

Planning Commission Meeting Date: November 21, 2019

Agenda Item: 6a

**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** 2019 Comprehensive Plan Amendments Public Hearing Continuation

**DEPARTMENT:** Planning & Community Development

**PRESENTED BY:** Steven Szafran, AICP, Senior Planner  
Nora Gierloff, Planning Manager

Public Hearing  
 Discussion

Study Session  
 Update

Recommendation Or  
 Other

**INTRODUCTION**

This is a continuation of the public hearing held on October 17, 2019. Tonight's meeting provides an opportunity for the public to give additional comments and testimony to the Commission and provides the applicants an opportunity to justify their Comprehensive Plan amendments to the Commission before a recommendation is forwarded to City Council.

The staff report and analysis of the proposed Comprehensive Plan amendments below are the same as presented to the Commission on October 17. The link to all public testimony from October 17 can be found here:

<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14020/182?toggle=allpast>.

The State Growth Management Act, chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to once a year with limited exceptions. To ensure that the public can view the proposals within a citywide context, the Growth Management Act directs cities to create a docket that lists the CPAs to be considered in this "once a year" review process.

The Planning Commission has held three study sessions throughout 2019 to discuss the CPAs listed in the 2019 Comprehensive Plan Docket (2019 Docket, see **Attachment A**). The study sessions are listed below and include a link to each of the staff reports.

- February 7, 2019 – Planning Commission Discussion on the proposed 2019 Comprehensive Plan Docket. The staff report for this item can be found here: <http://www.shorelinewa.gov/home/showdocument?id=42358>

Approved By:

Project Manager



Planning Director



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- August 1, 2019 –First Planning Commission Discussion on the proposed Comprehensive Plan Amendments. The staff report for this item can be found here: <http://www.shorelinewa.gov/home/showdocument?id=44644>
- September 5, 2019 –Second Planning Commission Discussion on the proposed Comprehensive Plan Amendments. The staff report for this item can be found here: <http://www.shorelinewa.gov/home/showdocument?id=44894>

### **BACKGROUND**

Proposed amendments are collected throughout the previous year with a deadline of December 1<sup>st</sup> for public and staff submissions to be considered in the following year. The Docket establishes the amendments that will be reviewed and studied by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan.

The proposed docket for the 2019 CPAs was introduced to the Commission on February 7, 2019. The staff report and attachments can be found here: <http://www.shorelinewa.gov/home/showdocument?id=42358>.

The Council discussed the proposed docket on March 18, 2019. The staff report and attachments can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport031819-8a.pdf>.

The Council adopted the Final Docket on April 15, 2019. The staff report and attachments can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport041519-8a.pdf>.

The Council reconsidered the Final Docket on June 3, 2019 to remove Amendment #3 which was amending the Fircrest Land Use Designation and Concurrent Rezone of a portion of the Fircrest Campus. The staff report and attachments can be found here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport060319-8c.pdf>.

### **2019 CPA DOCKET ANALYSIS**

#### **Amendment #1**

*Change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and change the Zoning from Residential, 8 units/acre (R-8) to Community Business (CB) of Two Parcels at 1510 and 1517 NE 170<sup>th</sup> Street.*

#### **Description:**

This is a privately-initiated amendment that seeks to change the Land Use Designation and zoning of two parcels located at 1517 and 1510 NE 170<sup>th</sup> Street from Medium

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Density Residential (MDR) to Mixed-Use 2 (MU2) and rezone the property from Residential, 8 units/acre (R-8) to Community Business (CB) to be consistent with the requested change to the land use designation.

The applicants for this amendment, Joseph and Melissa Irons, have been operating a remodeling and construction services office at 1510 NE 170<sup>th</sup> Street since 2008, however the use is not allowed in R-8 zoning. They have elected to request a Comprehensive Plan amendment to change the land use from Medium Residential to Mixed-Use 2 and a concurrent rezone from R-8 to Community Business with the goal of allowing continued operation of the business at this location. The applicants have also purchased the property at 1517 NE 170<sup>th</sup> Street with the intent of using the site for residential dwellings and storage, including vehicles for Irons Brothers Construction. This site is also zoned R-8, and the applicants are including this property in their request. The site is located between existing commercial uses that front 15<sup>th</sup> Avenue NE to the west and a single-family neighborhood to the east.

Land Use Policy 2 (LU2) in the Comprehensive Plan is as follows:

*The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

The subject parcels at 1517 and 1510 NE 170<sup>th</sup> Street are zoned R-8 to implement Policy LU2. The R-8 zone allows for a mix of single-family homes, duplexes, triplexes, townhomes, and community facilities. The R-8 zone does not permit general retail trade/services or office uses, which best describe the current and proposed uses at 1517 and 1510 NE 170<sup>th</sup> Street.

The proposed land use and zoning are described below.

Land Use Policy10 (LU10) in the Comprehensive Plan is as follows:

*The Mixed-Use 2 (MU2) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses. It does not allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.*

General retail trade/services or office uses are permitted in the CB zone. The subject properties also border CB zoned property to the west.

This amendment dominated the discussion and comment portion of the Planning Commission's February 7, 2019 meeting. Seventeen (17) people spoke during the public comment portion of the meeting and the Commission received over 50 comment letters. Comments from the public were mostly in opposition to the application and included concerns about commercial zoning and commercial land uses creeping into residential neighborhoods, the applicant's business being a violation in an R-8 zone,

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employee traffic and the parking of commercial vehicles in the neighborhood, and hours of operation and noise in a residential zone. Some supportive comments about the application included the business owners as valued members of the community, the Irons Brothers being a reputable business to work for and appreciation for the quality of their remodeling work. Written comments can be reviewed at the following link: <http://www.shorelinewa.gov/Home/Components/Calendar/Event/13986/182?toggle=allpast>.

Oral comments provided at the February 7, 2019 meeting are reflected in the minutes of that meeting found at the following link:

<http://www.shorelinewa.gov/Home/ShowDocument?id=43010>

and the video of that meeting, which can be viewed at the following link:

<http://www.shorelinewa.gov/government/departments/planning-community-development/planning-commission/live-and-video-planning-commission-meetings>.

This amendment also produced substantial public comment, both written and oral, for and against, at the March 18, 2019 discussion session on the 2019 Docket before the City Council. Written comments can be reviewed at the following link:

<http://www.shorelinewa.gov/government/council-meetings/public-comment/public-comment-document-library/-folder-4835>

### Staff Analysis:

As stated in SMC 20.30.340, a Comprehensive Plan Amendment is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, to respond to changing circumstances or needs of the City.

In addition to changing the land use designation, to accomplish the applicants' goal a concurrent rezone has been requested. As stated in SMC 20.30.320, a rezone is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.

The applicants' responses to the decision criteria for both the Comprehensive Plan Amendment and Concurrent Rezone are included as **Attachment B and C**. Staff has reviewed the applicants' responses and analyzed the request to change the land use and zoning of the properties at 1510 and 1517 NE 170<sup>th</sup> Street. Staff responses and analysis are presented below for each criterion.

- **Comprehensive Plan Amendment Criteria**

Pursuant to SMC 20.30.340(B), the Planning Commission may recommend, and the City Council may approve, or approve with modifications, an amendment to the Comprehensive Plan if:

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### 1. *The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.*

- **Growth Management Act**

The applicant does not address consistency with the Growth Management Act. Staff does not find the proposed amendment to be wholly consistent or inconsistent with the thirteen (13) planning goals of the State's Growth Management Act (GMA). The proposed amendment is partially consistent with Goal 5 of the GMA:

*(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities. [underline added]*

The proposed Comprehensive Plan land use change would “promote the retention and expansion of existing businesses” but does not satisfy other portions for this goal such as being consistent with the Comprehensive Plan land use designation of Medium Density Residential.

- **King County Countywide Planning Policies**

The applicant does not address consistency with the King County Countywide Planning Policies. The staff review of the proposed amendment to change the Comprehensive Plan land use designation on two parcels from Medium Density Residential to Mixed-Use 2 found that the King County Countywide Policy Urban Lands partially supports and in some areas conflicts with the following King County Countywide policies as follows:

*DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:*

- *Directing concentrations of housing and employment growth to designated centers;*
- *Encouraging compact development with a mix of compatible residential, commercial, and community activities;*
- *Maximizing the use of the existing capacity for housing and employment;*  
*and*

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- *Coordinating plans for land use, transportation, capital facilities and services. [underline added]*

The proposed land use change of 1517 and 1510 NE 170<sup>th</sup> Street would encourage compact development with a mix of residential and commercial activity, however it is subjective as to whether the development is compatible. The planned Medium Density Residential land use designation envisioned a residential buffer between the commercial uses in the Community Business zone and the single family uses in the R-6 zone. The proposed land use for 1517 and 1510 NE 170<sup>th</sup> Street creates capacity instead of maximizing existing capacity since the properties are currently zoned R-8 and do not allow for the employment provided at the Irons Brothers Construction office.

*EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs. [underline added]*

*DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.*

Changing the land use of 1517 and 1510 NE 170<sup>th</sup> Street to allow for the existing business to remain would allow for the reuse of an existing building and promote the mix of uses in the neighborhood. However, this is inconsistent with existing plans and design processes that envisioned these parcels to be used for Medium Density Residential land uses.

*DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.*

Changing the land use of 1517 and 1510 NE 170<sup>th</sup> Street would foster infill development. It is subjective as to whether infill development at this location would be compatible with the existing or desired urban character of the neighborhood. Mixed-Use 2 allows for a wide variety of residential, commercial, office and mixed uses. Some of these uses may not be compatible with existing or desired urban character. The current land use pattern envisions a gradual zoning buffer between the Community Business zoned properties to the west and the R-6 properties to the east.

*H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.*

The proposed land use of 1517 and 1510 NE 170<sup>th</sup> Street is not consistent with King County Countywide Planning Policy H-12. The proposal does not protect or promote the health and wellbeing of residents. The existing land use and zoning is more aligned with policy H-12 by providing a buffer

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between the commercial uses in the Community Business zone and the low-density residential uses in the R-6 zone.

- **City of Shoreline Comprehensive Plan**

Staff agrees that proposed Comprehensive Plan land use map changes are consistent with the City's Comprehensive Plan goal and policies cited by the applicants:

*Goal LU1 Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

*Land Use Policy 7 promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and "third places"; and*

*Land Use Policy LU10: The Mixed-Use 2 (MU2) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses. It does not allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.*

Other goals and policies that should be considered as part of the proposed land use change for 1517 and 1510 NE 170<sup>th</sup> Street include:

*Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.*

Staff does not find that the proposed land use change for 1510 and 1517 NE 170<sup>th</sup> Street would enhance the character, quality and function of the neighborhood at this time. There are only five parcels located parallel to 15<sup>th</sup> Avenue NE planned and zoned for commercial uses along a three block stretch from NE 172<sup>nd</sup> to NE 169<sup>th</sup> not including the parcels adjacent to the intersection of 15<sup>th</sup> Avenue NE and NE 175<sup>th</sup> Street (location of Safeway and Postmark apartments). In the future, as the North City neighborhood grows, there may be more community interest in expanding and enhancing commercial uses on 15<sup>th</sup> Avenue NE. 1510 and 1517 NE 170<sup>th</sup> Street currently provide an additional 70 feet of medium density land use between the low-density land use neighborhood to the east and the commercial land use to the west.

*Goal LU VII: Plan for commercial areas that serve the community, are attractive, and have long-term economic vitality.*

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Adding parcels to increase the depth of MU-2 designation in this area has the potential to aid in the redevelopment, expansion and increased economic vitality of commercial, mixed use and multifamily residential uses in this neighborhood. However, the full range of uses permitted in implementing zoning district does not guarantee the uses would serve the community.

*LU15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.*

The proposed land use change from Medium Density Residential to Mixed-Use 2 will not reduce impacts to the single-family neighborhood. The existing mixed-use, apartments and the construction office/showroom have generated only a few complaints related to spill over parking, traffic and lighting. However, the Mixed-Use 2 land use category would allow more intense redevelopment of the two parcels having the potential to increase traffic, noise and glare.

*ED7: Enhance existing neighborhood shopping and community nodes to support increased commercial activity, neighborhood identity, and walkability.*

The Comprehensive Plan speaks of enhancing existing neighborhoods, encouraging walkability, and reducing impacts to single-family neighborhoods. The City's economic development goals and policies focus on supporting local and home-based businesses and enhancing Shoreline's existing commercial areas. The Comprehensive Plan does not have goals directed to creating more commercial areas especially directly adjacent to existing single-family neighborhoods.

