



# PLANNING COMMISSION SPECIAL MEETING - PUBLIC HEARING AGENDA

Thursday, January 29, 2015  
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 - Minutes from the January 15, 2015 meeting are not available at the time of publishing	7:02

## **Public Comment and Testimony at Planning Commission**

*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.*

5. GENERAL PUBLIC COMMENT	7:02
6. PUBLIC HEARING	7:07
a. <a href="#">Aurora Square Community Renewal Area Planned Action Ordinance No. 705</a>	
• Staff Presentation	
• Public Testimony	

### **STUDY ITEM**

a. Presentation on the Draft Environmental Impact Statement (EIS) for 145 <sup>th</sup> Street Station Subarea Plan (Note: There is no staff report. Please review Draft EIS is at <a href="http://www.shorelinewa.gov/145DEIS">www.shorelinewa.gov/145DEIS</a> )	8:07
• Staff Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	9:10
8. UNFINISHED BUSINESS	9:12
9. NEW BUSINESS	9:17
10. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	9:20
11. AGENDA FOR FEBRUARY 5, 2015	
a. 145 <sup>th</sup> Street Station Subarea Plan DEIS Open House (6:00-7:00 p.m.)	9:25
b. Public Hearing on 145 <sup>th</sup> Street Station Subarea Plan DEIS	

*The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236*

This page intentionally blank

Planning Commission Meeting Date: January 29, 2015

Agenda Item

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

<b>AGENDA TITLE:</b>	<b>Aurora Square Community Renewal Area Planned Action Ordinance No. 705</b>		
<b>DEPARTMENT:</b>	<b>Economic Development</b>		
<b>PRESENTED BY:</b>	<b>Dan Eernisse, Economic Development Manager</b>		
<input checked="" type="checkbox"/> <b>Public Hearing</b>	<input type="checkbox"/> <b>Study Session</b>	<input type="checkbox"/> <b>Recommendation Only</b>	
<input type="checkbox"/> <b>Discussion</b>	<input type="checkbox"/> <b>Update</b>	<input type="checkbox"/> <b>Other</b>	

**INTRODUCTION**

Council designated a 70-acre area around the Sears, Central Market, and the WSDOT development as the Aurora Square Community Renewal Area (CRA) in September, 2012. By designating the CRA, Council established that economic renewal would be in the public interest, and that City resources can be justifiably utilized to encourage renewal. Subsequently, Council adopted the CRA Renewal Plan to guide City renewal efforts by identifying projects designed to make all of the current businesses function better while adding new businesses and residents.

One of the projects the CRA Renewal Plan identified to spur private development was the adoption of a Planned Action Ordinance based on this Environmental Impact Statement (EIS). A Planned Action provides more detailed environmental analysis during formulation of planning proposals rather than at the project permit review stage.

**TIMING AND SCHEDULE**

In March 2015 the City is anticipated to approve a Planned Action Ordinance identifying thresholds of development and mitigation measures. The remainder of Planned Action process is as follows:

- The DEIS was published on December 12, 2014, beginning a 30-day comment period.
- On December 18, 2015, from 5:30 - 6:45PM, a required community meeting using an open house format was held at City Hall. Following the community meeting, Staff introduced the Planning Commission to the DEIS at its regularly scheduled meeting.
- At 5:00PM on January 12, 2015, the 30-day DEIS comment period ended.

Tonight the Planning Commission will holds a public hearing for the DEIS, to consider public comments made during the comment period and Staff recommendations, and make its recommendation to Council. Based on the Planning Commission's recommendation, Staff will publish a Final EIS (FEIS) and a final Planned Action Ordinance for Council approval. Council is scheduled to first consider the recommendation at its meeting on Monday, March 16, 2015, at 7:00PM.

Approved By:

Project Manager DEPlanning Director Rm

### **DISCUSSION**

The CRA Planned Action Draft EIS (DEIS) is an extensive 226-page document analyzing impacts of the desired renewal efforts at Aurora Square. Three growth alternatives are under review in this Draft EIS; all three alternatives anticipate that Aurora Square's current zoning designation as Mixed Business (MB) remains unchanged.

