



c/o Janet Way
940 NE 147th St
Shoreline, WA 98155

August 4, 2016

Shoreline Planning Commission
c/o Steve Szafran
17500 Midvale Ave N
Shoreline, WA 98155-2148

Subject: Planned Action Ordinance for 145th Subarea Rezone

Dear Planning Commissioners:

Please accept this comment as a part of the official public record and we request status as Party of Record with Legal Standing on the matter of the proposed **Planned Action Ordinance for the 145th Subarea**. The Shoreline Preservation Society has established Legal Standing on matters previously pertaining to the 185th Subarea and Planned Action. Our members have longstanding interest in the community and the Thornton Creek watershed.

We also request to be notified of any and all meetings and opportunities to comment on this matter going forward. And we ask that all comments including oral and written received at this meeting and the previous record on the 185th Planned Action and Subarea, be incorporated by reference.

We continue to have serious concerns on the impacts that this action would have to the environment and the rights of citizens.

Concerns:

• Overlap of existing Southeast Subarea:

What are the implications and conflicts created by the overlap of the 145th Subarea and the Southeast Subarea Plans? The Southeast Subarea plan began with a CAC Council direction in 2008 and adopted in 2011 by Council, which included the Zoning section and Comp Plan amendments which specified maintaining the R-6 zoning. The direction and intent in the previous Subarea plan could not be clearer. (see attached map here)

<http://www.shorelinewa.gov/home/showdocument?id=12249>

“In general, the plan preserves the single-family character of the neighborhoods. However, a major focus of the plan is to increase housing choice by encouraging styles of

“appropriate” infill development, such as Accessory Dwelling Units and small houses on small lots, rather than zoning large areas for higher density. This way, growth is diffused throughout the area, has minimal visual impact on neighboring houses, and provides extra living space for extended families or rental income.”

The “Resolution” prepared by staff states in Attachment A:

“D. The designation of the 145th Street Subarea Planned Action is consistent with the goals and policies of the City’s Comprehensive Plan.”

We disagree! If the goals specified in the Southeast Subarea Plan are not respected and carried through in subsequent development, we believe the 145th Subarea Planned Action is NOT CONSISTENT with the City’s Comprehensive Plan.

We recommend maintaining existing R-6 zoning EAST of Eighth NE, from NE 145th to NE 155th and also in all areas surrounding and contingent to both Paramount Open Space, Paramount School Park and Twin Ponds to protect integrity of CAO’s and buffer these valuable public Open Spaces. (See appendix A: Comprehensive Plan Map in Southeast Zoning Plan.)

• The FEIS has not fully satisfied the need for adequate information about environmental impacts. Specifically, the City’s Addendum to the DEIS for the 145th Subarea Environmental assessment, undertaken by OTAK to review the wetlands and critical areas in the Paramount Park Open Space was completely inadequate, inaccurate and did not even review the ECA’s and buffer on private property surrounding the park.

In addition, “Project Level Impacts” must be studied according to SEPA and the GMA for a Planned Action Ordinance to be properly applied. (See Washington Real Property Deskbook Volume 5: Land Use Planning, & 14.3(1)(d) at 14-33(4th Ed. 2012). Under that clear language of paragraph (b), and(c), the WA Legislature required that the use of this early planned-action designation must contain sufficient environmental analysis of “project-level impacts” to take the place of any normal project environmental review.)

• Critical Area Buffers

The area being considered for this Planned Action Ordinance is within the Headwaters of Thornton Creek. Thornton Creek is the largest watershed in Shoreline and Seattle and is habitat for five species of salmonids.

Page 4 of Staff Report makes a statement about Critical Areas, but neglects to mention “Critical Area Buffers” as vital for protection along with the CAO itself. This is a big problem, because buffers are extremely important to the health of a wetland especially. Paramount Open Space has a unique characteristic in that the “forested uplands” surrounding the park are valuable to its health and must be protected. This also applies to the many single-family homes surrounding it, which also provide a level of buffer to the open space, creek, wetlands and a liquefaction zone.

“As mandated by state law, SMC 20.80 must protect the functions and values of the critical area, which includes wetlands, streams, and fish and wildlife habitat. If a critical area exists on the property, SMC 20.80 applies and its functions and values must be protected from degradation. In essence, SMC 20.80 serves as a citywide overlay and has the potential to impact the density and dimensional components of a project.”

The existing R-6 Single Family zones, which surround our local parks, serve as viable buffers. These neighborhoods should be preserved by any means possible. And, future Open Space acquisition policies should target these neighborhoods for potential acquisition to increase Open Space as required by the Growth Management Act.

Several wetlands near I-5 and the route of the Light Rail and Station area will be impacted. These areas should be enhance if at all possible or if damaged or destroyed, mitigation funding should be spent on nearby Parks with Critical Areas needing enhancement and protection. The funding should be targeted towards property acquisition, wetland restoration, culvert replacement and reforestation.

