



PLANNING COMMISSION REGULAR MEETING AGENDA - REVISED

Thursday, March 6, 2014
7:00 p.m.

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
2. ROLL CALL	7:01
3. APPROVAL OF AGENDA	7:02
4. APPROVAL OF MINUTES	7:03
a. January 16 Regular Meeting – Draft Minutes	
Public Comment and Testimony at Planning Commission	
<i>During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.</i>	
5. GENERAL PUBLIC COMMENT	7:05
6. STUDY ITEM	7:10
a. Traffic Concurrency – Development Code Amendment	
• Staff Presentation	
• Public Testimony	
7. DIRECTOR’S REPORT	8:10
8. UNFINISHED BUSINESS	8:15
9. NEW BUSINESS	8:20
10. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:35
11. AGENDA FOR March 20, 2014	
a. Public Hearing on Traffic Concurrency Development Code Amendments	8:36
12. ADJOURNMENT	8:37

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DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

January 16, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Moss
Vice Chair Esselman
Commissioner Craft
Commissioner Maul
Commissioner Montero
Commissioner Scully
Commissioner Wagner

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

CALL TO ORDER

Planning Commission Chair, Donna Moss, called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Moss, Vice Chair Esselman, and Commissioners Craft, Maul, Montero, Scully and Wagner.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of December 19, 2013 were adopted as amended.

GENERAL PUBLIC COMMENT

Chair Moss reviewed the rules and procedures for public comments. No one in the audience indicated a desire to address the Commission during this portion of the meeting.

STUDY ITEM: DRAFT COMPREHENSIVE PLAN AMENDMENT DOCKET

Staff Presentation

Mr. Szafran explained that the State Growth Management Act (GMA) limits review of proposed Comprehensive Plan Amendments to no more than once a year. To assure that the public can view the proposals in a citywide context, the GMA directs cities to create a docket that lists the amendments to be considered. He advised that there are two amendments on the 2014 docket: one city-initiated amendment and one privately-initiated amendment that was submitted by two separate property owners.

Mr. Szafran said the city-initiated amendment is a carryover from the 2013 docket. He reminded the Commission that the 2013 Comprehensive Plan Amendment Docket included amendments to the Point Wells Subarea Plan based on the outcome of the Richmond Beach Traffic Corridor Study. The Council was unable to complete the 2013 docket item due to delays in Snohomish County's environmental review process, and the amendment was added to the 2014 docket.

Mr. Szafran said the privately-initiated amendment would change the Comprehensive Plan Land Use Map designation for the area shown on the map from Low-Density Residential (LDR) to High-Density Residential (HDR). He said staff recommends not adding this amendment to the 2014 docket. He explained that the City spent the better part of 2012 updating the Comprehensive Plan, identifying areas where density is appropriate and planning for growth within those areas. Staff is also working on the Light Rail Station Subarea Plans, which will provide more density in those areas. He also noted the budget implications of including the amendment on the docket in terms of environmental review, traffic analysis, State Environmental Policy Act (SEPA) review, etc.

The meeting was recessed for a five minutes to allow Commissioners to review the items that were provided in their desk packet (emails and letters that were submitted after the Staff Report was prepared).

Commissioner Wagner asked if the proposed Community Renewal Area (CRA) would be limited to the commercial properties (Sears site) or if surrounding properties would also be included. Mr. Szafran answered that only the commercial properties are included within the CRA boundaries.

Public Comment

Chair Moss clarified that this is a study session and not an official legislative public hearing. However, the comments provided (both written and oral) will be forwarded to the City Council along with the Commission's recommendation.

Gary Alston, Edmonds, read an excerpt from the December 27, 2013 Puget Sound Business Journal in which Steve Lerch, Chief Economist and Executive Director for the State of Washington Economic and Review Forecast Council, commented that while rising home prices and mortgage rates may be good for the economy; mortgage payments, as a fraction of household income, jumped 22% in the past year. Mr. Alston said this article supports his belief that the only way to make housing in Shoreline more affordable is to raise densities. He provided pictures to illustrate how his property could be developed if

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the amendment is approved. The buildings would be similar to single-family homes, but with a higher density. There would also be a 20-foot setback from adjoining properties. He provided pictures to illustrate how his two properties are currently developed. He noted that while there are new single-family homes on larger lots to the south of his two properties, Shoreline has a lot of single people, and the only way to make housing more affordable to these individuals is to have a higher density. Although surrounding property owners have indicated concern about trees, traffic, etc., he believes the impacts would be very small and his proposed project would provide affordable housing in Shoreline.

Guy Olivera, Shoreline, said he and his wife live in a home that is immediately adjacent to a parcel (15220 Dayton Avenue North) that is proposed for increased density. He suggested that profit is the only reason that anyone would seriously apply for an amendment that would triple the density on a property that is located in the middle of a single-family neighborhood. He disagreed that the impact of the proposed amendment would be minimal. He expressed his belief that adding two homes on 15208 and 15204 and an additional home on 15220 would be profitable and in keeping with the character of the neighborhood. However, there is no justification for making such a drastic and disastrous change in the middle of an R6 zone. Changes to higher density are more appropriate near where the new transit stations will be located.

Howdy King, Shoreline, said he lives close to the properties that are proposed for change, and he agrees with the comments provided by Mr. Olivera. It would be a tragedy to chop up a residential district by increasing the density. They moved to the neighborhood 25 years ago because it was beautiful, had great schools and traffic was reasonable. Overcrowding the neighborhood would be a disaster.

Jan Christophersen, Shoreline, expressed concern that increasing the density on the subject parcels would set a precedence to change other lots in the neighborhood. She noted that changes have already been made to some properties in the neighborhood to allow a greater density. She expressed concern that if the amendment is approved, the properties on either side of her could also request a change, resulting in seven new homes on each side of her property.

Ken Christophersen, Shoreline, said he grew up in Seattle where he was able to play in the streets and vacant lots. That is no longer the case, and he was unable to even park in front of his house. He does not want the same thing to occur in his neighborhood. He understands that property owners need to redevelop and make money, but tripling the density would be over the top.

