Ryan,

The Town of Woodway’s stance re a public second access road is revealed in the Town’s recently updated Comprehensive Plan (June 2015):

"T.Policy-5a. The Town shall work with property owners within and adjacent to the Woodway Urban Village zone district [i.e., Point Wells] to provide safe and efficient connectivity to the Town’s street network, including access for pedestrians and emergency/public vehicles.

T.Policy-6a. Surface transportation access shall continue to be provided to the waterfront area through the existing transportation network of Richmond Beach Drive N.W. Future development of Point Wells should be designed to ensure that the maximum vehicle trips per day do not exceed the LOS stated in the transportation element.” (Underlining added for emphasis.)

As articulated in their policies, the Town’s position is that they don’t want a second public access road to Point Wells, but just a road for emergency/public vehicles. My reading is that the use of the word “including” in T.Policy-5a is restrictive and not illustrative; that is, access for emergency/public vehicles is the only type of vehicular traffic to/from Point Wells that the Town is willing to provide.

The Town’s policies are inconsistent with County requirements.

Draft ILA re Annexation

In the County's 5/21/2015 draft ILA between Woodway and the County concerning annexation within the Woodway MUGA, the County added a Section 8.3 pertaining to road connectivity (shown below in the red box) that would require Woodway to allow a public access road running from Point Wells eastward through Woodway.

The Town responded on 9/9/2015 by sending the County a revised version of Section 8.3, which in effect says that the Town won’t agree to allow a second public access road running from Point Wells eastward through Woodway, but it will consider proposals for an emergency-only access road (the Town’s revisions are shown below in blue).

Since the County may not enter into ILAs or other agreements or contracts that are inconsistent with the County’s Development Code, its EDDS, and its Comprehensive Plan, the County really has no choice but to reject the Town’s revised version of Section 8.3, and retain the County’s original language (see the red box below). If the County were to accept the Town’s language, that would interfere with the provision of a second access road to Point Wells through Woodway, in conflict with the County’s Development Code, its EDDS, and its Comprehensive Plan, which all require a second public access road to Point Wells (not merely an emergency-only access). See, for example, the following County provisions in effect in February 2011 that require a second public access road in proposed developments like Point Wells:

— EDDS Section 3-01(B)(5) (“A road serving more than 250 ADT shall be connected in at least two locations with another road or roads that meet applicable standard(s) for the resulting traffic volume.”)
I respectfully request that the County reject the town’s revised version of Section 8.3, and that the County retain the County's original version Section 8.3 (see the red box below). I believe that it would be unlawful to enter into an ILA the terms of which are in conflict with the County’s own rules. Among other authorities, see, e.g., RCW 36.70A.121’s mandate that, “[e]ach county and city … shall perform its activities … in conformity with its Comprehensive Plan.”

Thank you.

Tom McCormick
8.3 Road right-of-way connectivity. The Town agrees to allow connectivity between rights-of-way within an annexation area and neighboring properties within the Town and outside of the Town in order to facilitate traffic flow and access for public safety.

8.4 Traffic Mitigation and Capital Facilities

8.3 Road right-of-way connectivity. The Town agrees to allow proposals from property owners that would provide for connectivity between rights-of-way within an annexation area and neighboring properties within the Town and outside of the Town in order to facilitate traffic flow and access for public safety.