Town of Beaux Arts Village

REVISED COMPREHENSIVE PLAN

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INTRODUCTION

The Town of Beaux Arts Village, Washington, a fourth class town incorporated in 1954, is bordered on the north, south, and east by the City of Bellevue, and on the west by Lake Washington. It is more particularly described by the comprehensive plan map. The Town contains only private and Town owned parcels of real estate.

HISTORY

Historically the roots of Beaux Arts Village can be traced to the Society of Beaux Arts, a "school of every art and craft," which was established "to develop art and its appreciation here in the Northwest." From members of the Society came the idea of starting an art colony where they could live and work together. Three members, Frank Calvert, Alfred Renfro, and Finn Frolich, signed the document incorporating the Western Academy of Beaux Arts (WABA) in 1908. They purchased a 50-acre tract of forestland, setting aside ten acres in the center for sketching grounds, workshops, cricket, and a tennis court and for healthful recreation by members of the Beaux Arts Society. Membership certificates were available for \$200 and were valid for a \$250 deduction on the price of a lot. Frank Calvert deeded 1167 feet of Lake Washington waterfront, a four-foot strip of land on the south boundary of the Village and a two-foot strip on the north boundary of the Village to WABA. He retained title to the central ten-acre "Atelier Square."

During the depression of the 1930's Calvert sold "Atelier Square" to WABA in order to finish paying off the loan on the 50 acres. Later, the Academy forfeited the property for back taxes. In the early 40's the Beaux Arts Water District purchased the land from the county and sold it for homesites, abandoning the original plan for a communal art center.

To protect the community beach and its contribution to the life of the Village, in 1952, Judge Storey Birdseye, then a Village resident, proposed to his fellow residents that they consider incorporation. The City of Bellevue was expanding rapidly and Beaux Arts residents wanted to guarantee that they would not be annexed. The Village was then incorporated in 1954 as the Town of Beaux Arts Village with 304 residents. A mayor/town council form of government was established. The WABA remained a private corporation, owning the beach and its access roads.

CHARACTER OF THE COMMUNITY

The Town of Beaux Arts Village occupies a unique position south of downtown Bellevue. Despite close proximity to Seattle and Bellevue, it provides a tranquil, forest-like setting for single-family homes and has no commercial development within its borders. Located two miles from the rapidly growing urban business center in Bellevue to the north, a half-mile from I-90 freeway access to Mercer Island and Seattle on its southern border, Beaux Arts maintains a high quality living environment enhanced by trees, unhurried traffic, accessibility to Lake Washington and an internally governed community.

Due to the increasing encroachment of Bellevue's commercial community, Beaux Arts is pressured by the rezoning of nearby areas to allow multiple family, commercial, and industrial park use. It faces heavier traffic, security problems, increasing pollution, and the disappearance of open space and low-density housing in south Bellevue.

Since the growth of Bellevue potentially impacts the quality of life of Beaux Arts' residents, it is all the more important that development in Beaux Arts continues in the form

of single-family homes. Emphasis will continue to be placed upon privacy, concern for neighbors, adequate open space, avoidance of crowding, and coordinated development to encourage community cooperation and maintain community character. Ordinances designed to maintain these qualities are appropriate and in keeping with the intent of this Plan. One of the rules the founders stated, "No person shall be allowed to cut or injure any tree, shrub, or other natural growth of any description unless it be on property he has contracted to purchase." This attitude has prevailed so that now a notable amenity of the Town is the mature stand of evergreen and deciduous trees on all property within its boundaries. Ordinances preserving this tradition continue to be appropriate. To complement the wooded environment, open spaces, which provide light and air, should be maintained.

THE ROLE OF BEAUX ARTS

This section reviews the role of Beaux Arts in relation to the State Planning Goals and Countrywide Planning Policies.

State Planning Goals

The State's Growth Management Act sets out thirteen statutory goals. The legislation mandates inclusion of five basic plan elements and associated information requirements that are to guide development of comprehensive plans to meet the identified goals. For a community's plan to be valid it must be consistent with the requirements of the Act, and consistency, in this context, means that a plan must not conflict with the statutory goals, countywide policies and plans of adjacent jurisdictions.