Eric Liljgreen, Shoreline, said he lives on Greenwood Avenue and drives by the properties that have been cleared but remain undeveloped. Although this was allowed by the zoning code, it was painful to watch numerous significant trees be removed from the site. The proposed amendment would triple the density, and he does not see any justification for the change. The change would be radically inconsistent with the neighborhood and with the zoning. He is opposed to the amendment and supports the staff's recommendation to leave it off the docket.

Neil Borkowski, Shoreline, said he chose to purchase a home in his neighborhood because of the trees and low-density housing. He said he can't see why they need to triple the density in a single-family neighborhood given that there are vacancies in the Shoreline area and places where low-income people

can live. Houses similar to those proposed by Mr. Alstron have been constructed on Greenwood, and they have become the scourge of Seattle. About 1/3 of the units are rentals with six to eight residents, and there is no garage or extra parking. The units basically become apartments, and they are not maintained properly. This type of development does not belong in the City's single-family residential neighborhoods.

Steven Beatty, Shoreline, said he is a construction contractor, and he understands that the real way to make money in real estate is to divide land and build more units. He said he lived in Fremont for about a decade. When he moved there, it was a single-family zone, but by the time he left it had been rezoned to allow roughly equivalent to what Mr. Alston is proposing. Six years ago, he moved to a neighborhood in Shoreline to raise his children. He expressed concern that, typically, the type of development allowed by the proposed amendment would house two professionals who do not have children and do not participate in the City. They generally work in Seattle and move up. He said the people he interacts with at his daughter's school emphatically want to live in a single-family style neighborhood in Shoreline. They are not looking for an urban or high-density space. He referred to a 2013 homicide map for the City of Seattle and noted that the bulk of the north end homicides happen on Greenwood. He suggested this is directly tied to high-density housing, and he anticipates the same would be true for the proposed change because it would result in less neighborhood interaction.

Tom Jamieson, Shoreline, expressed his belief that property that is purchased as R6 should be developed as R6. He said he purchased property in a single-family residential neighborhood on Richmond Beach Drive six years ago, and he thought the zoning would stay R6. However, the proposed development at Point Wells is expected to increase traffic from 214 cars per day to 14,000 cars per day over the next 25 years. He referred to Land Use Goal LU-5, which calls for enhancing the character, quality and function of existing residential neighborhoods while accommodating anticipated growth. While this sounds noble, the City has done nothing to support this goal in the case of Point Wells. In agreeing to limit its negotiation to the developer of Point Wells to traffic, annexation and utilities, the City has categorically sold out the neighborhood of Richmond Beach. Not once has the City characterized the planned development at Point Wells as desirable, nor claimed that it would enhance the character, quality or function of any neighborhoods in Shoreline. He suggested that LU-5 is an empty goal, and using it to reject this planned development seems absurd when there is a much greater violation going on elsewhere in Shoreline.

He expressed concern that neither the Staff Report nor the PowerPoint presentation mentioned that the City Council already took action on September 9, 2013 to move the Traffic Corridor Study for Richmond Beach Road from 2013 to 2014. If this is still an outstanding item, he questioned why the public was not notified. He noted no one was present in the audience to speak regarding Point Wells, yet last night's pre-scoping meeting was packed with people who were concerned about Point Wells.

Krista Tenney, Shoreline, said she lives on Greenwood and moved from Seattle to Shoreline for many of the same reasons as her neighbors. She has a large lot that she enjoys tremendously, and watching the devastation that happened farther south on Greenwood has been difficult. She noted that the street in front of the properties where increased density is proposed is very busy. To assume that people will walk on that street to get to school or the new Aurora Square is unreasonable. Changing the density will result in more traffic, more pollution, fewer trees, and more noise. She expressed her belief that

increased density would be an improper use of the property. She appreciates the property owner wanting to make money, but not in this location or in this way.

Twink Turner, Shoreline, said she lives one block back from the properties that are proposed for increased density. She said she used to live in Ballard in a lovely home with wide streets and yards for kids to play in. Properties in the area were redeveloped into skinny houses right at the sidewalk with no driveways. Because there was no off-street parking, her street became a nightmare and she moved. The proposed amendment would result in a similar situation. People will leave the area and property values will decrease. She said she moved to the area to retire, and she urged the City to protect the single-family neighborhoods.

Brett Skartvedt, Shoreline, said he has been a resident of Shoreline since 1963 and has seen a lot of changes. However, he felt going from R6 to R18 would be too drastic of a change. He referred to property on Greenwood near the golf course that was clear cut and redeveloped with higher densities. He expressed his opinion that “cottage homes” do not offer a lot for the money. He realizes that development will happen and developers need to make money, but those who purchase R6 properties expect the zoning to remain intact. Shoreline has never been a low-income area and was never meant to be a high-density area.

Paul Poulin, Shoreline, said he lives in the neighborhood where increased density has been proposed. He moved there from Boston three years ago for the same reasons stated by previous speakers. He doesn't want to have to sell his home because the neighborhood gets too crowded.

COMMISSIONER SCULLY MOVED THAT THE COMMISSION ADOPT THE STAFF'S RECOMMENDATION TO NOT INCLUDE THE AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP IN THE 2014 DOCKET. COMMISSIONER MONTERO SECONDED THE MOTION.

Commissioner Scully explained that because spot zoning is not allowed, the applicants are asking to change the Comprehensive Plan designation for the subject parcels. Because the Comprehensive Plan designation cannot be changed for just three parcels, the proposed amendment would change the entire area outlined in red on the map from LDR to HDR. That means the Comprehensive Plan amendment would be the start of future rezones. Rather than addressing the wisdom of the particular proposal on the three parcels, the Commission must consider the probability that many and possibly all of the parcels would be rezoned to HDR. He noted comments in the Staff Report that question the City's ability to provide services to accommodate the increased density in that location. When planning significant density increases, the City takes a hard look at bus service, utilities, roadways, etc., and he does not see that these issues can be adequately addressed. Although he agrees with Mr. Alston's general comments on density, he felt the proposed amendment was ill advised given its scope.

Commissioner Montero agreed. The Commission spent a lot of time discussing how this area should be designated as part of the Comprehensive Plan update, and there is no real reason to make a change at this time.