**2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.***

The proposed amendment does not address changing circumstances, changing community values, or correct information contained in the Comprehensive Plan. The amendment is seeking to make an existing use that is not permitted in the zone a permitted use to allow an established business to continue operation and can expand at that location. Based on public comment to date, the community has expressed value in having a buffer between the single-family neighborhood to the east of 15<sup>th</sup> Avenue NE. The community is concerned about the level of redevelopment that could occur on the two parcels beyond the current uses should the property be rezoned to Community Business. The parcels in question are a few blocks south of the area included in the North City Subarea Plan.

**3. *The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.***



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When considering the community this request to change the land use of two parcels to allow an existing business provides Shoreline residents with a modest benefit by providing local remodeling services and some local employment. The proposed amendment would not adversely affect community facilities, public health, safety or the general welfare of the community.

- **Rezone Criteria**

Pursuant to SMC 20.30.320(B), the City may approve or approve with modifications an application for a rezone of property if:

1. ***The rezone is consistent with the Comprehensive Plan.***

The rezone to CB is not currently consistent with the Comprehensive Plan. The existing Land Use Designation is Medium Density Residential and the current zoning of R-8 is consistent with this designation. If the request to change the land Use Designation to Mixed-Use 2 is approved, the requested CB zoning will be consistent.

2. ***The rezone will not adversely affect the public health, safety or general welfare.***

A rezone to CB has the potential to adversely affect the public health, safety, or general welfare of the surrounding neighborhood by intensifying land uses and activities occurring adjacent to single-family zoning and uses. The CB zone allows several commercial uses that have the potential to affect the general welfare of the surrounding neighborhood. Commercial uses can increase traffic to and from the site by employees, contractors, clients, and deliveries. Outside storage may create unsightly conditions for surrounding neighbors. Increased lighting, especially for security, has the potential to impact the neighborhood. Parking has the potential to spill over onto neighborhood streets if the onsite parking spaces are at capacity.

3. ***The rezone is warranted to achieve consistency with the Comprehensive Plan.***

This rezone is not warranted to achieve consistency with the Comprehensive Plan. The requested CB zoning is not consistent with the Comprehensive Plan Land Use designation of Medium Density Residential. If the request to change the land Use Designation to Mixed-Use 2 is approved, the requested CB zoning would be warranted.

4. ***The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.***

The rezone has the potential to be materially detrimental to uses or property in the immediate vicinity of the subject rezone. Most of staff's concerns are addressed under Rezone Criteria #2 above. However, the rezone has the potential to block sunlight and reduce privacy to the single-family homes to the

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east and to the north if the subject properties redevelop with higher structures. Any new structure built in the requested CB zone is required to comply with SMC 20.50.021, transition areas, which requires a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone.

In addition, parking has the potential to spill-over onto neighborhood streets if the required parking spaces onsite are insufficient. Since the site includes both apartments and a contractor's office/showroom, the site will have to accommodate tenant parking, employee parking, construction vehicles, and client parking. If construction equipment is stored on the site, the act of loading and unloading the equipment can create noise especially in the morning that can negatively impact residential neighbors.

For comparison, staff identified and studied areas within the City where single family residential zones abut commercial zones. The City has very few areas where CB is directly adjacent to R-8 zoning. This is mainly due to the City having very few areas of R-8 zoning, therefore staff included areas of R-6 adjacent to Community Business and Mixed-Business zones in these examples. Staff has provided a series of maps where R-6 or R-8 zoning is adjacent to the CB and MB zones (**Attachment D**). It should be mentioned that most of the zoning was carried-over from King County and the City did zone these areas to create this development pattern. Staff has provided a pro and con argument for rezoning to CB of the two subject parcels below.

Some field observations of these areas identified in the **Attachment D** include large commercial structures adjacent to single-family homes with no landscaping buffer especially between newer commercial structures (building bulk is imposing on the SFR property), noise from adjacent commercial uses (especially those business fronting Aurora Avenue North), and mature landscaping (older homes and older commercial structures typically have bigger and more established landscape buffers and trees that block most of the view between uses).

Staff recognizes the potential issues when commercial uses are adjacent to single-family homes. The City has made efforts to transition and buffer residential uses from new commercial structures and uses through provisions in the Development Code such as SMC 20.50.021 – Transition areas, SMC 20.50.450 through 520 – Landscaping, and SMC 20.50.530 through 620 – Signs.

The City's Customer Response Team (CRT) fields calls from concerned residents when commercial uses and associated activities with those businesses spill-over into the adjacent residential neighborhoods. Most of these calls that the CRT responds to are about noise from adjacent businesses, security lighting that shines onto residential property, dumping of trash, and parking that spills onto residential streets from adjacent businesses. Staff has made field visits to the areas where single-family homes (R-6 and R-8) are adjacent to commercial zoning (primarily Community Business zones but also areas of Mixed Business).

**Pros for rezoning 1510 and 1517 NE 170<sup>th</sup> to CB**

Rezoning the subject parcels to CB will allow the applicant to operate and expand their business into the future. The CB zone is one of two zones that will allow the applicant's business to continue without modification. A CB zone will allow their contractors office/showroom, outside and indoor storage, and vehicle storage. The applicants will still be subject to zoning regulations in terms of required parking spaces, hardscape, landscaping, lighting, and signage. As demonstrated by **Attachment D**, there are many parcels of single-family residential homes (R-6 and R-8) that are adjacent to CB and MB zones. The city has had very few complaints filed with the CRT from issues stemming from established commercial uses adjacent to single-family neighborhoods. Most of the complaints taken by CRT are for illegal dumping, light shining on residential homes, parking of commercial vehicles on neighborhood streets, and commercial traffic on neighborhood streets. These issues are citywide and not specifically related to the subject parcels.

**Cons for rezoning 1510 and 1517 NE 170<sup>th</sup> to CB**

Rezoning the subject parcels to CB will allow the future development of more intense uses if the applicant has a change of plans for their business or the applicant decides to sell the parcels in the future. The City does not provide conditional rezones and cannot guarantee that the applicant's business will continue as is in the future. The CB zone allows a wide range of commercial uses in addition to multifamily housing up to 60-feet in height and density between 100-140 units per acre. The CB zone allows such uses as auto repair, brewpubs, restaurants, retail, medical offices, and nursing facilities. Even with the required setbacks, step backs and screening there is the potential for conflicts with the single-family neighborhood to the east regarding noise, off-site parking, outdoor lighting, traffic and litter when these types of commercial uses are located adjacent to single family homes. The City's CRT has received complaints from the adjacent single-family neighborhood about business uses at 1510 NE 170<sup>th</sup> and 1517 NE 170<sup>th</sup> related to parking spill over, lighting and traffic. The complaints regarding 1517 NE 170<sup>th</sup> were related to the auto repair and dance studio that were operated at this location by the previous property owner. These uses terminated with the sale of the property.

**5. *The rezone has merit and value for the community.***

The applicants have been operating a contractor's office at 1510 NE 170<sup>th</sup> Street for the past eight years and the only avenue to bring this business "as is" into complete conformance with the Shoreline Development Code is to rezone the property at 1510 NE 170<sup>th</sup> Street to CB. 1517 NE 170<sup>th</sup> Street would also need to be rezoned to CB to allow the expansion of the existing office/showroom across the street. The Comprehensive Plan includes policies that encourage retention and expansion of small businesses. This rezone has the potential to add value to the community by advancing those policies. The property at 1517 NE 170<sup>th</sup> Street is proposed to be used for material and vehicle storage which would be an expansion of the existing office at 1510 NE 170<sup>th</sup> Street.

### **Alternative Land Use Designation and Zoning**

Through the analysis of the applicant's request to amend the Comprehensive Plan Land Use to Mixed-Use 2 from Medium Density Residential and concurrently rezone 1510 and 1517 NE 170<sup>th</sup> Street from R-8 to Community Business, staff identified another option for the Commission's consideration. The Comprehensive Plan Land Use could be amended for 1510 and 1517 NE 170<sup>th</sup> Street from Medium Density Residential to High Density Residential. The Comprehensive Plan LU 3 states:

*The High-Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre.*

1510 and/or 1517 NE 170<sup>th</sup> Street could be concurrently rezoned to R-18 to be consistent with High Density Residential Comprehensive Plan Land Use. Professional Offices are a conditional use in the R-18 zone.

### **Comparing High Density Land Use and R-18 zoning to Mixed Use-2 Land Use and CB zoning**

A change to R-18 will allow a professional office with the approval of a Conditional Use Permit (CUP). The purpose of the R-18 zone, per SMC 20.40.00(C), is to provide for a mix of predominantly apartment and townhouse dwelling units and other compatible uses. The R-18 zone will allow for multifamily buildings up to 40-feet in height which is 20-feet less than the CB zone allows. Density is limited to 18 units per acre compared to the CB zone which has no density limit. In addition to the less intense zoning category, the City will have the authority to condition the applicant's CUP to assist in minimizing the potential impacts from the professional office to the adjacent neighbors or the surrounding neighborhood. If the applicant does not comply with the conditions set forth on their CUP application, the City can start enforcement actions which could result in fines and reversal of the CUP. The R-18 is also an appropriate zone to provide a transition between the commercial zoning and uses along 15<sup>th</sup> Avenue NE and the single family uses to the east.

However, a change to R-18 will not allow the applicant's business to continue without significant changes in operation. SMC 20.20.040 describes a Professional Office as an office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity. The applicant will be unable to store material outside, have onsite sales, or store commercial vehicles and equipment outside.

### **Planning Commission Options**

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The Commission can recommend approval or denial of the Comprehensive Plan amendment and concurrent rezone based on whether the applicants have met the criteria for both land use actions. The Commission could also decide to change the land use and zoning for only one of the parcels such as 1510 NE 170<sup>th</sup> Street to bring the existing office/showroom into compliance with adopted City plans and zoning and not change the land use and zoning for 1517 NE 170<sup>th</sup> Street which is owned by the applicant and has been identified as a location for expansion of Irons Brothers Construction office/showroom business.

### **Pros to Denial of Amendment #1**

The surrounding neighborhood can expect the two subject parcels to remain as R-8 and eventually redevelop with single family uses as the zoning allows.

### **Cons to Denial of Amendment #1**

The applicant must relocate to a site zoned either CB, MB, or TC or move to another jurisdiction. In addition, the existing structure at 1510 NE 170<sup>th</sup> Street is a four-plex which is a legal nonconforming structure in the Shoreline Development Code. Leaving the zoning as R-8 will allow a nonconforming structure to continue until redevelopment occurs.

### **Commission Comment:**

At the August 1<sup>st</sup> meeting, staff presented the Commission with alternatives to the applicant's requested land use designation and rezone amendment. One of those options was for staff to analyze a Comprehensive Plan Amendment to High-Density Residential and a concurrent rezone to R-18. Staff explained that a rezone to R-18 meets the goals and policies of the Comprehensive Plan and is a logical transition from the Community Business zoning to the west and the single-family uses to the east.

At the September 5<sup>th</sup> meeting, the Commission commented that the rezone to R-18 will not accommodate the applicant's business without significant changes and the request is not something the Commission would recommend to Council.

### **Staff Recommendation:**

Based on the analysis of the Comprehensive Plan Amendment Criteria, the rezoning criteria, and the goals and policies of the Shoreline Comprehensive Plan, Staff recommends denial of Comprehensive Plan Amendment #1.

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## **Amendment #2**

*Update Natural Environment Goal V to set local goals to reduce greenhouse gas (GHG) emissions in support of the Paris Climate Accord threshold to limit global warming to less than 1.5° C above pre-industrial levels.*

### **Description:**

This is a privately-initiated amendment (**Attachment E**) to amend Natural Environment Goal V, which currently states:

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*Protect clean air and the climate for present and future generations through reduction of greenhouse gas emissions, and promotion of efficient and effective solutions for transportation, clean industries, and development.*

The proposal submitted by the applicant below would amend Natural Environment Goal V to read:

*Protect clean air and the climate for present and future generations ~~through~~ reduction of by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels, and promotion of efficient and effective solutions for transportation, clean industries, and development.*

Staff recommends rephrasing the language slightly to be clearer that greenhouse gas emissions (GHG) themselves are not to be limited to a number of degrees, but that reducing local GHG emissions is the most effective contribution to the attempt to limit catastrophic levels of global warming. The staff proposal is as follows:

*Protect clean air and the climate for present and future generations through significant reduction of greenhouse gas emissions, to support Paris Climate Accord targets of limiting global warming to less than 1.5° C above pre-industrial levels. Local reduction targets will also and promotion of efficient and effective solutions for transportation, clean industries, and development.*

### **Staff Analysis:**

The proposed amendment is in response to recent Intergovernmental Panel on Climate Change (IPCC) reports showing the dire consequences of allowing global warming to increase higher than 1.5° C (2.7° F) above pre-industrial levels, as opposed to the previous target of limiting warming to 2° C (3.6° F).