The thirteen statutory goals are as follows:

- 1) Guide urban growth to areas where urban services can be adequately provided;
- 2) Reduction of urban sprawl;
- 3) Encourage efficient multi-model transportation
- 4) Encourage the availability of affordable housing to all economic segments of the population;
- 5) Encourage economic development throughout the state;
- 6) Assure private property is not taken for public use without just compensation.
- 7) Encourage predictable and timely permit processing;
- 8) Maintain and enhance natural resource-based industries;
- 9) Encourage retention of open space and development of recreational opportunities;
- 10) Protect the environment and enhance the State's quality of life;
- 11) Encourage the participation of citizens in the planning process;
- 12) Ensure adequate public facilities and services necessary to support development;
- 13) Identify and preserve lands and sites of historic and archaeological significance.

Beaux Arts is a small, developed residential community. Beaux Arts represents less than 0.02% of the population and 0.01% of the land area of King County. The Town cannot increase its land area since it is bordered by Lake Washington and the City of Bellevue. The population is forecasted to remain stable over the next twenty years. Urban facilities and services are in place and there are adequate water, sewage and drainage systems to meet the foreseeable needs of a stable population. There is no business district and there is no land on which a business district might develop.

Consequently, there are few actions the Town could take that would be in conflict with the goals of the Act. Since there are no large tracts of undeveloped land, Beaux Arts would not be contributing to urban growth, sprawl, or inappropriate economic development. There are no resource lands to protect and no real threat to individual property rights. The Town has historically imposed strict environmental controls through SEPA, its Shoreline Management Program, Site Development Ordinance process, and the enactment of a Sensitive Areas Ordinance. Active citizen participation has been a key feature in the review of this plan and development proposals in the Town.

County Planning Goals

Similarly, actions taken by the Town are likely to have little impact on planning issues within King County. The Countywide Planning Policies, updated in August 2000, are aimed at more effective use of existing urban land and coordinated development of rural lands. The goal is to establish higher density urban centers within the County and promote infill development to accommodate new growth so that remaining rural and resource land may be preserved.

The eight major areas of concern addressed by the Countywide Policies include the following:

- 1) Protection of environmentally Critical Areas;
- 2) Promoting an efficient and rational land use pattern, with specific emphasis on resource lands, rural areas, continued growth in existing urban areas, establishing urban and employment centers, and urban growth outside of identified centers;
- 3) Creating an efficient and responsive multi-modal transportation system;
- 4) Preservation of community character and public open spaces;
- 5) Providing accessible affordable housing opportunities;
- 6) Assuring contiguous and orderly development with adjacent jurisdiction;
- 7) Provisions for the siting of public capital facilities of a countrywide or statewide nature:
- 8) Promote economic development strategies that further the overall land use goals and encourage the analysis of fiscal impacts.

With the absence of any major employers or commercial districts, Beaux Arts does not contribute a significant amount of traffic to the regional transportation system. Beaux Arts supports development of an improved regional transportation system and encourages residents to utilize the public transit that is available to the community. To help insure that there are housing opportunities, the Town contains lots in a variety of sizes and allows reasonable improvements of nonconforming structures and accessory living quarters. Most permits take fewer than eight weeks to process. The Town's land use pattern is consistent with that of the surrounding neighborhoods.

Beaux Arts' size and lack of land precludes it from becoming an urban center and makes siting of major public capital facilities and engaging in economic development activities an impossibility.

Beaux Arts recognizes its place in a larger regional community where collective decisions are necessary to protect and enhance the quality of life. The Town will continue to involve itself in regional issues and, to the extent that it can, participate in their resolution.

1. LAND USE

1.1 Existing Conditions

The Town of Beaux Arts Village covers an area of 50 acres and is completely developed as a small, residential community. The following table summarizes land use within the Town.