Commissioner Wagner said that although one side of the issue has been made abundantly clear, it is important for the Commission to consider other aspects of the proposed amendment, as well. She pointed out that single-family homes are one of the most environmentally unsustainable structures you can build. People have expressed concern about tree removal, but cutting down trees to accommodate a higher density is more sustainable than cutting the same number of trees to accommodate single-family homes. She acknowledged the importance of tree retention, and recalled that the Commission has worked hard to craft regulations that limit and respect larger trees. However, it is important to understand that one of the main reasons for higher densities in cities is so people are not pushed out into natural lands. Although many citizens spoke about their desire for single-family neighborhoods with nice yards, she participated on the Community Housing Council seven years ago where there was strong community support for a variety of housing. Although this concept was not well represented by the public comments, it is important to consider.

Vice Chair Esselman said that while she agrees with Commissioner Wagner's observations, land use for the entire City was reviewed as part of the Comprehensive Plan update and areas where higher densities are appropriate were identified. The subject parcels were not identified as HDR, and it would be inappropriate to change the land use at this time. Commissioner Wagner agreed but felt it was important to consider all aspects of the proposal.

THE MOTION CARRIED UNANIMOUSLY.

Director Markle clarified that the amendment to the Point Wells Subarea Plan was rescheduled by Council on September 9th. It is already included on the 2014 Comprehensive Plan Amendment Docket, and no further Commission or Council action is needed. At this time, the Commission is only being asked to forward a recommendation to Council regarding the privately-initiated amendment for a land use change.

Mr. Szafran announced that the Council is scheduled to conduct a study session on the 2014 Comprehensive Plan Amendment Docket on February 24th.

DIRECTOR'S REPORT

Pre-Scoping Meeting for Point Wells Environmental Impact Statement (EIS)

Director Markle provided a brief overview of the information that was shared at the January 15th Pre-Scoping Meeting for the Point Wells Development. She advised that Snohomish County has not yet issued a scoping notice for the project. They are currently reviewing the development permits and will issue a SEPA Determination of Significance (DS), which means that an Environmental Impact Statement (EIS) will have to be prepared. She explained that the scoping notice provides notice to the public that Snohomish County will be making decisions on the permit. The scoping meetings will provide an opportunity to identify potential adverse impacts to the environment and ask that they be studied. They will also provide an opportunity to identify alternatives to the proposed development that would be equivalent and talk about additional studies that might be needed. She said she expects Snohomish County will issue the scoping notice the first week in February. Two scoping meetings will be held on Tuesday, February 18th: one at the Shoreline Center and another at the Snohomish County

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Administrative Offices. The meetings will include an open house, followed by a brief presentation about the project and scoping in general. Both written and oral comments will be solicited, but no questions are expected to be answered. The scoping period will last the maximum 30 days.

Director Markle emphasized that State law does not require the County to respond to comments that are made during the scoping period. However, the comments will be taken under advisement by the agency making the decision. Following the scoping process, the County will determine which elements of the environment they will include in the study, and it is hoped they will include the City's local suggestions. She said SEPA encourages comments on all elements of the environment, but the County would not be required to cover all elements in the EIS. The idea is only to cover those elements of the environment where significant adverse impacts are likely to occur.

Director Markle advised that after the scoping period is done, Snohomish County will prepare a draft EIS, which will be the next opportunity for the City and citizens to comment on the environmental studies and the alternatives that were analyzed. The County is required to respond to comments on the draft EIS, but no public comment would be taken on the final EIS.

Director Markle said that, at the pre-scoping meeting, staff provided instruction about how to draft helpful comments. The Richmond Beach Community Association will also hold its own meeting to talk to its members about how to draft helpful comments. She advised that the City will recommend that Snohomish County study the following elements of the built and natural environment:

- **Geology and soil**
- **Shorelines**
- **Wetlands and streams**
- **Floodplains**
- **Wildlife, fish and vegetation**
- **Air quality**
- **Transportation (all modes)**
- **Public service and utilities**
- **Economics**
- **Recreation**
- **Land use**
- **Neighborhoods**
- **Visual quality**
- **Cultural Resources**
- **Hazardous Waste**
- **Noise**

Director Markle advised that staff will prepare a draft scoping letter, which would be reviewed by the City Council on February 3rd. A copy of the final scoping letter will be sent to all those who attended the pre-scoping meeting. She reviewed the schedule for the Transportation Corridor Study, which will include six community workshops. All of the information collected at the workshops will be included in the City's comments to Snohomish County on the draft EIS.

Vice Chair Esselman asked about the timing for the draft EIS. Director Markle answered that Snohomish County has agreed to not publish the draft EIS until Shoreline has completed the Transportation Corridor Study. She anticipates the process will take at least six months.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Light Rail Station Area Planning Committee (Commissioners Scully, Craft and Maul)

Commissioner Craft announced that the second dialogue workshop for the 185th Street Station Subarea Plan will be on February 20th from 6:00 to 8:00 p.m. in the City Hall Council Chambers. The 185th Station Citizens Committee (185SCC) is passing out flyers to property owners, and notices will be mailed out to households in the area. The meeting will also be publicized in *CURRENTS*. He advised that computer modeling will be presented at the workshop to illustrate the suggestions and comments received at previous meetings, and those in attendance will be invited to provide additional comments, as well. Mr. Szafran added that three zoning alternatives and their associated impacts will be presented, and the workshop will serve as a scoping meeting for the Planned Action EIS. He noted that the February 20th workshop will be noticed on the City's website as a Planning Commission Meeting.

Commissioner Montero said he attended the pre-scoping meeting for Point Wells, and he commended Director Markle for doing an incredible job outlining the entire EIS process and being very specific about how the public could be involved.

Chair Moss announced that the City is in the process of soliciting applications for the Commissioner vacancies that will occur at the beginning of April. She noted that Commissioner Wagner has served two full terms, and would not be eligible to serve an additional term. She suggested Commissioners encourage qualified people to apply for the position. Mr. Szafran advised that applications are due by January 31st, and the Council would form a subcommittee at their February 3rd meeting to review the applications. Interviews will take place in February and appointments will be made on March 2nd.

AGENDA FOR NEXT MEETING

Mr. Szafran said there may be a public hearing on the chronic nuisance ordinance on February 6th. Chair Moss noted that only four Commissioners were present for the study session on this item. She encouraged those who did not attend to listen to the study session recording. Questions and concerns could be forwarded to Director Markle. She suggested that if the public hearing does not go forward on February 6th, the Commission may want to have another study session on the item instead.

