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Land Use, Real Estate, and Environmental Law

April 7, 2016

*Via Electronic Mail:
plancom@shorelinewa.gov*

City of Shoreline Planning Commission
17500 Midvale Avenue North
Shoreline, WA 98133

Re: Comments on the Draft Environmental Impact Statement for the
"145th Street Station Subarea Planned Action"

Dear Planning Commission Members,

The following comments are made on behalf of our client, the Shoreline Preservation Society, a Washington non-profit corporation, and Janet Way, John Behrens, and Wendy DiPeso as individuals. This group is collectively referred to herein as the "Shoreline Preservation Society" or "SPS." As you know, SPS actively participates in the City's planning process with the intent of promoting and supporting sustainable future development, supported by good capital facilities planning and levels of public services that maintain and enhance the high quality of life treasured for decades in the City of Shoreline. SPS meets the test for SEPA standing, in that it is within the zone of interest, and will suffer injury in fact as a result of this proposed action. Further information on standing is found in the attachment to this letter.

SPS thanks you for the opportunity to comment upon the DEIS and engage in the public discussion of the preferred alternative. We greatly appreciate the challenges the Planning Commission faces, as well as the hard work required to wade through these issues and make wise recommendations for the community.

Thank you for your consideration of the following.

1. LACK OF CLEAR DIRECTION IN THE DEIS ON PLANNED ACTION ORDINANCE
(FACT SHEET: Page FS-3 through 4, "Planned Action Environmental Impact Statement Process").

Based on the narrative in this section, the City may be planning to enact another planned action ordinance, similar to the one enacted as part of the 185th Street Station Subarea Plan, although no draft ordinance has been provided at this stage for public comment at public hearing. The Shoreline Preservation Society and the

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other commenters have done extensive research on the planned action provisions of the State Environmental Policy Act (SEPA) statute and implementing regulations. We urge you to review RCW 43.21C.440 and implementing WACs, and revise this section of the Draft EIS to comply with the requirements of the statute.

RCW 43.21C.440(1) sets out the basic definition for a planned action and the requirements for adoption of any planned action ordinance, that include a requirement to address project-level impacts:

- (1) For purposes of this chapter, a planned action means one or more types of development or redevelopment that meet the following criteria:
 - (a) Are designated as planned actions by an ordinance or resolution adopted by a county, city, or town planning under RCW 36.70A.040;
 - (b) Have had the significant impacts adequately addressed in an environmental impact statement under the requirements of this chapter in conjunction with, or to implement, a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or a fully contained community, a master planned resort, a master planned development, or a phased project;
 - (c) **Have had project level significant impacts adequately addressed in an environmental impact statement unless the impacts are specifically deferred for consideration at the project level pursuant to subsection (3)(b) of this section;**
 - (d) Are subsequent or implementing projects for the proposals listed in (b) of this subsection;
 - (e) Are located within an urban growth area designated pursuant to RCW 36.70A.110;
 - (f) Are not essential public facilities, as defined in RCW 36.70A.200, unless an essential public facility is accessory to or part of a residential, office, school, commercial, recreational, service, or industrial

development that is designated a planned action under this subsection; and

- (g) Are consistent with a comprehensive plan or subarea plan adopted under chapter 36.70A RCW.

RCW 43.21C.440 (emphasis added). The “SEPA Rules” adopted by the Department of Ecology to implement SEPA, as mandated by RCW 43.21C. 110, also contain procedures for the adoption of planned action ordinances, at WAC 197-11-168. These procedures expressly require that the City’s planned action ordinance” describe how the planned action meets the criteria of 197-11-164 (including specific reference to the EIS that addresses any significant adverse environmental impacts of the planned action).” WAC 197-11-168(2)(b).¹

In 2012, the Legislature amended SEPA to allow cities to pre-plan for “development or redevelopment projects,” as long as the city first adopted an environmental impact statement of a certain caliber during a subarea planning process. RCW 43.21C.440(1). Under the planned action statute, the Legislature authorized qualifying cities to front-load the review of project impacts, rather than conducting SEPA review at the time a project proponent submitted a development permit application. RCW 43.21C.440.