Through adoption of the Climate Action Plan (CAP) in 2013, the City committed to reducing GHG emissions 80% by 2050 (80 x 50), 50% by 2030, and 25% by 2020, which is a target shared by King County and many of the cities in the King County-Cities Climate Collaboration (K4C). These targets were intended to support the goal of keeping global warming below 2° C. The 2016 Paris Climate Accord revised the target to 1.5° C based on updated scientific analysis that the lower threshold was necessary to prevent the most catastrophic impacts of the climate crisis.

A more ambitious target to limit global warming to below 1.5 degrees Celsius may necessitate revising the GHG emission reduction targets in the City's Climate Action Plan. This could be analyzed through the next update of the Climate Action Plan. This update is not currently programmed but should take place following a GHG Inventory in 2021 to assess how the City performed on its 2020 emission reduction target. More aggressive emission reduction targets would likely not change the types of activities that the City would pursue, but they may require a more proactive approach to implementing recommendations in the City's Climate Action Plan.

## 6a. Staff Report - 2019 Comprehensive Plan Amendments

Pursuant to SMC 20.30.340(B), the Planning Commission may recommend, and the City Council may approve, or approve with modifications, an amendment to the Comprehensive Plan if:

**1. *The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.***

- **Growth Management Act (GMA)**

Proposed Amendment #2 is consistent with the goals of the Growth Management Act. Amendment #2 is directly aligned with GMA Planning Goal #10 Environment – “Protect the environment and enhance the state’s high quality of life, including air and water quality, and the availability of water.” Implementation of many of the GMA Planning Goals, such as reducing urban sprawl, promoting growth in urban areas, retaining open space and encouraging multi modal transportation support the achievement of the proposed amendment to Comprehensive Plan Goal Natural Environment Goal V, which would set a more ambitious target to limit global warming to below 1.5 degrees Celsius.

- **King County Countywide Planning Policies**

Proposed amendment #2 is consistent with the King County Countywide Planning Policies and specifically aligns with the following policies:

EN-17 Establish a countywide greenhouse gas reduction target that meets or exceeds the statewide reduction requirement that is stated as the 2050 goal of a 50 percent reduction below 1990 levels.

EN-18 Reduce countywide sources of greenhouse gas emissions, compared to a 2007 baseline, by 25% by 2020, 50% by 2030, and 80% by 2050. Assuming 1% annual population growth, these targets translate to per capita emissions of approximately 8.5 metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) by 2020, 5 MTCO<sub>2e</sub>, and 1.5 MTCO<sub>2e</sub> by 2050.

- **City of Shoreline Comprehensive Plan**

Proposed amendment #2 is consistent with the City’s Comprehensive Plan and specifically aligns with the following policies:

LU59: Initiate public/private partnerships between utilities, and support research, development, and innovation for energy efficiency and renewable energy technology.

Goal NE V. Protect clean air and the climate for present and future generations through reduction of greenhouse gas emissions, and promotion of efficient and effective solutions for transportation, clean industries, and development.

## 6a. Staff Report - 2019 Comprehensive Plan Amendments

NE5. Support, promote, and lead public education and involvement programs to raise awareness about environmental issues; motivate individuals, businesses, and community organizations to protect the environment; and provide opportunities for the community and visitors to practice stewardship, and enjoy Shoreline's unique environmental features.

NE39. Support and implement the Mayor's Climate Protection Agreement, climate pledges and commitments undertaken by the City, and other multi-jurisdictional efforts to reduce greenhouse gases, address climate change, sea-level rise, ocean acidification, and other impacts of changing of global conditions.

NE40. Establish policy decisions and priorities considering long-term impacts on natural and human environments.

NE41. Lead by example and encourage other community stakeholders to commit to sustainability. Design our programs, policies, facilities, and practices as models to be emulated.

Staff cannot point to any specific goals or policies that Amendment #2 would be inconsistent with. However, there is the reality that to achieve the current Natural Environment Goal V or as proposed for amendment will require substantial changes in the energy we use, the transportation we choose, and the construction methods/materials allowed. This will likely necessitate policy adjustments and prioritization in the Land Use, Housing, Economic Development, Utilities and Transportation elements of the Comprehensive Plan to fully align. For example, motorized transportation is one of the major contributors to GHG emissions in the City. The Comprehensive Plan Transportation element aims to balance the needs of motorized transportation with the needs for non- motorized transportation. However, adoption of the amendment to Comprehensive Plan Goal Natural Environment Goal V may necessitate changes to Transportation Goals and Policies to even further prioritize non-motorized over motorized (pollution generating) options.

**2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.***

This amendment addresses changing circumstances. Through adoption of the Climate Action Plan (CAP) in 2013, the City committed to reducing GHG emissions 80% by 2050 (80 x 50), 50% by 2030, and 25% by 2020, which is a target shared by King County and many of the cities in the King County-Cities Climate Collaboration (K4C). These targets were intended to support the goal of keeping global warming below 2° C. The 2016 Paris Climate Accord revised the target to 1.5° C based on updated scientific analysis that the lower threshold was necessary to prevent the most catastrophic impacts of the climate crisis. This amendment seeks to align the City's goal with the more recent Paris Climate Accord scientific analysis.



**3. *The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.***

Amendment #2 is proposed to set a more ambitious goal to keep global warming below 1.5° C by significantly reducing local GHG emissions. The intent of this goal is to protect public health, safety and general welfare from the catastrophic impacts of global warming such as flood, famine, contamination of air and water, and habitat and species loss. Global warming also can impact community facilities negatively by fueling more frequent and severe natural disasters that can damage and destroy community facilities. Therefore, a goal to more dramatically reduce GHG emissions will benefit the community. Achieving this goal will require individuals, families and business owners/operators in the City to make changes in how we live and work largely related to transportation and energy.

**Commission Question:**

At the August 1<sup>st</sup> meeting, Commission requested additional information about this proposed amendment. Specifically, the Commission wanted to know what the implications are of recommending the proposed amendment language. Specifically, what are the cost/work load implications of adopting a 1.5°C limit as opposed to a 2°C limit.

It will take an enormous effort to meet either the 1.5°C or 2°C limit on global warming. Per a report from [the UW Climate Impacts Group \(page 7\)](#), “Limiting warming to 1.5°C can only be achieved if action is taken to reduce global CO2 emissions by about 45% from 2010 levels by 2030 and to ‘net zero’ by around 2050.” That report outlines the need for both steep, near-term reductions in emissions and significant CO2 removal – or negative emissions – after about 2050.

The City’s current goal to reduce [greenhouse gas emissions 80% by 2050](#), compared to a 2009 baseline, is based on the 2°C limit. The City’s ability to meet that goal requires both local actions/resources and regional, state and national standards/actions/resources. For example, the [Washington Clean Energy Transformation Act](#) signed by the Governor this spring will play an important role in helping communities access energy sources with fewer carbon emissions. For reference, from 2009 to 2016 – the date of our last GHG emissions inventory – Shoreline community emissions decreased by 2%.

The City does not currently have an analysis of what local actions or costs would be associated with the proposal below. However, the City is planning to complete a GHG emissions inventory in 2021 (using 2020 data), followed by an update to the [2015 Carbon Wedge Analysis](#) and the [2013 Climate Action Plan](#) for the City (both to be completed in 2021/2022). Staff anticipates that we’ll have a good sense of actions and potential costs at the conclusion of that work.

If Commission recommends approval and Council adopts this policy, here is how implementation will occur:

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- Because Council adopted a greenhouse gas (GHG) reduction target of 25% by 2020 through the 2013 Climate Action Plan (CAP), the City (specifically the new Environmental Services Coordinator) will perform an analysis in 2021. This GHG Emissions Inventory will determine how the City is doing on meeting current targets. The City is not currently on track to meet the 2020 target, but by 2030 some of the initiatives of recent years, including green building mandates and incentives, a new Aquatics Center, and light rail service will start to move the needle significantly.
- Following the 2021 GHG Emissions Inventory, the City will update the Climate Action Plan. Updating the CAP will include an analysis of how conditions have changed since 2013, incorporating the latest science and relevant (supportive and unsupportive) federal and state initiatives. Recommendations will focus on how to best evolve and meet the targets.
- Targets set in 2013 were based on limiting *global* warming to below 2°C (3.6°F), which was considered at the time to be the threshold for preventing the most catastrophic effects of the climate crisis. More recent scientific consensus is that the threshold is more like 1.5°C (2.7°F).
- The 2021 CAP update is the primary mechanism through which the new Comprehensive Plan policy would be analyzed and recommendations for implementation would be developed, prioritized, and adopted. Staff has just begun working on the update to the City's Comprehensive Plan with the completion of the Buildable Lands Analysis and review of the Puget Sound Regional Council's Draft VISION 2050. The City is on track for updating the Comprehensive Plan by June 2023.
- While the CAP offers recommendations, the City worked with Climate Solutions in 2015 to develop a Carbon Wedge Analysis (CWA), which provided a more in-depth understanding of exactly how to meet the targets. It is possible that the City will update the CWA following the update of the CAP.

### **Staff Recommendation:**

The carbon emissions reduction goals and policies have been a priority for the city for several years and have been in the Comprehensive Plan since 1998. The update and implementation of the Climate Action Plan, Green House Gas Emission Inventory, Carbon Wedge Analysis, and Comprehensive Plan are currently in the City's work plan and will further the City's goals of carbon reduction. For these reasons, staff recommends approval of Comprehensive Plan Amendment #2.

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### **Amendment #3**

*Amend Comprehensive Plan Policy LU2 to allow for professional offices in the R-8 and R-12 zones.*

**6a. Staff Report - 2019 Comprehensive Plan Amendments**

**Description:**

This amendment is related to Amendment #1. Initially, the applicants of Amendment #1 were given three options that potentially could allow for permitting an existing office, showroom, and remodeling and construction business at their current location. Option #2 on the City issued letter to the applicant on October 25, 2018 (**Attachment F**) suggests applying for a General Comprehensive Plan Amendment to change LU2, a Residential Land Use Policy in the Land Use Element of the City’s Comprehensive Plan to allow for professional office uses. The Policy could be amended as follows:

*LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

SMC 20.20.040 defines a “Professional Office” as: An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.

A concurrent amendment to SMC Table 20.40.130 Nonresidential Uses to permit a professional office in the R-8 and R-12 zoning districts subject to approval of a Conditional Use permit would also be needed. Allowing a professional office in the R-8 and R-12 zone would match the permitting requirements for the same use in the R-18 to R-48 zones.

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	RETAIL/SERVICE								
	<b>Professional Office</b>		<b>C</b>	C	C	P	P	P	P

**Staff Analysis:**

As stated in SMC 20.30.340, a Comprehensive Plan Amendment is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, to respond to changing circumstances or needs of the City.

- 1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.***

- Growth Management Act**

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The proposed amendment is partially consistent with Growth Management Act Planning Goal 5:

*(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

The proposed Comprehensive Plan amendment would encourage more opportunities for economic development in the city.

The proposed amendment is inconsistent with GMA Planning Goal 4:

*(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

The proposed amendment will allow existing housing stock to be converted into professional offices, reducing the available stock of homes for housing.

- **King County Countywide Planning Policies**

The staff review of the proposed amendment to change Land Use Policy LU2 found that the King County Countywide Policy Urban Lands partially supports and, in some areas, conflicts with the following King County Countywide policies as follows:

*DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:*

- *Directing concentrations of housing and employment growth to designated centers;*
- *Encouraging compact development with a mix of compatible residential, commercial, and community activities;*
- *Maximizing the use of the existing capacity for housing and employment;*  
*and*
- *Coordinating plans for land use, transportation, capital facilities and services. [underline added]*

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The proposed amendment would encourage compact development with a mix of residential and commercial activity, however it is subjective as to whether the development is compatible. The city has capacity for professional offices on land already zoned for that use.

*EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs.*

*DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.*

Allowing professional offices in the Medium Density Residential designation would allow for the reuse of existing buildings and promote the mix of uses allowed in neighborhoods around the city.

*DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.*

Allowing professional offices would foster infill development by allowing office uses within residential neighborhoods. It is subjective as to whether infill development would be compatible with the existing or desired urban character of the neighborhood.

*H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.*

The proposed amendment could protect or promote the health and wellbeing of residents. The professional office use is typically lower impact to adjacent neighbors since the uses are conducted indoors and outdoor storage and activities are prohibited.

- **City of Shoreline Comprehensive Plan**

The following Comprehensive Plan Goals and Policies are consistent with the proposed amendment:

*Goal LU1 - Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

*Land Use Policy 7 - promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and “third places”; and*

## 6a. Staff Report - 2019 Comprehensive Plan Amendments

*Goal LU V - Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.*

*Land Use Policy 5 - Review and update infill standards and procedures that promote quality development and consider the existing neighborhood.*

*Goal ED VI: Support employers and new businesses that create more and better jobs.*

*Goal ED VIII: Promote and support vibrant activities and businesses that grow the local economy.*

*ED13: Support and retain small businesses and create an environment where new businesses can flourish.*

The proposed amendment is not consistent with the following goals and policies:

*Policy CD4 – Buffer the visual impact on residential areas of commercial, office, industrial, and institutional development.*

The proposed amendment will allow office uses throughout residential neighborhoods increasing the impact between single-family homes and commercial uses.

