



Development Services Department
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Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Staff Report to Hearing Examiner Sammamish River Bridge Project

Date of Report: June 16, 2016
Date of Hearing: June 23, 2016

File Number: SCU16003/SDP16003

Project Description: Widen 0.25 miles of SR 202 (NE 175th Street) from the intersection of 131st Avenue NE to Woodinville Redmond Road spanning the Sammamish River. The project includes the construction of a new bridge adjacent to the existing bridge crossing the Sammamish River, and road widening and lane reconfiguration at both the east and west approaches to the bridge. SEPA review is required for all shoreline permits.

Applicant: Thomas E. Hansen, City of Woodinville
425-877-2291; thomash@ci.woodinville.wa.us

Property Owner: City of Woodinville

Location Of Proposal: SR 202 (NE 175th Street) from 131st Avenue NE (Mile Post 0.31), to Woodinville-Redmond Road NE (Mile Post 0.55), Woodinville, WA

Staff Recommendation: Recommend approval of the shoreline conditional use permit, subject to conditions.

Staff Contact: Jenny Ngo, AICP, Senior Planner
425-877-2283; jenny@ci.woodinville.wa.us

PROJECT INFORMATION

Shoreline Designation: Aquatic, Conservancy and Urban Conservancy

Site/Area Description: Proposed work is on a .25 mile portion of SR 202 extending from 131st Avenue N to Woodinville-Redmond Road NW and crossing the Sammamish River. The project affects the 200-foot shoreline jurisdiction of the Sammamish River (Type 1 stream). The adjoining properties to this portion of the SR 202 are developed with commercial and industrial uses. Within the project area, there are two existing at-grade rail crossings. A public trail crosses under SR 202 on the east side of the Sammamish River.

Available Utilities: Water: Woodinville Water District
Sewer: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy
Telephone/Cable: Frontier and Comcast

Fire Service:	Woodinville Fire and Rescue
Surrounding Land Uses/Zoning:	The land use surrounding the subject site is Industrial, Park, Commercial, High Density Residential (R-18).

BACKGROUND AND PROJECT DESCRIPTION

The City of Woodinville is proposing to widen approximately .25 miles of State Route (SR) 202 from the intersection of 131st Avenue NE (Mile Post 0.31) across the Sammamish River to Woodinville-Redmond Road NE (Mile Post 0.55). SR 202 provides a local connection to the Woodinville downtown core to the east and the tourist district to the south, and a regional connection for communities between Woodinville to Redmond and North Bend. The Washington State Department of Transportation (WSDOT) and the City of Woodinville jointly maintain SR 202. SR 202 is a city street used as a state highway under Chapter 47.24 RCW.

The existing roadway is currently four lanes wide at 131st Avenue NE, narrowing to two lanes when crossing the bridge, and widening to three lanes at Woodinville-Redmond Road. The road is designated as a five-lane principal arterial by the City of Woodinville and as a managed access highway by WSDOT. The Level of Service at the project limits, SR 202 intersections at 131st Avenue NE and Woodinville-Redmond Road NE, are graded as a D and E respectively. Although both the intersections are not considered below an acceptable service level (below LOS E), traffic is heavily impacted in this section of road. Due to traffic and safety concerns, the City of Woodinville has identified the SR 202 road widening and reconfiguration as a top priority for the six-year Transportation Improvement Plan and the adopted Transportation Master Plan.

The proposal would include widening SR 202 to four continuous lanes by constructing a two-lane bridge adjacent to the existing bridge, widening the road approaches and reconfiguring the travel lanes. The project includes construction of bicycle lanes, sidewalks, curbs and gutters on both sides of the road along the project corridor. Other improvements include improved drainage, street light signalization, rail crossings improvements, and habitat restoration.

Proposed work occurs within 200 feet of the ordinary high water mark (OHWM) of the Sammamish River, including impact to .28 acres of combined stream and wetland buffer area. The proposal is subject to the policies and requirements of the Shoreline Management Program. Transportation projects are listed as a conditioned use in the Shoreline Management Program and a Shoreline Conditional Use Permit is required for this proposal.

The City of Woodinville previously applied for and was granted permits for the Sammamish River Bridge and Road Project in 2012 under File Nos. SCU12001 and SEP12002. The permits expired on January 26, 2016 after a one-year extension. With the exception of some added utility work, the proposal has not substantively changed since the 2012 permitting process.

NOTICE AND PUBLIC COMMENT

The applicant submitted an application for a shoreline conditional use and shoreline substantial development approval on March 17, 2016. The application was reviewed and determined complete on April 7, 2016.

