

## 2019 Shoreline Master Program Update Public Comments Received and City Response to Comments

### Tom O'Day

**Comment:**

Page 21 " Area Designation". Should that read Starting at the Eastern edge of Losvar?

**City Response:**

The "Urban Waterfront" designation begins at the west end of the Losvar building and continues east. This is to ensure there is not a gap between the "Urban Waterfront" designation and the "Urban Waterfront Park" designation, intended for Lighthouse Park and other public park uses along the waterfront.

**Comment:**

Also on page 150 - Public Tidelands. You are showing the Tidelands in front of Losvar as "Public Tidelands", although you're not showing that same designation in front of Ivar's or the Silver Cloud! Check with David Osaki, he has copies of our deeds for the Second Class Tidelands in front of our building.

**City Response:**

Thank you for bringing this to staff's attention. Staff has updated the Public Tidelands map to reflect publicly-owned tidelands and remove the misattributed portion in front of Losvar Condominiums.

### Keven Greenfield

**Comment:**

Other than access for walking trails, my biggest concern for future plans involves noise and light from the ferry terminal and surrounding developments once they are completed. Any methods that can mitigate ferry loudspeaker announcements, associated noise sources and to direct sound and lighting to the areas needed and not spill over to the general area is highly desirable.

**City Response:**

All development along the shoreline is required to adhere to the Shoreline Management Regulations outlined in Title 17B and the goals and policies of the Shoreline Master Program (SMP). The approval of the Shoreline Permit for the relocation of the Ferry Terminal required Washington State Ferries (WSF) to limit speaker/intercom announcements for the ferry to 9 am – 6 pm to protect the quality of life of the upland and adjacent residents. A copy is available upon request.

### Fred Baxter

**Comment:**

Regarding the proposed amendments to the Shoreline Master Program, MMC 17B: Shoreline Management Regulations and MMC 17.25: Waterfront Mixed Use District, and specifically to the pending land use action to locate commuter parking for the Port of South Whidbey on the land that was surplus to the Tulalip Tribe by the Federal Government:

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- The property now owned by the Tulalip Tribe lays with in the Urban Waterfront shoreline area and the Waterfront Mixed Use zoning district. It appears that a commuter parking lot or structure is permitted in the Urban Water front area if related to the Multi-model station (Shoreline Management Table 17B.16.040), **but is a “conditional use” per Zoning Table 17.16.040 and per MMC17.25B.090 L, “long term (8 hour plus), single occupant vehicle, commuter parking near the station should be discouraged five years after commuter rail is operational”.**
- I think this proposal is very poor use of our waterfront and does to serve the City of Mukilteo residents or people of the area who wish to enjoy our beautiful waterfront. It is poor stewardship on the part of the Tulalip Tribe in my opinion and is not consistent with the vision and goals of the approved Waterfront Masterplan.
- **If this proposed use is considered by the City as a conditional use, I would fully expect that conditions for approval would include:**
  - **Improved access to the waterfront for the additional traffic that will be generated:** The existing bridge is not adequate as it is for both pedestrian and vehicular access to the existing park, commercial uses and ferry terminal, let alone the addition and the enhanced ferry terminal traffic, additional mixed-use development allowed in the WMU, the additional pedestrian access required for the planned waterfront recreational activity along the waterfront promenade, and now the possible addition of a large commuter parking lot. Between the WSDOT and the Port of South Whidbey projects, the addition of access width or access routes would be reasonable, practical and realistic mitigation by these two governmental agencies that would dominate the waterfront. If reasonable solutions to this project cannot be provided, then the addition of the commuter parking is not practical.
  - **The addition of a large paved area in addition to the ferry terminal will have significant environmental and stormwater management impacts.** I would expect that our City’s engineering department would administer the full force of the 2015 DOE Stormwater Management Regulations to the project. In a City that so carefully institutes limitations to hard surfaces and impervious surfaces, this proposal would seem to go against those policies and regulations....particular on our unique and beautiful waterfront that has so much potential for the future.

The City should work with the Port of South Whidbey to find other solutions to the commuter parking dilemma and also work with the Tulalip tribe to encourage the development of their property in a way that honors the Native American culture and legacy and the natural of beauty of the waterfront. Mukilteo means “good camping ground”, not “good parking lot”.

