Notes that the future configuration and operation of Richmond Beach Road is a major issue and that safety and traffic impacts will need to be analyzed and appropriate measures identified to mitigate traffic impacts of any redevelopment of the Point Wells site.
- Supports a mixed-use redevelopment of the site at an appropriate scale and with appropriate design controls.
- Calls for the preparation of a pre-annexation zoning ordinance to implement the Point Wells Subarea Plan. The pre-annexation zoning ordinance would establish specific legal limits on such issues as maximum building heights, commercial floor area, the number of dwelling units, building and site development standards, and a design review process.

**III. CRITERIA FOR EVALUATING THE CITY'S POINT WELLS CPA**

**A. Shoreline Municipal Code Criteria for Amending the City's Comprehensive Plan**

The staff believes that that the CPA merits approval according to criteria of the Shoreline Municipal Code at Sec. 20.30.340 (Amendment and review of the Comprehensive Plan) as described below:

The Planning Commission may recommend, and the City Council may approve, or approve with modifications an amendment to approve with modifications an amendment to the Comprehensive Plan if:

**1. The amendment is consistent with the Growth Management Act and not inconsistent with Countywide Planning Policies and the other provisions of the Comprehensive Plan and City policies; or**

a. The Growth Management Act encourages development at urban densities in areas that have urban services. Specifically, RCW 36.70A.020(1) states: "Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."

The City's proposed CPA would meet this GMA goal by providing for urban densities (albeit at a lesser magnitude than would Snohomish County) on the portion of the site which is physically connected to Shoreline, and thus can be provided in an efficient manner. Because urban level services can be provided to the site by the City of Shoreline and its public safety partners Shoreline Fire Department and Shoreline Police Department, the proposed CPA is consistent with this GMA goal.

b. The CPA is not inconsistent with the relevant Countywide Planning Policies, which is to say the King County Countywide Planning Policies. The CPA is not subject to the Snohomish Countywide Planning Policies because the City of Shoreline is not a city "within the county" as that term is used in RCW 36.70A.210.

Snohomish County staff has stated its position that the County cannot support a cross-county annexation at Point Wells. In prior conversations, County staff related that the experiences with the City of Bothell cross-county annexation have been problematic, and described its past opposition to a proposal by the City of Woodinville to annex land across the county line.

However, the circumstances at Point Wells (a finite sized unincorporated island that is not adjacent to any other land that the County has ongoing responsibility to serve) are very different from the circumstances that gave rise to the County policies opposing cross-county annexations (very large rural and urban areas surrounding Bothell and Woodinville for which Snohomish County would have continuing

## **Agenda Item 7.b**

responsibility to serve with local government services and infrastructure). Thus, while the County staff has articulated a formal position opposing the cross-county annexation of Point Wells, it has not pointed to any actual impacts or County interests that would be harmed by the annexation. For example, the County portion of the property tax would be unchanged by the annexation of Point Wells.

- 2. The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision, or corrects information contained in the Comprehensive Plan; or**

The Point Wells CPA incorporates a subarea plan consistent with the Comprehensive Plan Vision of appropriate mixed use development that should be served by the City of Shoreline via annexation. It is also needed in order to address the community values that future impacts from development at Point Wells be appropriately scaled and mitigated. Further, the threat of an out-of-scale and insufficiently mitigated project in unincorporated Snohomish County with a lack of urban services, is a changed circumstance warranting this amendment to Shoreline's Plan.

- 3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare**

The existing plan simply denotes the site as "mixed use", but does not provide an upper limit for development, nor identify specific mitigating measures, or include specific design guidance for future development of the Point Wells site. In defining and addressing these points, the City's proposed amendment will help articulate and protect the health, safety and general welfare of the Shoreline community.