A Notice of Application was issued on April 18, 2016, pursuant to WMC 17.11.010(1)(b). Pursuant to WAC 173-27-110(2)(e) and WMC 17.11.010(1)(c), a 30-day comment period was utilized ending on May 18, 2016. Notice was provided in accordance with the provisions of Title 17 WMC, including publishing in the

Woodinville Weekly; mailing the notice to property owners within 500 feet of the project and interested agencies; and posting the notice at the site and at the official locations for City Notices. A Notice of Public Hearing was issued on June 6, 2016, more than 15 days before the scheduled public hearing pursuant to WMC 17.11.030(3)(a). The notice was mailed to property owners pursuant to WMC 17.11.040(4), interested parties, published in the Woodinville Weekly, posted on-site and other official public notice locations. The decision of the Hearing Examiner will be submitted to the Department of Ecology, pursuant to RCW 90.58.140, for review and approval of Shoreline Conditional Use Permits.

Agency Comments:	One comment was received from Karen Walter of Muckleshoot Indian Tribe. She requested additional information on the proposal, including application materials, rationale for the re-applying for permits, and maintenance and monitoring plans associated with the previous permit.
Public Comment:	No public comments were received.

COMPREHENSIVE PLAN

The Comprehensive Plan encourages northwest woodland character design, promotes pedestrian friendliness and traffic linkages, requires protection and preservation of critical areas, and requires adequate infrastructure for development within the City limits. Pursuant to WMC 17.13.010, the proposal complies with the intended goals, objectives, and policies of the Comprehensive Plan. The following Comprehensive Plan Policies apply to this project:

Goal E-1: To preserve and enhance aquatic and wildlife habitat.

- E-1.1 Identify and ensure the protection of fish and wildlife habitat areas.
- E-1.2 Protect the functions and values of critical areas, including wetlands, streams, and shorelines.

GOAL T-1: To establish and maintain a transportation system that supports the land use plan and incorporates transportation/land use linkages.

- T-1.3 Encourage State improvements to the regional highway system, especially to SR 522 and SR 202 within the corporate limits of the City.
- T-1.6 Prepare solutions in cooperation with neighboring cities, transit agencies, and Washington State Department of Transportation for areas where movement of employees, goods, and services are impeded by traffic congestion during peak and mid-day periods.

GOAL T-3: To establish a transportation system planning, development and management process.

- T-3.1 Improve the City of Woodinville’s local transportation system by:
 - A. Emphasizing the improvements of existing corridors to improve traffic circulation within those areas which are already experiencing circulation or congestion problems;
 - B. Proposing new transportation corridors only when other alternatives are not physically, economically, or functionally feasible;
 - C. Identifying the acquisition of right-of-way at the earliest possible time when new corridors are deemed necessary;
 - D. Providing measures for the protection of natural systems and adequate buffering of existing and anticipated land uses during the establishment and acquisition of additional rights-of-way.

- E. Designing transportation infrastructure in a manner that is compatible with the natural environment by incorporating features based on science and low-impact development approaches.
- F. Promoting regional solutions to regional transportation system congestion that affects Woodinville.
- G. In the design of transportation improvements, avoid the creation of new fish passage barriers and promote improvements that remove fish passage barriers where possible.

GOAL T-6: To promote non-motorized travel and ensure its safety, convenience and comfort.

T-6.2 Develop a community-wide trail system as priorities and funding allow for pedestrians, bicyclists, and other non-motorized transportation. Where feasible, this trail system will connect regional trails with local trails and walkways and provide improved access and linkages between the City of Woodinville's commercial/industrial areas, the Sammamish River Trail, Trail on rail corridor, and other trails, residential neighborhoods, and community amenities.

T-6.3 Cooperate with adjacent jurisdictions and public agencies to seek and develop appropriate trail links between elements of the open space system including, but not limited to, completing the connection between existing and proposed trail systems.

GOAL T-8: To coordinate with local, regional, and State jurisdictions in the development and operation of the transportation system.

T-8.3 Prepare, in cooperation with Washington State Department of Transportation, policies to guide the planning, development, and management of state routes: 9, 202, and 522.

SHORELINE MASTER PROGRAM

The Shoreline Master Program (SMP) encourages shoreline protection and restoration, compatible uses, public access, economic development, and recreational opportunities. The goals and policies for development along Woodinville's shoreline are set forth in Chapter 3 of the SMP. Figure 5-2 of the SMP designates this property as within the Conservancy Management Zone and Urban Conservancy zone. The following SMP goals and policies apply to this project:

Goal PA-1: To provide for an adequate amount of public access, both physical and visual, to the shorelines as part of a total system, consistent with the Woodinville Comprehensive Plan's Parks, Recreation and Open Space element, and the needs of other shoreline uses.