However, SEPA only authorized use of this streamlined approach if the environmental review for the project impacts was conducted up-front, at the time the city was amending a subarea plan or comprehensive plan. RCW 43.21C.440(1)(b). The statute contains an express requirement that any future planned action development project had its “project level significant impacts adequately addressed” in that earlier environmental impact statement for the subarea plan or comprehensive plan. RCW 43.21C.440(1)(c). SEPA further provided that a city’s procedures for adoption of an ordinance authorizing planned actions include findings that the future project(s) had their “project level significant impacts” addressed already.

The Statutory Requirement for Project-Level Impact Analysis Under SEPA. The planned action procedure contemplated under SEPA requires up-front environmental review of project impacts, because the process takes the place of SEPA’s usual process, where permit applications are subject to public review, environmental determinations, and possible appeals. The new 2012 SEPA planned action procedure streamlines the permit process in furtherance of the

¹ WAC 197-11-164 mirrors the definition of planned action found in RCW 43.21C.440.

Legislature's goal of promoting infill development within urban growth areas like the City. RCW 43.21C.440.

In streamlining the process, however, the Legislature did not abandon the right of citizens to appeal project-level impact analysis under SEPA, a long-held right in this state. It simply moved that right forward in time, to the earlier legislative decision designating the planned-action area and adopting procedures for planned actions. In other words, Section .440 required the City to conduct that kind of project-level review – with right of citizen appeal – at the time it adopts its subarea plan designation for the planned action area and adopted procedures. The City has not conducted project level analysis in the DEIS, so under RCW 43.21C.440, therefore the City must specifically defer consideration of project-level impacts to the project level, along with all of the procedural requirements of SEPA. What the City cannot do is eliminate SEPA environmental review without a rigorous review of project-level impacts, the mistake it made in the 185th Street Subarea EIS process.

The Legislature recognized that this “front-loading” of environmental review in the planned action process could be abused, to the detriment of the public and existing neighborhoods. In the ordinary case, a citizen questioning the environmental impacts of a project can appeal the SEPA threshold determination for the project and thereby challenge the mitigation measures attached to the project. The Planned Action eliminates this step, because it relies on the adequacy of project-level mitigation measures adopted in the planning-stage EIS.

To safeguard against the possible elimination of project-level SEPA review altogether through the planned action mechanism, the Legislature imposed unambiguous procedural safeguards for planned action ordinances: the planned action ordinance must be supported by detailed analysis of anticipated project significant impacts, complete with identified measures that will mitigate the adverse impacts of individual project developments. RCW 43.21C.440. *See* WASHINGTON REAL PROPERTY DESKBOOK VOLUME 5: LAND USE PLANNING, § 14.3(1)(d) at 14-33 (4th ed. 2012). Under the unambiguous language of Section .440(1)(b), (c), the Legislature required that use of this early planned-action designation contain sufficient environmental analysis of project-level impacts to take the place of any normal project environmental review.

SPS understands that it is not possible for the City to review project level impacts at the subarea plan level at this time because there are no “projects.” But if project level impacts are not addressed now, they must be addressed at the project level.

SPS believes that the level of planning engaged in by the City at the nonproject level is not suitable for use of the planned action device. It shortchanges the environment, the taxpayers of this City, the residents, the City government, and most of all, our future generations who will have to live in these areas.

- ❖ **SPS urges the Planning Commission to eliminate the planned action ordinance from the suite of actions proposed for 145th Street to allow better participation by the citizens of Shoreline in the future of their City.**

The City, in litigation with SPS over the Planned Action Ordinance for 185th Street, claimed that the project-level impact requirement did not apply because the City had “specifically deferred” project level impacts until the time of permit application. However, there was no indication in the FEIS or in the ordinance itself that specified what impacts were deferred, nor how they would be addressed at the project stage. While the City argued that the consistency finding by the Planning Director equated to deferral of environmental review of project level impacts, this rationale simply does not square with the SEPA statute. There is no prescribed procedure in the ordinance for addressing those impacts, nor is there any opportunity for public notice and citizen comment and appeal.