ADJOURNMENT

The meeting was adjourned at 8:26 p.m.

4.A Meeting Minutes

Donna Moss
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

TIME STAMP
January 16, 2014

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

GENERAL PUBLIC COMMENT: 2:25

STUDY ITEM: DRAFT COMPREHENSIVE PLAN AMENDMENT DOCKET

Staff Presentation: 5:01

Public Comment: 17:15

Commission Action: 51:30

DIRECTOR'S REPORT

Pre-Scoping Meeting for Point Wells Environmental Impact Statement (EIS): 1:02:07

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:15:30

AGENDA FOR NEXT MEETING: 1:22:54

ADJOURNMENT:

Planning Commission Meeting Date: March 6, 2014
Agenda Item 6

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Update to Concurrency Regulations

DEPARTMENT: Public Works

PRESENTED BY: Alicia McIntire, Senior Transportation Planner

Public Hearing

Discussion

Study Session

Update

Recommendation Only

Other

INTRODUCTION

In 2011, Council adopted an updated Transportation Master Plan (TMP). One chapter in the TMP discusses transportation concurrency and level of service. The TMP includes policies identifying the transportation levels of service in the City as well as direction to adopt an impact fee program. The TMP serves as the Transportation Element of the Comprehensive Plan and was adopted as such in 2011. The TMP also includes a draft framework for evaluating transportation concurrency. The purpose of this study session item is to introduce a draft methodology for measuring transportation concurrency that is consistent with the framework direction in the TMP and will work effectively with an impact fee program.

BACKGROUND

Concurrency is one of the goals of the Growth Management Act (GMA) (RCW 36.70A.020(12)). The GMA also requires the development of a comprehensive plan to provide for a generalized coordinated land use policy statement for the City of Shoreline. The comprehensive plan contains mandatory elements, with special attention called out for transportation (RCW 36.70A.070(6)). The importance of transportation in comprehensive planning is demonstrated by the GMA's requirement that transportation improvements or strategies to accommodate growth are made concurrently with development. "Concurrent with the development" is defined by the GMA to mean that any needed "improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years." (RCW 36.70A.070(6)(b)). While concurrency is a mandate, cities have flexibility regarding how to apply concurrency within their regulations, plans and permitting processes.

Transportation concurrency is measured by comparing the existing or planned capacity of transportation facilities to the anticipated capacity that will occur as a result of a development. This is generally measured using Level of Service (LOS) standards.

If the existing or planned capacity is greater than what is needed for the proposed development, the applicant passes the concurrency test and a development may

Approved By: Project Manager _____

Planning Director _____

proceed. The applicant fails the concurrency test if the proposed development exceeds the existing or planned capacity of the transportation facilities. If an applicant fails the concurrency test, the following alternatives are available:

- The applicant can modify the proposal to reduce the transportation impacts;
- The applicant can propose mitigation (transportation improvements and/or strategies) that results in an acceptable LOS;
- The applicant can appeal the concurrency test results; or
- The application is denied.

The City’s existing concurrency program measures Level of Service (LOS) at the signalized intersections on arterial streets, unsignalized intersecting arterials, and on principal and minor arterial street segments (Shoreline Comprehensive Plan, Transportation Element, Policy T-44; SMC 20.60.140(A)). Intersection LOS is measured by average delay and roadway segment LOS is measured as a volume to capacity ratio (V/C). LOS standards qualitatively describe the operating conditions of a roadway and is based on a scale of “A” to “F.” LOS A is essentially free flowing traffic conditions whereas LOS F reflects a heavily congested roadway as traffic demand exceeds the capacity of the roadway. Thus, LOS A and B represent minimal delays, and LOS C represents generally acceptable delays. LOS D represents an increasing amount of delay and an increasing number of vehicles stopped at the intersection. An intersection with LOS E is approaching capacity and is processing the maximum number of vehicles possible through the intersection. LOS F means that the intersection is operating with excessive delays, meaning that it has a high level of traffic congestion. Vehicles approaching an intersection with LOS F may have to wait for more than one signal cycle to get through the intersection. The 2010 Highway Capacity Manual measures LOS in the following manner:

Level of Service	Roadway Segments V/C Ratio	Signalized Intersections Average Delay (sec/veh)	General Description
A	≤ 0.60	≤ 10	Free Flow
B	> 0.60 - 0.70	> 10 - 20	Stable Flow (slight delay)
C	> 0.70 - 0.80	> 20 - 35	Stable Flow (acceptable delay)
D	> 0.80 - 0.90	> 35 - 55	Approaching Unstable Flow (speeds somewhat reduced, more vehicles stop and may wait through more than one signal cycle before proceeding)
E	> 0.90 - 1.0	55 - 80	Unstable Flow (speeds reduced and highly variable, queues occur, many vehicles have to wait through more than one signal cycle before proceeding)
F	> 1.0	> 80	Forced Flow (jammed conditions, long queues occur that do not clear, most vehicles wait through more than one signal cycle before proceeding)

For its signalized intersections on arterials and unsignalized intersecting arterials, the City of Shoreline has adopted a level of service standard of LOS D (Shoreline Comprehensive Plan, Transportation Element, Policy T-44; SMC 20.60.140(A)). The City has also adopted a supplemental LOS for principal arterials and minor arterials that limits the volume to capacity (V/C) ratio to 0.90 or lower except when any leg of a principal or minor arterial intersection operates at LOS D or better. *Id.*

Development proposals that generate more than 20 trips during the p.m. peak travel period are evaluated using a Traffic Impact Analysis prepared by the applicant. (Twenty p.m. peak hour trips is the equivalent of 32 apartments or 13,500 square feet of office space or 5,400 square feet of retail space.) (SMC 20.60.140). This analysis is required to identify any direct impacts to City roadways or intersections. If there will be impacts, they are mitigated through the City's SEPA review process.

As part of the TMP update, the City contracted with Randy Young of Henderson, Young & Co. to evaluate the City's existing concurrency process and recommend changes, if needed. The goals staff laid out for Young were:

- any new program needed to be easy and inexpensive to implement,
- easily understood by the development community and
- customized to reflect the built out nature of Shoreline.