PA-1.4 Encourage footbridges in areas where both sides of the shoreline are related due to economic or recreational uses, subject to the permission of all jurisdictional agencies (including, but not limited to the U.S. Army Corp of Engineers, the state Department of Natural Resources, the Department of Ecology, the Department of Fish and Wildlife, and King County).

PA-1.5 Utilize as many existing public rights-of-way and easements as possible to expand the network of public access to shoreline amenities.

PA-1.7 Allow controlled public access to water resources for passive recreation, while still protecting the resource.

Goal CIR-1: To plan and develop a balanced, efficient, and visually aesthetic circulation network which is most compatible with the shoreline environment.

CIR-1.1 Circulation facilities are to be designed to meet the following criteria:

1. Functionally acceptable, including safety.
2. Visually aesthetic amenities for the citizens of Woodinville.
3. Minimal disruption in access to users on other circulation networks.
4. The least possible impact to existing ecological systems along the shorelines within the jurisdiction of this Master Program.
5. Complementary to the economic and recreational usage of shorelines as set forth in this Master Program and the Woodinville Comprehensive Plan.
6. Buffered with landscaping to reduce impacts.
7. Encouraged to locate in existing rights-of-way.

- CIR-1.3** Where possible, circulation facilities should be located outside of buffer and conservancy areas.
- CIR-1.4** Whenever feasible, major highways, freeways, and railways should be located away from shorelands [WAC 173-26-241(3)(k)] and are allowed only when related to and necessary for the support of permitted shoreline activities.
- CIR-1.5** Roads located in shoreland areas should be designed and maintained to prevent erosion and to permit the natural movement of groundwater.

Goal AH-1: To protect and restore those aspects, buildings, sites, and areas of shoreline having historic, cultural, scientific, or educational values or significance. [RCW 90.58.100(2)(g)]

- AH-1.1** The use regulations of this Master Program shall contain development regulations as necessary to encourage a compatible surrounding environment to ensure planning for the preservation of significant archaeological resources, especially Native American sites in river and stream corridors.

Goal CON-1: To preserve nonrenewable resources and enhance and/or restore natural resources that make Woodinville shorelines uniquely attractive and valuable to a large ecosystem.

- CON-1.1** Protect, preserve, rehabilitate, and, where possible, enhance water and habitat quality in the Sammamish River and Little Bear Creek.
- CON-1.4** The City should ensure that development of private upland property maintains sufficient volumes of surface and subsurface drainage into the biological wetland areas associated with the shorelines, to sustain existing vegetation and wildlife habitat. The content and velocity of this drainage should be controlled by design, as required by engineering standards adopted and administered by the City's Department of Public Services, so that stream habitat and properties along the shoreline below will not be adversely affected.
- CON-1.5** Protect features along the shoreline that provide ecological or recreational benefits.
- CON-1.6** Uses or activities that substantially degrade natural resources should not be allowed.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

GENERAL:

1. Thomas Hansen of City of Woodinville submitted a Shoreline Conditional Use Permit, Shoreline Substantial Development Permit and SEPA Review applications to widen the Sammamish River Bridge, a portion of State Route 202 extending from Mile Post 0.31 to Mile Post 0.55. The proposal will expand the existing two-lane bridge into four lanes, aligning the road configuration of SR 202 before and after the bridge. SR 202 serves as an important transportation route within the city limits and regionally linking south through Redmond and North Bend. SR 202 is jointly maintained by the City of Woodinville and WSDOT.

2. The application was determined complete on May 17, 2016 and a letter of complete application was sent on April 7, 2016. A Notice of Application for the proposal was published, mailed, and posted on April 18, 2016, within 14 days of the determination of completeness (Exhibits 23 and 24). The project was circulated for review in accordance with the City's normal review and permitting procedures pursuant to WMC 17.09.040, and WMC 17.11.010.
3. In the project area, State Route 202 runs east-west crossing the Sammamish River. At the east, SR 202 is a four lane road that runs adjacent to industrial and park land. The road narrows to two lanes when crossing the Sammamish River and widens back to four lanes adjacent to commercial and industrial properties. The Sammamish River Trail, a regional trail corridor, runs north-south underneath the Sammamish River Bridge on the east abutment. The proposal impacts approximately 0.28 acres within the shoreline jurisdiction, including streams, wetlands, and fish and wildlife habitat conservation areas.
4. The project is located within 200 feet of the ordinary high water mark of the Sammamish River. Pursuant to RCW 90.58.030(2)(d) and (e) and SMP Section 1.2, this area is defined as the shoreline jurisdiction and is subject to the Woodinville Shoreline Master Program (SMP). The proposal crosses the aquatic, conservancy, and urban conservancy zones.
5. Bridge crossings are a conditional use in the Conservancy, Urban Conservancy, and Aquatic Management shoreline environments and may only be permitted when necessary to cross a stream. The proposal does not qualify for any exemptions from a Substantial Development Permit pursuant to WAC 173-27-040. A shoreline conditional use permit is processed as a Type III application and a shoreline substantial development permit is processed as a Type II application pursuant to WMC 17.07.030. The processing of these applications are consolidated under WMC 17.07.020(2). Pursuant to WMC 17.07.030, the Hearing Examiner is the highest decisionmaker and shall have the authority to decide the shoreline conditional use permit and shoreline substantial development permit.
6. Pursuant to WAC 173-27-160, a shoreline permits shall only be granted when the development proposed is consistent with the policies and procedures of the Shoreline Management Act, the provisions of Chapter 173-27 WAC, and the Woodinville Shoreline Master Program. If the conditional use permit is approved by the Hearing Examiner, the approved permit shall be submitted to the Department of Ecology for a final decision, pursuant to WAC 173-27-200.