- ❖ **SPS requests that the Planning Commission engage in a dialogue about the mechanics of the Planned Action Ordinance with staff and with the public on the following questions:**

- **How will project level impacts be addressed?**
- **Why is there no public notice or comment procedures?**
- **Why aren't specific impacts deferred to the project stage in the DEIS?**
- **Is Shoreline city government willing to simply give up environmental review of project level impacts and are the citizens willing to condone it?**
- **Why adopt a planned action ordinance if project level impacts are deferred to the project level?**
- **Why doesn't the City provide a transparent process for considering project level impacts?**

2. REQUIRE PUBLIC NOTICE FOR PLANNED ACTION ORDINANCE

SPS asks the Planning Commission to consider whether adequate public notice of the planned action ordinance occurred during the 185th Station Subarea Plan process. The Planned Action Ordinance never even surfaced from the planning

department until well after the public hearing on the ordinances was over (ordinance surfaced in mid-February 2015; public hearing was Jan. 15, 2015). Therefore, citizens never got the opportunity to review, comment, and engage with its elected officials on the merits of an ordinance which deprived them of the right to comment upon and if necessary, appeal project-level impacts that affect them and their neighborhood. The process for enacting Ordinance 707 was also illegal under the optional municipal code, RCW Chapter 35A.63.

The City argued in the SPS litigation that the optional municipal code no longer applies to land use matters in the City of Shoreline. The court never reached the question, but it is clear under case law that it still applies. *See Whatcom Cy. v. Brisbane*, 125 Wn.2d 345, 354 (1994); *Brinnon Grp. v. Jefferson Cy.*, 159 Wn. App. 446 (2011). Since the City's position appears to be unsupported by law, SPS suggests that a Planning Commission member request an Attorney General Opinion to allow a neutral third party to opine on the matter.

Public process and notice is very important, especially in the City of Shoreline where the City Council is driving sea change within the City limits. Citizens should not be shortchanged during important processes such as this one.

❖ **SPS requests that the Planning Commission direct the Planning Department:**

- **to provide a copy of any proposed planned action ordinance upon issuance of the FEIS, so that there may be a full public hearing process on the ordinance.**
- **to notice all the ordinances in this process as required by the optional municipal code.**

3. RECOMMEND R-6 ZONING SURROUNDING ALL PARKS IN THE SUBAREA AS PART OF THE PREFERRED ALTERNATIVE

The City of Shoreline is known for its parks and its tree cover. There is an abundance of bogs, wetlands, ponds, and riparian areas that are critical to the ecological health of the creeks in Shoreline, Lake Washington and ultimately the Salish Sea.

Contrary to the findings in the staff report, Best Available Science clearly indicates that urbanization of a landscape (increase of impervious surfaces and reduction of tree cover) has profound negative effects on streams, wetlands, habitat, and the marine environment. Washington Departments of Ecology and Fish and Wildlife, *Wetlands in Washington State, Vol. 1* at 3-32 and Chapter 3 (2005)

<https://fortress.wa.gov/ecy/publications/documents/0506006.pdf>. The report summarizes the devastating effects of urbanization on p. 3-32:

- Increases in urban population are generally accompanied by increased development density and sprawl. Wetlands in these areas may be converted to urban land uses or may be degraded through a variety of causes.
- Urbanization results in modifications to water movement, alterations to riparian corridors, human intrusions, introduction of chemical contaminants, and increased areas of impervious surface. These changes profoundly affect environmental processes in contributing basins and, therefore, the downgradient drainage systems.
- Urbanization alters the movement of water into aquatic systems. Consequences of increased amounts of water include an increased frequency of erosive flows, greater volume of runoff, and longer duration of high flows.
- With urbanization comes increased transport of sediment, nutrients, metals, oil, pesticides, and other contaminants in surface runoff.
- Fragmentation of habitat results as the total area of wetlands is reduced and the connections between wetlands and other habitats are eliminated.

