

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

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| AGENDA TITLE: | Public Hearing on 145th Street Station Light Rail Subarea Plan Package (Ordinance Numbers 750, 751, and 752) | | |
| DEPARTMENT: | Planning & Community Development | | |
| PRESENTED BY: | Miranda Redinger, Senior Planner, P&CD | | |
| | Steve Szafran, AICP, Senior Planner, P&CD | | |
| | Rachael Markle, AICP, Director, P&CD | | |
| <input checked="" type="checkbox"/> Public Hearing | <input type="checkbox"/> Study Session | <input type="checkbox"/> Recommendation Only | |
| <input type="checkbox"/> Discussion | <input type="checkbox"/> Update | <input type="checkbox"/> Other | |

BACKGROUND

To effectuate the 145th Street Station Subarea Plan, numerous components are required, with each having been studied at various public meetings.

- May 5, June 2, and July 21, 2016, the Planning Commission discussed potential Development Code regulations applicable to the 145th Street Station Subarea.
- July 7, 2016 meeting, the Commission was presented with an overview of the Final Environmental Impact Statement (FEIS) for this proposal.
- May 19 and July 21, 2016 the Commission discussed draft policies for the Subarea Plan.

The purpose of tonight’s meeting is to hold the public hearing and to make recommendations to the City Council on the 145th Street Station Subarea Plan package, which consists of three adopting ordinances and their exhibits:

Ord. No. 750- Adopting the 145th Street Station Subarea Plan and Amending the Comprehensive Plan and Land Use Map (Attachment A)

- Exhibit A- 145th Street Station Subarea Plan
- Exhibit B- Comprehensive Plan Future Land Use Map

Ord. No. 751- Amending the Unified Development Code, Shoreline Municipal Code Title 20, and the Official Zoning Map to Implement the 145th Street Subarea Plan (Attachment B)

- Exhibit A- Development Code regulations
- Exhibit B- Compact Community Hybrid zoning map

Ord. No. 752- Adopting a Planned Action Ordinance for the 145th Street Station Subarea pursuant to the State Environmental Policy Act (SEPA) (Attachment C)

- Exhibit A- Mitigation measures for Phase 1, Compact Community Hybrid
- Exhibit B- Development Code regulations
- Exhibit C- Planned Action Boundary map

Approved By: Project Manager _____

Planning Director _____

All of the above ordinances and exhibits will remain in draft form until adopted by the City Council, potentially on September 26, 2016. The Compact Community Hybrid zoning scenario is referenced throughout, but if the Commission were to recommend or Council to adopt a different zoning scenario, the subarea plan document, Comprehensive Plan Future Land Use Map, mitigation measures, and the Planned Action Boundary map would all be amended to reflect this Preferred Alternative zoning scenario prior to adoption. The adoption of phased zoning would also necessitate revisions to multiple exhibits above, as would amendments to draft Development Code regulations.

The Final Environmental Impact Statement will be used as a decision-making tool, but is not adopted as part of the Subarea Plan package, and therefore not a direct subject of the public hearing.

The Subarea Plan and Final Environmental Impact Statement are too large to attach to this staff report, but are available at www.shorelinewa.gov/145FEIS, along with all other attachments and exhibits. Hard copies are also available for reference at Shoreline libraries and City Hall, or may be purchased at City Hall for the cost of production.

ORDINANCE 750- SUBAREA PLAN AND COMPREHENSIVE PLAN LAND USE DESIGNATIONS (Attachment A, including Exhibits A and B)

The Growth Management Act (GMA) requires the fastest growing counties and the cities within them to plan extensively in keeping with state goals on:

- sprawl reduction
- concentrated urban growth
- affordable housing
- economic development
- open space and recreation
- regional transportation
- environmental protection
- property rights
- natural resource industries
- historic lands and buildings
- permit processing
- public facilities and services
- early and continuous public participation
- shoreline management

The City of Shoreline adopted the most recent major update to its Comprehensive Plan on December 10, 2012. Upon adoption, the 145th Street Station Subarea Plan will be incorporated into the Comprehensive Plan. Draft policy language for the Subarea Plan was discussed by the full Commission on May 19 and July 21, 2016, and with the Commission's light rail committee on June 9, 2016. The full draft Subarea Plan was introduced at the July 21, 2016 Commission Meeting. The staff report and materials for that meeting are available here:

<http://www.shorelinewa.gov/home/showdocument?id=26345>; minutes from this meeting were not yet available at the time of publishing this staff report, but will be available at this link: <http://www.shorelinewa.gov/government/departments/planning-community-development/planning-commission/meeting-agendas-and-minutes/-toggle-allpast>.

The full Subarea Plan document may be downloaded from www.shorelinewa.gov/145FEIS, by section or in its entirety. Chapters are listed below:

1. Introduction
2. Community and Stakeholder Engagement in Plan Development
3. Existing Conditions and Population Forecasts
4. Market Outlook and Economic Development Potential
5. Long Term Vision for the Station Subarea
6. Sustainability and Livability Benefits of the Plan
7. Incremental Implementation Strategy

The Subarea Plan contains policy direction for future development of the 145th Street Station Subarea, including implementation strategies that will require additional work following adoption of the plan. This includes working with the Parks Board to develop a program for impact fees or dedication of new parks, and coordinating with service providers regarding capital projects. The Subarea Plan contains information from the Public and Stakeholder Involvement Plan, Design Workshop Summary Reports, a Market Assessment performed for the subarea, and the FEIS.