LAND USE INVENTORY

LAND USE	ACRES
Single family	35.65
WABA Property	4.72
(including beach)	
Water Tower	.08
Rights-of-Way	9.55
Vacant	.00

1.2 Residential

Historically the Town of Beaux Arts Village has been a single-family neighborhood. Land use regulations prior to 1954 consisted of deed restrictions and resolutions adopted by the Western Academy of Beaux Arts, a privately owned non-profit corporation established in 1908. Since 1954 the property within the Town has been regulated by ordinances of the Town, consistent with original deed restrictions and with the Revised Code of Washington (RCW).

Minimum lot size within the Town was established by ordinance at 10,000 square feet. Lots range in size from 4,800 square feet to 32,000. The average lot size is currently 12,000 square feet. Building density averages 3.3 dwelling units per net acre.

To maintain Beaux Arts' desirability, and its residential character, an emphasis upon community spirit and quality of life should be perpetuated. Significant features of the community including the small size and walking scale of the Town, a limited street grid and narrow streets, an emphasis upon beauty and respectful individualism in building and landscaping, requirements for off-street parking, limitations of the water supply, and the need to contract for police and fire services and provide access for emergency equipment; all dictate the advisability of retaining at a minimum the current lot size and land use restrictions.

1.3 Land Other than Residential

1.3.1 Town-owned property

Town owned land includes the following:

- (a) the property occupied by the water tower on the eastern end of SE 27th Street, block 11, lot 5 (deed has reverter clause which returns property to WABA if not used for water); and,
- (b) rights-of-way on both developed and undeveloped Village streets.

1.3.2 Town rights-of-way

The Town rights-of-way vary in width from twenty to sixty feet. Some are paved and some remain unpaved. The paved portions of the roads deviate from a consistent center of the dedicated right-of-way and are maintained primarily by property owners with the

cooperation of the Town. Safety and aesthetics are the primary guidelines in their maintenance.

1.3.3 WABA property

The Western Academy of Beaux Arts continues as a non-profit organization and owns the following properties:

- (a) Beachfront: The 1167 feet of Lake Washington waterfront located on the western boundary of the Village;
- (b) Access roads to the beach;
- (c) Block 7, lot 1, located just east of the well, and;
- (d) The 4.5' strip of land on the south boundary of the Village and a 2.5' strip on its north boundary.

WABA is treated as a property owner by the Town, and all ordinances apply to WABA properties.

1.4 Subdivision and Platting

As the Town moves toward the maximum density permitted by its zoning regulations, the restraints imposed by the Town's setback and lot coverage restrictions and street design standards become increasingly significant. Compliance with and enforcement of these restrictions and standards is crucial if the Town is to maintain its individualistic character and integrity.

1.5 The Beach

The beach, owned by the Western Academy of Beaux Arts (WABA), is a prime asset for the members of the Academy. It is governed by the Board of Trustees of WABA and maintained through the efforts of that Board and the members. Ordinances of the Town affect the beach just as they affect and govern other private properties within the boundaries of the Town.

The original deed from Frank Calvert to WABA contained restrictions on the use of the shorelines so that commercial activities could not be conducted on this land. On September 6, 1972, Ordinance 81 was passed that classified the "real property of ...(WABA)...as Open Space Land." Ordinance 81 defined this Open Space as being "the western portion (westerly approximately one hundred feet or more) of the Town of Beaux Arts Village abutting upon the eastern shore of Lake Washington, together with those corridors for access to such land,"... "set aside for preservation as recreational land." Then to be consistent with the intent and requirements of Washington State's Shoreline Management Act of 1971, a significant ordinance, No.89 was passed on December 18, 1973. This ordinance established a Master Program "To be carried out *ad infinitum...* to preserve, to protect, and to maintain the existing recreational element, the environment of the shorelines and its esthetic and natural amenities" including picnic grounds, tennis court, boat docks, swimming beach, playfield, and children's play area. The continuance of the beach under private ownership and its status as a recreational Open Space is consistent with historic precedent.

1.6 Population

At the time of incorporation Beaux Arts had a population of 304 people. The 2000 Census established there were 307 people in the Town. In fact, the Town's population has fluctuated around the 300 mark since 1954.

2. TRANSPORTATION

Issues relative to transportation in Beaux Arts primarily concern road surface maintenance. Considering that there is no significant through arterial traffic in the Town and no substantive increase in population the level of traffic is forecasted to remain essentially the same. Additionally, there will be no new roads constructed.