During development of the TMP, Randy Young presented a draft framework to update the City's concurrency program to the Council. The framework focused on mitigating the impacts of traffic growth only. At the beginning of the process, a multi-modal concurrency approach that included bicycles, pedestrians and transit was discussed among staff and the consultant. It was determined that this approach would be cumbersome and expensive for the City to administer and would not suit Shoreline as a fully built-out community where large developments are not anticipated. The draft framework accomplished the identified goals and at its regular meeting on May 20, 2013 Council directed staff to proceed with development of a program based upon this approach. Council also directed staff to develop an impact fee program for the City, however, the impact fee program is not subject to review by the Planning Commission. Under state law, the City is required to have a concurrency standard by which to measure growth (RCW 36.70A.070(6)(b)). An impact fee is not required but is allowed under state law (RCW 82.02). Concurrency and impact fees are not dependent upon one another – a City can have one without the other.

In order to identify locations where transportation facilities would fail to meet the adopted LOS, traffic modeling was performed as part of the TMP development. Utilizing growth assumptions of 5,000 new jobs and 5,000 new housing units in the next twenty years, the traffic model identified seven projects as necessary to help ensure that adequate transportation facilities are in place to support growth while maintaining the City's currently adopted LOS. An impact fee program for the City will be based upon the costs for these projects. A cost per trip will be calculated to allow the fees to be distributed in proportion to the type and size of development. Since impact fees are designed to cover the costs for growth citywide, mitigation would still required for localized impacts resulting from individual developments. These impacts would be evaluated as part of the City's SEPA process.

The draft amendments (Attachment A) outline a concurrency program that functions best in conjunction with an impact fee. It allows the City to implement a program that is easy to administer, understandable and predictable for the development community and results in development paying for the improvements needed to mitigate the traffic impacts that occur due to growth. The City will be able to reexamine the need for growth related transportation improvements as the forecasts for growth change and adjust the impact fee accordingly. Should the City decide not to adopt an impact fee program, a different concurrency framework would need to be developed. Without impact fees, the City would lack the funding for the street improvement projects that provide the trip capacity in the citywide concurrency trip bank. Additionally, if improvements to maintain transportation LOS cannot be funded, the City will need to make a decision about how to meet its concurrency standard. In addressing unfunded improvements, the City may choose to restrict growth by denying or delaying land use permit applications or accept a worse transportation level of service.

These amendments would be incorporated within the Title 20 of the City's Municipal Code, the Unified Development Code, and are therefore subject to review by the Planning Commission. This is the Planning Commission's first discussion of the specific amendments to the City's Concurrency regulations.

PROPOSAL & ANALYSIS

The proposed code amendments outline a concurrency program that measures traffic volume compared to road capacity. It functions as a trip "debit" system wherein the City first calculates the maximum allowed vehicle trips the traffic network can accommodate based upon projected growth, adopted transportation LOS and planned transportation improvements. Once the baseline trip "account" is established, new trips generated by future development are "debited" from it. New trips will be calculated at the time of building permit application. As long as trips are still available in the City account, the concurrency test is passed. If there are not enough trips in the account to accommodate a proposed development, the application must be modified to reduce the number of trips to an amount equal to or less than the account balance or the project fails the concurrency test and is denied. For projects that are approved, the applicant is required to pay the transportation impact fee and provide mitigation for localized transportation impacts. Attachment B shows the process the City would use to administer concurrency tests. Development proposals that do not create new dwelling units or create additional square feet of non-residential development, increase impacts to transportation facilities or demolish or move a structure would be exempt from the concurrency test.

The recommended change to the City's concurrency program has two primary benefits.

1. Accounts for the impacts of growth citywide – The City's existing concurrency methodology only requires evaluation of the localized impacts of a proposal and does not take into account the impacts of a project on the citywide transportation network. Additionally, a development that fails the City's concurrency test because of the cumulative impacts of previous projects may be required to invest significant funds into transportation improvements which were not entirely necessary to mitigate the project's impacts in order to be approved. Using the proposed methodology, the City will identify where there will be expected

transportation problems resulting from growth throughout the City. When integrated with an impact fee program, the proposed methodology requires each developer to mitigate the localized impacts of a proposal as well as paying for a proportional share of those projects needed to accommodate citywide growth over the next twenty years.

2. Streamlines permitting process – With the adoption of the proposed methodology, the City will provide for a more predictable and streamlined permitting process. The concurrency test is greatly simplified, as the City will have established trip generation rates for different uses, making the test a relatively simple exercise of calculating trips based upon type of use and number of units and/or square footage of area. Developers can simplify the calculations in Transportation Impact Analyses for a given development by utilizing these rates. The scope of Transportation Impact Analyses is reduced, as the larger impacts of citywide growth will be identified in advance and individual developers will not be required to analyze those areas nor pay to mitigate impacts that are not tied solely to a single development.

City Council Goal 2 is to “Improve Shoreline’s utility, transportation, and environmental infrastructure”. The TMP identifies the necessary transportation improvements to accommodate growth over the next twenty years and maintain the City’s adopted transportation LOS. Adoption of the updated concurrency methodology coupled with an impact fee program will help the City fund design and construction the needed improvements.

These amendments are categorically exempt from State Environmental Policy Act review under Washington Administrative Code 197-11-800(19).

TIMING AND SCHEDULE

This study session is the first presentation of the proposed amendments to the Planning Commission. A public hearing to receive testimony is scheduled for March 20, 2014. The Planning Commission is scheduled to adopt a recommendation to the City Council on March 20, 2014.

Notice of the March 20, 2014 public hearing on these amendments was published in the Seattle Times on February 18, 2014. Due to an error in the original notice a correction was published on February 25, 2014. Notice of the proposed code amendments was sent to the Washington State Department of Commerce on February 13, 2014.

RECOMMENDATION

No action is requested at this time. This report is for discussion purposes only.

ATTACHMENTS

Attachment A – Draft Amendments to Title 20
Attachment B – Concurrency Test Process
Attachment C – Notice of Public Hearing

Attachment D – Revised Public Hearing Notice

ATTACHMENT A – DRAFT AMENDMENTS TO TITLE 20

AMENDMENT #1 SMC 20.60.140

This change provides new language to more comprehensively outline the purpose of Chapter 20.60.140.