- **No Action**, a State Environmental Policy Act (SEPA)-Required Alternative. This alternative assumes Aurora Square continues with a similar commercial retail and office character and the same square footage of buildings and parking as presently located on site.
- **Phased Growth**, assuming a moderate level of development, which introduces 500 dwelling units and adds up to 250,000 square feet of retail and office space beyond present development space.
- **Planned Growth**, a maximum level of growth studied, adding 1,000 dwelling units and 500,000 square feet of retail and office space beyond present development space.

The Planning Commission has authority to make recommendations on Comprehensive Plan and development regulation amendments, and the City Council has the authority to approve such amendments.

Comprehensive plan amendments may include Capital Facility Element (CFE) and Capital Improvement Program (CIP) amendments to fold in transportation and stormwater improvements; no CFE or CIP amendments are being proposed with this ordinance. Development regulation amendments include sign code and noise regulations, which are both being proposed. Finally, a Planned Action Ordinance will be under consideration by the Planning Commission and City Council.

### **Planned Action Ordinance No. 705**

In order to create Planned Action Ordinance No. 705, Staff is addressing comments and recommendations made during the DEIS comment period (which ended January 12, 2015), as well as reflecting the mitigation measures identified in the DEIS. This staff report is being circulated to the Planning Commission prior to when the draft of Ordinance No. 705 will be complete; however, the draft of Ordinance No. 705 will be ready for review by the Planning Commissioners by close of business on the 27th of January.

In the meantime, Staff encourages the Planning Commission to review the two documents that will form the basis for Ordinance No. 705, namely the DEIS draft of the Planned Action Ordinance (Attachment C) and the Summary Matrix of Mitigation Measures (Attachment D); both were published in the DEIS on December 12, 2014.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend adoption of Planned Action Ordinance No. 705 to the City Council.

### **LINKS/ATTACHMENTS**

Attachment A – [Aurora Square Planned Action Draft EIS](#), December 2014

Attachment B – [Aurora Square CRA Renewal Plan](#), September 2013

Attachment C - The DEIS draft of the Planned Action Ordinance

Attachment D - Summary Matrix of Mitigation Measures

**ORDINANCE NO XX**

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ESTABLISHING A PLANNED ACTION FOR THE AURORA SQUARE COMMUNITY RENEWAL AREA PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT.

WHEREAS, the State Environmental Policy Act (SEPA) and its implementing regulations provide for the integration of environmental review with land use planning and project review through the designation of planned actions by jurisdictions planning under the Growth Management Act (GMA), such as the City of Shoreline (“City”); and

WHEREAS, Section 43.21C.440 of the Revised Code of Washington (RCW), Sections 197-11-164 through 172 of the Washington Administrative Code (WAC), and Section 16.10.180 of the Shoreline Municipal Code (SMC) allow for and govern the adoption and application of a planned action designation under SEPA; and

WHEREAS, the State Department of Commerce (DOC) has studied planned actions in various communities throughout the state and found that predefined mitigation as allowed under a planned action ordinance has resulted in increased certainty and predictability for development, time and cost savings for development project proponents and cities, and increased revenues for cities when used with other economic development tools; and

WHEREAS, the designation of a planned action expedites the permitting process for projects of which the impacts have been previously addressed in an environmental impact statement (EIS); and

WHEREAS, a subarea of the City commonly referred to as the “Aurora Square Community Renewal Area (Aurora Square CRA)”, as depicted on the map attached hereto as Exhibit A and incorporated herein by this reference, on September 4, 2012, was designated as a Community Renewal Area by Resolution No. 333 and identified as a planned action area for future redevelopment (“Planned Action Area”); and

WHEREAS, the City has developed and adopted a Community Renewal Plan complying with the GMA (RCW 36.70A), dated July 8, 2013, Res. No. 345, to guide the redevelopment of the Planned Action Area (“Aurora Square Community Renewal Plan”); and