The most recent six-year Transportation Improvement Program (TIP) adopted in 2004 outlines street improvements to take place through 2010. All improvements consist of resurfacing existing roadways. There are eight such projects identified in the TIP.

2.1 Street Grid

The designated arterial, $104^{th}/105^{th}$ Avenue SE, carries the major amount of traffic through the Town. METRO Transit utilizes this roadway and a sidewalk borders its edge on the east side. Only the western half of the other arterial, 108^{th} Avenue SE, passes through the Town, but the entire arterial provides access to the Town and adjacent residential neighborhoods in Bellevue.

Street patterns allow access to homes from the east, north, and south, but cross streets are kept narrow and have traffic control devices (e.g. speed humps) to discourage through traffic, prevent excess speeds, and increase pedestrian safety.

2.2 Level of Service

Level of Service (LOS) measures the ease of traffic flow along streets and through intersections. A classification system based on a six-tiered rating system has become an industry standard and is in use by virtually all jurisdictions in the county. At one end of the scale, 'A', traffic flows unimpeded with almost no congestion or significant waiting times at intersections. At the other end of the scale, 'F', motorists experience long waits, slow flows, and gridlock.

All of the streets within Beaux Arts and all of those in the near vicinity of the Town are operating at an LOS of 'A', according to Bellevue's Transportation Division. In an effort to be consistent with regional standards and with the adjacent City of Bellevue the Town has established the following LOS standards for its street system for the next twenty years.

108th Avenue SE - LOS D
104/105th Avenue SE - LOS B
All other town streets - LOS A

2.3 Street Design Standards

As a supplement to this Comprehensive Plan the Town may establish standards for streets within the Village indicating maximum/minimum widths for access roads, drainage, quality of roadbed, etc.

2.4 Landscaping in Street Rights-of-Way

The design objective is to maintain the natural, low-density appearance of the Town. The primary concern of the Town is for the safety of pedestrian, bicycles and motorized traffic. Aesthetic considerations in planting, pruning, and replacement of trees and foliage in the rights-of-way must be a joint concern of the Town and adjacent property owners. Efforts are being made to encourage the use of native species and eliminate noxious weeds (ivy).

2.5 Limited Driveways/Private Lanes

The number of driveways and private lanes accessing the narrow Village streets and the arterial should be minimized to reduce traffic congestion and retain the continuity of the landscaping.

2.6 Sidewalks and Paths

Sidewalks are maintained on the east side of the arterial (104th/105th Avenue SE). Paths connect various portions of the Village on unimproved but dedicated street ends. These paths are maintained for the convenience and safety of pedestrians, but by consensus are the joint responsibility of adjacent property owners and the Town.

2.7 Public Transportation

The continuation of public transportation by METRO is essential to provide convenient access to urban centers for the Town's residents. Buses regularly run north and south throughout the Town on the arterials. The location and condition of bus stops will be reviewed periodically by the Town engineer and Council to insure consistency with street design standards and convenience.

3. HOUSING

3.1 Existing Conditions

Housing in Beaux Arts consists solely of single-family residences. The 2000 Census identifies 124 dwelling units within the Town. As stated earlier there are a variety of lot sizes, ranging in size from 4,800 square feet up to 32,000 square feet. There are several accessory units that have been grandfathered as an allowed use. Housing availability is primarily a function of the market forces that have been affecting the entire region.

To assure the continuance of housing choices the Town allows the construction and reconstruction on all existing lots in accordance with the Town's ordinances. Lot size contributes to the measure of affordability and the smaller lots in Beaux Arts provide a measure of affordability within the community. Similarly, those accessory units that exist in the Town are allowed to be maintained and upgraded to modern standards. The Town will encourage retention of these units to the extent that it can in the face of the realities of the market.

3.2 Affordable Housing

The King County Comprehensive Plan, adopted February 12, 2001, recognizes the need for interjurisdictional cooperation and public/private partnerships to address the full range of critical housing needs within the County. Beaux Arts' effort to meet that need is evident in the Town's allowance for continuation of existing accessory building units and the Town's monetary contribution to ARCH, A Regional Coalition for Housing.

