

TOWN OF WOODWAY, WASHINGTON

## MAYOR'S MESSAGE

### POINT WELLS APPLICATION DENIED BY SNOHOMISH COUNTY HEARING EXAMINER

With each Woodway Whisper, I have provided updates on the proposed Point Wells development. After years of little activity, 2018 is proving to be action-packed. First, I'll start with a summary.

In 2011, Blue Square Real Estate (BSRE) submitted a land use permit application to Snohomish County to develop Point Wells as a mixed-use "urban center" under the County's zoning code. Woodway and others prevailed in a legal challenge to the validity of the County's zoning. However, the Washington Supreme Court ruled that BSRE's application was vested to the laws in effect at the time of application, even though the zoning designation was deemed illegally enacted.

In 2013, the County completed its first review of the application and identified several deficiencies that required correction. Over the years, the County granted BSRE several extensions to correct the application. In 2017, BSRE finally submitted a revised application. Of note, the revised plans, for the first time included, a road connecting

Point Wells with 116<sup>th</sup> Avenue W. in Woodway.

In October 2017, the County provided a detailed response to the revised application, stating that the revision was inadequate and providing BSRE a due date of January 8, 2018, beyond which date the County would no longer provide additional extensions. BSRE failed to submit conforming materials by the due date and requested a two-year extension. The County denied the request and proceeded with review of the project based on the materials submitted, without a completed environmental impact statement.

As part of this review process, Snohomish County submitted their recommendation to the County's Hearing Examiner, requesting that the project be denied based on inconsistencies with the County code. Just before the hearing, BSRE submitted several revised documents.

The Hearing Examiner held a public hearing in May. After several days of public and expert testimony, including substantial public

comment opposed to the project, the Hearing Examiner issued his final ruling last month denying BSRE's request for an extension and denying the project. In addition to identifying several areas of substantial conflict with the County's code, key to the Hearing Examiner's ruling was a conclusion that "BSRE did not exercise reasonable diligence in the prosecution of its applications." You can read the complete ruling on the County's website here: [www.snohomishcountywa.gov/4114/Point-Wells-HE-Decision](http://www.snohomishcountywa.gov/4114/Point-Wells-HE-Decision).

BSRE has appealed the ruling to the Snohomish County Council. The appeal is limited to the issues previously raised during the hearing. A public hearing is scheduled for October 3rd at 1:30 p.m.



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## DID YOU KNOW? | TREE PERMITS

*By Eric Faison, Town Administrator*

With this Woodway Whisper, we've decided to start a short Q&A section to address frequently asked questions. The current topic is the Town's tree preservation code, found in Title 16.12 of the Woodway Municipal Code (located on the Town's website under the "Your Government" tab). If you are unsure whether you need a permit, we encourage you to contact Terry Bryant, the Town's Public Works Director. His phone # is (206) 542-0183; his email is [publicworks@townofwoodway.com](mailto:publicworks@townofwoodway.com).

### **How much does a tree permit cost?**

The Town does not charge for tree permits! We have removed financial barriers to complying with the tree preservation code with the intention that residents will be more willing to partner with us to make sure that trees are removed and replaced according to the code.

### **Why does the Town restrict tree removal on private property?**

A defining characteristic of Woodway is our urban forest. The Town has long had strict rules related to tree preservation, even on private property. The tree preservation regulations maintain and protect our natural wooded character, wildlife habitat, critical areas, trees in setback areas between

property owners and along the Town's rights-of-way, and "exceptional trees".

### **Can I remove a tree without a permit?**

First, let's start with the definition of a "tree", which the Town's code defines as a tree with a main trunk of eight inches or more in diameter. The code prohibits removal of a tree without a permit, unless the removal is exempt. Exemptions include laurel, holly, and non-native fruit trees. The number of trees that can be removed in a 12-month period depends on the applicable zoning district.

