

## Countryman, Ryan

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**From:** Tom McCormick <tommccormick@mac.com>  
**Sent:** Thursday, August 17, 2017 4:30 PM  
**To:** Countryman, Ryan  
**Cc:** MacCready, Paul; Mock, Barb; McCrary, Mike; Dobesh, Michael; Uddin, Mohammad; Olson, Erik; Brown, Mark A.; Eastin, Darryl; Klein, Ken; McCormick, Douglas; Bloodgood, Jim; Thomsen, Steven  
**Subject:** County Code does not allow a private road network because private roads within Point Wells will attract public use

Ryan,

The Point Wells developer has requested approval for the exclusive use of private roads within the Point Wells development.

Per the County's June 29, 2017, draft Review Completion Letter (at page 50), I understand that the County Engineer is withholding a decision on the public versus private roads matter because the road system as presently proposed does not provide adequate ingress or egress for emergency vehicles.

County Code does not allow a private road network because private roads within Point Wells will attract public use.

Policy TR 1.D.2(b) of the County's General Policy Plan, the county's comprehensive plan (vested 2011 version), provides that,

"When a public road is not required, as per TR 1.D.1, a private road or access way shall be permitted where [, among other requirements]: ... it is clearly established that the private road would not attract public use ..." (underling added for emphasis)

SCC 30.34A.180(2)(c)(ii) and (vii) (vested 2011 version) provides that the hearing examiner may approve a proposed urban center development only if:

- (ii) The proposal is consistent with the comprehensive plan; ... and
- (vii) Any urban center development abutting a shoreline of the State ... shall provide for public access to the water and shoreline consistent with the goals, policies and regulations of the Snohomish County Shoreline Management Master Program.

Roads within the proposed Point Wells development will attract public use, therefore, the County may not approve those roads as private roads. As provided in SCC 30.34A.180(2)(c)(ii) above, a proposed urban center development cannot be approved unless it is consistent with the County's comprehensive plan, and per Policy TR 1.D.2(b) above, the County's comprehensive plan does not permit private roads that attract public use.

The public will need to use the road network within Point Wells to access the water and the shoreline (SCC 30.34A.180(2)(c)(vii) requires such public access). The developer recognizes that beach access is required, as is evident from its site plan which provides 14 non-residential parking stalls for beach access (architect's Sheet A-103, 4/18/2017). [NOTE: Fourteen stalls is not nearly enough for public beach access at Point Wells. Compare the lower parking lot near the beach at Richmond Beach Saltwater Park which has about 114 parking stalls, and the relatively small Marina Beach Park in Edmonds, just north of Point Wells, which has about 60 stalls.]

In addition to beach access and parking, the public will need access and parking for the restaurants and retail space in the south village, the central village, and the urban plaza, and the proposed transit area or rail platform in the urban

plaza. The public will need to drive cars, ride bicycles and walk across the boulevard bridge crossing the railroad tracks to get to the pier, the beach (including the amphitheater on the beach), and the restaurant and retail areas.

Because private roads within Point Wells will attract public use, a private road network within the proposed Point Wells development is not permitted. The developer's request for a private road network should be denied.

Thank you.

Tom McCormick