ARCH is a consortium of all cities on the Eastside that pool resources for the development of affordable housing within the community. The Town reaffirmed its commitment to the program by endorsing the most recent ARCH Work Program and Administrative Budget. In addition, funds for the ARCH Housing Trust Fund were specifically allocated to the Kirkland Interfaith Transitional Housing four-plex project. ARCH provides the opportunity to respond to the need for affordable housing with a regional, action-oriented program.

4. CAPITAL FACILITIES

Capital facilities are made up of both physical infrastructure and municipal services and include a sewer system, water system, and roads (included in the Transportation Element). Since there is no land available for development, there are no planned increases in the size of existing capital facilities. Capital expenditures will be made specifically for upgrade and maintenance of existing facilities.

4.1 Water

Water is supplied by a well located in the northwest corner of Town. The Town operates this well and maintains the community's water delivery system.

A Certificate of Water Rights was issued to the Town of Beaux Arts Village (#GI-23795C) on March 13, 1981 for municipal supply rate at a rate of 150 gallons per minute not to exceed 100 acre-feet per year. The average annual water consumption from the production well is about 8.9 million gallons (33 acre-feet per year). A test of the well was conducted in May 1994. The results indicate that the well has not suffered any loss of efficiency or depletion of the aquifer. The Town will continue to periodically test the well to assure adequate water supply is available to Town residents. The Town's water system is able to access Bellevue's system on an as-needed basis.

4.2 Sewer Service

Sewer service is provided by the City of Bellevue. Bellevue does not keep separate use records for the Town, but the Bellevue Public Works Department has estimated sewage flow of Beaux Arts residents based on per capita use data compiled in Bellevue's sewage comprehensive plan. The average use per person is estimated by the City of Bellevue at 25,639 gallons per year within Bellevue's service area. All residences in Town are connected to the system. Sewer service will continue to be provided by the City of Bellevue. Growth in demand elsewhere in the Bellevue Sewer District could affect future rates to Beaux Arts customers.

4.3 Municipal Services

Municipal services for the purpose of this plan include police and fire protection. Fire protection is provided under contract by the City of Bellevue. The Town will monitor any timely fire protection services. Police protection is provided under contract by King County. Police protection will continue to be provided by the King County Sheriff. The Sheriff's Office has sufficient manpower to continue to make this service available to the Town.

4.4 Schools

Schools serving the Beaux Arts community are all part of the Bellevue School District. There are no schools located within the Town. The school age population for Beaux Arts is forecasted to remain stable, with fluctuations associated with the normal family life cycles.

5. UTILITIES

Utilities in Beaux Arts are made available by private providers and include electricity, telephone service, natural gas, cable television, and solid waste and recycle collection.

5.1 Electricity

Electricity is provided by Puget Sound Energy (PSE) to private and public customers. An average residential customer in the PSE service area uses an estimated 16,456-kilowatt hours per year. Electricity will continue to be provided by PSE. Current use and the forecasted minimal fluctuations in the Town's population represent a small demand on PSE's overall system and there appears to be enough capacity to meet the Town's foreseeable needs. This could be affected by increased regional demand in the future.

5.2 Telephone

Telephone service is provided to Beaux Arts customers by a variety of residential and cellular service providers.

5.3 Natural Gas

Natural gas service is provided to Town residents by Puget Sound Energy (PSE), which is a regulated company. Natural gas will continue to be provided by PSE. Beaux Arts customers represent a small demand on the overall system and there appears to be adequate capacity to continue to serve the Town's residents.

5.4 Waste

Solid waste and recyclables collection is provided to Beaux Arts residents through a franchise agreement with Rabanco/Eastside Disposal Company. Solid waste and recycle collection will continue to be provided by Rabanco/Eastside Disposal. Residents are encouraged to recycle. Beaux Arts participates with other small communities in the City of Bellevue's recycling programs to allow residents the opportunity to dispose of hazardous materials in a convenient and safe manner.