### **What if a tree is hazardous or dead? Can I remove it without a permit?**

The short answer is no. Removal of a hazard tree requires a permit, but does not count towards the annual maximum number of trees that may be removed. A hazard tree is defined as a tree that has: 1) a structural defect and/or disease, 2) a probable or imminent likelihood of failure, and 3) a high or extreme risk of injuring people or damaging property that cannot be moved (such as a house). A tree that meets the first two criteria but is not in proximity to a target will not qualify as a hazard tree. Removal of a dead tree that is not hazardous requires a permit in advance of removal and will count towards the

12-month maximum tree removal restrictions.

To qualify for emergency hazard tree removal before a permit is obtained, the tree must meet all the qualifications of a hazard tree and have an *imminent* likelihood of failure. A property owner must submit a tree permit application within seven days after the removal, accompanied by proof of imminent likelihood of failure, such as photographs of the tree and surrounding area prior to removal or a report by a certified arborist attesting to the tree's imminent likelihood of failure.

### **When is a hedge not a hedge?**

A row of trees may have been planted along a property line as a hedge, but if the hedge is not maintained to a certain height at least every three years, it may no longer be considered a hedge under the Town's code.

### **Does the Town allow the topping of trees?**

Yes, with a permit. "Topping" is defined as removing no more than thirty percent of the total height of the tree. Each topped tree counts towards the 12-month maximum tree removal restrictions. Removing more than thirty percent of the height of a tree or topping an exceptional tree is prohibited.

# TOWN RECEIVES TWO GRANTS

*By Carla A. Nichols, Mayor*

Historically, Woodway has been on the lookout for outside funding sources to fill those gaps in service or facilities that are a priority but not absolutely necessary. After several years of grant submission, we were fortunate to be awarded two grants.

After years of planning, it is exciting to have outside funds to actually create these new facilities. These grants are strategic in helping stretch our limited resources while still providing meaningful amenities for our Woodway families and visitors.

## Snohomish County Small Capital Projects Partnership Grant.

These funds will support the installation of a small sitting area on the northeast corner of our front lawn at Town Hall (near the flagpole). A stone walkway, wooden trellis covering the area, and two log benches will be installed. Two storyboards will be installed that tell the history of the Town and its community values. From my perspective, this additional facility will provide residents and visitors a place to rest, to congregate, and to learn about the community. I will be working closely with Town staff and volunteers during these next few months to get the new “Woodway History Pavilion” installed.

## Verdant Building Healthy Communities Grant.

Deer Creek Park will be completed with this grant. The switchback trail connecting the lower walking paths to the meadow will be designed and installed. Picnic benches, waste receptacles, and three outdoor exercise stations will be installed in the upper meadow. The exercise stations will focus on senior fitness issues such as balance and core strength. For those park visitors seeking a workout, the rigors of the steep switchback trail and exercise equipment will address this need. During the upcoming winter months, our Town engineers will design the switchbacks and staff will order equipment, planned for installation in spring 2019.

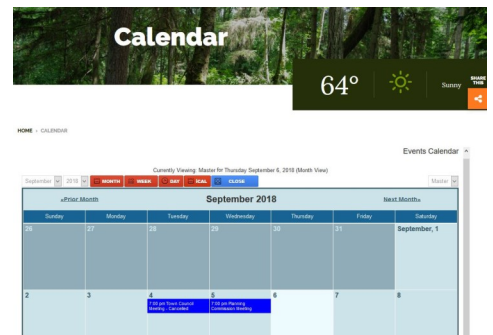
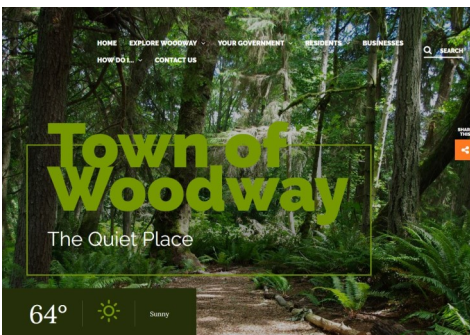
# WOODWAY’S NEW WEBSITE

Have you visited Woodway’s new website yet? You will find links to our online payment portals, permit applications, public records request forms, and much more. We are

particularly excited to offer a calendar with upcoming Town events. Scroll part way down the home page, and you can find all of the Council and Planning Commission meeting agendas in one simple location.