SHORELINE MASTER PROGRAM:

7. The proposal is located within the Aquatic, Conservancy and Urban Conservancy shoreline environment. Pursuant to Section 5.2.4, the Conservancy designation is to "protect and restore ecological functions, while making the areas available for limited human use, when appropriate and non-destructive of critical areas" and the Urban Conservancy designation is to "protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses as established by the Comprehensive Plan." SMP Section 6.1 identifies shoreline modification or uses compatible within the Aquatic, Conservancy and Urban Conservancy shoreline environment.
8. SMP Section 6.1 requires all uses and developments to comply with the Shoreline Master Program and City's adopted development codes, including the Woodinville Zoning Code and Transportation Infrastructure Standards.
9. Pursuant to SMP Section 6.23.2(1), all debris, overburden, and other waste materials from construction should be disposed of to prevent their entry by erosion from drainage, high water, or other means into the stream way. Best management practices (BMPs) will be used during construction to prevent materials

from entering the water (Exhibit 4). BMPs include the identification of construction limits, use of containment BMPs to prevent any materials from entering the water, minimizing soil disturbances, silt fencing, erosion control blankets, baker tanks and inlet protection (Exhibit 4).

10. Pursuant to SMP Section 6.23.2(2), scenic corridors with public roadways should provide safe pedestrian and other non-motorized travel. Also, provision shall be made for sufficient viewpoints, rest areas, and picnic areas in public shorelines. The proposed work on SR 202 includes sidewalks and bicycle lanes on both sides of the road to provide safe bridge crossing for non-motorized travel.
11. Pursuant to SMP Section 6.23.2(3), all bridges and other water-crossing structures shall be designed not to impede normal annual high water or the passage of wood and sediment. Where feasible, bridge structures should be located outside the floodway and bridge approaches and side slopes shall be planted with a suitable native, non-invasive ground cover. The bridge and highway will be elevated 15.47 feet above the OHWM. The project will be located outside the floodway, and will not impede normal annual high water and the passage of wood or sediment (Exhibit 3, sheet BR01). A planting plan of native ground cover is proposed on the side slopes.
12. Pursuant to SMP Section 6.23.2(4), railroad tracks must be designed and operated to ensure compatibility with pedestrian and recreation usage within the shoreline management corridor. The railroad shall provide public easements across any tracks in the shoreline management corridor, deemed necessary by the City, to provide convenient public access to publicly-controlled river frontage. Several rail lines are located on the western portion of the project area. The City has coordinated with the different agencies with interest to provide vehicular, pedestrian, and bicycle connectivity in this area.
13. Pursuant to SMP Section 6.23.2(5), freeway, expressway, principal arterial, minor arterial, collector, neighborhood access, and trail design shall meet the following requirements:
 - a. *Introduce the minimum possible amount of paved surface into the shoreline management corridor insofar as this requirement is consistent with the essential public purposes of the roadway facility (to minimize pavement width, alternative routes outside the shoreline management corridor shall be utilized to the maximum).*
Staff Comment: The proposal uses the minimum amount of paved surface possible by designing road dimensions to be the minimum size necessary to add two vehicular travel lanes, bicycle lanes and sidewalks, and meet WSDOT, City and grant funding agencies minimum requirements. The proposed widening is in the same area as the existing bridge to avoid introducing additional pavement in this area.
 - b. *Utilize existing transportation corridors whenever possible.*
Staff Comment: The project will not create a new transportation corridor, and will instead use and expand upon the existing SR 202 corridor.
 - c. *Be based on the maximum utilization of public transit capacity within the context of available technology and metropolitan financial resources to reduce the design requirements for peak hour highway capacity and in keeping with the City's adopted level of service for transit facilities as defined in the City of Woodinville's Comprehensive Plan Transportation Element.*
Staff Comment: The proposal will serve public transit by facilitating the efficiency and timeliness of public transit through increased road capacity and improved signalization.
 - d. *Provide frequent safe crossings for pedestrians and bicycles seeking access to public portions of the shoreline.*

Staff Comment: The proposal will provide pedestrian and bicycle connections to Wilmot Gateway Park and the Sammamish River Trail without requiring street crossings. No changes are proposed to the Sammamish River Trail below the bridge, however intermittent and temporary construction closures will include signage and safe detour route (Exhibit 4).