*LU15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.*

Allow offices in the MDR designation will increase commercial traffic, parking, noise, lighting, and general activity in single-family neighborhoods.

**2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.***

The proposed amendment does not address changing circumstances, changing community values, or correct information contained in the Comprehensive Plan. The amendment will allow professional offices in single-family neighborhoods. Staff is not aware of any more demand for professional offices in residential neighborhoods. Alternatively, the city allows home-based businesses in single-family neighborhoods if the homeowner meets the criteria in SMC 20.40.400.

**3. *The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.***

The proposed amendment would not adversely affect community facilities, public health, safety or the general welfare of the community. Allowing Professional

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Offices in the MDR designation may cause additional traffic, parking, and general activity throughout a neighborhood but those factors can be mitigated through requirements in the Shoreline Development Code.

SMC 20.40.030(B) states the purpose of medium density residential, R-8 and R-12 zones, is to provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities in a manner that provides for additional density at a modest scale. Professional offices as well as all other commercial uses are not currently permitted in the R-8. The intent of the R-8 zone is primarily for higher density single family homes (5,000 sq. ft. minimum lot sizes), churches, schools, and daycares under certain conditions.

The City does not have a large area devoted to R-8 zoning. Only 44 acres of the city is zoned R-8 which is 0.6% of the City's total land area. The R-8 zone mostly provides a buffer between commercial zoning and single-family zoning or provides a buffer between Arterial Streets and single-family neighborhoods.

Even though professional offices are not allowed in the R-8 and R-6 zones, residents of the R-8 and R-6 zones can conduct business if they comply with the indexed criteria of a Home Occupation. These criteria include:

- A. The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit. Areas with garages and storage buildings shall not be considered in these calculations but may be used for storage of goods associated with the home occupation.
- B. In residential zones, all the activities of the home occupation(s) (including storage of goods associated with the home occupation) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s).
- C. No more than two nonresident FTEs working on site shall be employed by the home occupation(s).
- D. The following activities shall be prohibited in residential zones:
  1. Automobile, truck and heavy equipment repair;
  2. Auto body work or painting;
  3. Parking and storage of heavy equipment; and
  4. On-site metals and scrap recycling.
- E. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
  1. One stall for each nonresident FTE employed by the home occupation(s); and
  2. One stall for patrons when services are rendered on site.
  3. Parking for the vehicle(s) associated with the home occupation must be provided on site, in accordance with parking design standards and

## 6a. Staff Report - 2019 Comprehensive Plan Amendments

dimensional requirements under SMC 20.50.390, 20.50.410 and 20.50.420. Such parking spaces must be in addition to those required for the residence.

- F. Sales shall be by appointment or limited to:
1. Mail order sales; and
  2. Telephone or electronic sales with off-site delivery.
- G. Services to patrons shall be arranged by appointment or provided off site.
- H. The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
1. No more than two such vehicles shall be allowed;
  2. Such vehicles shall not exceed gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.
- I. The home occupation(s) shall not use electrical or mechanical equipment that results in:
1. A change to the fire rating of the structure(s) used for the home occupation(s), unless appropriate changes are made under a valid building permit; or
  2. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or
  3. Fluctuations in line voltage off premises; or
  4. Emissions such as dust, odor, fumes, bright lighting or noises greater than what is typically found in a neighborhood setting.
- J. One sign not exceeding four square feet may be installed without a sign permit. It may be mounted on the house, fence or freestanding on the property (monument style). Any additional signage is subject to permit under Chapter 20.50 SMC.
- K. All home occupations must obtain a business license, consistent with Chapter 5.05 SMC.

While a home occupation may not work for every type of business, they do provide an option if a homeowner wants to conduct a smaller scale business that can integrate into the neighborhood setting.

### **Commission Comment:**

The Commission commented at the August 1 and September 5<sup>th</sup> meetings that this amendment is unwarranted, it does not solve the need of the applicant, and will cause disruption throughout Shoreline's neighborhoods.



## **6a. Staff Report - 2019 Comprehensive Plan Amendments**

The Commission noted that the City currently allows home-based businesses and that home occupations allow residents the flexibility to run offices with less impact to the surrounding neighborhood than a traditional office will. The Commission also expressed concern that land intended for residential use will be converted to office use since it is often less expensive to buy residential land.

### **Staff Recommendation:**

Based on the Comprehensive plan Amendment Criteria and review of the proposed Development Code Amendment to add Professional Offices as a Conditional Use to the R-8 and R-12 zones, staff recommends denial of Comprehensive Plan Amendment #3.

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### **TENTATIVE TIMING AND SCHEDULE**

- Council Study Session on Proposed Docketed Comprehensive Plan Amendments – December 2, 2019.
- Council adoption of the Proposed Docketed Comprehensive Plan Amendments – December 9, 2019.

### **RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Approve amendment #2.
2. Deny amendments #1 and #3.

### **ATTACHMENTS**

Attachment A – 2019 Comprehensive Plan Docket

Attachment B – Irons Rezone Criteria

Attachment C – Irons Comprehensive Plan Amendment Criteria

Attachment D – R-6 and R-8 Zoning Adjacent to CB and MB Zoning

Attachment E – Keim Application

Attachment F – Irons Zoning Options Letter



## **2019 COMPREHENSIVE PLAN AMENDMENT DOCKET**

The State Growth Management Act generally limits the City to amending its Comprehensive Plan once a year and requires that it create a Docket (or list) of the amendments to be reviewed.

### **Final 2019 Comprehensive Plan Amendments**

1. Change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and change the Zoning from Residential, 8 units/acre (R-8) to Community Business (CB) of Two Parcels at 1510 and 1517 NE 170<sup>th</sup> Street.
2. Update Natural Environment Goal V by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels.
3. Amend Comprehensive Plan Policy LU2 to allow for professional offices in the R-8 and R-12 zones.

*Estimated timeframe for Council review/adoption: November 2019.*



## REZONE OF PROPERTY CRITERIA

### Planning & Community Development

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1. **Purpose:** A rezone is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.
2. **Decision Criteria:** The City may approve or approve with modifications an application for a rezone of property if:

- a. The rezone is consistent with the Comprehensive Plan;

*With the approval of the proposed Comprehensive Plan Amendment designating the parcels as Mixed Use 2, the proposed rezone to CB-Community Business will be consistent with the Comprehensive Plan.*

- b. The rezone will not adversely affect the public health, safety or general welfare;

*The proposed rezone will allow the existing uses to continue operating with no change to the current uses. The current uses do not adversely affect the public health, safety, or general welfare. The rezone simply expands the CB zoning from the west side of the relatively small parcels to the east side of the parcels.*

- c. The rezone is warranted in order to achieve consistency with the Comprehensive Plan;

*With the approval of the proposed Comprehensive Plan Amendment designating the parcels as Mixed Use 2, the proposed rezone to CB-Community Business will be consistent with the Comprehensive Plan.*

- d. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and

*The rezone will not be detrimental to the uses in the vicinity and allows the existing uses to continue as they do today. Future development of the parcels will be required to adhere to the transition requirements between commercial and residential zones.*

- e. The rezone has merit and value for the community.

*The rezone allows the existing business to operate as it has over the last 20 years. The owners, Melissa and Joseph Irons, are very involved and connected with the Shoreline Community, both personally and professionally. They have taken efforts to be good neighbors with the nearby properties.*



# AMENDMENT OF THE COMPREHENSIVE PLAN CRITERIA

## Planning & Community Development

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1. **Purpose:** A Comprehensive Plan amendment or review is a mechanism by which the City may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City, and to review the Comprehensive Plan on a regular basis.
2. **Decision Criteria:** The Planning Commission may recommend and the City Council may approve, or approve with modifications an amendment to the Comprehensive Plan if:
  - a. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or

*The proposed Comprehensive Plan Amendment is consistent with the Countywide and City policies since it is a small shift in the boundary of the Mixed Use 2 designation. The specific City goals and policies include the following:*

**Goal LU I:** *Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

**LU7:** *Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and “third places”.*

**LU10:** *The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.*

- b. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or

**2019 Comprehensive Plan Amendments - Att. C**

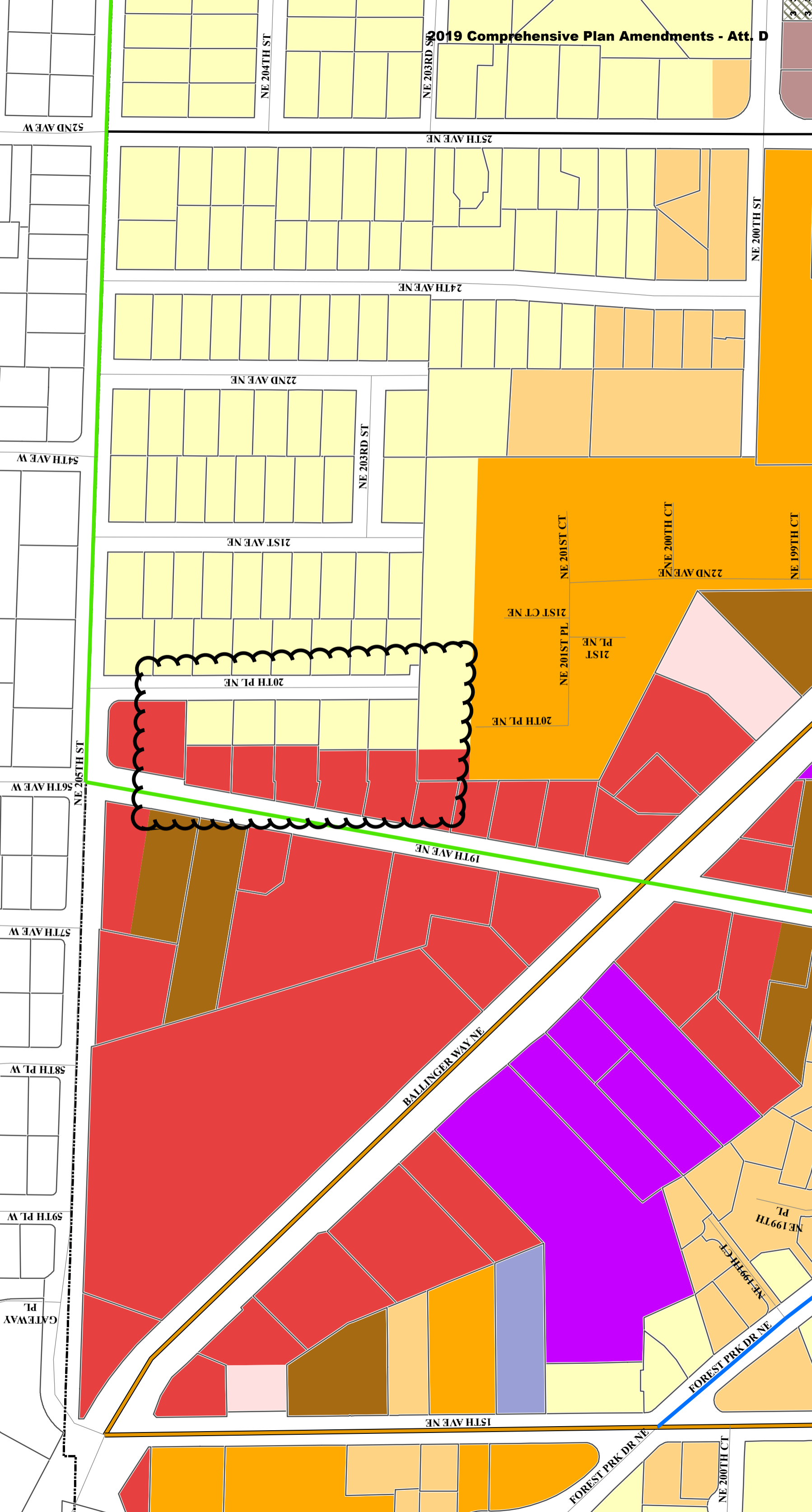
- c. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.