Another great feature is the How Do I section. You can access the Xpress Bill Pay website to set up your stormwater account with paperless billing or an automatic

payment. You can also find links to miscellaneous payments portal, submit a request for action, respond to a traffic infraction, and more.



# 2018 TOWN FAIR



The Uptown Lowdown Jazz Band serenaded the fair-goers.



Angela Wolf and her floral arrangement, which won “Most Representative of Woodway” and the People’s Choice award.



Gwen Johnson and her floral arrangement, which won “Most Colorful”.



Children’s activities

The 2018 Town Fair, was held on Saturday, August 18. Approximately 325 people attended this year’s fair!



The smoke cleared for a day of good food, community fellowship, great music, a delightful magic show, and fun for residents of all ages.



Mayor Nichols introduced the Woodway staff in attendance. From left to right are Deputy Clerk/Permit Tech Jill McCammon, Clerk-Treasurer Heidi Napolitano, Public Works Crew Jarrod Romine & Scott Wynne, and Public Works Director Terry Bryant.



Dr. John Bush leads the children’s woodworking project.



Mayor Carla Nichols leads the children’s bike parade.



Woodway residents enjoy a BBQ lunch.

## SO, WHO PAYS FOR THE COMMUNITY FAIR?

*By Carla A. Nichols, Mayor*

That's a good question, as it seems that every year this event gets bigger and bigger and we have more attendees than in previous years.

The answer is complicated in that there are three main sources that make the Fair possible. First, our volunteers are key to the Fair's success. The BBQ, the kitchen, the woodworking project, and all the children's activities are staffed by volunteers. Additionally, much of our equipment is donated. The large circus type tent, tables and chairs are all donated by a private party.

Secondly, we solicit cash donations from several of the Town's business partners: our municipal attorney's office, our engineers, Verdant,

Swedish|Edmonds, and QFC provided cash/gift card donations totaling \$1,900. Several companies made in-kind donations: Republic Services donates extra trash, recycle, and compost containers, PACE Engineering prints the banners, PCC and QFC donate ice, and a resident donated toys for the children's fishing pond. We also received prize donations: Sky Nursery, Epulo, Five Bistro, and Cascadia Art Museum donated nearly \$300 in gift certificates and prizes for the trivia and floral contests.

Dr. John Bush donates all the wood products and supplies needed to create a memorable project for the kids. Twelve volunteer bakers each supply 6 dozen homemade cookies.

This year, Terry Vehrs generously donated staff and supplies for a tasty Molly Moon ice cream station.

So, what's left to pay for?? The band, ponies, children's entertainment (this year it was a magician), scavenger hunt prizes, photo booth, and a portion of the BBQ menu is funded with Town funds. Approximately \$2,200 was used to cover these remaining expenses.

Over the years, I've received nothing but positive comments about how much fun and enjoyable the fair is. So, it is my supposition that we are getting quite the bargain for a fun day in our Woodway community.

## REMEMBERING ELAINE JORGENSEN

*By Gregg Krogstad, Elaine's nephew*

Long-time Woodway resident Elaine Jorgensen passed away in August. Her life of 92 years was an inspiration to many. Her husband Hans Jorgensen was the light of her life; her many passions included weaving, painting, interior design, gardening, and sailing.

Together with a few of her neighbors, Elaine and Hans helped form the Town of Woodway to prevent it from being annexed by

Edmonds. She served on the city council for nine years.



As an artist and weaver, Elaine had exhibitions at the Henry Gallery, Seattle Art Museum, the Craft Museum in NY, and the Cascadia Art Museum in Edmonds.