WHEREAS, after extensive public participation and coordination with all affected parties, the City, as lead SEPA agency, issued the Aurora Square Planned Action Final Environmental Impact Statement (“FEIS”) dated XXX, 2015 which identifies the impacts and mitigation measures associated with planned development in the Planned Action Area as identified in the Aurora Square Community Renewal Plan; the FEIS includes by incorporation the Aurora Square Planned Action Draft Environmental Impact Statement issued on December 12, 2014 (collectively referred to herein as the “Planned Action EIS”); and

WHEREAS, the City desires to designate a planned action under SEPA for the Aurora Square CRA (“Planned Action”); and

WHEREAS, adopting a Planned Action for the Aurora Square CRA with appropriate standards and procedures will help achieve efficient permit processing and promote environmental quality protection; and

WHEREAS, the City has adopted development regulations and ordinances that will help protect the environment and will adopt regulations to guide the allocation, form, and quality of development in the Aurora Square CRA; and

WHEREAS, the City Council finds that adopting this Ordinance is in the public interest and will advance the public health, safety, and welfare;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:**

**Section I. Purpose.** The purpose of this Ordinance is to:

- A. Combine environmental analysis, land use plans, development regulations, and City codes and ordinances together with the mitigation measures in the Planned Action EIS to mitigate environmental impacts and process Planned Action development applications in the Planned Action Area;
- B. Designate the Aurora Square CRA subarea shown in Exhibit A as a Planned Action Area for purposes of environmental review and permitting of designated Planned Action Projects pursuant RCW 43.21C.440;
- C. Determine that the Planned Action EIS meets the requirements of a planned action EIS pursuant to SEPA;
- D. Establish criteria and procedures for the designation of certain projects within the Planned Action Area as “Planned Action Projects” consistent with RCW 43.21C.440;
- E. Provide clear definition as to what constitutes a Planned Action Project within the Planned Action Area, the criteria for Planned Action Project approval, and how development project applications that qualify as Planned Action Projects will be processed by the City;
- F. Streamline and expedite the land use permit review process by relying on the Planned Action EIS; and
- G. Apply applicable regulations within the City’s development regulations and the mitigation framework contained in this Ordinance for the processing of Planned Action Project applications and to incorporate the applicable mitigation measures into the underlying project permit conditions in order to address the impacts of future development contemplated by this Ordinance.

**Section II. Findings.** The City Council finds as follows:

- A. The Recitals above are adopted herein as Findings of the City Council.
- B. The City is subject to the requirements of the GMA.
- C. The City has adopted a Comprehensive Plan and zoning complying with the GMA.
- D. The City has adopted the Aurora Square Community Renewal Plan consistent with RCW 35.81.
- E. The City is adopting Comprehensive Plan capital facility element, sign code, and noise development regulations to implement said Plans in subsection C and D, including this Ordinance.
- F. The Planned Action EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area.
- G. The mitigation measures identified in the Planned Action EIS, attached to this Ordinance as Exhibit C and incorporated herein by reference, together with adopted City development regulations are adequate to mitigate significant adverse impacts from development within the Planned Action Area.
- H. The Aurora Square Community Renewal Plan and Planned Action EIS identify the location, type, and amount of development that is contemplated by the Planned Action.
- I. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public, and enhance economic development.
- J. The City provided several opportunities for meaningful public involvement and review in the Aurora Square CRA Planned Action EIS processes, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments.

K. Essential public facilities as defined in RCW 36.70A.200 are excluded from the Planned Action as designated herein and are not eligible for review or permitting as Planned Action Projects unless they are accessory to or part of a project that otherwise qualifies as a Planned Action Project.

L. The designated Planned Action Area is located entirely within a UGA.

M. Implementation of the mitigation measures identified in the Planned Action EIS will provide for adequate public services and facilities to serve the proposed Planned Action Area.

**Section III. Procedures and Criteria for Evaluating and Determining Planned Action Projects within the Planned Action Area.**

**A. Planned Action Area.** This “Planned Action” designation shall apply to the area shown in Exhibit A of this Ordinance.