Id. at 3.4.9. The City argues that better drainage conveyance facilities will accompany redevelopment and that these improved drainage facilities will result in increased water quality and habitat in our wetlands, streams, and ponds. That justification is simply not supported by the science, as demonstrated above. However, even assuming for the sake of argument that it is true, the City also points out that redevelopment will occur even if the zoning remains at R-6. **Given that fact, SPS believes the City's argument reinforces the case for leaving the zoning of all areas surrounding our parks and significant critical areas at R-6.** This result will ensure that Shoreline does its part in protecting our region's endangered natural resources, while accommodating growth.

- ❖ **SPS requests that the Planning Commission follow best available science and leave all park and significant wetlands area within the R-6 designation and zoning, thereby ensuring preservation of quality of life within Shoreline and ensuring that the City does its part in protection of Lake Washington and the Salish Sea.**

4. THE PARAMOUNT AND TWIN PONDS PARK AREAS SHOULD NOT BE INCLUDED IN THE REZONE AREA

The Paramount and Twin Ponds Park areas should not be included in the rezone area, authorizing any multi-family zoning. We urge the Planning Commission to continue to recommend against their inclusion. Based on the following, the DEIS and its Addendum contain conflicting statements that prove that either:

- (a) the impacts of the “project” identified in the notice of public hearing have not been evaluated sufficiently to determine whether they will result in probable significant adverse environmental impacts (in which case the proposal should be denied); or
- (b) the conclusions are not supported by adequate analysis or factual inquiry; the conclusion that redevelopment in areas of historic flooding with wetlands will not result in probable significant adverse environmental impacts fails the rule of reason and the DEIS is inadequate.

By way of example, Page 7 of the staff report for the DEIS Addendum states:

Regarding subsurface conditions related to soils that contain peat, high groundwater conditions, and liquefaction potential, individual site-by-site analyses will need to be completed as part of future redevelopment to determine potential effects. There are a variety of geotechnical and structural engineering treatments that can address these conditions as part of site development.

Memorandum to Planning Commission from Otak Engineering, dated January 21, 2016 re Additional Technical Assessments at 7. The analysis plainly states that not enough study has been done to determine whether the area includes portions that have high groundwater or liquefaction potential that would make multi-family buildings unsuitable. Further study is needed to make that determination. Page 1 of the Otak memorandum to the Commission reinforces this when it admits that the level of analysis was not project-level analysis, i.e., the analysis involved only “planning level assessments.” *Id.* at 1.

Staff may argue that evaluation of soils and hydrologic integrity for multi-family zoning will be addressed at the project stage of review. If that is the case, SEPA requires the City to produce an ordinance that expressly lists this as a SEPA impact of the rezone project that is being deferred until this later site-specific

review, and thus citizens will have an opportunity to appeal at that stage under Section .440(3) of SEPA:

(b) A county, city, or town is not required to make a threshold determination and may not require additional environmental review, for a proposal that is determined to be consistent with the development or redevelopment described in the planned action ordinance, except for impacts that are specifically deferred to the project level at the time of the planned action ordinance's adoption.

RCW 43.21C.440(3)(b) (underline added). This specific listing of deferred impact analysis is important because SEPA then expressly provides citizens a right of appeal to challenge the adequacy of this later impact analysis:

The determination of consistency, and the adequacy of any environmental review that was specifically deferred, are subject to the type of administrative appeal that the county, city, or town provides for the proposal itself consistent with RCW [36.70B.060](#).

Id. The appeal right should be expressly stated in the planned action ordinance by listing “any environmental review that was specifically deferred.”

It is difficult for Citizens to comment on the adequacy of the City’s SEPA analysis in this DEIS and Addendum without first seeing the ordinance. Without the ordinance, it is unknown whether the City intends this hydrological analysis to be one of those expressly deferred to later site-specific project review, with right of appeal under SEPA. We urge the City staff to clarify this for the Planning Commission and the public by providing a draft ordinance, prior to the close of public hearing on the DEIS.