She was an avid hiker, skier, and enjoyed camping. Elaine and Hans loved escaping to their cabin on San Juan Island and sailing for extended adventures.



Her friends adored her, her relatives cherished her. Elaine was a unique and singular guiding light and she will be sorely missed.

## WELCOME, COUNCILMEMBER MIKE QUINN

*By Heidi K. S. Napolitano, Clerk-Treasurer*

When former Councilmember Kent Saltonstall resigned in June, five candidates applied for the open position. After interviewing the

candidates, the Council appointed Mike Quinn to fill the vacancy. Mike's name may sound familiar to you, as he previously served on the Council from 2008 through 2014.

Councilmember Quinn's background in data analysis and long-range planning will help the Council continue its history of financial stewardship and community service. Welcome back to the Council, Mike!

## PLANNING COMMISSION NOTES

In June, the Planning Commission began a state-mandated update to the Town's existing Shoreline Master Program (SMP). The SMP governs development within the shoreline area and associated buffers.

The Commissioners began by reviewing the public participation element. Earlier this month, they reviewed the update checklist, which outlined required changes to the SMP and associated critical areas regulations.

The Commission will continue their work this fall. When they have finalized the recommended updates, they will forward the documents to the Council for official adoption before June 30, 2019.

## ELECTRONIC PAYMENT OPTIONS

*By Heidi K. S. Napolitano, Clerk-Treasurer*

In July, we issued the first round of stormwater utility bills using our new electronic payment system, Xpress Bill Pay. Almost half of the bills were paid electronically, and nearly one-third were paid by electronic funds transfer (EFT)! These statistics may sound boring and bureaucratic, but your willingness to try a new system has had a huge impact on the staff in the Clerk's Office. Thanks to you, we cut our payment processing time for the July stormwater bills nearly in half! And, because so many of

you chose to pay with an EFT instead of a credit or debit card, the processing fees per payment were less expensive than having staff spend time hand-entering each payment into our accounting software.

From June through August, 17% of households signed up for paperless billing and set up their account for and automatic payment. Thank you to all of you who have taken this simple step to save the Town money by reducing printing costs, mailing costs, and staff time. We recognize that paperless billing is not the best option for every

household, but if it's the right answer for you and you've been waiting to sign up, or need assistance navigating the website, contact Town Hall at (206) 542-4443. We look forward to helping you!

If you need to pay the Town for something other than stormwater, you can find a separate payment portal on our website in the "How Do I" section. There, you can process payments for animal licenses, permits, traffic infractions, and more.

## TOWN COUNCIL CORNER

### General Government:

- Approved Resolution 18-400: updating the authorized signers on the US Bank account.
- Discussed creating a memorial bench program.
- Accepted the resignation of Councilmember Kent Saltonstall, Position #2.
- Appointed Mike Quinn to fill Council Position #2.
- Committed \$5,000 in 2018 to the Alliance for Housing Affordability.
- Heard a presentation by Deborah Anderson, Executive Director, Foundation for Edmonds School District.
- Ratified recognition awards to staff and volunteers.

### Land Use & Planning:

- Authorized the Mayor to sign a contract with Bill Trimm for the Shoreline Master Program update.
- Briefly discussed the regulation of short-term rental housing and accessory dwelling units.
- Authorized the Mayor to sign the grant agreement with the WA State Department of Ecology for the Shoreline Master Program Periodic Update.

### Public Safety:

- Approved Resolution 18-401: showing support for Snohomish County levying a sales tax dedicated to funding the SERS emergency radio system replacement.
- Recognized Officer Tim Dreyer's 29 1/3 years of service upon his

retirement.

- Ratified the gift of toffee to the City of Mountlake Terrace for their support during the recent police contract negotiations.

### Public Works & Lands:

- Held a public hearing on and adopted Resolution 18-402: adopting the Six-Year Transportation Improvement Program (TIP) 2019-2024.
- Authorized the Mayor to sign a contract with PACE Engineers to design the Twin Maples emergency stormwater repairs
- Authorized the Mayor to sign the AESI, Inc. contract for up to \$8,000 to provide hydrogeologic/geotechnical review of the Madrona Schools project.