- e. *Incorporate pedestrian, bicycle, and equestrian facilities (using state funding sources for this purpose, when possible).*

Staff Comment: The proposal will create sidewalks on both sides of the bridge and include marked bicycle lanes to create a safer east-west connection to the Sammamish River Trail. The existing bridge includes a narrow four-foot wide sidewalk on only one side and no bicycle facilities. No changes to the Sammamish River Trail are proposed.

- f. *Provide scenic viewpoints and turnouts in the shoreline management corridor where they intersect or are adjacent to planned or existing pedestrian, bicycle, and equestrian trails along the water's edge. The trail-link may be established either on public right-of-way or as an easement on privately owned land.*

Staff Comment: The bridge itself and the connection between the proposed non-motorized facility and the existing path to the Sammamish River Trail will provide a viewpoint towards the river and Wilmot Gateway Park.

- g. *Demonstrate that upland alignments are clearly infeasible.*

Staff Comment: Due to the shape and length of the Sammamish River, no other east-west alignment could be constructed without crossing the shoreline jurisdiction.

- h. *Keep over-water structures for vehicles to an absolute minimum, allowed only when critically necessary to the operation of a permitted roadway and otherwise unavoidable.*

Staff Comment: The bridge is designed to be of the minimum size necessary for circulation and to meet minimum design standards.

- i. *Design bridge crossings of the Sammamish River and Little Bear Creek corridors so that vertical supports are set back from the ordinary high water mark to accommodate circulation of watercraft, horses, bicycles, skaters, and pedestrians.*

Staff Comment: The vertical supports for the new bridge will not impact watercrafts in the river, or the circulation of horses, bicycles, skaters or pedestrians on the Sammamish River Trail.

- j. *Meet the following conditional use requirements when proposed in the Conservancy Environment:*

i. *Minor arterials, and neighborhood and local access streets shall be allowed as a conditional use only where essential connections must be made to circulate traffic to urban activity centers and subject to the conditions listed in this section.*

ii. *The only roadway construction permitted in the Conservancy Environment shall be that deemed necessary for maintenance, security, and/or low intensity visitor access. Any substantial volume of traffic or parking must be accommodated upland with parking consolidated there and with pedestrian/bicycle/equestrian connections to the shore.*

Staff Comment: SR 202 is not a minor arterial, neighborhood or local access street. A portion of SR 202 is located in the Conservancy Environment and is an established use in an established corridor.

14. Pursuant to SMP Section 6.23.2(6)(a), all changes in contour for roadways shall account for drainage by proper channeling and culverts, unless the natural drainage system can be effectively and attractively left as a natural stream bed/pathway and be traversed by a bridge structure instead. A technical memorandum prepared by AECOM (Exhibit 19) states that the all drainage systems have been designed

to conform with the requirements of the 2009 King County Surface Water Design Manual which has been adopted by the City of Woodinville.