20.60.140 Adequate Streets.

~~The intent of this subchapter is to ensure that public streets maintain an adequate level of service (LOS) as new development occurs.~~ The purpose of this chapter is to set forth specific standards providing for the City's compliance with the concurrency requirements of the State Growth Management Act (GMA), 36.70A RCW. The GMA requires that adequate transportation capacity is provided concurrently with development to handle the increased traffic projected to result from growth and development in the city. The purpose of this chapter is to ensure that the city's transportation system shall be adequate to serve the future development at the time the development is available for occupancy without decreasing current service levels below established minimum standards.

AMENDMENT #2 SMC 20.60.140(A)

The proposed change adds minor clarifying language regarding the adopted Level of Service standard.

20.60.140(A). Level of Service. The level of service standard that the City has selected as the basis for measuring concurrency is as follows:

1. LOS D at signalized intersections on arterial streets and at unsignalized intersecting arterials; or
2. A volume to capacity (V/C) ratio of 0.90 or lower for principal and minor arterials.

The V/C ratio on one leg of an intersection may exceed 0.90 when the intersection operates at LOS D or better.

These level of service standards apply throughout the City unless an alternative level of service for a particular streets or streets has been adopted in the Comprehensive Plan Transportation Element.

AMENDMENT #3 SMC 20.60.140(B)

This change clarifies the requirements for transportation impact analyses submitted with development proposals.

20.60.140(B). Development Proposal Requirements. All new proposals for development that would generate 20 or more new trips during the p.m. peak hour must submit a traffic study transportation impact analysis prepared by the applicant in accordance with the standards established in the City's Engineering Development Manual at the time of application. The estimate of the number of trips for a development

shall be consistent with the most recent edition of the Trip Generation Manual, published by the Institute of Traffic Engineers. The traffic study shall include, at a minimum, an analysis of the following:

1. An analysis of origin/destination trip distribution proposed;
2. The identification of any intersection that would receive the addition of 20 or more trips during the p.m. peak hour; and
3. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.

AMENDMENT #4 SMC 20.60.140(C)

This change would delete the language describing the City’s current methodology used to evaluate the capacity for concurrency. This new language identifies the requirement for administering a concurrency test prior to issuance of a building permit and identifies proposals that are exempt from a concurrency test.

~~**20.60.140(C). Concurrency Required – Development Approval Conditions.** A development proposal that will have a direct traffic impact on a roadway or intersection that causes it to exceed the adopted LOS standards, or impacts an intersection or a road segment currently operating below a level of service identified in subsection B of this section, will not meet the City’s established concurrency threshold and shall not be approved unless:~~

- ~~1. The applicant agrees to fund or build improvements within the existing right-of-way that will attain the LOS standards; or~~
- ~~2. The applicant achieves the LOS standard by phasing the project or using transportation demand management (TDM) techniques or phasing the development proposal as approved by the City of Shoreline to reduce the number of peak hour trips generated by the project to attain LOS standards.~~

20.60.140(C). Concurrency Requirement. The City shall not issue a building permit until:

1. A concurrency test has been conducted and passed, or
2. The building permit has been determined to be one of the following that are exempt from the concurrency test:
 - a. Alteration or replacement of an existing residential structure that does not create an additional dwelling unit or change the type of dwelling unit.
 - b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use.

c. Miscellaneous improvements that do not generate increased need for public facilities, including, but not limited to, fences, walls, residential swimming pools, and signs;

d. Demolition or moving of a structure.

e. Any building permit for development that creates no additional impacts, insignificant and/or temporary additional impacts on any transportation facility, including, but not limited to:

i. Home occupations that do not generate any additional demand for transportation facilities;

ii. Special events permits;

iii. Temporary structures not exceeding a total of 30 days;

f. Any building permit issued to development that is vested to receive a building permit pursuant to RCW 19.27.095

AMENDMENT #5 SMC 20.60.140(D)

This new language identifies the requirements for the City to determine the availability capacity for concurrency and when the capacity must be updated.

20.60.140(D). Available Capacity for Concurrency

1. The City shall determine the available capacity for concurrency as of the effective date of this ordinance and record it in the Concurrency Trip Capacity Balance Sheet.

2. The City shall update the available capacity in the Concurrency Trip Capacity Balance Sheet within twelve (12) months of any of the events listed below.

a. Update or amendment of the City's Transportation element as it relates to concurrency management.

b. Total traffic volume increases by 30 percent compared to traffic volume at the time the Concurrency Trip Capacity Balance Sheet was created, or was updated with new data from the traffic model.

c. More than 50 percent of the available capacity in the most recent calculation of available capacity has been reserved as a result of concurrency tests conducted by the City.

3. If none of the events listed in subsection 2 occurs within seven years of the most recent calculation of the available capacity, the City will update the available capacity recorded in the Concurrency Trip Capacity Balance Sheet.

4. Each update of available capacity in the Concurrency Trip Capacity Balance Sheet shall carry forward the reservations of capacity for any building permits for development that has not been completed prior to the update of available capacity.

5. In order to monitor the cumulative effect of exemptions from the concurrency test on the available capacity, the City shall adjust the available capacity in the Concurrency Trip Capacity Balance Sheet to record the number of p.m. peak hour trips generated by exempt building permits in the same manner as though a concurrency test had been performed for the exempt building permits.

AMENDMENT #6 SMC 20.60.140(E)

This new language outlines the methodology the City will employ to test for concurrency, the conditions under which a development passes or fails a concurrency test, options available to an applicant if a concurrency test is not passed and the order in which tests are administered for applications. This section also identifies that concurrency tests are exempt from the State Environmental Policy Act.

20.60.140(E). Concurrency Test.

1. Each applicant for a building permit that is not exempt from the concurrency test as provided in SMC 20.60.140(C)(2) shall submit the type of development to be constructed pursuant to the building permit, the number of square feet of each type of development, and the number of dwelling units.

2. The City shall perform a concurrency test for each application for a building permit that is not exempt from the concurrency test.

3. The concurrency test is passed if the number of trips from an applicant's proposed development is equal to or less than available capacity in the Concurrency Trip Capacity Balance Sheet that has been adjusted to subtract reserved trips . If the concurrency test is passed the City shall record the concurrency test results in the Concurrency Trip Capacity Balance Sheet in order to reduce the available capacity by the number of trips that will be generated by the applicant's development. The reservation of capacity shall be valid for the same time as the building permit for which it was reserved.