It is also unclear from the City’s notice whether this public hearing on April 7 was intended to be limited to a hearing on the DEIS and its Addendum, or whether it was also intended to be the public hearing on the planned action ordinance. The notice refers to the DEIS as “the above project.” However, the project has not been defined for purposes of public hearing and certainly the planned action ordinance has not been provided for public review in advance of the hearing. We request that the Planning Commission continue this hearing until staff clarifies whether a separate hearing will be held on the planned action ordinance. If not, the Planning Commission must keep the record open to allow public comment on that ordinance, once it is produced by City staff with a recommendation to the

Planning Commission, with appropriate advance public notice published in the newspaper. RCW 35A.63.070, .100.

❖ **SPS requests that the Planning Commission adopt a preferred alternative that does not include the Paramount and Twin Ponds Park in the rezone area.**

5. DEFER ADOPTION OF THE 145TH SUBAREA PLAN AND FEIS UNTIL SUCH TIME AS THE CITY ADOPTS IMPACT FEE ORDINANCES

One of the primary concerns that SPS has regarding the DEIS and subarea plan is that while the City is prescribing mitigation measures for the next 20 years through the planned action ordinance, it is deficient in its ability to require developers to shoulder some of the costs of the resulting impacts. Without use of impact fee tools provided to the City by the state Legislature, the City is handicapped in its ability to ensure that taxpayers do not end up footing the entire bill for new growth, while developers pocket the profits.

The City does not currently collect impact fees from developers as permitted under RCW 82.02.050 - .090 for anything except transportation. Under RCW 82.02.050, the City is authorized to collect impact fees on the following public facilities: (a) Public streets and roads; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities. See RCW 82.02.090(7).

As a part of this aggressive push to redevelop the 145th Street neighborhood, it is unconscionable for the City to adopt this zoning without requiring developers to pay their way as provided by this statute. The Planning Commission should recommend to the City Council that the planning department immediately get busy on putting together impact fee ordinances for parks, open space, and recreational facilities; school facilities; and fire protection facilities. It seems doubtful that the City later require developers to mitigate these impacts when the DEIS and FEIS do not name those ordinances as mitigation measures; therefore the City needs to enact these impact fee ordinances and name those regulations as mitigation measures before the Subarea Plan and FEIS are enacted.

As urbanization intensifies within this area, funding for open space, fire protection, and schools must be part of the picture. Without it, there will be a steady decrease in the quality of life at a commensurate pace with the development that comes into the area.

- ❖ **SPS requests that the Planning Commission direct planning staff to put this project on hold and instead spend staff resources on developing impact fee ordinances that will offset the cost of new development in the 145th Street area.**

6. DEFER FURTHER CONSIDERATION OF THE DEIS OR THE PREFERRED ALTERNATIVE UNTIL THE CORRIDOR STUDY IS COMPLETE

SPS adopts and incorporates by reference ALL comments made by Jan Stewart in her April 7, 2016 letter submitted to the Planning Commission. SPS wants to emphasize that the corridor study must be completed before the Planning Commission finalizes any preferred alternative or its consideration of the DEIS.

- ❖ **SPS requests that the Planning Commission direct planning staff to defer any further consideration of the 145th Street Station Plan and DEIS until the corridor study is completed.**

7. COMPLETE CAPITAL FACILITIES PLANNING FOR SUBAREA BEFORE ADOPTING NEW INTENSIVE DESIGNATIONS AND ZONING

The DEIS reveals a lack of appropriate capital facilities planning. Under RCW 36.70A.070(3), all capital facilities plans must contain the following:

- (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- (b) A forecast of the future needs for such capital facilities;
- (c) The proposed locations and capacities of expanded or new capital facilities;
- (d) At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- (e) A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

Part of this package, as determined by Growth Management Hearings Board decisions, is a determination of probable sources of funding, even for the 20-year plan. It need not be nearly as specific as the 6 year CIP, but it must sketch out a rough estimate of how the new development envisioned by the plan will be funded. It is essential part of the City's obligation to its citizens: the citizens have a right to know how this intensive new development will be paid for.

