

Exhibit A

Restated and Coordinated Legal Issues

Shoreline III and Shoreline IV

I. INTERNAL CONSISTENCY

1. Did Snohomish County Ordinances 09-038, 09-051, 09-079, and 09-080 (collectively, the “Ordinances”) fail to comply with RCW 36.70A.070, because they are internally inconsistent with Snohomish County GMACP/GPP, Goal LU 2, Policy LU 3.A.2, Policy LU 3.A.3, Glossary Appendix E, LU Policy 3.B.1 – 2, and provisions in the GMACP/GPP that establish access to high capacity transit as a criterion for designation as an Urban Center?¹ If so, are the Ordinances invalid?

2. **[SHORELINE III]** Did Snohomish County Ordinances 09-038 and 09-051 (collectively, the “Shoreline III Ordinances”) fail to comply with RCW 36.70A.070 (preamble), (3), (6) and (8) as they apply to Point Wells, because they are not consistent with the GMACP elements related to capital facilities, transportation, parks/open space, and recreational facilities?² If so, are the Ordinances invalid?

3. **[SHORELINE IV]** Did Snohomish County Ordinances 09-079 and 09-080 (collectively, the “Shoreline IV Ordinances”) violate RCW 36.70A.040(4) and RCW 36.70A.120 by adopting development regulations that were inconsistent with and failed to implement Snohomish County GMACP provisions in the “Centers” section of the LU Urban Center Chapter, LU Policy 3.A.3, FLUM Center Designation “Urban Center,” and Glossary Appendix E, by designating Point Wells as an Urban Center zone where the location of Point Wells is not in proximity to existing or planned high capacity transit routes, transportation corridors, or public transportation stations?³

II. COORDINATION WITH NEIGHBORING JURISDICTIONS

4. Did the Ordinances fail to comply with RCW 36.70A.100 where:
- TOWN OF WOODWAY: Point Wells is located within the Town’s MUGA. The Town’s Comprehensive Plan shows the property with an Industrial

¹ **Shoreline III:** Woodway Petition for Review (“PFR”) ¶¶ 4.1, 4.1.1 – 4.1.4; Shoreline PFR ¶ 3.9; Save Richmond Beach PFR ¶ 17. **Shoreline IV:** Woodway PFR ¶¶ 4.1, 4.1.1 – 4.1.4.

² **Shoreline III:** Shoreline PFR ¶¶ 3.5, 3.7, 3.9; Save Richmond Beach PFR ¶¶ 13, 15.

³ **Shoreline IV:** Shoreline PFR ¶ 3.8; Save Richmond Beach PFR ¶ 3.8.

designation. The Ordinances are not coordinated or consistent with the Town's existing Comprehensive Plan.⁴

b. CITY OF SHORELINE: The City of Shoreline Comprehensive Plan indicates a Mixed Use development with urban densities. However, the densities proposed in the challenged Ordinances far exceed the contemplation of the Shoreline Comprehensive Plan.⁵

c. KING COUNTY: The Point Wells designation is not consistent with the transportation element of King County's GMACP. (See King County GMACP, Technical Appendix C, Transportation.)⁶

If so, are the Ordinances invalid?

5. **[SHORELINE III]** Did the Shoreline III Ordinances fail to comply with RCW 36.70.110(3) and (4) as they apply to Point Wells because they designate urban growth in an area not adequately served by public facilities and services, and did not acknowledge, given the realities of access and proximity, that Shoreline and/or Woodway are the units of local government most appropriate to provide urban services?⁷

III. GMA GOALS

6. Did the Ordinances fail to be guided by RCW 36.70A.010 and RCW 36.70A.020 (1) [compact urban development], (3) [transportation], (9) [parks], (11) [coordination with neighboring jurisdictions], and (12) [provision of capital facilities and services]?⁸ If so, are the ordinances invalid?

IV. PUBLIC NOTICE

7. Did the Ordinances fail to be guided by RCW 36.70A.020(11) and fail to comply with RCW 36.70A.140 and RCW 36.70A.035 where Snohomish County introduced and adopted new substantive amendments to the Ordinances at the end of the public comment period or after the public comment had period had closed, without

⁴ **Shoreline III:** Woodway PFR ¶ 4.2, 4.2.1; Save Richmond Beach PFR ¶ 9. **Shoreline IV:** Woodway PFR ¶ 4.2, 4.2.1.