4. The concurrency test is not passed if the number of trips from an applicant's proposed development is greater than available capacity after it has been adjusted to subtract reserved trips. If the concurrency test is not passed, the applicant may select one of the following options:

a. Amend the application to reduce the number of trips generated by the proposed development, or

b. Provide system improvements or strategies that increase the city-wide available capacity by enough trips so that the application will pass the concurrency test, or

c. Appeal the denial of the application for a concurrency test, pursuant to the provisions of subsection H of this section, or

5. The City shall conduct concurrency tests for multiple applications impacting the same portions of the transportation network/intersection chronologically in accord with the date each application was deemed complete pursuant to SMC 20.30.110.

6. A concurrency test, and any results, shall be administrative actions of the City that are categorically exempt from the State Environmental Policy Act.

AMENDMENT #7 SMC 20.60.140(F)

This new language identifies the conditions under which available capacity is reserved.

20.60.140(F). Reservation of Availability Capacity Results of Concurrency Test

1. Upon passage of a concurrency test, the City shall reserve capacity on behalf of the applicant in the Concurrency Trip Capacity Balance Sheet.

2. A reservation of available capacity shall be valid for the same period as the approved building permit for which it was made, and may be extended according to the same terms and conditions as the underlying building permit.

3. A reservation of available capacity is valid only for the uses and intensities authorized for the building permit for which it is issued. Any change in use or intensity is subject to an additional concurrency test of the incremental increase in impact on transportation facilities.

4. A reservation of available capacity is non-transferrable to another parcel of land or development proposal. A reservation of available capacity may be transferred to a subsequent purchaser of the land for the same uses and intensities.

5. A reservation of available capacity shall expire if the underlying building permit expires; the application or permit is withdrawn by the applicant; the permit is revoked by the City; application approval is denied by the City; or the determination of completeness expires.

AMENDMENT #8 SMC 20.60.140(G)

This new language identifies the fees associated with administering the City's concurrency program.

20.60.140(G). Fees.

1. The City shall charge each applicant for a building permit that is not exempt from this section a concurrency test fee in an amount to be established by resolution by the City Council.

2. The City shall charge a processing fee to any individual that requests an informal analysis of capacity if the requested analysis requires substantially the same research as a concurrency test. The amount of the processing fee shall be the same as the concurrency test fee authorized by subsection G.1.

3. The fees authorized in subsections G.1 or G.2 of this section shall not be refundable, shall not be waived, and shall not be credited against any other fee.

AMENDMENT #9 SMC 20.60.140(H)

This new language identifies the process for appeals.

20.60.140(H). Appeals. Determinations and decisions by the Director that are appealed by an applicant shall follow the procedures of SMC 20.30 for an Administrative Decision-Type B.

AMENDMENT #10 SMC 20.60.140(I)

This new language identifies the Director of Public Works as the responsible official for implementing the City’s Concurrency requirements and provides the authority for the City to adopt guidelines for the administration of concurrency, including procedural rules.

20.60.140(I). Authority. The Director of Public Works, or his/her designee, shall be responsible for implementing and enforcing the concurrency requirements of this chapter. The Director of the Department of Public Works is authorized to adopt guidelines for the administration of Concurrency, which may include the adoption of procedural rules to clarify or implement the provisions of this section.

AMENDMENT #11 SMC 20.20.010

This amendment adds a new definition for “Available Capacity”.

“Available Capacity” means the number of motor vehicle trips that can be accommodated by the transportation facilities during the p.m. peak period for current and planned development while maintaining the adopted level of service standards. Available capacity is calculated as set forth in the table below:

Step 1	<u>Calculate the baseline total number of trips on the existing City-wide network of transportation facilities during the p.m. peak period using the most recent traffic counts.</u>
Step 2	<u>Identify any existing deficiencies of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).</u>
Step 3	<u>Identify capital improvements that will eliminate existing deficiencies identified in Step 2.</u>
Step 4	<u>Add the improvements from Step 3 to the existing network</u>

	<u>to create the current non-deficient network</u>
Step 5	<u>Add future development to the current land use.</u>
Step 6	<u>Identify any future deficiencies of the current non-deficient network of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).</u>
Step 7	<u>Identify capital improvements that will eliminate future deficiencies identified in Step 6.</u>
Step 8	<u>Add the improvements from Step 7 to create the improved network</u>
Step 9	<u>Calculate the total number of future trips on the improved network of transportation facilities during the p.m. peak period by the combined total of current and planned development.</u>
Step 10	<u>Calculate the available capacity by subtracting the baseline trips as calculated in Step 1 from the future trips as calculated in Step 9.</u>
Step 11	<u>Record the available capacity as the beginning balance in the City's Concurrency Trip Capacity Balance Sheet conducted by the City pursuant to Step 10.</u>

AMENDMENT #12 SMC 20.20.014

This amendment adds new definitions for “Concurrency”, “Concurrency Test” and “Concurrency Trip Capacity Balance Sheet”.

“Concurrency” means the level of service standard will be achieved and maintained for new development by adequate transportation facilities that are in place or will be completed no later than six (6) years after occupancy of development.

“Concurrency Test” means a comparison of the number of motor vehicle trips that will be generated during the p.m. peak period by development to the available capacity of transportation facilities.

“Concurrency Trip Capacity Balance Sheet” means the document created and maintained by the City to record the available capacity, reservations of capacity, and the balance of the available capacity that has been adjusted to reflect reserved trips.

AMENDMENT #13 SMC 20.20.032

This amendment adds a new definition for “Level of Service Standard”.

“Level of Service Standard” means the levels of service in SMC 20.60.140.A. For the purpose of determining capacity for concurrency, the level of service standards shall be compared to the actual levels of service at the p.m. peak period.

AMENDMENT #14 SMC 20.20.044

This amendment adds new definitions for “Reserve” and “Reservation”.