15. Pursuant to SMP Section 6.23.2(6)(b), all culverts or other stormwater management structures, where required, shall be consistent with the requirements of the City's adopted Surface Water Design Manual and relevant engineering standards (WMC. 14.09). The western portion of the project will utilize a Filterterra system that will capture stormwater and provide water quality treatment. The system includes plants and an engineered filtration media that will treat the runoff prior to discharge. The eastern portion of the project will connect to an existing stormwater system.
16. Pursuant to SMP Section 6.23.2(7), construction of roadways shall incorporate features that leave existing beneficial hydrologic effects as little disturbed as possible. Fill material, where allowed for a roadbed, shall be coarse and permeable enough to allow continued circulation of groundwater and prevent damming it on the upland side. The proposal has been designed to meet the 2009 King County Surface Water Design Manual requirements to prevent disruption of beneficial hydrologic effects.
17. Pursuant to SMP Section 6.23.2(8), approval of roadway design shall require an approved landscaping plan. A performance bond shall be required to guarantee implementation of the plans. The use of herbicides and pesticides is prohibited for maintenance of landscaping along roadways within or immediately adjacent to critical areas or their buffers as defined by the City's Zoning Code (Chapter 21.24 WMC). The plant palette of the preliminary landscaping plan (Exhibit 3) meets the City's requirements of non-invasive or native plantings and species listed in the approved tree species list. A final landscaping plan that complies with the landscaping requirements of Chapter 21.16 WMC will be required prior to permit approval and/or construction of the project.
18. Pursuant to SMP Section 6.23.2(9), transportation and primary utility facilities shall be required to make joint use of rights-of-way and to consolidate crossings of water bodies where adverse impact to the shoreline can be minimized by doing so, and it is physically feasible to do so. Utilities are being coordinated with utility providers to ensure efficient co-use of the SR 202 right-of-way (Exhibit 4).
19. Pursuant to SMP Section 6.23.2(10), RCW 37.79.035 and RCW 35.87.130 prohibit the City from vacating any public road which abuts a body of fresh water unless the street or road is not currently used or suitable for boat moorage or launching, a park, viewpoint, recreation or education site, or other public purposes. No street vacation is proposed.
20. Pursuant to SMP Section 6.23.2(11), all shoreline development must conform to the General Goals and Policies (Chapter 2) and the provisions of Chapter 3 (Shoreline Environments), as stated in this Master Program. The proposal meets the policies outlined in Chapter 2 and 3 of the SMP as described above.
21. Pursuant to SMP Section 6.23.2(12), roadway construction shall include a design for impoundment structures that trap contaminants, such as oil and salt, and dispose of runoff contaminants safely without allowing incursion into the stream way. The applicant has developed a drainage system that will prevent runoff contaminants from entering the water (Exhibit 19).
22. Pursuant to SMP Section 7.5.3, conditional uses are required to meet the approval criteria listed in SMP Section 7.5.3.3:
 - a. *The proposal is consistent with the policies of RCW 90.58.020 and the policies of this Master Program.*

Staff Comment: The proposal complies with the SMP, as discussed above, and is a conditioned use within the shoreline area. The proposal will comply with RCW 90.58.020 by providing increased public access to publicly-owned land and preserving statewide interest while preserving recreational opportunities and the natural character of the shoreline.

- b. *The proposed use will not interfere with the normal public use of public shorelines.*
Staff Comment: The bridge is elevated above the shoreline and will not impact or interfere with normal public use of the shore or the Sammamish River Trail upon its completion. Potential impacts or closure of the trail to public use will be mitigated with safe detour route and noticing.
- c. *The proposed use of the site and design of the project is compatible with other existing and planned uses within the area.*
Staff Comment: The project will aid with transportation congestion and connectivity in this area. The proposal includes some minor right-of-way expansion but does not reduce development potential of nearby lots. The proposed project is compatible with future zoning and known projects in the area.
- d. The proposed use will cause no avoidable adverse effects to the shoreline environment in which it is to be located.
Staff Comment: The proposal will not cause any adverse impacts to the shoreline environment. Stormwater resulting from the increased impervious surface of the bridge widening will be treated prior to discharge. Permanent impacts of 0.28 acres resulting from the project will be offset partially through on-site mitigation in the project area and off-site mitigation nearby on Little Bear Creek, a tributary connecting to the Sammamish River.
- e. *That water, air, noise and other classes of pollutants will not be more severe than the pollution that would result from the uses which are permitted in the particular environment.*
Staff Comment: Based on a noise study report prepared for the proposal, slight increases in noise levels are anticipated resulting from this project due to automobile use. However, increases are not identified to be significant (greater than 10 dBA) or require noise abatement where there are outdoor areas of frequent human use (Exhibit 13, page 21). Air quality is not anticipated to be impacted from the proposal (Exhibit 9). The proposal has been reviewed by the City of Woodinville for compliance with the requirements outlined in the 2009 King County Surface Water Design Manual. Erosion controls measure will be in place to protect the creek. The disturbed area will be restored and reseeded, which will improve the shoreline environment. Mitigation is proposed through on-site and off-site mitigation along the Sammamish River and Little Bear Creek. The proposal will be required to follow the recommendations provided in the professional reports to prevent increases in pollution. This criterion is met.
- f. *The goals, policy statements or specific aims of the particular environment would be violated, abrogated or ignored.*
Staff Comment: As indicated in the staff report above and application materials, the proposal is consistent with the SMP and will follow all other applicable regulations. The proposal has been evaluated to meet the codes and regulations of the City of Woodinville. The proposal will also be required to obtain all required federal and state permits prior to work. This criterion is met.
- g. *That no other applicable regulations will be violated.*
Staff Comment: As indicated in the staff report above and application materials, the proposal is consistent with the SMP and will follow all other applicable regulations. The proposal has been evaluated to meet the codes and regulations of the City of Woodinville. The proposal will, also, be required to obtain all required federal and state permits prior to work. This criterion is met.

h. The public interest shall not suffer substantial detrimental effect.