❖ **SPS requests that the Planning Commission direct planning staff to defer any further consideration of the 145th Street Station Plan and DEIS until the corridor study is completed.**

8. AVOID PHASED ZONING AND INSTEAD ADOPT NEW ZONING ONLY FOR AREAS FOR WHICH DETAILED CAPITAL FACILITIES PLANNING IS COMPLETED

The agenda for the April 7, 2016 Planning Commission hearing includes an unsigned and undated staff report (Agenda Packet Item 6a) stating that the Commission will be considering the recommended preferred alternative shown in the map at Attachment F ("Compact Community Hybrid"). However, the staff report also describes at least four other options, including at least two that involve "phased zoning."

The staff report recommendations on phased zoning are not well presented or described. References are made to maps at attachments B, D, E and F. Phasing proposals for the Phased Connecting Corridor and Phased Compact Community are mentioned, as a comparison to a new "Compact Community Hybrid" that is said to include "some elements of the Phased Connecting Corridor Alternative," with references to the map at "Attachment F." **However, the map does not contain any information about what zoning would be phased.** The public deserves a clearer explanation of what the staff and Planning Commission subcommittees are recommending, prior to holding public hearings to take comment on those recommendations.

We urge the Commission and City Council to avoid phased zoning and instead zone only those smaller areas for which the City has completed its project-level capital facilities and environmental analysis. Phase 1 of the Compact Community alternative (Attachment E) approximates the kind of more limited zoning the City would take under this approach, i.e., adopting Phase 1 alone, without subsequent phasing. The City should not proceed with phased rezones of larger areas (potentially described as a planned action area in some future ordinance – not yet

produced) until it completes project-level work. The Planning Commission should reject the phased zoning shown in Attachment D and implied in Attachment F.

Under the City staff's phasing proposals for these larger areas, subsequent changes to existing zoning take place automatically, without any additional public hearing or City Council vote, regardless of changed conditions that may exist at that future date (lack of funds, environmental changes, increased flooding due to climate change, etc.). At the time future phases are adopted today, the impacts of future conditions are not well described or understood by the public or decision makers.

This phased zoning approach, when spread out over a long stretch of time for areas not yet studied for environmental impacts and capital facilities needs, violates SEPA, RCW 43.21C, the Growth Management Act, RCW Chapter 36.70A, and the intent of the Optional Municipal Code. RCW Chapter 35.63A.

❖ **SPS requests that the Planning Commission adopt a preferred alternative that avoids phased zoning and instead adopts new zoning for only those areas for which detailed capital facilities planning has been completed.**

9. REQUEST TO EXTEND PUBLIC HEARING AND LEAVE RECORD OPEN TO ALLOW FURTHER PUBLIC COMMENT

SPS requests the Planning Commission to extend the time allowed for public discussion of this proposal. The City has devoted a number of years to this work, and it is quite a bit for the average working citizen to digest in a timely fashion. The decisions the Planning Commission is considering will affect the 145th Street neighborhood for many years to come.

❖ **SPS requests that the Planning Commission continue the public hearing until next month and leave the record open to encourage further public discussion and dialogue about the future of the 145th Street Station Subarea.**

Please feel free to contact me if you have any questions or concerns, or would like further information on any topic in this letter.

Very truly yours,



Barbara Dykes Ehrlichman
Partner

ATTACHMENT
FACTS SUPPORTING SPS STANDING

The Shoreline Preservation Society (SPS) is an active Washington non-profit corporation founded September 13, 2010 association, UBI Number 60347960. The SPS is a local, grassroots organization fostering the preservation of Shoreline's neighborhoods, as well as historical, cultural and environmental assets throughout the Shoreline area. A major component of the work of SPS is to educate Shoreline residents and disseminate information about proposed changes and impacts due to rezones and other city or developer actions, to participate in the public process, and to provide alternatives as needed to preserve the character of Shoreline's neighborhoods.