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### ***City Response:***

Permitted and conditional uses are not proposed for adjustment as part of this Shoreline Master Program update and were reviewed as part of the 2011 Shoreline Master Program Process. The Shoreline Master Program update is also considered a “non-project” action. All proposals for development (“project actions”) of the shoreline are required to meet the regulations in Mukilteo Municipal Code, particularly Title 17B Shoreline Management Regulations, the Goals and Policies of the Shoreline Master Program, and stormwater regulations outlined in the currently adopted Stormwater Management Manual for Western Washington.

The Tribes have not yet submitted a formal proposal for review. Without documentation of potential impacts, including traffic, it is premature for the City to determine what mitigation, if any, may be required. Review of the proposal against currently adopted codes, policies, and development standards will be addressed during the project review process.

### **Jennifer Baxter**

#### ***Comment (Verbal Testimony at Planning Commission Public Hearing):***

I would like to say thank you for the enormous task that the City and the Planning Commission has invested in updating the Shoreline Master Program. While there are many factors considered in updating this plan, I would like to request, as a 28 year resident and a recent two-term member of the Mukilteo Parks and Arts Commission (PAC), any wording or policy changes made in the Shoreline Master Program would ensure continued protection of the Mukilteo waterfront as an open space to be enjoyed by Mukilteo residents and its visitors. During my more than 6 years of experience on PAC it was obvious through public feedback we received and discussions held during the Commission meetings that parking away from the shoreline is a priority to the Commission and to Mukilteo residents.

The creation of the By the Way Plan, Downtown Waterfront Master Plan and the Japanese Gulch Master Plan promote the preservation of Mukilteo’s open spaces including the waterfront promenade planned along the shoreline for pedestrian friendly, passive and reflective enjoyment. The current investigation to place a parking lot on a portion of the shoreline violates the intent of these plans which calls for more passive activities along the shoreline. Especially as it nears Edgewater and Japanese Creek daylighting parks. The shoreline is not a fitting location for any parking lots, as they would disturb its premium natural setting.

I request that the updated Shoreline Master Program and any future Master Plans make room for parking lots no closer than the railroad track and hopefully further up the Speedway. Additionally, I feel the public transit agencies which boast objectives in relieving traffic congestion using their transportation options actually cause it in towns they serve like Mukilteo with the lack of appropriate park and rides away from the waterfront and transport to it for their riders. These agencies should be expected to relieve traffic congestion period and should be expected to find solutions to minimize the traffic and parking related burdens they cause in premium locations like Old Town and the waterfront. I request that the Shoreline Master Plan update would call for

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public agency participation in helping to solve these problems.

Along with these comments, I've submitted a letter that is in your packet tonight and it's basically the same sentiment as what I am saying now. I have referred to a policy number SH15, I suggest some changes in the wording there because it speaks to parking near the shoreline. I would hope that before you would approve an update to the Master Plan that we're speaking of tonight, that you would seriously consider changing any wording that opens the door for parking right along the shoreline, right along the promenade. It's just something that has been a priority to the public feedback that we received while I was on the Commission through all of the Plans that were adopted during my time there.

I hope this opportunity in making this update is a chance to set the record straight, to begin to set the record straight, on what can and can't be done with parking and for the traffic problems that we have in Mukilteo. If we provide parking on the waterfront, we're trying to bring even more traffic down the Speedway which is a frustration to all the people trying to enjoy our beautiful waterfront and our parks. I'd appreciate it if the City and the Commission, while they're updating any of the Plans, especially including tonight's plan, involve wording that would prevent parking in certain areas and expect it to be in other areas, so we can begin to enjoy traveling to and from the waterfront in Mukilteo.

### ***City Response:***

The Mukilteo waterfront is not considered open space, however there are areas along the waterfront that have been designated as open space. The City of Mukilteo's shoreline currently has parking lots all along the northern shoreline in areas such as:

- Lighthouse Park,
- Silver Cloud Hotel,
- Losvar Condominiums, and
- Edgewater Beach Park

The residents of Mukilteo have voiced their concerns over limited parking in the downtown area. During the development of the Downtown Waterfront Master Plan the lack of parking for those who wanted to visit the waterfront was identified as a concern.

### ***Comment (Submitted in Writing):***

Updating the Shoreline Master Plan is an enormous task, and I appreciate your dedication and hard work in making it relevant for Mukilteo in 2019 and the future. I would like to express my concern for any wording in the update that might open a door for a commuter parking lot along the shoreline and Mukilteo's long waited for promenade and waterfront parks.