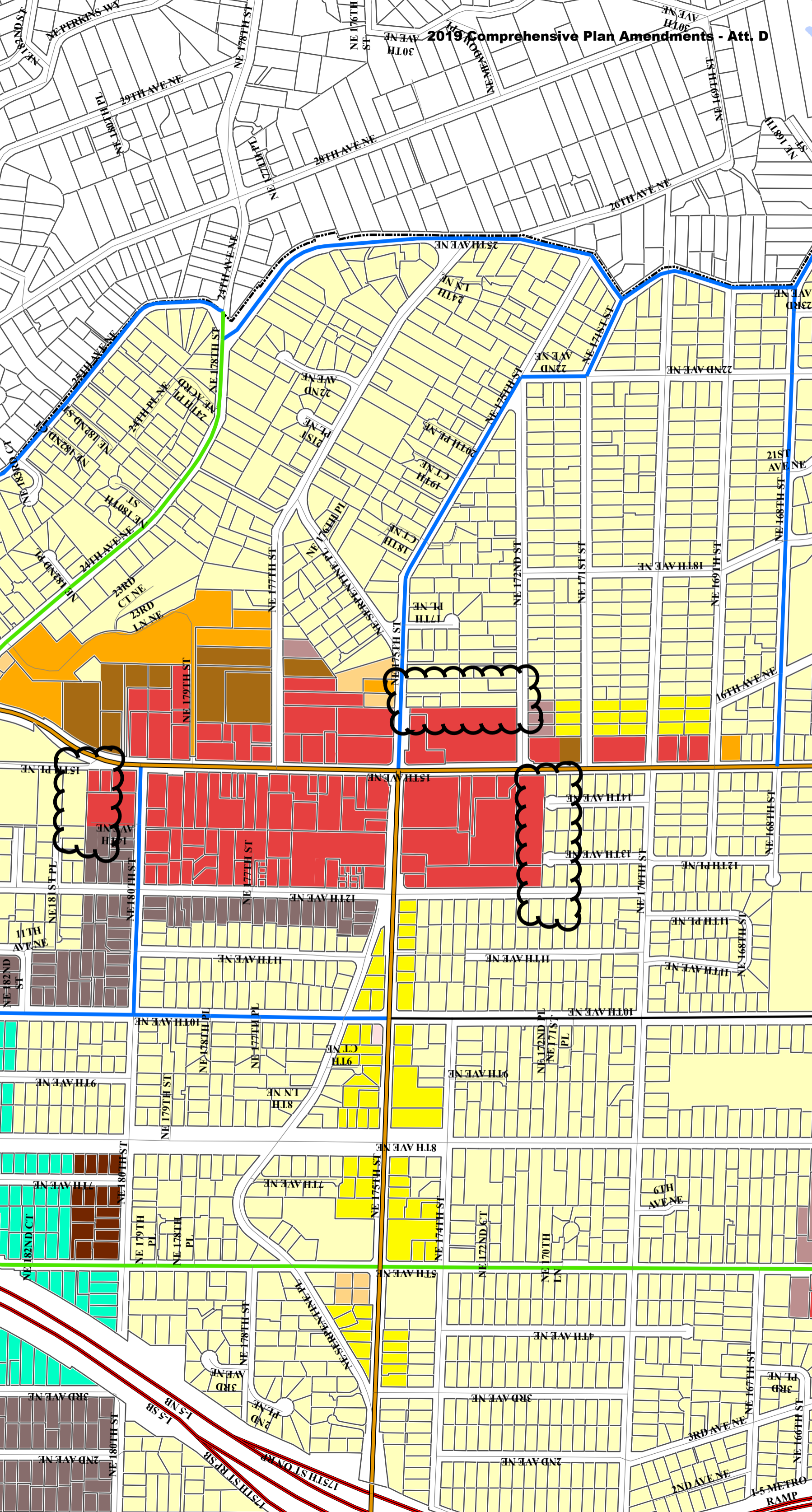
*The proposed Comprehensive Plan Amendment will benefit the community as a whole since it will slightly expand the CB-Community Business area which will allow commercial/office uses to provide services, goods, and jobs to be accessible to the residents of the City.*

*Since purchasing the property, we have only improved our properties to make our City and our neighborhood a more desirable place to call home. The current use of the site at 1510 NE 170<sup>th</sup> St. will continue as a mixed-use four-plex, with a business on the main floor and two residential apartment units above.*

*Over the last decade and prior to our purchase of the property in 2018, the site at 1517 NE 170<sup>th</sup> Street included a mix of uses including a dance studio, an auto mechanic, and rental units. It is currently being used as a garage with an ADU-Accessory Dwelling Unit and studio above the garage, along with a single-family residence which we currently have under construction and plan to use as a garage, storage building, and rental units.*

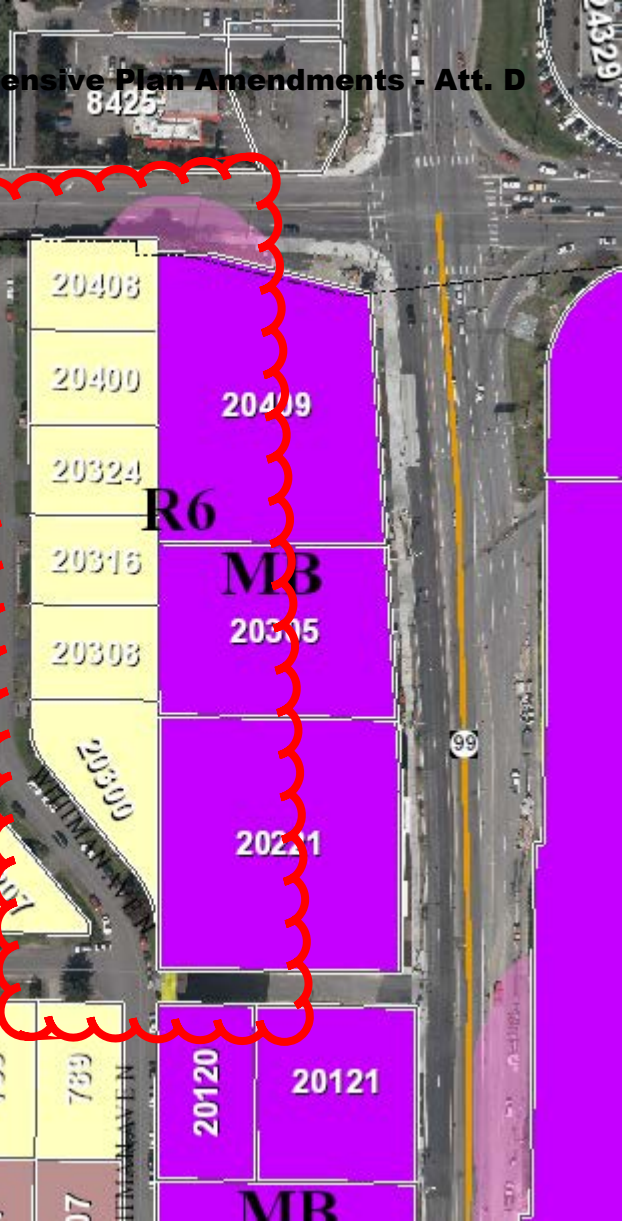
*The proposal will not affect current land uses on nearby or adjacent properties, nor do we have any intention of further development at the sites after the parcel is rezoned to CB-Community Business.*





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# 2019 Comprehensive Plan Amendments - Att. D