5.5 Cable Television

Cable television is provided by Comcast under a franchise agreement with the Town. Cable service will continue to be provided by Comcast. Satellite service is available on an individual basis.

5.6 Internet Service

A variety of service providers offer residents the ability to connect to the Internet.

None of the above providers maintain major facilities such as transmission lines, substations, switching stations, pumping stations, etc. within the Town boundary. All utility facilities are in the form of distribution lines serving individual residences and are all located within the public rights-of-way. Rights-of-way are depicted on the Land Use map. Capacities are sufficient to meet the needs of a stable population.

REVIEW POLICIES

Criteria for Comprehensive Plan Map Amendments

The following are criteria that should be used when contemplating Comprehensive Plan Amendments:

- 1) Change in state law impacting the Comprehensive Plan.
- 2) Change in goals as expressed by a consensus of the citizens
- 3) Demonstrated need to modify the current form of community management.

Criteria for Reviewing Land Use Issues and Public and Private Project Proposals

The Town may be faced with land use issues and other project proposals that should be viewed using the following criteria:

- 1) Conformity to present ordinances.
- 2) Conformity with the Comprehensive Plan.
- 3) Positive and negative impacts in the following areas:
 - Traffic
 - Density
 - Environmental preservation
 - Preservation of amenities traditionally a part of Beaux Arts Village
 - Self-sufficient basis for community management
 - Scale
 - Security
 - Pollution and other health factors
 - Costs and benefits to community
 - Availability of non-impact alternatives
 - Individual property values
 - Community property values

Protection of the Environment

The Washington State Growth Management Act requires that jurisdictions identify and formulate policies to protect critical areas within their borders. Critical areas are defined as wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat areas.

In 1992, the Town commissioned a survey to classify and identify geologically hazardous areas and the aquifer recharge area from which Beaux Arts obtains its water. *Classification and Identification of Critical Areas With Beaux Arts Village, Washington*, November 1992, Shannon & Wilson, Inc. is incorporated as part of this Comprehensive Plan.

Ordinances dealing with land use within the Town are regularly reviewed by town officials to ensure their consistency with the State Environmental Policy Act. This compliance is mandatory but emphasizes the Town's concern with the preservation and nurture of the environment.

Criteria Established to be used in Review of Public Facilities and Services Proposed by King County and Other Agencies (State, Federal and Local)

In case of review of public facilities and services proposed by King County and other agencies, the following criteria should be used

- 1) Security
- 2) Adverse effect on property values

- 3) Safety
- 4) Impact of traffic
- 5) Direct need of Village residents
- 6) Impact on entrances to Town
- 7) Disruption of traffic grid
- 8) Noise, air, water pollution
- 9) Strain on volunteer structure of community
- 10) Deforestation

Criteria Established for reviewing proposed municipal annexations, incorporations, and special purpose district comprehensive plans and boundary changes

In reviewing proposed municipal annexations, incorporations, and special purpose district comprehensive plans and boundary changes, the following criteria should be used:

- 1) The direct need of Village residents for the proposed plan.
- 2) The impact upon residents with regard to the traditional amenities addressed in the comprehensive plan.
- 3) Health and environmental factors
- 4) Costs and benefits to the community
- 5) Impact upon property values
- 6) Available alternatives
- 7) Security of citizens

SUMMARY

This Comprehensive Plan is to be read in conjunction with (1) Beaux Arts' land use and building standards ordinances, (2) the official land use map incorporated by reference herein, (3) the Shoreline Management Master Program and (4) the Open Space ordinance. All of the above are available in the Town Clerk's office.

This plan is not intended to be static but should be reviewed periodically and revised when necessary. The Town's Planning Commission in cooperation with the Council should carry out a detailed review of this plan as necessary or a minimum of every seven years as required by the Growth Management Act.

This plan represents a distillation of thoughts from the Town Council, the Planning Commission, and Town residents with professional input from other small cities and their plan. Because of its history, its character, and its unique position in the metropolitan complex, Beaux Arts represents a special living opportunity in the Puget Sound area. If the intent of this plan is fulfilled, the quality of life enjoyed by Beaux Arts residents today shall be preserved for future generations.