SPS will be directly harmed by this proposed action because the character of the neighborhoods in the 145th Street Subarea, as well as surrounding areas, including the historic, cultural and environmental assets, will likely be substantially altered and diminished, if not destroyed by new high density development authorized by these Ordinances without the necessary infrastructure to support it. The City of Shoreline has thus far failed to conduct adequate planning as required by the GMA (in particular capital facilities planning) and environmental review to ensure that a dramatic and intensive increase in density and up-zone in the 145th Street Subarea would not negatively affect city infrastructure such as transportation networks, surface water management, water supply and sewer. Because of the lack of adequate infrastructure and the lack of identified funds to pay for new infrastructure, negative impacts will result from approval of these actions and significantly degrade quality of life in the City of Shoreline. Infrastructure will be inadequate to handle the large surge in population that will result if these densities are implemented. These impacts will destroy the character of these neighborhoods which SPS is dedicated to preserving.

6.1.2 Petitioner Janet Way. Janet Way resides at 940 NE 147th Street, Shoreline, Washington 98155. Ms. Way has resided in the City of Shoreline (City) since its incorporation in 1995, and in the same home for 25 years. She is the President of Shoreline Preservation Society. Ms. Way is deeply committed to maintaining the character of the City of Shoreline and the surrounding areas, particularly in preserving the Thornton Creek Watershed, wildlife habitat, and the tree canopy within the City. Her commitment is evidenced by her activities with SPS, Thornton Creek Alliance, the Paramount Park Neighborhood Group, and the Thornton Creek Legal Defense Fund. Ms. Way served on the Shoreline City Council from 2005-2009.

Ms. Way will be harmed by this action because she will suffer from the negative impacts of poorly planned intensive urban development near her home, including worsening traffic, drainage impacts, impacts to the Thornton Creek watershed which she has worked so hard to restore, and destruction of wildlife habitat and the tree canopy within the City of Shoreline. She enjoys the quiet neighborhood feel of the City of Shoreline, the many birds that live in the tree canopy, and the areas of wildlife habitat, many of which will be substantially altered and diminished, if not destroyed by the dense urban development that will result from adoption of these ordinances and the Board's approval thereof, particularly without adequate planning for urban infrastructure to support it.

6.1.3 Petitioner John Behrens. John Behrens resides at 18332 Meridian Ave.N, Shoreline, Washington 98133. Mr. Behrens has resided in the City of Shoreline (City) since its incorporation in 1995, and in the same home for 23 years. He is the Treasurer of Shoreline Preservation Society.

Mr. Behrens will be harmed by the negative impacts of poorly planned intensive urban development near his home, including worsening traffic, drainage

impacts, impacts to the Thornton Creek watershed, and destruction of wildlife habitat and the tree canopy within the City of Shoreline. He enjoys the quiet neighborhood feel of the City of Shoreline, the many birds that live in the tree canopy, and the areas of wildlife habitat, most of which will be substantially degraded if not destroyed by the dense urban development that will result from adoption of this action, particularly without adequate planning for urban infrastructure to support it.

6.1.4 Petitioner Wendy DiPeso. Wendy DiPeso resides at 328 NE 192nd Street, Shoreline, Washington 98155. Ms. DiPeso has resided in the City of Shoreline (City) since 2002. She is also the Secretary of the Shoreline Preservation Society.

Ms. DiPeso will be harmed by the negative impacts of poorly planned intensive urban development near her home, including worsening traffic, drainage impacts, impacts to the Thornton Creek watershed, and destruction of wildlife habitat and the tree canopy within the City of Shoreline. She enjoys the quiet neighborhood feel of the City of Shoreline, the many birds that live in the tree canopy, and the areas of wildlife habitat, most of which will be substantially degraded or destroyed by the dense urban development that will result from adoption of this action, particularly without adequate planning for urban infrastructure to support it.