Both Paramount Open Space and Twin Ponds contain vital wetlands stream corridors that provide habitat, detention and water quality benefits. These must be protected and properly analyzed for any proposed development. They have unfortunately been affected and degraded by development over the past century. This must be reversed and not further exacerbated by development policies.

The assertion that subsequent development will have better storm water standards does not make up for the increased hard surface and destruction of green space and trees on existing single-family lots. The loss of habitat and pervious surfaces will be a net loss for the watershed.

The Exhibit A Mitigation Measures makes a clear misstatement:

*“Concentrations of peat laden soils appear to be located primarily in existing publicly owned park lands.
Liquefaction susceptible areas mapped by the City appear to be located primarily in public park areas.”*

These statements are completely inaccurate. There are many areas of private property that contain wetland soils and also liquifaction zones. Some are actually in the public “ROW” (Right of Way). So this is a seriously incorrect statement that shows a lack of concern for the true impacts of this proposal.

• Misuse of “Planned Action” terms:

The Ridgecrest and Parkwood Neighborhoods are not “blighted” as suggested in comparisons in the staff report, but are already well functioning and provide excellent affordable housing. The staff report compares other areas with Planned Action Ordinances, which are industrial zones or otherwise blighted. We believe that the Ridgecrest and Parkwood Neighborhoods will suffer greater “blight” potentially as a

result of the Planned Action. People who live in the Phase I area will be subject to the extreme changes with little recourse.

Phasing as proposed in the current staff report is indeed an improvement over the 185th Subarea Planned Action and Rezone, which provided on a six-year Phase I and the phases provided no recourse for residents to appeal or comment. However, it seems to highlight that the 2015 Council action was overly ambitious and thus far not effective in promoting density.

But the current proposal seems to provide little detail on how residents might receive “official notice”, opportunity to comment or appeal a proposed development. This is a big problem and a violation of the rights of citizens.

• **Inadequate road networks and other infrastructure** analysis to support the massive impact: The existing roadways are not designed for the increases in density and traffic that will surely accompany it, being planned, nor are the other infrastructure. The Southeast Subarea Plan specifies that the areas EAST of Eighth NE should remain single-family zoned (R-6).

• **“Affordable Housing”:**

We continue to be concerned that the City is creating policies that will convert and destroy existing “affordable housing” (which often provides homes for seniors who have paid off their homes and now have no mortgage expenses or young families who can purchase a small historic home for much less than a new home) to large denser housing with a few “affordable units”, but which will actually mainly help developers to avoid taxes. The Planned Action Ordinance for Phase I will encourage destruction of these existing viable neighborhoods and ultimately displace thousands of residents. The “affordability” suggested in these policies will provide rental units for people at a rate that is equal to or more than the current costs for existing residents.

The argument that this policy will somehow promote Climate Change protection is questionable at best. If these homes are destroyed, they will be sent to landfill, which is considered the highest level of carbon pollution, because it creates methane, the most potent greenhouse gas. A policy that encourages destruction of all trees to allow this development also encourages carbon pollution, because existing trees are one of the best insurance policies we have to prevent climate change. The development resulting will bring more concrete and pavement that will also contribute to carbon pollution and “Urban Heat Island” effects.

• **Infrastructure:**

The Planned Action Ordinance does not provide sufficient detail on how local infrastructure such as roads, parking, water, sewer, waste, Fire and Police service and Schools and Open Space will be provided or paid for. Also, there seems to be little to no provision for the impacts of disruption to the neighborhood of traffic and noise that will be created by construction of new infrastructure.

The Green Network, which was adopted by Council, will according to the resolution only be implemented in the long-term and in conjunction with development. So, any benefits touted to the community previously will not be seen for many, many years in the future, while we have to suffer the impacts of intense development in the near term!

(Exhibit A Mitigation Measures)

“Implement the Green Network concept described in the FEIS in a phased approach with development.”

A great deal of the mitigation suggested, especially for revenue is “aspirational”, in other words, WISHFUL THINKING. It is based on hope for “behavioral changes.” So our huge public investment and destruction of a huge neighborhood is based on “HOPE” that our behavior might change. This is not based on science but fantasy.

• Conclusion:

We believe the Planned Action Ordinance is in conflict with the Comprehensive Plan, the Growth Management Act, SEPA and the Southeast Subarea Plan. The mitigation suggested is not adequate. We also assert that the destruction of these viable neighborhoods is a violation of the trust citizens have in their local governments.

We ask that the City reconsider and correct this proposal to be more based on logic and reason and fairness to existing residents and taxpayers and not merely to satisfy political and aspirational goals. Real people will be affected.

Thank you for your attention to this important matter.

Respectfully Submitted,

Janet Way, President
Shoreline Preservation Society