**B. Environmental Document.** A Planned Action Project determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Planned Action EIS. The mitigation measures contained in Exhibit C of this Ordinance are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework the City will use to apply appropriate conditions on qualifying Planned Action Projects within the Planned Action Area.

**C. Planned Action Project Designated.** Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Subsection III.D of this Ordinance and the mitigation measures contained in Exhibit C of this Ordinance, are designated “Planned Action Projects” pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Subsection III.D of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.

**D. Planned Action Qualifications.** The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: A land use can qualify as a Planned Action Project land use when:

- i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;
- ii. it is within one or more of the land use categories studied in the EIS: retail, office, residential, entertainment, and open space; and
- iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

(b) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: roads designed for the planned action, stormwater, utilities, parks, trails, and similar facilities developed consistent with the Planned Action EIS mitigation measures, City and special district design standards, critical area regulations, and the Shoreline Municipal Code.

(2) Development Thresholds:

(a) Land Use: The following thresholds of new land uses are contemplated by the Planned Action:

Feature	Alternative 2 – Phased Development	Alternative 3 - Planned Development
Residential Dwellings (units)	500	1,000
Retail Square Feet	125,000	250,000
Office Square Feet	125,000	250,000

- (b) Shifting development amounts between land uses in identified in Subsection III.D(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Planned Action EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS are mitigated consistent with Exhibit B of this Ordinance.
- (c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

- (a) Trip Ranges & Thresholds. The number of new PM peak hour trips anticipated in the Planned Action Area and reviewed in the Planned Action EIS for 2035 is as follows:

**Peak Hour Inbound and Outbound trips during the PM Peak Hour by Alternative**

	No Action Alternative 1	Phased Growth Alternative 2	Alternative 2 Net Trips	Planned Growth Alternative 3	Alternative 3 Net Trips
Inbound Trips	553	933	380	1,313	760
Outbound Trips	737	1,159	422	1,581	844
Total Trips	1,289	2,092	803	2,894	1,605

Source: KPG 2014

- (b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in SMC 20.60.140 Adequate Streets.
- (c) Access and Circulation. All Planned Action Projects shall meet access standards established in SMC 20.60.150 Adequate Access. All Planned Action Projects shall provide frontage improvements for public roadways per Exhibit C. All Planned Action Projects shall provide for a coordinated onsite circulation system per Exhibit C.
- (d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection III.D(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).
- (e) Discretion.
  - i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City’s Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action.

ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Shoreline Municipal Code.

iii. The responsible City official shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.

- (4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS would not qualify as a Planned Action Project.
- (5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

**E. Planned Action Project Review Criteria.**

- (1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets all of the following conditions:
- (a) the project is located within the Planned Action Area identified in Exhibit A of this Ordinance;
  - (b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance;
  - (c) the project is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance;
  - (d) the project is consistent with the Shoreline Comprehensive Plan including the policies of the Aurora Square Community Renewal Plan and the Shoreline Municipal Code;
  - (e) the project's significant adverse environmental impacts have been identified in the Planned Action EIS;
  - (f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit C of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;
  - (g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and
  - (h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.
- (2) The City shall base its decision to qualify a project as a Planned Action Project on review of the Subarea SEPA Checklist form included in Exhibit B to this Ordinance and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

**F. Effect of Planned Action Designation.**

- (1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.
- (2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection III.D and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action

Projects will still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

**G. Planned Action Project Permit Process.** Applications submitted for qualification as a Planned Action Project shall be reviewed pursuant to the following process:

- (1) Development applications shall meet all applicable requirements of the Shoreline Municipal Code and this Ordinance in place at the time of the Planned Action Project application. Planned Action Projects shall not vest to regulations required to protect public health and safety.
- (2) Applications for Planned Action Projects shall:
  - (a) be made on forms provided by the City;
  - (b) include the Subarea SEPA checklist included in Exhibit B of this Ordinance;
  - (c) include a conceptual site plan pursuant to SMC 20.30.315 Site Development Permit; and
  - (d) meet all applicable requirements of the Shoreline Municipal Code and this Ordinance.
- (3) The City's SEPA Responsible Official shall determine whether the application is complete and shall review the application to determine if it is consistent with and meets all of the criteria for qualification as a Planned Action Project as set forth in this Ordinance.
- (4)
  - (a) If the City's SEPA Responsible Official determines that a proposed project qualifies as a Planned Action Project, he/she shall issue a "Determination of Consistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to RCW 43.21C.440.
  - (b) Upon issuance of the Determination of Consistency, the review of the underlying project permit(s) shall proceed in accordance with the applicable permit review procedures specified in SMC Chapter 20.30 Procedures and Administration, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.
  - (c) The Determination of Consistency shall remain valid and in effect as long as the underlying project application approval is also in effect.
  - (d) Public notice and review for qualified Planned Action Projects shall be tied to the underlying project permit(s). If notice is otherwise required for the underlying permit(s), the notice shall state that the project qualifies as a Planned Action Project. If notice is not otherwise required for the underlying project permit(s), no special notice is required by this Ordinance.
- (5)
  - (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to RCW 43.21C.440.
  - (b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.
  - (c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.

- (d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project’s SEPA requirements. The City’s SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.
- (6) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq.
- (7) A Determination of Consistency or Inconsistency is a Type A land use decision and may be appealed pursuant to the procedures established in Chapter 20.30 SMC. An appeal of a Determination of Consistency shall be consolidation with any pre-decision or appeal hearing on the underlying project application.

**Section IV. Monitoring and Review.**

**A.** The City should monitor the progress of development in the designated Planned Action area as deemed appropriate to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.

**B.** This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official no later than five (5) years from its effective date in conjunction with the City’s regular Comprehensive Plan review cycle, as applicable. The timing of subsequent reviews after the first review shall be determined with the completion of the first review. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development as analyzed in the Planned Action Checklist (Exhibit B), required mitigation measures (Exhibit C) and Public Agency Actions and Commitments (Exhibit D). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

**Section V. Conflict.** In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

**Section VI. Severability.** If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

**Section VII. Effective Date.** This Ordinance shall take effect and be in force ten (10) days after publication as provided by law.

Passed by the City Council of the City of Shoreline the XXth day of XX 2015.

\_\_\_\_\_  
Mayor

ATTESTED:

PUBLISHED: XX, 2015

EFFECTIVE: XX, 2015

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

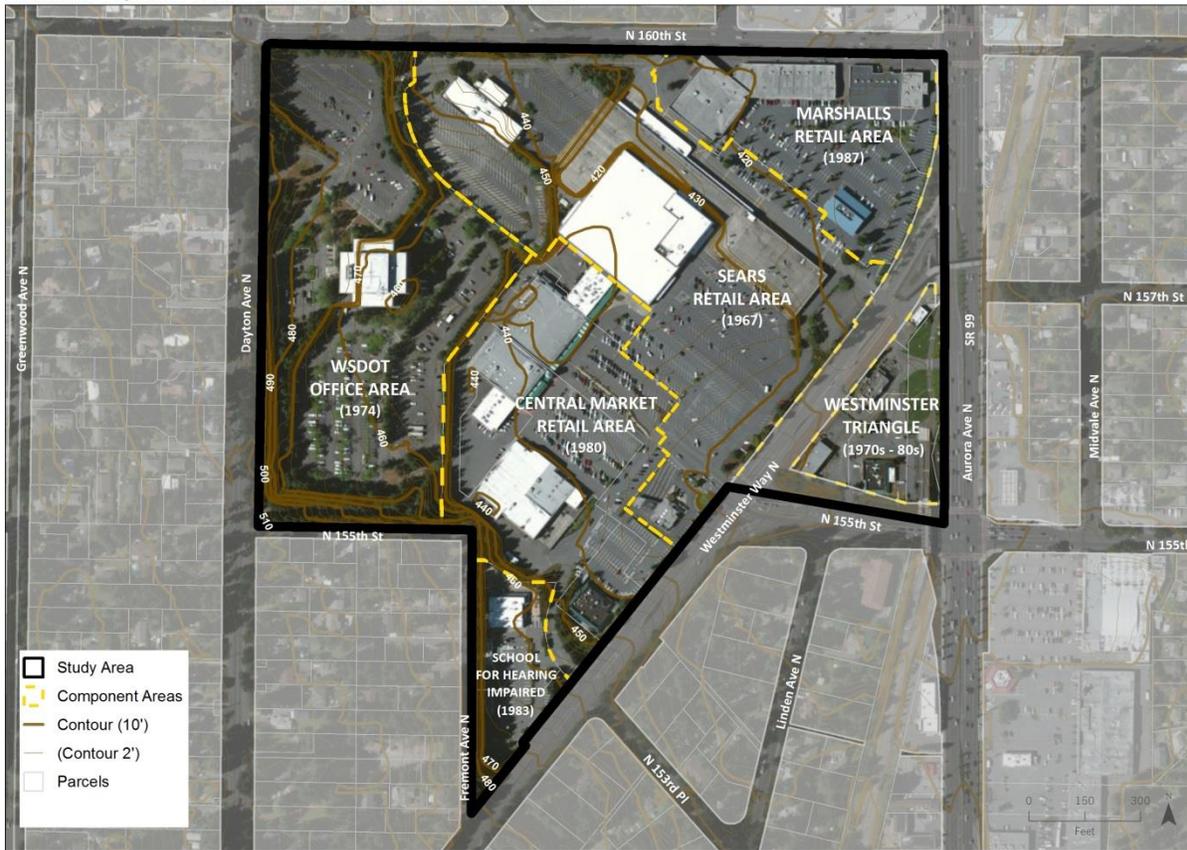
DRAFT

# EXHIBIT A

## Planned Action Area

The Planned Action includes the CRA parcels and the abutting rights of way.

AURORA SQUARE CRA - LAND USE COMPONENT AREAS



**BERK** Date: September 2014  
Source: City of Shoreline, King County, BERK



## EXHIBIT B

### Planned Action Checklist

Note: SEPA allows a customized checklist to be integrated into the Planned Action Ordinance. Alternatively, the standard SEPA Checklist can be used.

DRAFT

## EXHIBIT C

# Planned Action Ordinance Mitigation Document Mitigation Required for Development Applications

### INTRODUCTION

The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts. Please see Final EIS Chapter 1 Summary for a description of impacts, mitigation measures, and significant unavoidable adverse impacts.

A Mitigation Document is provided in this **Exhibit C** to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this **Exhibit C** shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see **Exhibit A**).

Where a mitigation measure includes the words “shall” or “will,” inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where “should” or “would” appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

Any and all references to decisions to be made or actions to be taken by the City’s SEPA Responsible Official may also be performed by the City’s SEPA Responsible Official’s authorized designee.

### MITIGATION MEASURES

See Draft EIS Chapter 1 for a list of mitigation measures that would be integrated with more details on responsibility and timing in the Planned Action Ordinance.

Land Use

Light and Glare

Transportation

Stormwater

Sewer and Water

Schools and Parks

# EXHIBIT D

## Public Agency Actions and Commitments

### INTRODUCTION

Under some elements of the Planned Action EIS, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for implementing regulations and infrastructure investments in order to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions that the City may take to reduce impacts. These actions are listed below in Table D.1.

Actions identified as “Proposed Concurrent Actions” refer to legislative actions proposed for adoption together with the Preferred Alternative. Longer term and other agency actions will occur in the future, depending on need. The projected timeframe and responsible departments are identified and will be used in monitoring the implementation of this Ordinance.

This Exhibit D will be used in the monitoring process established in Section IV of this Ordinance.

**Table C.1  
Public Agency Mitigation Measures**

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle or within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department

## Aurora Square Planned Action Summary Matrix of Mitigation Measures

The table below from the Draft Environmental Impact Statement (EIS) Chapter 1 Summary provides an abbreviated list of mitigation measures proposed in Chapter 3 of the EIS. These would be integrated into the Planned Action Ordinance.