Staff Comment: The public interest is served by this project, as it will aid in traffic congestion and help control traffic movement in the community. Best management practices will be implemented during construction to prevent pollution and runoff that could be potentially generated by the site. This criterion is met.

DETERMINATION OF CONSISTENCY

RCW 36.70B.040 – Determination of Consistency and WMC 17.13.100 requires that a proposed project shall be reviewed for consistency with a local government's development regulations during project review by consideration of:

1. Type of land use;
2. Level of development;
3. Infrastructure, including public facilities and services needed to serve the development; and
4. The characteristics of the development, such as development standards.

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Sammamish River Bridge and Road Project has met the requirements of the City of Woodinville Infrastructure Standards, 2009 Comprehensive Plan, and Woodinville Municipal Code. The shoreline conditional use proposal has made appropriate provisions for the public health, safety, and general welfare by:

1. Providing stormwater drainage and treatment improvements;
2. Installing street improvements to meet the adopted transportation infrastructure standards;
3. Providing non-motorized transportation facilities, including sidewalks and bicycle lanes;
4. Protection of shoreline and critical areas through site mitigation and ensuring no net loss of ecological function.

CONCLUSION

Staff has reviewed the proposal and based on the findings provided within this staff report, concludes that the proposal is consistent with the applicable criteria for approval in SMP Section 7.5.3.3:

1. The proposed use is consistent with the policies of RCW 90.58.020 and the policies of this Master Program.
2. The proposed use will not interfere with the normal public use of public shorelines.
3. The proposed use of the site and design of the project is compatible with other existing and planned uses within the area.
4. The proposed use will cause no avoidable adverse effects to the shoreline environment in which it is to be located.
5. That water, air, noise, and other classes of pollution will not be more severe than the pollution that would result from the uses which are permitted in the particular environment.
6. That none of the goals, policy statements, or specific aims of the particular environment would be violated, abrogated, or ignored.

STAFF RECOMMENDATION

The proposed project was found to be consistent with and meet the intent of the Woodinville Comprehensive Plan, Shoreline Master Program and applicable development regulations; therefore, staff recommends **APPROVAL** of the Sammamish River Bridge Widening Project, Permit No. SCU16003/SDP16003, subject to the following conditions:

1. All improvements shall be constructed in reasonable conformance with the approved "Permit Review" level design plans, and as they are amended and clarified by the contracting and design process directed by the Public Works Director. The Development Services Director may approve minor modifications of the plans submitted if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. The applicant shall obtain all required local, state and federal permits for the proposed project. A Hydraulic Project Approval (HPA) Permit is required from the Washington State Department of Fish and Wildlife. No construction may occur until this permit is obtained, or the applicant submits confirmation from Fish and Wildlife that it is not required.
3. The applicant shall coordinate with the Woodinville Water District to address any impacts to the locations where water and sewer lines cross SR 202.
4. Vegetative cover beyond construction limits shall not be disturbed. The clearing limits shall be clearly delineated in the field. Barrier fencing or siltation fencing may be installed before site disturbance in accordance with the approved plans.
5. The applicant will substantially follow the recommendations outlined in the Conceptual Mitigation Plan (Exhibit 10), Geotechnical Report (Exhibit 8), Stormwater Design (Exhibit 19), and Air Quality Conformity Analysis (Exhibit 9), including any addendums approved by the Public Works and Development Services Director.
6. The following conditions shall be met regarding the mitigation area for the impacts to the stream buffer and wetland areas:
 - a. The City will send to the Muckleshoot Indian Tribe Fisheries Division, the Mitigation Area Maintenance and Monitoring Plan for their review and comment before it is approved. Both parties (the City of Woodinville and the Muckleshoot Tribe) agree to work diligently to resolve any concerns and comments.
 - b. City crews, or contractors retained by the City, will be responsible for maintenance of the mitigation areas. The City's Development Service Department will check as required for conformance with the approved Mitigation Area Maintenance and Monitoring Plan as is required by existing City code.
 - c. Before any future disturbance, modification, or removal of the mitigation areas can occur, other than activities allowed under the approved Maintenance Plan, both the Tribe and the City shall agree to the future planned action, including replacement and/or further mitigation area construction. If either party disagrees, then the mitigation area shall remain at its present location. Such agreement shall not be unreasonably withheld.
7. An approved final road landscaping plan is required prior to start of the construction for the project. The road landscaping plan will be in accordance with the Type II landscaping requirements of Chapter 21.16 WMC, and include a mix of at least 50 percent broadleaf trees (at least 1.75 inch caliper) spaced 20 feet on center, at least 30 percent evergreen trees (at least 6 feet tall) on 15 feet on center, shrubs (number 2 size) spaced five feet on center, and groundcover at a distance to result in total coverage within three years. At least 75 percent of groundcover and shrubs and at least 50 percent of trees shall be native or non-invasive naturalized species, and 60 percent of all plantings shall be drought tolerant. Turf shall be limited to no more than 30 percent of the landscaped area.