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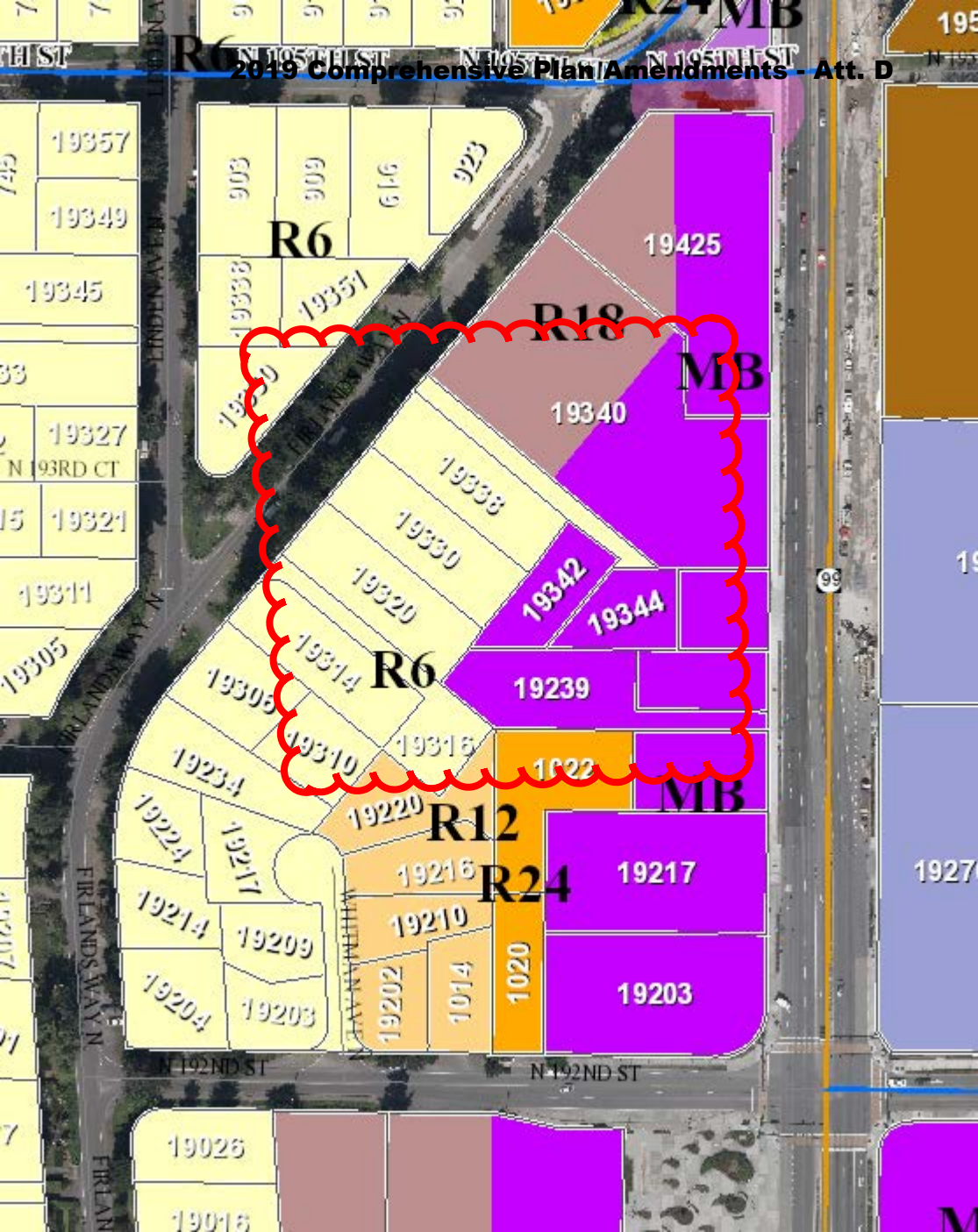
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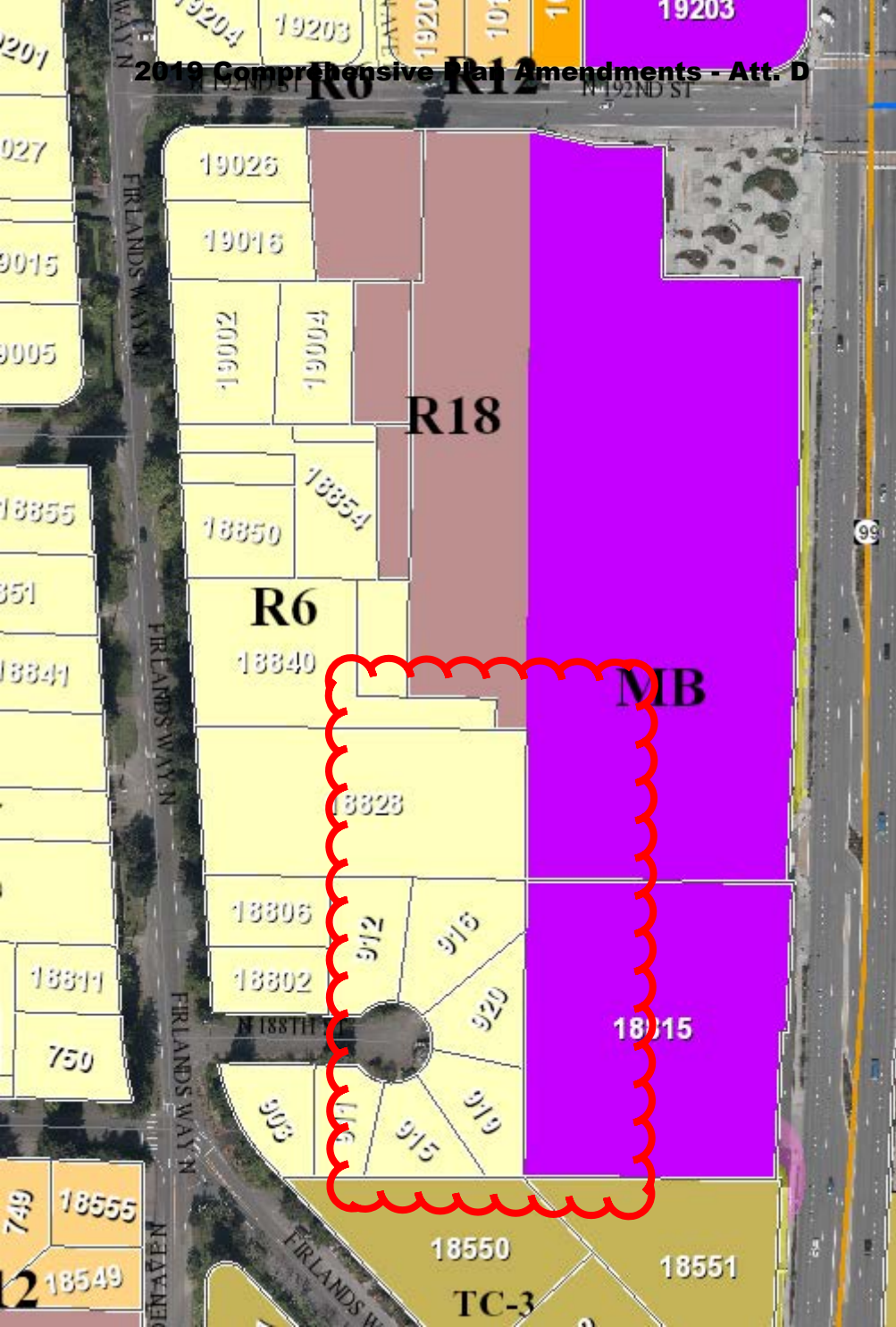
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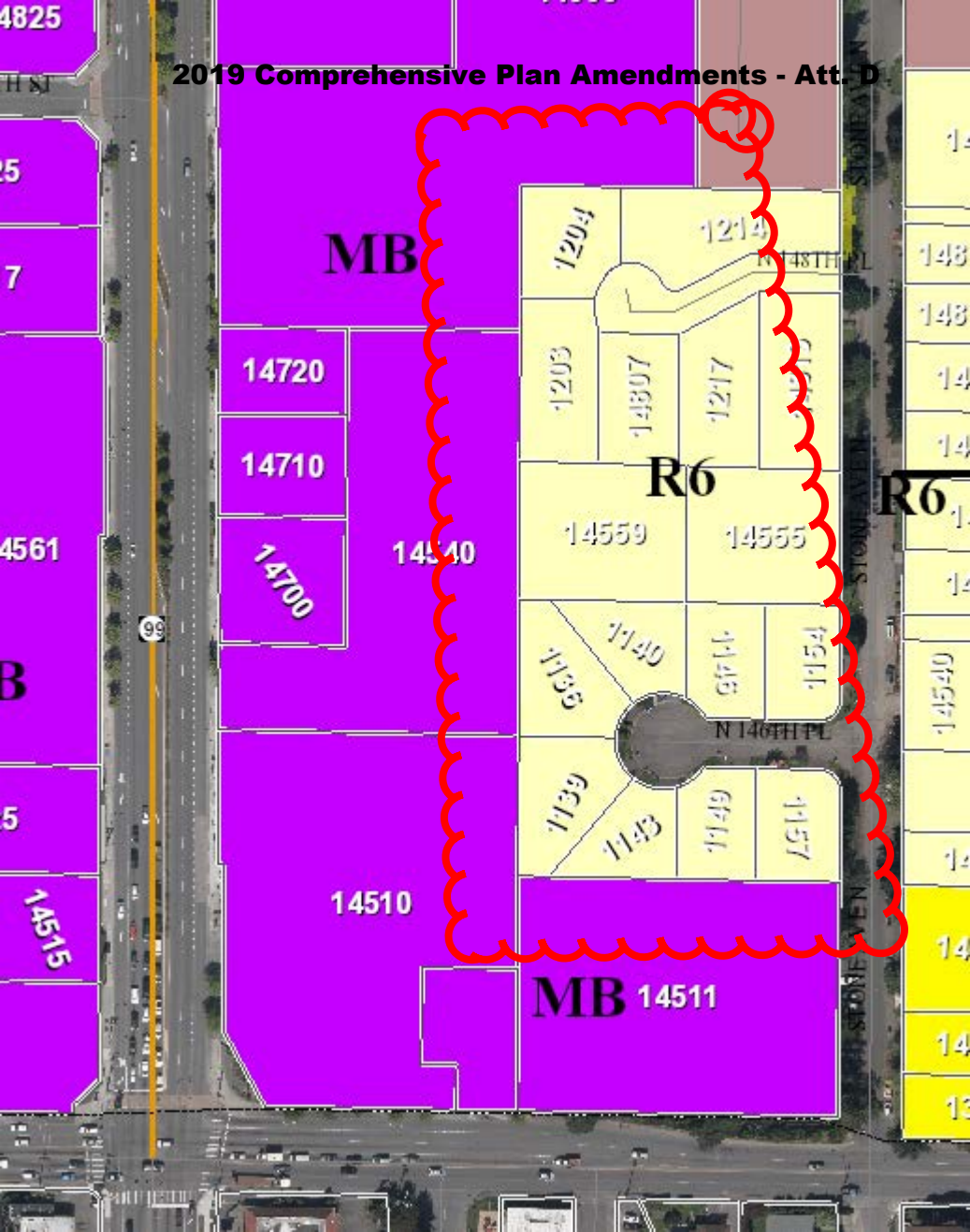
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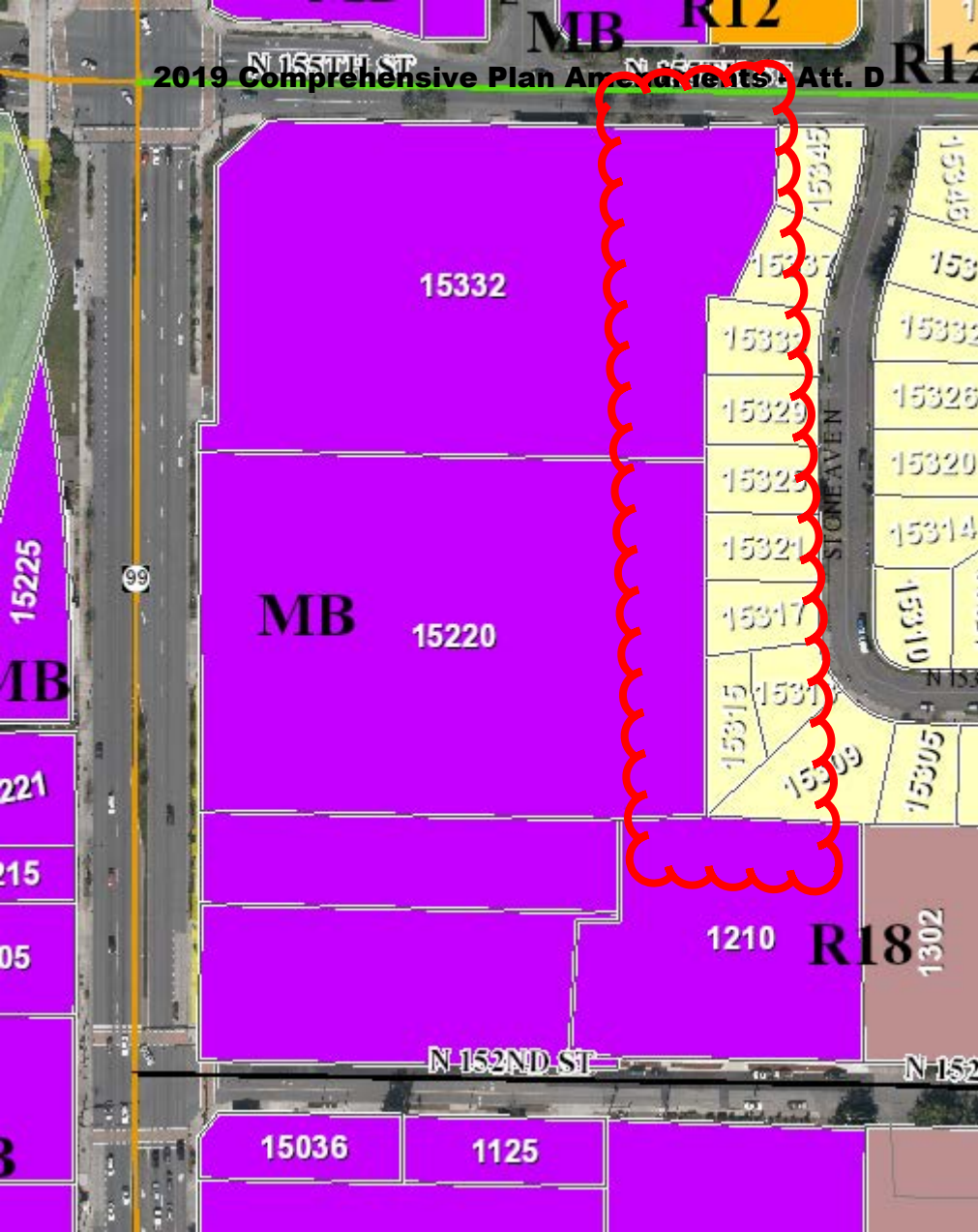