The Downtown Waterfront Master Plan, 2016 describes: 'a revitalized waterfront which includes: urban street front with local businesses, looped pedestrian promenade, bike lanes and playful waterfront uses. This allows you to experience the

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waterfront from an urban environment to a natural shoreline while focusing on connecting people both physically and thematically to the intrinsic natural, cultural and urban qualities that compose the past, present and future of the Mukilteo waterfront.'

My recent service on the Parks and Arts Commission (PAC), 2013-2019, ended this month when my term expired, but as its most recent chairperson I am comfortable in stating that placing parking away from the shoreline and from the promenade were clear priorities given in public feedback and in discussion within the PAC during my tenure on the commission.

The 2016 Waterfront Master Plan intends to create a pedestrian and bike friendly waterfront with more activity on the west end of this waterfront park, and transitions to a more passive/reflective space on the east end of this waterfront park, near Edgewater Beach and Japanese Gulch Daylighting Park. Placing a parking lot on parcels along the shoreline is in conflict with the plan's objectives and would spoil the natural experience so carefully planned for in this premium location.

The City of Mukilteo, its residents and visitors, and its local businesses should not continue to bear the traffic and parking related burdens caused by commuters using WSF and Sound transit services in Mukilteo. These public agencies boast objectives in relieving traffic congestion on the freeways, yet they are instead shifting the burden to our small town. They should be held responsible to providing solutions to these problems.

I respectfully request that the wording in the Shoreline Master Plan be revised to ensure:

Parking lots to be placed away from, and not on, the shoreline.

**SH15:** With the exception of pedestrian, bicycle, and emergency vehicle access, locate ~~ferry~~ public transit staging, shared parking spaces, vehicle circulation and parking systems ~~which are not related to shoreline dependent uses or serving the multimodal station~~ off the shoreline and as far from the shoreline as possible.

State and local transit agencies to be expected to provide parking away from, and transit options to the waterfront for its own riders/customers. (i.e. satellite parking further south on Hiway 525).

Thank you for this opportunity to comment.

### ***City Initial Response:***

Since the Tulalip Tribes are unsure of their potential development for their property, the Tribes have been working with the City to discuss construction of a temporary surface level commuter/recreation parking lot. A formal proposal has not been submitted at this time.

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This proposal is in line with the Shoreline Management Regulations for providing parking near a multimodal center and encouraging shared parking for uses with different hours of operation. It is also in line with the Waterfront Master Plan, which includes a rendering for the Commercial Development Area that states “Tribal property development not sure, potential interim parking”.

Planning Commission reviewed the proposed language change to Policy SH15 during the public hearing. The effect proposed language change would be to eliminate parking for any of the redevelopment on the Tank Farm and the redevelopment of existing ferry holding lanes. Based on this information, the Planning Commission voted not to accept the proposed language change to the Policy SH15.

### ***City Updated Response:***

Ecology provided feedback and recommendations on shared parking. Any future proposal for parking within the shoreline area within seventy-five (75) feet of the OHWM would require a shoreline variance or essential public facility exception in those limited instances where parking might be appropriate.

**Kendal Harr – 8712 53<sup>rd</sup> Place W. Mukilteo WA 98275**

### ***Comment (Verbal Testimony at Planning Commission Public Hearing):***

I am a member of the Mukilteo Ferries Advisory Committee and would like to thank Dave Osaki and Linda Ritter for trying to update the documents you received. I would strongly recommend that you not approve the current documents with the current pictures from Washington State Ferries (WSF) because the ferry terminal representations are not accurate, they are from 2012. The pictures do not represent any changes and engineering that have occurred since 2012 including fencing and the raising of the area. There is a 14-foot wall now between the Sounder terminal and the Ferry terminal, which is not depicted along with all the environmental controls that seem to be missing. This is critically important for Mukilteans to be aware of this and that’s why I came here today.

### ***City Response:***

The photo in question is in neither the Shoreline Master Program document nor the Shoreline Management Regulations. The City reached out to WSDOT Ferries to correct its Mukilteo Terminal website on your behalf, however has not received a response. Staff recommends contacting WSDOT Ferries directly.