**Table 1. Summary Mitigation Measures**

Element of Analysis	Summary of Mitigation Measures
<b>Land Use</b>	<p>Development in the analysis area would be subject to the City’s existing design review process and would be required to comply with all applicable urban design principles.</p> <p>In addition to design review and the application of design guidelines, development in the MB zone would be required to comply with all applicable development regulations contained in the Shoreline Zoning Code.</p> <p>Location and siting of new uses would consider their placement relative to existing surrounding land uses.</p>
<b>Light and Glare</b>	<p>Development in the analysis area would be subject to the City’s existing design review process and would be required to comply with all applicable urban design principles and development regulations contained in the Shoreline Zoning Code.</p> <p>The outdoor venue would be designed to orient light and glare away from sensitive receptors.</p>
<b>Transportation</b>	<p><i>Frontage Improvements</i></p> <p>When a property redevelops and applies for permits, frontage improvements (or in-lieu contributions) and right-of-way dedications if needed are required by the City of Shoreline Municipal Code (SMC 20.70). If right-of-way (or an easement) is needed, it also would be required/dedicated by the development to the City. The City has developed specific cross sections for City streets describing the travel lanes, sidewalk widths, bicycle facilities, and on-street parking. As part of the Aurora Square Planned Action EIS, customized designs were developed for 160th Street, Westminster Way N, N 155th Street, and Aurora Avenue N (see Appendix B). The Aurora Square CRA frontage improvements are described in detail under Section 3.3. Other frontage improvements would follow the City’s standard designs (e.g. west and south borders with Dayton, Fremont, and 155th along WSDOT area). The City may determine an allocation of responsibility/cost for required improvements to future redevelopment proposals proportionate to the development size or impact.</p> <p><i>Access Improvements</i></p> <p>Preliminary CRA plans include a new north/south internal street that will form the primary connection between Westminster Way N and N 160th Street. This north/south internal street would add a new intersection at N 160th Street. The redeveloping CRA properties will need to analyze the traffic operations of the new intersection and may be required to construct a signal at the new intersection if signal warrants are met.</p> <p><i>Concurrency</i></p> <p>Future proposals would meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in SMC 20.60.140 Adequate Streets.</p> <p><i>Impact Fees</i></p> <p>The City of Shoreline adopted Transportation Impact Fees effective January 1, 2015 per Shoreline Municipal Code (SMC) Chapter 12.40. As new development occurs within the CRA, each development would be assessed a per trip fee based on the number of new trips added to the street network.</p>