## NEW PUBLIC WORKS CREWMEMBER

At the beginning of September, the Public Works Department said goodbye to long-time crew lead Jarrod Romine; we will miss him and wish him all the best in the future.

We also welcomed Collin Harlow to the team. Collin worked as a temporary public works crew member for most of 2018, and has now moved into a regular full-time position. Collin grew up in

Kirkland and currently lives in Shoreline. He attended Shoreline Community College before transferring to Evergreen State College in Olympia where he studied environmental science.

For the past four years, Collin worked for the City of Bellevue as a Park Ranger. A huge Seattle



Sounders Football Club fan, Collin also enjoys playing on a local soccer team as its goalkeeper.

Collin brings previous municipal work experience, a positive attitude, and has already integrated himself into the Woodway Public Works team. We are as happy to have him as he is to be here.



TOWN OF WOODWAY,  
 23920 113th Place West  
 Woodway, WA 98020

FALL 2018  
 NEWSLETTER




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## TOWN INFORMATION

### TOWN HALL DIRECTORY:

|                           |  |
|---------------------------|--|
| Class                     | Code City  |
| County                    | Snohomish  |
| Population                | 1335   |
| Business Hours            | 9 am-1 pm on Mon. Tues. & Thurs.   |
| Town Hall Phone           | (206) 542-4443   |
| Town Hall Fax             | (206) 546-9453   |
| Town Hall Email           | <a href="mailto:townhall@townofwoodway.com">townhall@townofwoodway.com</a>       |
| Website                   | <a href="http://www.townofwoodway.com">www.townofwoodway.com</a>                 |
| Public Works Dept Phone   | (206) 542-0183   |
| Public Works Dept Email   | <a href="mailto:publicworks@townofwoodway.com">publicworks@townofwoodway.com</a> |
| Police Dept Email         | <a href="mailto:police@townofwoodway.com">police@townofwoodway.com</a>           |
| Permit Email              | <a href="mailto:permits@townofwoodway.com">permits@townofwoodway.com</a>         |
| Mayor                     | Carla A. Nichols   |
| Council Meets             | 1st & 3rd Mondays, 7:00 p.m.   |
| Planning Commission Chair | Robert Allen   |
| Planning Commission Meets | 1st Wednesday, 7:00 p.m.   |

### TOWN HALL STAFF:

|                                |                         |
|--------------------------------|-------------------------|
| Town Administrator             | Eric A. Faison          |
| Clerk-Treasurer                | Heidi K. S. Napolitano  |
| Deputy Clerk/Permit Tech       | Jill McCammon           |
| Public Works Director          | Terrance R. Bryant, Jr. |
| Public Works Crew              | Scott Wynne             |
|                                | Collin Harlow           |
| Town Attorney                  | Greg Rubstello          |
| Building Official/Plan Checker | Tom Phillips            |
| Building Inspector             | Scott Dorrance          |
| Police Chief                   | Doug Hansen             |
| Fire Marshal                   | Todd Malo               |
| Town Planner                   | Bill Trimm              |
| Town Engineer                  | PACE Engineers          |
| Town Hearing Examiner          | John Galt               |
| <b>EMERGENCY</b>               | <b>911</b>              |

### TOWN COUNCIL MEMBERS:

Bill Anderson, Tom Howard, Elizabeth Mitchell, Mike Quinn, Tom Whitson

### LOCATIONS OF THE TOWN BULLETIN BOARDS:

Woodway Park Road at Algonquin Road  
 North end of Chinook Road  
 Bella Coola Road west of Makah Road

Timberlane Road at 240<sup>th</sup> Street S.W.  
 114<sup>th</sup> Avenue W. at 239<sup>th</sup> Place S.W.  
 Willowick Road, north side