2019 Comprehensive Plan Amendments - Att. D





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SIGNEAVEN ST

N 152ND ST

**MB**

**R12**

**R12**

15225

**MB**

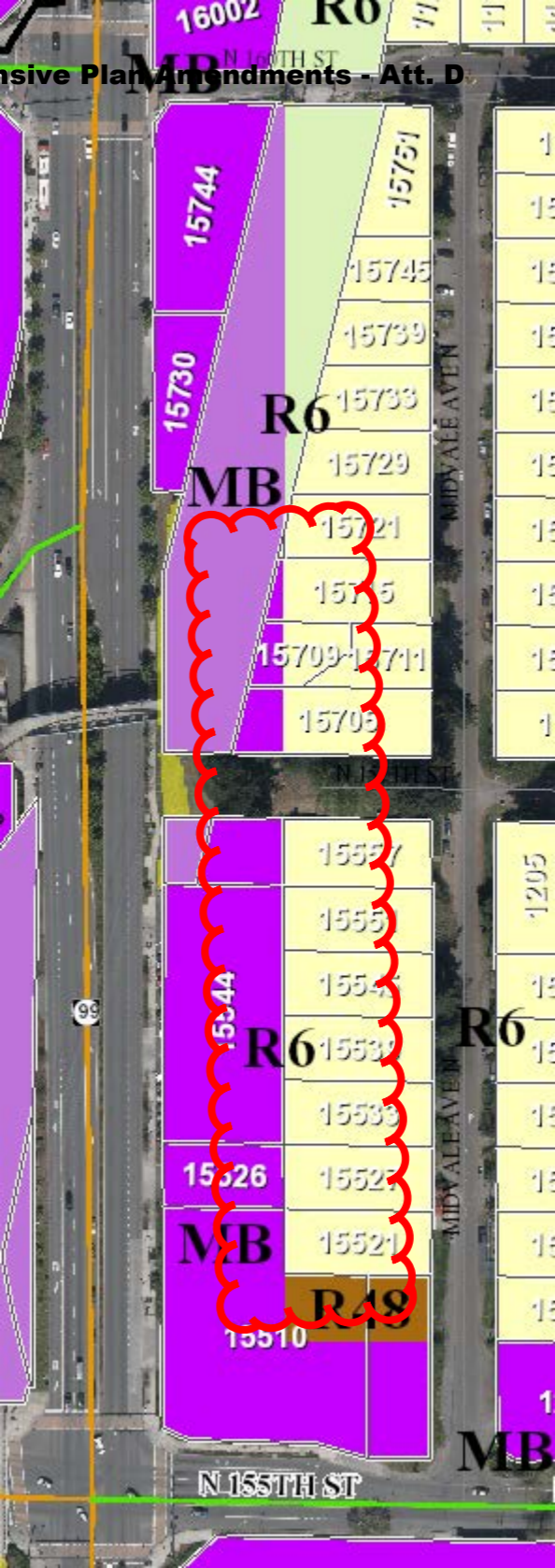
15221

15215

15205

**B**

Comprehensive Plan Amendments - Att. D



16002

R0

11

11

11

MB

N 160TH ST

15744

15751

15730

15745

15739

R6

15733

15729

MB

15721

15715

15709-15711

15708

MIDVALE AVENUE

99

15544

15527

15551

15545

R6

15537

15533

15526

15527

MB

15521

R48

15510

MIDVALE AVENUE

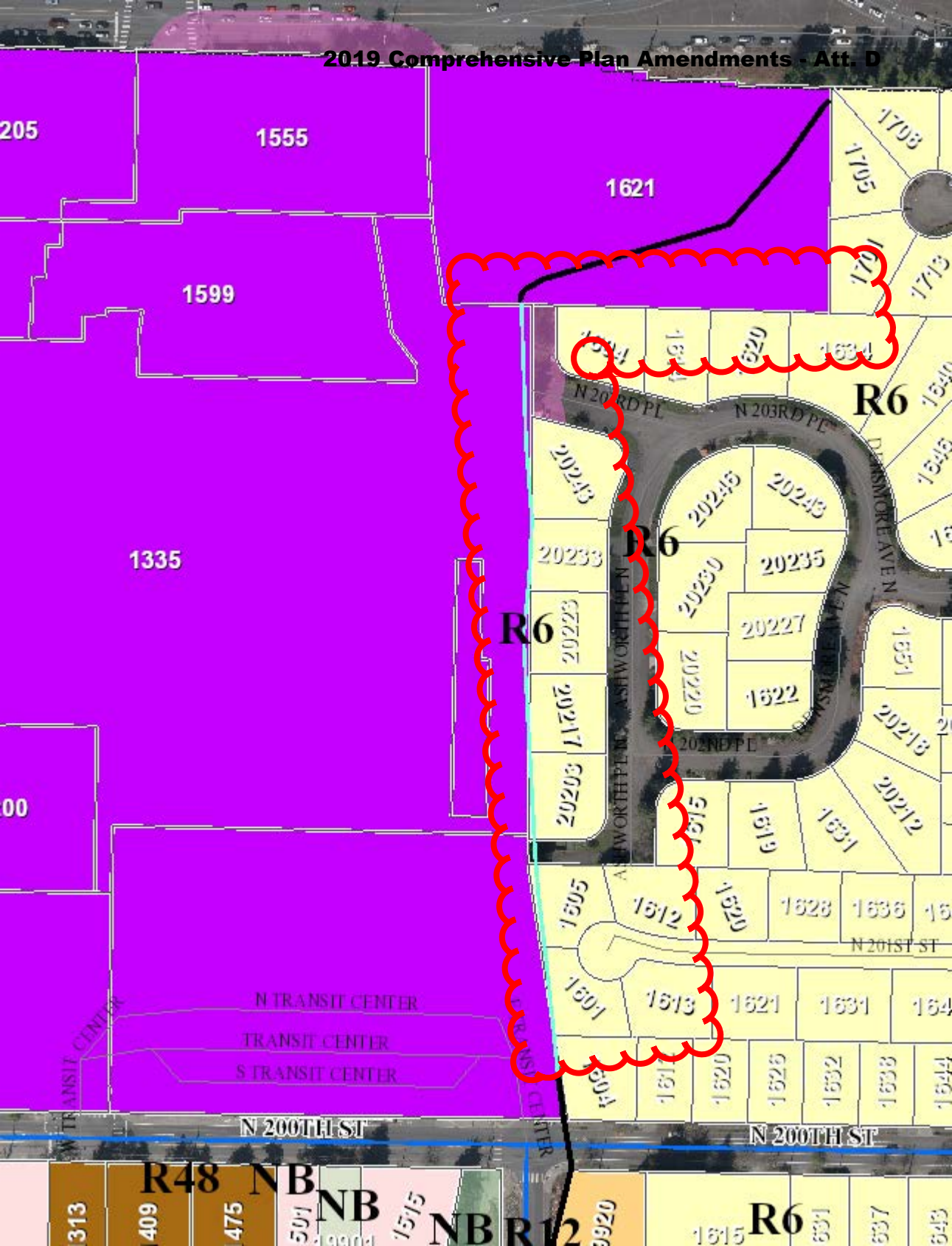
R6

1205

N 155TH ST

MB

2019 Comprehensive Plan Amendments - Att. D



205

1555

1621

1708

1705

1599

1701

1719

1335

R6

R6

R6

20243

20233

20230

20235

20223

20227

20217

20220

1622

20203

1615

1619

1631

20213

20212

00

1505

1612

1620

1628

1636

1644

N 201ST ST

N TRANSIT CENTER

TRANSIT CENTER

S TRANSIT CENTER

W TRANSIT CENTER

N 200TH ST

N 200TH ST

R48 NB

NB

NB

NBR12

R6

313

409

475

501

575

649

6920

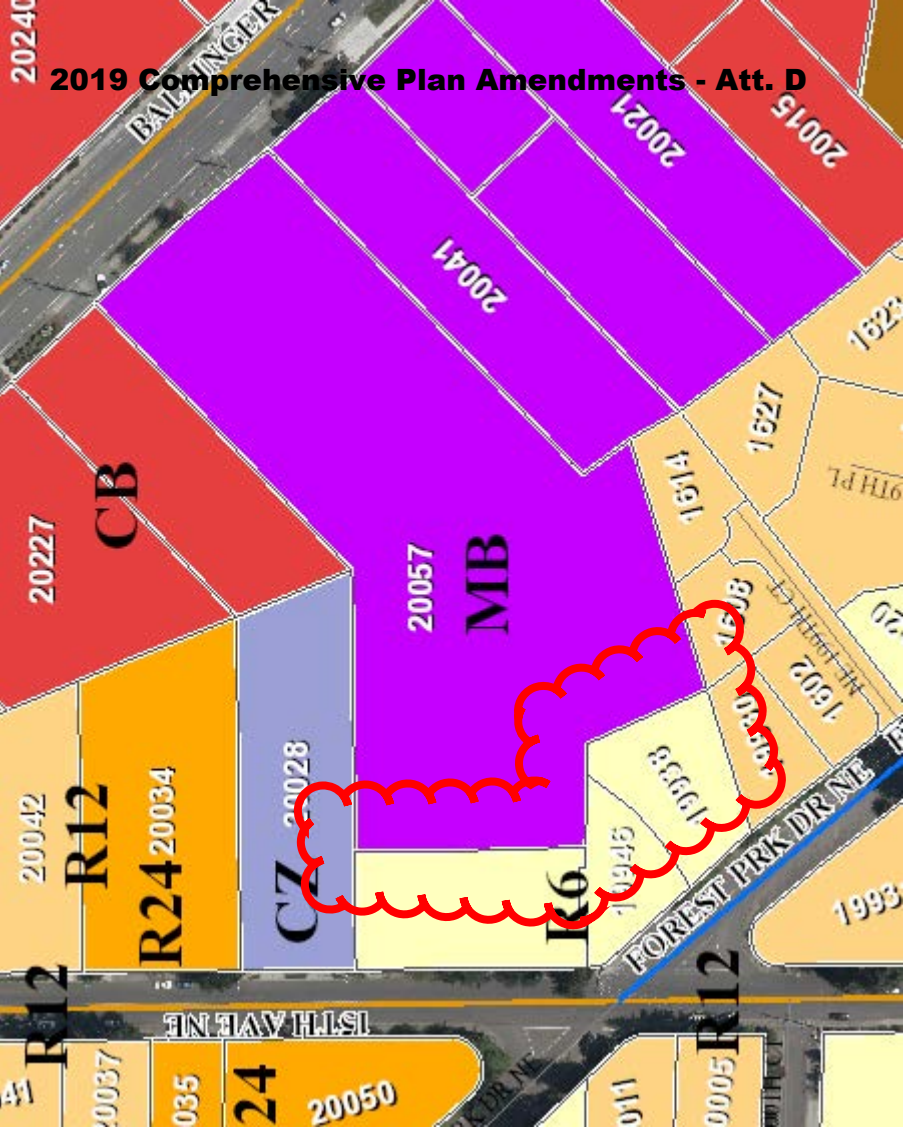
1615

691

697

643

# 2019 Comprehensive Plan Amendments - Att. D



BALDINGER

20227  
CB

20057  
MB

20021

1827

1829

9TH PL

20042  
R12

20034  
R24

20028  
CZ

R6

19938

19945

1608

1602

20

1993

FOREST PRK DR NB

15TH AVENUE

R12

R12

20037

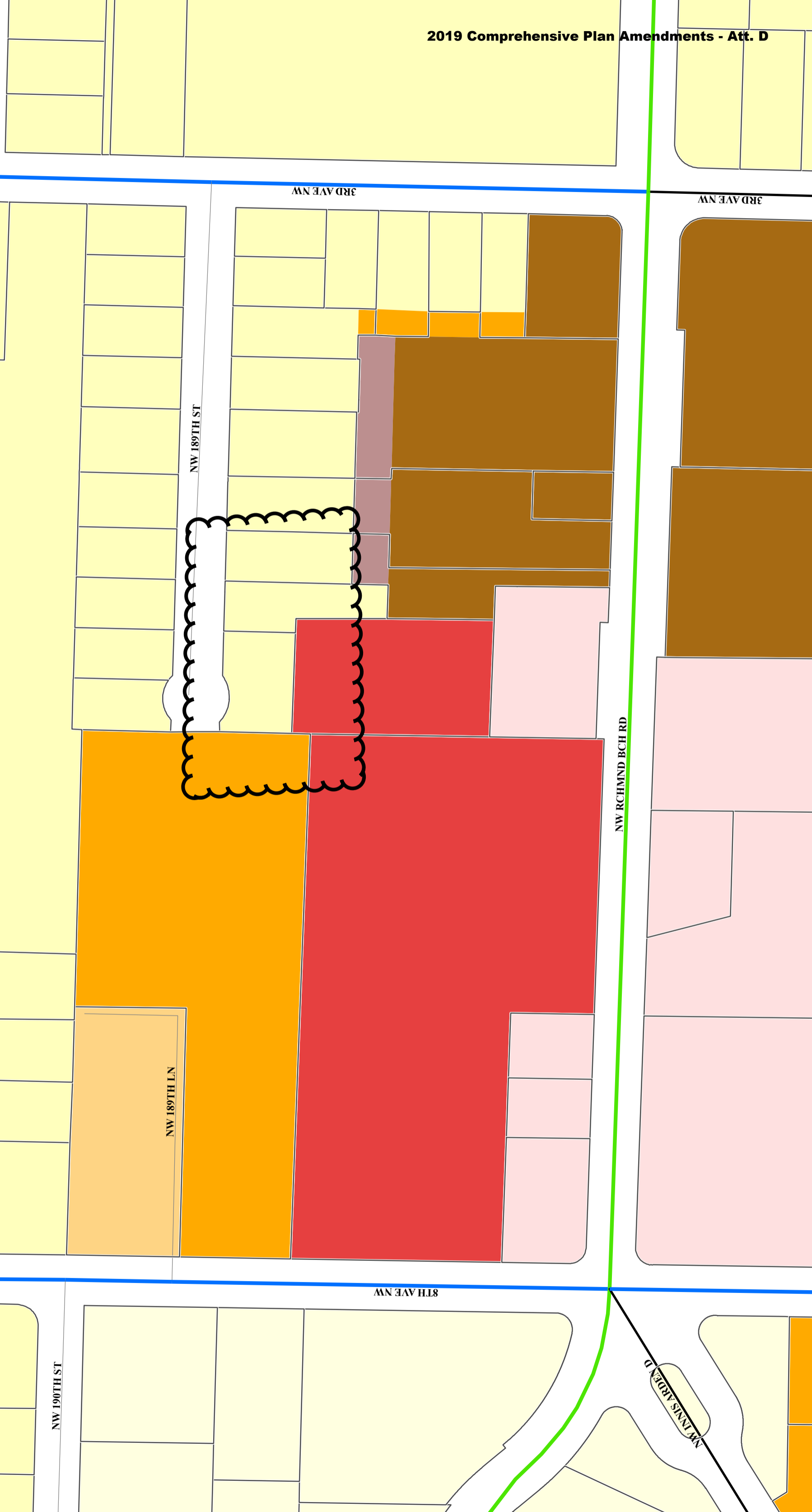
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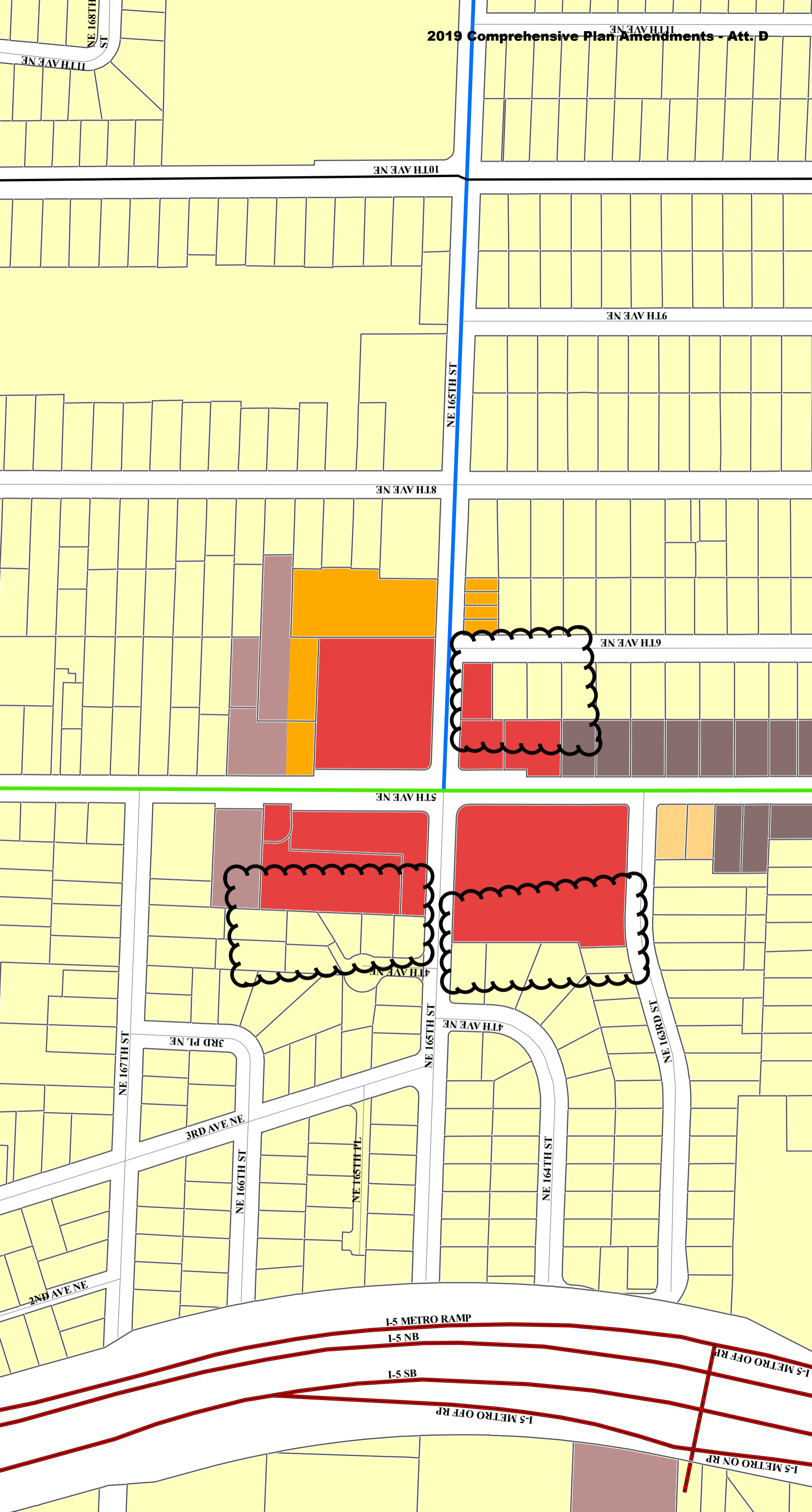
20050

