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CITY OF BURIEN

Conspiracy Theory and the SMP –

As I was unable to complete my public comment at the April 26 City Council Meeting w/i the 3 minute limit, I am providing a written draft of what I intended to discuss.

I was going to address more specific issues of the SMP like Bulkheads or non-conformity, but since SMP 101 starts next week, thought I would have some fun w/ conspiracy theory discussion instead

Conspiracy Theories always make fun reading or good movie viewing. They tend to take a series of seemingly unrelated events that when strung together give you an improbable but possible scenario that you just can't quite deny.

In my opinion, the SMP can be looked at that way.

SMP has 2 stated goals

1<sup>st</sup> is No net loss of environmental function (or no less than the status quo)

- 1) How does making our houses non-conforming contribute to no net loss?
- 2) How does not being able to rebuild our bulkheads to protect our appurtenances (contrary to state law by the way) maintain the status quo?
- 3) How does limiting catastrophic rebuilds to 75% of appraised structure value, which is also more restrictive than state requirements, help the environment
- 4) Or not be able to have our appurtenant structures waterwards of our primary dwellings if we make exterior modifications to our primary structures, conform to no net loss?

None of those regulations appear consistent w/ maintaining the status quo

But the other goal of the SMP is to create public access. This is where the conspiracy theory argument comes into play. Few to none of the new SMP regulations maintain the status quo of no net loss, but a lot of them could contribute to the long term achievement of creating more public access.

Zoning our residences non-conforming, and denying our ability to to rebuild bulkheads has the potential of moving setback requirements back so far as to make lots more difficult or impossible to rebuild on. Inability to protect appurtenances, or even primary structures, if potential erosion damage can be avoided for three years, definitely hurts our property usage and values, and doesn't seem consistent with no net loss. Loss of one bulkhead (I know of 5 failures in the 10 years I've lived here) can start a chain reaction of bulkhead failures. On the North side of the point, over the long road, a potential string of events resulting from either major storm, or catastrophic event, could easily create a scenario where property owners utility diminishes, property values fall, and properties could get vacated. Examples of these types of events have occurred in both Whatcom

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and Jefferson Counties. As the houses disappear, the public view access from the Indian Trail increases. With diminished property values, it will be easier for the city to swoop in and buy additional shoreline, which because of new vegetation requirements, will be mostly natural like Eagle Landing. Then, on the North side, the city will have accomplished the goal of both physical and visual access

On the southern side, along SW 172<sup>nd</sup>, again bulkheads can not be protected to save appurtenances, but can be rebuilt to save the road. Not too difficult to see a scenario where a bad southerly takes out all the private structures but then see the city step in to save the road, put in the sidewalk that many believe the city has always wanted, and now both physical & visual access with an "Alki South" is created. If mother nature doesn't create the solution, proposed regulation BMC 20.30.095 will. This little gem only allows water related appurtenances waterwards of the primary residence. Carports, garages, cabanas are all restricted. Since we will all be non-conforming, it appears that residents get a choice of either performing development or exterior modifications to their house or removing their appurtenances if they have cabanas or carports waterwards of their primary structure. Not sure how that is no net loss of ecological function but it certainly provides the opportunity for the city to get desired public view access if they can't get the physical access. Losing the carports and associated parking also creates a conflict w/ BMC 19.20 which requires 2 off-street parking spots per single family dwelling. I don't know how that all could play out, but I'm going to go out on a limb and guess it's not favorable to the property owners.

And then there is the Shoreline Advisory Committee, the source of the original draft – not a lot of property owners were represented, but a lot of individuals w/ special interest public access agendas appear to have been.

These are just a few examples of how the SMP seems to lean heavily toward creating more public access at the property owner's expense rather than maintaining the no net loss goal. Far fetched, maybe, but that's the kind of stuff that conspiracy theory is all about.

I look forward to being able to work with the Burien City Council to help address these issues over the next few months

Thank you

Andy Ryan