### **B. SEPA information**

Documents that comprise the City's environmental review will include those portions of the Snohomish County Draft and Final Supplemental EIS (FSEIS) documents with which the City agrees as to accuracy and relevance, supplemented with additional information still being prepared by City staff and consultants.. Prominent among the supplemental material will be a transportation analysis that will summarize the impacts on area road segments and intersections. For purposes of comparison, the transportation impact analysis will show several different sets of assumptions. For example, one scenario might assume the 1100 dwelling units that Woodway advocated to Snohomish County, another the 3500 maximum shown in the County's DSEIS, and several increments between those extremes.

**IV. STAFF RECOMMENDATION**

The staff recommends that the Planning Commission proceed with its first public hearing on April 16, 2009 to hear testimony from the public on the amendment. This will be an opportunity for the staff to explain the proposed CPA to the Planning Commission and public in attendance, as well as a preliminary opportunity for the Commission to ask questions of clarification or to identify other information they would like to have brought back to them in advance of the next public hearing.

Because we will not have the environmental documents ready until sometime in the coming month(s), the staff proposes that at the conclusion of the April 16 hearing, the Planning Commission close the hearing. When we have the SEPA information in hand, we will give notice for the second public hearing, giving sufficient lead time for all interested parties to review that SEPA information before the second hearing.

Therefore, the Commission will not be asked to reach conclusions or make recommendations on the amendment until the close of the subsequent public hearing(s). If you have questions about the proposed amendment or the schedule, please contact Steve Cohn at 206-801-2511 or [scohn@shorelinewa.gov](mailto:scohn@shorelinewa.gov)

**V. ATTACHMENTS**

- A. Existing City of Shoreline Comprehensive Plan Map and text regarding Point Wells
- B. Adopted City of Shoreline Planning Work Program
- C. Proposed Comprehensive Plan Amendment for Point Wells including Subarea Plan and Map
- D. City webpage information regarding Point Wells

## **Item 7.b - Attachment A**

### **Comprehensive Plan References to Development at Point Wells to be changed by the Proposed Amendment**

The Point Wells Subarea Plan would be incorporated into Shoreline's Comprehensive Plan. In addition,

1. Comprehensive Plan Map would delete reference to Point Wells as appropriate for "mixed-use" designation
2. Policy LU-17 would be modified as follows:  
"The Mixed Use designation applies to a number of stable or developing areas ~~and to the potential annexation area at Point Wells~~. This designation is intended....
3. On page 22 of the Introduction, the heading "Potential Future annexation Area – Point Wells" would be deleted.

# SHORELINE

Geographic Information System

## COMPREHENSIVE PLAN

Representation of Official Comprehensive Land Use Map Adopted By City Ordinance No. 292.

Shows amendments through January 13, 2009.

### Comprehensive Plan Land Use Designations

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Community Business
- Regional Business
- Public Facilities
- Campus
- Special Study Area
- Ballinger Special Study Area
- Briarcrest Special Study Area
- North City Business District
- Paramount Special Study Area
- Private Open Space
- Public Open Space

### Other Map Features

- Open Water
- City Boundary
- Unclassified Right of Way
- Outside Shoreline
- Interstate
- Principal Arterial
- Minor Arterial
- Collector Arterial
- Neighborhood Collector
- Local Street