⁵ **Shoreline III:** Woodway PFR ¶ 4.2, 4.2.2; Save Richmond Beach PFR ¶ 8; Shoreline PFR 3.1. **Shoreline IV:** Woodway PFR ¶ 4.2, 4.2.2.

⁶ **Shoreline III:** Save Richmond Beach PFR ¶ 10.

⁷ **Shoreline III:** Shoreline PFR ¶ 3.4, 3.6; Save Richmond Beach PFR ¶ 12, 14.

⁸ **Shoreline III:** Woodway PFR ¶ 4.3 [RCW 36.70A.020(1), (3), (11), (12)]; Shoreline PFR ¶ 3.2 [36.70A.010, 36.70A.020(3), (11)], 3.3 [36.70A.020(12)], 3.7 [36.70A.020(9)], 3.8 [36.70A.020(3)]; Save Richmond Beach PFR ¶ 7 [36.70A.010, 36.70A.020(3), (11)], 11 [36.70A.020(12)], 13 [36.70A.020(9)]. **Shoreline IV:** Woodway PFR ¶ 4.3 [RCW 36.70A.020(1), (3), (11), (12)]; Shoreline PFR ¶ 3.1 [36.70A.010, 36.70A.020(3), (11)], 3.2 [36.70A.020(12)], 3.3 [36.70A.020(9)], 3.4 [36.70A.020(3)]; Save Richmond Beach PFR ¶ 3.1 [36.70A.010, 36.70A.020(3), (11)], 3.2 [36.70A.020(12)], 3.3 [36.70A.020(9)], 3.4 [36.70A.020(3)].

providing further public notice or an opportunity to provide comment?⁹ If so, are the ordinances invalid?

V. SEPA

8. Did Snohomish County fail to comply with SEPA where the SEIS prepared for the project: 1) considered only the “do nothing” and high-density “Urban Center” alternatives;¹⁰ 2) failed to identify the specific units of local government that would provide essential services to an Urban Center at Point Wells;¹¹ 3) failed to address the significant probable adverse impacts and required mitigation for existing essential services in Shoreline, including emergency services, transportation, and parks;¹² and 4) failed to address how greenhouse gas emissions and climate change impacts from an Urban Center at Point Wells would be mitigated?¹³

9. **[SHORELINE IV]** Was the County’s SEPA review process inconsistent with its Comprehensive Plan policies and in violation of RCW 36.70A.140, .040(4) and .120 in that the County adopted a SEPA review process for the Urban Center zoning district for Point Wells without a non-project EIS, an action inconsistent with and failing to implement LU Policy 5.B.12 and in violation of the early and continuous public participation contemplated by requiring the EIS as a planning tool?¹⁴

10. **[SHORELINE IV]** Did the County fail to comply with SEPA by issuing a DNS that 1) failed to identify the specific units of local government that would provide parks, police, fire and emergency services to an Urban Center at Point Wells; and 2) failed to address probable significant adverse impacts requiring an EIS under RCW 43.21C.030(2)(c) (including inadequate police, fire and emergency medical response to support projected growth, impacts to parks in Shoreline, and implementation of transportation projects in Shoreline to mitigate projected growth without interlocal agreements or development agreements for such projects), and the impacts are different than those addressed in the 2005 GMA Comprehensive Plan Update EIS or the 2009 SEIS for Point Wells? ¹⁵

⁹ **Shoreline III:** Save Richmond Beach PFR ¶ 20. **Shoreline IV:** Save Richmond Beach PFR ¶ 3.9.

¹⁰ **Shoreline III:** Shoreline PFR ¶ 3.11; Save Richmond Beach PFR ¶ 18.

¹¹ **Shoreline III:** Shoreline PFR ¶ 3.12.

¹² **Shoreline III:** Shoreline PFR ¶ 3.13.

¹³ **Shoreline III:** Save Richmond Beach PFR ¶ 19.

¹⁴ **Shoreline IV:** Shoreline PFR ¶ 3.7; Save Richmond Beach PFR ¶ 3.7.

¹⁵ **Shoreline IV:** Shoreline PFR ¶ 3.5, 3.6; Save Richmond Beach PFR ¶ 3.5, 3.6.