1100

0005







NE 168TH ST

11TH AVE NE

10TH AVE NE

11TH AVE NE

9TH AVE NE

NE 165TH ST

8TH AVE NE

6TH AVE NE

5TH AVE NE

NE 167TH ST

3RD PL NE

3RD AVE NE

NE 166TH ST

NE 165TH PL

NE 165TH ST

4TH AVE NE

NE 164TH ST

NE 163RD ST

2ND AVE NE

I-5 METRO RAMP

I-5 NB

I-5 SB

I-5 METRO OFF RP

I-5 METRO OFF RP

I-5 METRO ON RP



**City of Shoreline**  
**Planning & Community Development**  
17500 Midvale Avenue North Shoreline, WA 98133-4905  
Phone: (206) 801-2500 Fax: (206) 801-2788  
Email: pcd@shorelinewa.gov Web: www.shorelinewa.gov  
Permit Hours: M - F \* 8:00 a.m. to 4:00 p.m.

**COMPREHENSIVE PLAN  
GENERAL AMENDMENT  
APPLICATION**

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**Amendment proposals may be submitted at any time, however if it is not submitted prior to the deadline for consideration during that annual amendment cycle, ending on December 1st, the amendment proposal will not be considered until the next annual amendment cycle.**

Please attach additional pages to this form, as needed.

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**Contact Information** - If the proposal is from a group, please provide a contact name.

Applicant Name Debra Lee Keim  
Address 16017 26th Ave NE City Shoreline State WA Zip 98155  
Phone 206-902-6926 Fax \_\_\_\_\_ Email billandlee@mac.com

---

**Proposed General Amendment** - This can be either conceptual: a thought or idea; or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered. If specific wording changes are proposed please use underline to indicate proposed additions and ~~strikethrough~~ to indicate proposed deletions. **Please note that each proposed amendment requires a separate application.**

Goal NE V. Protect clean air and the climate for present and future generations ~~through reduction of~~ by limiting greenhouse gas emissions to 1.5 degree C of global warming above pre-industrial levels and promotion of efficient and effective solutions for transportation, clean industries, and development.

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**Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable) - (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)**

Element 6 Natural Environment Page 62

## 2019 Comprehensive Plan Amendment - Att. E

**Support for the Amendment** - Explain the need for the amendment. Why is it being proposed? How does the amendment address changing circumstances or values in Shoreline? Describe how the amendment is consistent with the current Shoreline Comprehensive Plan, if inconsistent, explain why. How will this amendment benefit the citizens of Shoreline? Include any data, research, or reasonings that supports the proposed amendment. (A copy of the Shoreline Comprehensive Plan is available for use at the Planning & Community Development department, Shoreline Neighborhood Police Centers, and the Shoreline and Richmond Beach libraries).

This amendment is being proposed as a result of reading the recently published Special Report on Impacts of Global Warming of 1.5 degree C above pre-industrial levels and related global greenhouse gas emission pathways in the context of strengthening the global response to the threat of climate change, sustainable development and efforts to eradicate poverty by the Intergovernmental Panel on Climate Change SR15. This report provides a thorough scientific analysis of the dire consequences of allowing global warming to increase higher than 1.5 degree C above pre-industrial levels. The report states that global warming is likely to reach 1.5 degree C between 2030-2050 if warming continues to increase at the current rate.

The City of Shoreline has signed a joint letter committing to greenhouse gas reduction goals contained in the King County - Cities Climate Collaboration document. These greenhouse gas reduction goals were developed in 2014 and are based on reduction of 2007 level of greenhouse gas by: 25% by 2020, 50% by 2030, 80% by 2050. In light of the up to date scientific studies of climate change, it would seem imperative to revise these reduction goals to achieve the limit of 1.5 degree C. This will lead to deeper emission reductions a more rapid transition to a clean energy economy.

The citizens of Shoreline already experience the effects of climate change in longer summer drought, unhealthy smoke filled skies from increasing forest fires, decreased snow pack and associated effect on water levels and electricity rates. This amendment will show the citizens of Shoreline that their government will step up to be a leader in addressing the greatest threat of our time: global warming

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**Signature** - An amendment application can not be accepted unless the signature block below has been completed. The applicant certifies that all of the aforementioned statements in this application, any exhibits and/or maps transmitted herewith are true and the applicant acknowledges that any amendment granted based on this application may be revoked if any such statement is false.

Application Signature

*Debra Lee Keir*

Date

*November 29, 2018*

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**PROPOSED AMENDMENTS WITHOUT THE REQUIRED APPLICATION INFORMATION MAY BE REJECTED OR RETURNED FOR ADDITIONAL INFORMATION.**



*Planning and Community Development*

17500 Midvale Avenue North  
Shoreline, WA 98133-4905  
(206) 801-2500 ♦ Fax (206) 801-2788

October 25, 2018

Joseph and Melissa Irons  
1510 NE 170<sup>th</sup> Street  
Shoreline, WA 98155

RE: Office Use in a Residential (R-8) zone at 1510 NE 170<sup>th</sup> Street

Dear Mr. and Mrs. Irons:

As discussed when we met in August, the Irons Brothers Construction Design + Build Center (“Design + Build Center”) at 1510 NE 170<sup>th</sup> Street is in a Residential (R-8) zone. The Shoreline Municipal Code (SMC) Chapter 20.40 Zoning and Use Provisions states that the purpose of the R-8 zone “is to provide for a mix of single family homes, duplexes, triplexes, townhouses, and community facilities...” You have described the Design + Build Center as the office and showroom for your remodeling and construction services. SMC Table 20.40.130 Nonresidential Uses includes the use “professional office” but denotes that this use is not permitted in the R-8 zone. This means that your Design + Build Center is in violation of the SMC and requires corrective action.

The following are options staff have identified that may accomplish compliance with the SMC:

**Option 1 – Site Specific Comprehensive Map Amendment and Concurrent Rezone.**

Apply for a Comprehensive Plan Amendment to change the Land Use Designation for 1510 NE 170<sup>th</sup> Street from Medium Density Residential to Mixed Use 2 (MU 2) and a concurrent Rezone of the property to Community Business (CB). The MU 2 Land Use Designation and the Community Business (CB) zone permit office uses. This option would require the submittal of a complete Comprehensive Plan Site Specific Map Amendment and Concurrent Rezone application no later than **December 1, 2018**. In order to resolve the Code violation, this request would need to be approved by City Council. The base fee for the Comprehensive Plan Site Specific Map Amendment and Concurrent Rezone is currently \$25,233.00 (including public hearing and SEPA Checklist review).

**Option 2 – Comprehensive Plan and Development Code Amendment**

Apply for a General Comprehensive Plan Amendment to change LU2, a Residential Land Use Policy in the Land Use Element of the City’s Comprehensive Plan to allow for professional office uses. The Policy could be amended as follows:

LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.

SMC 20.20.040 defines a “Professional Office” as: An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.

A concurrent amendment to SMC Table 20.40.130 Nonresidential Uses to permit a professional office in the R-8 zone subject to approval of a Conditional Use permit would also be needed. Allowing a professional office in the R-8 zone would match the permitting requirements for the same use in the R-18 to R-48 zones. This option would require the submittal of a complete Comprehensive Plan General Amendment and a complete Development Code Amendment application no later than **December 1, 2018**. There is currently no fee for either of these applications.

These requests would then need to be approved by the City Council and a Conditional Use Permit subsequently issued in order to resolve the Code violation.

If the Comprehensive Plan and Development Code amendments are approved by the City Council in 2019, the adopted process will likely include a requirement to obtain a Conditional Use permit to allow a professional office in the R-8 zone. The fee for a Conditional Use Permit is currently \$7,209.00. Therefore, you would be required to submit a complete Conditional Use Permit application within one month of the City Council’s approval of the proposed Comprehensive Plan and Development Code amendments to permit a professional office in an R-8 zone to avoid code enforcement action. If the Conditional Use Permit is approved and the use conforms to the conditions established through the Conditional Use Permit process and all other applicable sections of the Shoreline Municipal Code, then the professional office use at 1510 NE 170<sup>th</sup> Street would be in compliance with the SMC.

**Note:** Both Option 1 and Option 2 would follow the City’s annual 2109 Comprehensive Plan Docket and development code amendment process. There is no requirement that the City Council place a proposed amendment on the Docket or, if placed on the Docket, that it will be approved. If the City Council determines to approve such amendments, this generally would not occur until December 2019. Senior Planner, Steve Szafran processes the Comprehensive Plan and Development Code amendments if you have any questions related to those applications. He can be reached at (206) 801-2512 or [sszafran@shorelinewa.gov](mailto:sszafran@shorelinewa.gov).

**Option 3. Discontinue using the property at 1510 NE 170<sup>th</sup> Street as a professional office.**

**2019 Comprehensive Plan Amendments - Att. F**

If you choose not to submit complete applications as described in Options 1 and 2 by **December 1, 2018**, or the City Council does place your proposed Comprehensive Plan amendment on the Docket, then a Notice and Order to Correct will be issued setting a deadline to discontinue the professional office use at this address. Please contact Ryan Odegaard, Code Enforcement Officer at 206-801-226 if you choose this option.

**1517 NE 170<sup>th</sup> Street**

You also asked about the possibility of using the property you own across the street at 1517 NE 170<sup>th</sup> Street in conjunction with the Irons Brothers Design + Build center at 1510 NE 170<sup>th</sup> Street. You described possibly using the property at 1517 NE 170<sup>th</sup> Street for outside parking of vehicles and equipment; and indoor storage of equipment, materials, etc. associated with Irons Brothers Construction in the large detached garage. 1517 NE 170<sup>th</sup> is zoned R-8 and therefore subject to the same restrictions as described above for 1510 NE 170<sup>th</sup> Street. Option 1 could be used to request a land use change and rezone for both 1510 and 1517 NE 170<sup>th</sup> Street to MU-2 and Community Business to allow “General Retail Trade/Services”.

The use as described for 1517 NE 170<sup>th</sup> Street does not meet the definition of a professional office. Therefore, Option 2 does not provide a regulatory path to use this site for storing construction vehicles, equipment and materials.

Sincerely,

Rachael Markle  
Planning and Community Development, Director  
(206) 801-2531