Element of Analysis	Summary of Mitigation Measures
	<p><i>Commute Trip Reduction</i></p> <p>The City has adopted a Commute Trips Reduction Program (SMC 14.10) consistent with State Requirements under RCW 70.94.527. Any new employers within the Aurora Square CRA with 100 or more employees arriving between 6:00 AM and 9:00 AM would be required to prepare and submit a Commute Trip Reduction Program to the City. Actions could include provision of priority parking for carpools, transit pass programs, and subsidies or other incentives for non-single-occupant, transit, or non-motorized commuters.</p> <p><i>Internal Pedestrian Access</i></p> <p>Chapter 20.60.150 of the SMC requires new development to provide pedestrian facilities that connect street right-of-way to building entrances, safe access to parking areas, and connections connecting commercial developments.</p> <p><i>Other Potential Mitigation Measures</i></p> <p>The Aurora Square CRA would benefit from additional left-turn capacity for northbound traffic on Aurora Avenue N. Potential options include adding a second northbound left-turn lane at the N 155th Street/Aurora Avenue N intersection or by adding a mid-block left-turn lane on northbound Aurora Avenue N.</p> <p>The option of adding a second left-turn lane at N 155th Street/Aurora Avenue N would benefit the Aurora Square CRA property owners and regional traffic flows by increasing intersection capacity and reducing delay.</p>
<p><b>Stormwater</b></p>	<p><i>Applicable Regulations and Commitments</i></p> <p>Future development under all alternatives will comply with local, State, and Federal clean water regulations, including the Clean Water Act, the Washington State Department of Ecology’s Stormwater Management Manual for Western Washington, and the Shoreline Municipal Code (SMC).</p> <p><i>Stormwater Retrofit</i></p> <p>Redevelopment of the Aurora Square site under any of the alternatives will be subject to requirements in the Stormwater Management Manual for incorporation of best management practices, including replacement of hard surfaces, which will result in a net benefit to the affected stormwater environment.</p> <p><i>Low Impact Development</i></p> <p>The Stormwater Management Manual for Western Washington requires the incorporation of LID improvements to treat runoff from applicable new and replaced impervious surfaces. The precise nature of LID improvements appropriate to the site would be determined during project design.</p> <p><i>Regional Flow Control</i></p> <p>The City of Shoreline is currently evaluating options for regional flow control facilities in the vicinity of the study area. Creating a downstream regional flow control facility to serve the study area, if pursued by the City, would require additional study and analysis to verify feasibility, preparation of regional facility basin plan for review by Ecology, environmental analysis and permitting, and final design and construction.</p>
<p><b>Sewer and Water</b></p>	<p><i>Sewer</i></p> <p>Currently, new development is required to pay a general facilities fee of \$2,506/ unit by the Ronald Wastewater District.</p> <p>Shoreline implements Chapter 20.60 SMC, Adequacy of Public Facilities, and requires adequate sewer disposal.</p> <p>The Aurora Square Community Renewal Area Plan promotes the use of an eco-district. This could result in private development taking advantage of heat recovery from wastewater systems.</p> <p>Sewer mains within Aurora Square are privately owned, and any upgrades will require coordination. However, as a practice, the Wastewater District takes control of sewer mains of a certain size. The Ronald Wastewater District would assume control of private sewer mains when the sewer main is larger than 8 inches. The City</p>

Element of Analysis	Summary of Mitigation Measures
	<p>of Shoreline would assume control of private sewer mains when the sewer main is larger than 6 inches. If updates are made to the private sewer mains within Aurora Square, some of them would be larger than 8".</p> <p><i>Water</i></p> <p>SPU has adopted a water system plan and considered City of Shoreline Zoning as of 2012 to help determine system needs; city zoning indicated a mixed use designation for the subject property (SPU Water System Plan 2013). SPU design standards indicate that fire flow is determined based on the City's Fire Code and considered when issuing Water Availability Certificates. Until such time as the City implements its water utility, SPU will determine availability of services at the time of development (i.e. Certificates of Availability).</p> <p>Shoreline implements Chapter 20.60 SMC, Adequacy of Public Facilities, and requires adequate water supply and fire protection. Shoreline also implements Chapter 13.05 SMC, Water and Sewer Systems Code, and applies King County codes and standards. As the City of Shoreline continues in its efforts to create a water utility, there will be updates to City standards as appropriate.</p> <p>The current water system infrastructure and supply are able to meet the additional residential and employment need. The water mains inside the study area are owned privately, and there would need to be coordination if the privately owned water mains need to be extended.</p>
<b>Schools and Parks</b>	<p><i>Parks</i></p> <p>The Planned Action includes a proposed bike path from Aurora Square westward to the Shoreline Community College and nearby Highland Terrace Elementary School, both of which have recreation facilities.</p> <p>In SMC 20.50.240 Site Design, Subsection G, the City requires multifamily open space at a rate of 50 square feet per dwelling unit and a minimum of 800 square feet.</p> <p>The City's commercial site design standards at SMC 20.50.240 Site Design, Subsection F, require public places within commercial portions of development at a rate of four square feet of public place per 20 square feet of net commercial floor area up to a public place maximum of 5,000 square feet.</p> <p>The City of Shoreline does not charge park impact fees. The City of Shoreline could use a fee in lieu approach to redirect a portion of the onsite open space towards a more centrally located public space within or adjacent to the Aurora Square property.</p> <p><i>Schools</i></p> <p>The City of Shoreline does not charge school impact fees. The District is preparing a Capital Facilities Plan, which may be the basis for charging impact fees in the future.</p>

Source: BERK Consulting, 2014