### ***Comment (Verbal Testimony at Planning Commission Public***

***Hearing):***The WSF currently has the pedestrian egress on the western side; there is none, basically, out of that holding area for the cars. The holding area for the cars is very long because of logistics, it’s very long and narrow, it’s about half a mile roughly. If you are at the back end, you are supposed to walk the entire way around to access the promenade, which is a mile and then another half-mile to get to the Mukilteo businesses. If you just want to go left to go back out to the Mukilteo businesses, like I am able to do right now, you are supposed to go through the toll plaza. You are supposed to go in the face of cars through the toll plaza to get to the sidewalk. They seriously have said that to me in two different meetings, exact words. It is really

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important that we get accurate up-to-date diagrams especially since this is our plan and that is what is supposed to be before the State from the State, and they have them. That's my first point.

### ***City Response:***

The City appreciates your concerns and has passed your comments along to WSDOT Ferries. Unfortunately at this time, the project has already been permitted and is under construction, limiting the opportunity for substantial changes. Staff notes that this comment has no bearing on the proposed changes to the shoreline development regulations or Shoreline Master Program.

### ***Comment (Verbal Testimony at Planning Commission Public Hearing):***

My second point is that we have a designated promenade that has pedestrian and bike, is supposed to be pedestrian and bike heavy in our urban area. I think that's fabulous and we all support that but there is no allocated bike access to this area of the waterfront at all. Either through Mukilteo Lane, which is the responsibility of Mukilteo, or through the bridge, it was taken out. If you want a promenade where there are bikes down there, you have to give bikes access. That is not addressed in this document at all nor was it addressed at all by Public Works. I am told by Public Works in a meeting recently that it's not even on their list of things to do.

The next thing; Mukilteo Lane, I know it is not quite part of the shoreline itself, but it is our access point. There are several issues which Dave Osaki and Mick can certainly brief you on pertaining to Mukilteo Lane as it currently stands. Right now, ferry traffic has the potential to go through that residential neighborhood from our waterfront and that's the way it currently stands. The residents are not pleased with that to say the least.

### ***City Response:***

Development of the promenade is addressed in the By The Way Plan, adopted in 2017, where it is listed as a high priority project (score of 90 out of 100), and in the Downton Waterfront Master Plan, adopted in 2016, where it is described as a 15-ft. wide "looped pedestrian promenade." Future bicycle lanes could support access to the promenade, but are not current envisioned as part of the design.

As part of the Ferry Multimodal Terminal project, WSDOT Ferries will be reconstructing First Street to the south of the ferry terminal and holding lanes. The new First Street will provide non-motorized access to the east end of the promenade via sidewalks for pedestrians and shared travel lanes for bicyclists.

Mukilteo Lane is outside of the purview of the Shoreline Master Program or development regulations update and therefore is not addressed here.

### ***Comment (Verbal Testimony at Planning Commission Public Hearing):***

One last thing, there is a timeline on page 157 in this document; it looks to me in the draft that it has been stricken. Part of the timeline is completed and part of the timeline is not. I may have missed this but I don't see a timeline for completion of

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projects in this revised document. If I missed that, my apologies; if not, we really need a timeline for completion of projects that have been outlined by City staff and a clearer table.

### ***City Response:***

Thank you for bringing this to the City's attention. The timeline on page 157 of the draft Shoreline Master Program document has been removed as funding has not yet been secured for the projects listed.

### **Kurt Nelson, Representing Tulalip Tribes**

### ***Comment (Verbal Testimony at Planning Commission Public Hearing):***

It's interesting to hear the public testimony on the parking area which I will take back to the tribes to discuss. The tribe, in purchase of that property, was trying to balance the restoration of that beach area; working with the City on the type of beach restoration and opening up Japanese Gulch for fish use and improved habitat conditions. The tribe also wanted, in addition to the environmental improvements, to balance economic use of the area as well. That's where the idea of a parking lot came up. I understand what the public is saying but I think the tribe would like to continue conversations with the City of Mukilteo to make sure there is some flexibility in how those plans are used and future uses.

### ***City Response:***

The Tulalip Tribes is working closely with the City to ensure the design for daylighting of Japanese Gulch Creek is sufficient for fish habitat. Staff has also been working with the Tulalip Tribes, the Port of South Whidbey, and the City of Everett on a proposal for commuter/recreation parking and will continue to work with the Tribes as they decide how best to move forward with developing the property.

The Tulalip Tribes has stated from the beginning their uncertainty of the development for their parcel and would like to leave it to future generations to determine the use of the property. The Downtown Waterfront Master Plan states this and shows a graphic with potential interim parking as being proposed by the Tulalip Tribes rather than leave the property vacant.