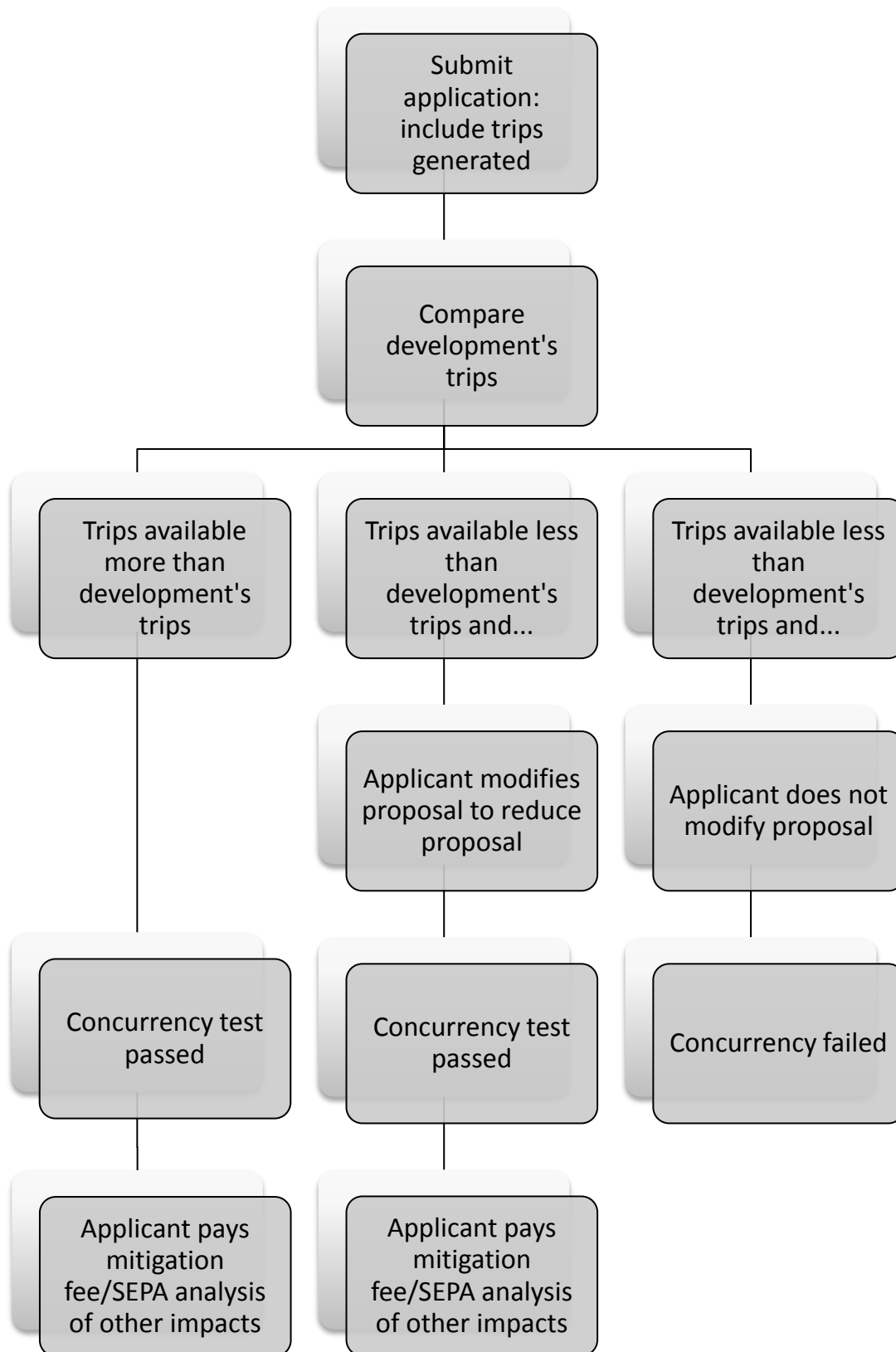
"Reserve" and "Reservation" means to set aside or otherwise note in the City's Concurrency Trip Capacity Balance Sheet in a manner that assigns capacity to the applicant's building permit and prevents the same capacity from being assigned to any other applicant.

AMENDMENT #15 SMC 20.20.048

This amendment adds a new definition for "Transportation Facilities".

"Transportation Facilities" for the purpose of Concurrency means roads and streets functionally classified as principal and minor arterials and signalized intersections on arterial streets and at unsignalized intersecting arterials except those facilities specifically identified as exempt in the City's Transportation Master Plan.

ATTACHMENT B - Concurrency Test Process



ATTACHMENT C – NOTICE OF PUBLIC HEARING

The City of Shoreline Notice of Public Hearing of the Planning Commission

Description of Proposal: The City of Shoreline is proposing a Development Code Amendment to amend SMC 20.60.140 “Adequate streets” to clarify concurrency requirements for new development, provide exemptions from the concurrency test and providing definitions in SMC 20.20.

This proposed amendment to the Development Code is categorically exempt from SEPA review under WAC 197-11-800(19).

This may be your only opportunity to submit written comments. Written comments must be received at the address listed below before **5:00 p.m. March 6, 2014**. Please mail, fax (206) 801-2788 or deliver comments to the City of Shoreline, Attn: Alicia McIntire 17500 Midvale Avenue N, Shoreline, WA 98133 or email to amcintire@shorelinewa.gov.

Interested persons are encouraged to attend a study session for this development code amendment. The study session is scheduled for Thursday, March 6, 2014 at 7:00 p.m. in the Council Chamber at City Hall, 17500 Midvale Avenue N, Shoreline, WA.

Interested persons are encouraged to provide oral and/or written comments regarding the above project at an open record public hearing. The hearing is scheduled for Thursday, March 20, 2014 at 7:00 p.m. in the Council Chamber at City Hall, 17500 Midvale Avenue N, Shoreline, WA.

Copies of the proposal and applicable codes are available for review at the City Hall, 17500 Midvale Avenue N.

Questions or More Information: Please contact Alicia McIntire, Public Works Department at (206) 801-2483.

Any person requiring a disability accommodation should contact the City Clerk at (206) 801-2230 in advance for more information. For TTY telephone service call (206) 546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

ATTACHMENT D – REVISED PUBLIC HEARING NOTICE

**The City of Shoreline Notice of Public Hearing of the Planning Commission
REVISED**

Description of Proposal: The City of Shoreline is proposing a Development Code Amendment to amend SMC 20.60.140 “Adequate streets” to clarify concurrency requirements for new development, provide exemptions from the concurrency test and providing definitions in SMC 20.20.

This proposed amendment to the Development Code is categorically exempt from SEPA review under WAC 197-11-800(19).

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