1 inch equals 2,000 feet

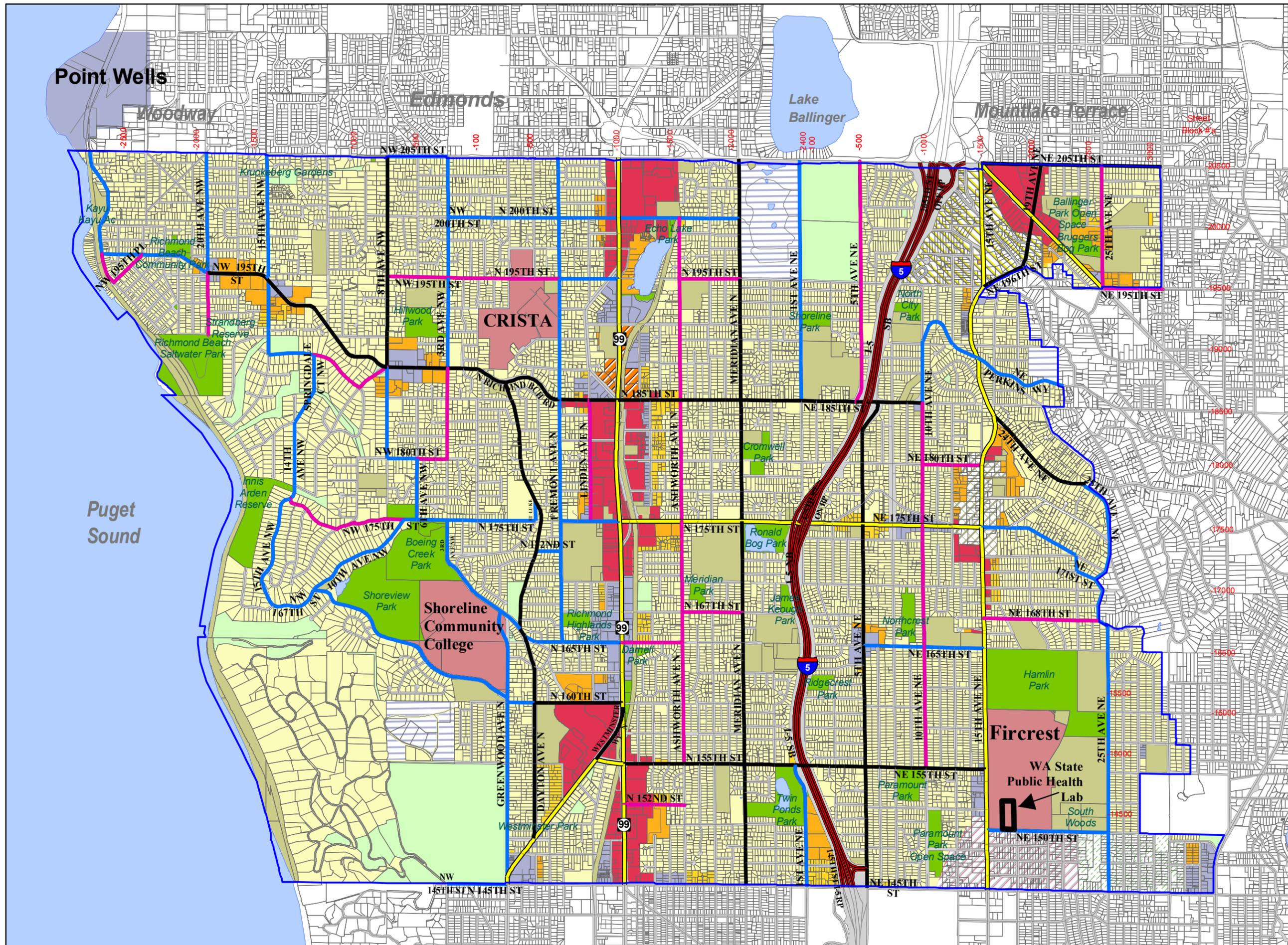


No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.



Filename: j:\GIS\stdprojects\Compplan.mxd

1/13/2009



# 2009 Planning Work Program

<b>Legend</b>	<b>Commission Role</b>	X	Staff Role	X	Council Adoption
---------------	------------------------	---	------------	---	------------------