8. Stormwater best management practices shall be employed at all times during construction work. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious materials are allowed to enter or leach into surface waters. The permittee shall report all spill immediately to the Washington Department of Ecology (425-849-7000) and the City of Woodinville.
9. Any soils exposed during construction shall be appropriately re-vegetated consistent with the proposed best management practices. A final temporary erosion control and sedimentation plan shall be prepared in compliance with the 2009 King County Surface Water Design Manual prior to the start of construction work. Proper temporary erosion control best management practices must be used and inspected daily. The Plan must include spill containment procedures, equipment and materials, which must be on site.
10. All storage of construction materials and equipment shall be located outside of the 200-foot shoreline management area.
11. The applicant will prepare a Construction Traffic Control Plan, subject to the approval of the Public Works Director prior to any construction work. The Construction Traffic Control Plan will include an advanced noticing procedure to the City, Fire and Police Departments, and affected property owners within 1,000 feet regarding the commencement of construction.
12. Any damage to paving will be restored to match existing surfaces.
13. The use of herbicides and pesticides is prohibited for maintenance of landscaping along roadways within or immediately adjacent to critical areas or their buffers as defined by the City's Zoning Code (WMC 21.24).
14. The permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with Shoreline Management Act (RCW 90.58).
15. Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date the permit decision was filed pursuant to RCW 90.58.140(6), except as provided for in RCW 90.58.140(5).
16. This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms or condition thereof.
17. Construction activities shall be commenced within two years of the effective date as set forth in RCW 90.58.143. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology.

EXHIBIT LIST:

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| Exhibit 1 | Staff Report |
| Exhibit 2 | Application materials, including application, shoreline conditional use permit analysis dated March 8, 2016, and site maps |
| Exhibit 3 | Sammamish Bridge and Road (SR 202) Project Road Improvement plans prepared by AECOM, dated December 8, 2011 |
| Exhibit 4 | Vicinity Map and Right-of-way Plans prepared by AECOM |
| Exhibit 5 | Wetland Delineation, prepared by Shannon and Wilson, dated April 10, 2007 |
| Exhibit 6 | Hydraulic Report, prepared by Northwest Hydraulic Consultants, dated May 10, 2007 |
| Exhibit 7 | Cultural Resources Assessment, prepared by Western Shore Heritage Services, Inc., dated June |

20, 2007

- Exhibit 8 Draft Geotechnical Report, prepared by Shannon and Wilson, dated August 21, 2007
- Exhibit 9 Air Quality Conformity Analysis, prepared by AECOM, dated November 2011
- Exhibit 10 Conceptual Mitigation Plan for Off-site Mitigation, prepared by AECOM, dated December 2011
- Exhibit 11 No Effect Letter, prepared by AECOM, dated December 14, 2011
- Exhibit 12 Addendum to the No Effect Letter and ECS with Supplemental Information, prepared by Linda Howard of AECOM, dated October 15, 2012
- Exhibit 13 Noise Study Report, prepared by AECOM, dated January 2012
- Exhibit 14 Request for use of *De minimis* (4f) exemption, prepared by Trevon Taylor, dated December 14, 2011
- Exhibit 15 Potential geotechnical effects letter, prepared by Shannon and Wilson, dated June 27, 2012
- Exhibit 16 Attachment 4, Hazardous and Problem Wastes, received January 12, 2012
- Exhibit 17 Attachment 7, supporting documentation for environmental justice, prepared by AECOM, received January 12, 2012
- Exhibit 18 Bridge and Railroad Trestle Wingwall design
- Exhibit 19 Stormwater Design Technical Memo, prepared by AECOM, dated January 25, 2012
- Exhibit 20 SEPA Checklist, dated March 8, 2016
- Exhibit 21 JARPA Application signed March 10, 2016
- Exhibit 22 Hearing Examiner Decision for File No. SCU12001 dated November 14, 2012
- Exhibit 23 Application Submittal Notification – Complete Application, dated April 7, 2016
- Exhibit 24 Notice of Application dated April 18, 2016
- Exhibit 25 Notice of Public Hearing and Determination of Nonsignificance dated June 6, 2016