Revised 2/23/09

2009 →

← 2010

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
<b>Item 1 Visioning Process</b>														
Planning Commission Meetings	X	X	X											
PC Subcommittee Meetings		X	X											
Joint PC/CC Meetings			X	X										
<b>Item 2 Design Review</b>														
PC Subcommittee Meetings								X						
PC Meetings								X	X	X	X	X	X	
CC Meetings									X	X		X		X
<b>Item 3 Development Code Amendments</b>														
Amendment Package #301543		X	X	X										
CPA Regs in Development Code			X	X	X									
Tree Regulations		X	X	X	X	X	X	X	X					
<b>Item 4 Permanent Development Regs and Plan Amendments for RB Zone</b>														
Staff analysis and recommendation						X	X	X						
PC Review							X	X						
Council Adoption									X					
<b>Item 5 Check in points for two other Major Plans</b>														
Transportation Master Plan Update			X											
Shoreline Master Program (regular updates)					X	X			X				X	
<b>Item 6 Point Wells</b>														
Snohomish County EIS Update				X	X									
Potential City Comp Plan and Development Code Amendments		X	X	X	X									
<b>Item 7 Town Center Subarea Plan</b>														
Staff and consultants conduct community outreach								X	X	X	X			
Staff prepares Plan & Code Amendments for Central Shoreline										X	X			
Plan & Code amendments heard by Planning Commission											X	X	X	
Council adopts Plan and Code Amendments														X
<b>Item 8 SE Neighborhoods Plan and Zoning update</b>														
Staff develops background info/CAC develops Subarea Plan	X	X	X	X	X	X								
Open House					X									
Planning Commission reviews Subarea Plan						X	X							
Council Adopts Subarea Plan										X				
<b>Item 9 Master Development Plan for Crista Campus</b>														
Submit for permit		X	X											
Staff review			X	X										
PC Review					X	X								
CC Adoption							X	X						
<b>Item 10 Master Development Plan Public Health Lab</b>														
Submit for permit					X	X								
Staff review						X	X							
PC Review							X	X						
CC Adoption									X	X				
<b>Item 11 Master Development Plan for Shoreline CC</b>														
Submit for permit							X	X						
Staff review							X	X						
PC Review									X	X				
CC Adoption											X	X		



## **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 238<sup>th</sup> 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.

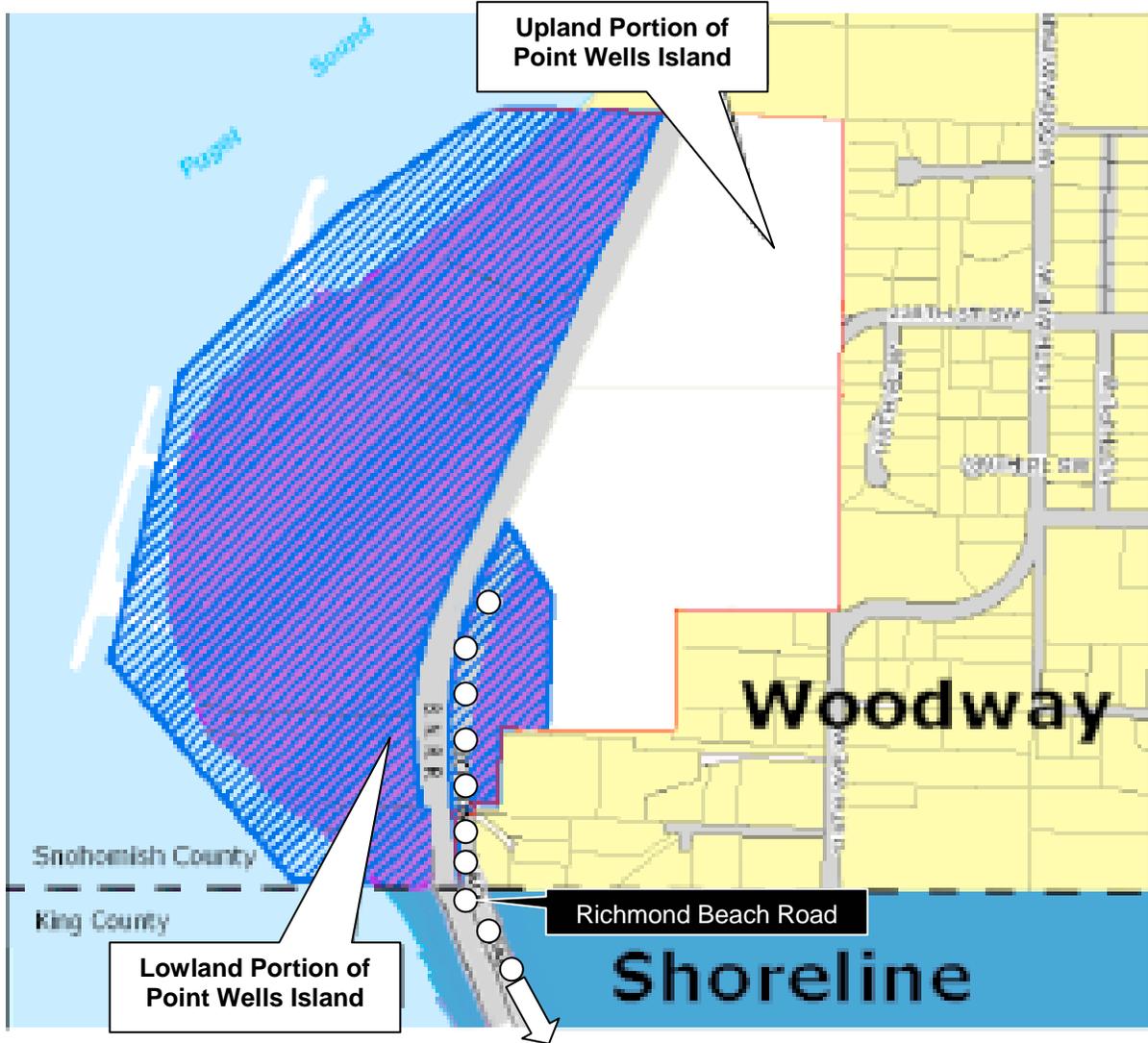
While an Urban Center of up to 3,500 dwelling units would be too large in magnitude for Point Wells, the City continues to support an urban designation with a broad mix of land uses. The maximum number of dwelling units, building heights, and allowable floor area should be determined by a pre-annexation 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**

# Point Wells

## Next Meeting:

**Public Hearing on Shoreline's Comprehensive Plan Subarea Amendment - at Planning Commission**  
**Thursday, April 16, 7:30 p.m.**  
**Mt. Rainier Room, Shoreline Conference Center**

*The Commission will hold a public hearing on the proposed amendment and forward a recommendation to the City Council for adoption.*

---

## Overview & History

The Point Wells property is approximately a 100 acre site, with 61 acres currently planned for urban industrial use. It is located in the southwest corner of Snohomish County adjacent to the City of Shoreline's northwest border in the Richmond Beach neighborhood. Though the only current access to Point Wells is through Shoreline, the site itself is in unincorporated Snohomish County.

In mid-2007, the current owner of the property announced an intention to redevelop the site. The proposal requires a change to the site's comprehensive plan designation for the 61 acres of Urban Industrial to Urban Center and zoning designation of Heavy Industrial to Planned Community Business. The decision to change the comprehensive plan and zoning designations will be made by the Snohomish County Council. Shoreline staff has had several conversations with Snohomish County staff and they are aware of Shoreline's interest in this matter.

As more information becomes available, this site will be updated.

## City of Shoreline Comprehensive Plan Amendment

Since 1998, the Shoreline Comprehensive Plan has declared the City's intent to annex the Point Wells site in the future, however does not contain policy details. With Snohomish County currently processing an amendment to its own Comprehensive Plan for the Point Wells area, the Shoreline City Council directed the City Staff to update and clarify the City's policies, reiterate the City's interest in annexing the area, and focusing on issues such as service delivery, governance, traffic, and impacts on adjacent neighborhoods in Shoreline.

## Draft Subarea Plan

The City of Shoreline is proposing an amendment to the Shoreline Comprehensive Plan to add a Subarea Plan for the Point Wells site.

### Draft Subarea Plan

## Draft Supplemental Environmental Impact Statement

### POINT WELLS DSEIS

#### City of Shoreline comment letters on DSEIS:

- February 24, 2009
- March 2, 2009
- March 11, 2009
- March 23, 2009

#### City of Woodway comment letter on DSEIS:

- March 23, 2009