In addition to incorporating policy language into the Comprehensive Plan, the Subarea Plan also amends the Future Land Use Map (Attachment A, Exhibit B). Some Comprehensive Plan land use designations represent a range of potential zoning designations. This means that if a property had a Comprehensive Plan designation with a variety of possible zones the owner could submit an application to be rezoned to any one of those designations. The process is criteria-based and involves a public hearing.

However, for the light rail station subareas, each proposed Comprehensive Plan designation (Station Areas 1, 2, and 3) correlate to only one Mixed Use Residential (MUR) zoning designation: SA-1=MUR-70'; SA-2=MUR-45'; and SA-3=MUR-35'. This makes it more difficult for owners of MUR property to rezone to a different zone because the Comprehensive Plan land use map would also have to be amended.

ORDINANCE 751- DEVELOPMENT CODE REGULATIONS AND ZONING MAP (Attachment B, including Exhibits A and B)

The Commission discussed potential Development Code regulations during three meetings in May, June, and July of 2016, with some additional discussion of outstanding questions at the August 4 meeting.

New regulations proposed for adoption through the 145th Street Station Subarea Plan would apply to both 185th and 145th Street station subarea zoning designations. The new regulations include changes to the follow areas:

- Critical Areas Reasonable Use Permit
- Station Area Uses
- Single-family detached in MUR-35' and MUR-45' zones
- Minimum density in MUR-35'
- Minimum lot area in MUR-70'
- Maximum setback on 145th and 185th Streets
- Additional height for rooftop amenities
- Minimum density calculations
- Townhouse design standards in MUR-45'

- Site and frontage improvement thresholds for change of land use
- Access to development from 5th Avenue NE

It is important to note that regulations adopted through the 185th Street Station Subarea Plan and the remainder of the existing Development Code would be applicable to the 145th Street Station Subarea Plan. These regulations address such aspects of development as:

- Height limits
- Front, rear, and side yard setbacks
- Architectural step backs in the building design (“wedding cake” form), and landscaping requirements
- Vehicular access oriented to side and rear rather than to the front along arterials
- Streetscape improvements and landscaping requirements
- Open space and recreation facilities for residents
- Parking quantity, access, and location standards
- Vehicle, pedestrian and bicycle circulation and access
- Lighting to enhance safety and security
- Design of public spaces
- Building façade articulation and compatible architectural form
- Preferences for architectural finishes and materials
- Tree conservation encouraged with residential redevelopment
- Signage requirements
- Integration of public art, planters, water features, and other public amenities

Potential zoning scenarios have been the subject of many Planning Commission and City Council meetings. A brief history is included below.

- **August 18, 2014** - Based on ideas generated at the June 12, 2014 Design Workshops; analysis in the Market Assessment; and existing national, state, regional, and local policy direction, Council discussed design concepts and how they could be translated into zoning scenarios. The staff report and attachments for this meeting are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport081814-9a.pdf>; minutes are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2014/081814.htm>
- **September 15, 2014** - Council discussed seven possible zoning scenarios, including No Action, emphasis on connecting corridors (either 5th Avenue, 155th Street, or both), or compact alternatives that included neither corridor. The staff report and attachments for this meeting are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport091514-8a.pdf>; minutes are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2014/091514.htm>

- **September 29, 2014** - Council selected three zoning scenarios to be presented to the community at the October 9 Design Workshop, Part II: No Action, Connecting Corridors, and Compact Community. The staff report and attachments for this meeting are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport092914-8a.pdf>; minutes are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2014/092914.htm>
- **November 10, 2014** - Following the October 9 Design Workshop, Part II, Council chose to move forward with No Action, Connecting Corridors, and Compact Community as the zoning scenarios to be analyzed in the Draft Environmental Impact Statement (DEIS) for the 145th Street Station Subarea Plan. The staff report and attachments for this meeting are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport111014-8b.pdf>; minutes are available at:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2014/111014.htm>
- **February 5 and 19, 2015** - The Planning Commission hosted a public hearing on the DEIS and potential zoning scenarios on February 5, 2015. The staff report and attachments for this meeting are available here:
<http://www.shorelinewa.gov/home/showdocument?id=19425>; minutes are available here: <http://www.shorelinewa.gov/Home/ShowDocument?id=19627>. The Planning Commission public hearing was carried over to February 19, 2015. The staff report and attachments for this meeting are available here:
<http://www.shorelinewa.gov/home/showdocument?id=19631>; minutes are available here: <http://www.shorelinewa.gov/Home/ShowDocument?id=19953>

 - Following the February 19 public hearing, the Commission recommended that Council not select a Preferred Alternative zoning scenario or initiate the Final Environmental Impact Statement (FEIS) until completion of the 145th Street Transportation Corridor Study.
- **March 23, 2015** – The Council accepted the Commission’s recommendation and voted to delay selection of the Preferred Alternative zoning scenario to be analyzed in the FEIS until completion of the 145th Street Corridor Study. The staff report and attachments from this meeting are available here:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2015/staffreport032315-8a.pdf>; minutes are available here:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2015/032315.htm>
- **March 17, 2016** – The Planning Commission discussed all potential zoning scenarios considered to date and created the Compact Community Hybrid scenario. The staff report and attachments from this meeting are available here:
<http://www.shorelinewa.gov/home/showdocument?id=25323>; minutes are available here: <http://www.shorelinewa.gov/Home/ShowDocument?id=25581>

- **April 7, 2016** – The Planning Commission held a public hearing to select a Preferred Alternative zoning scenario to recommend to the Council for study in the FEIS. The staff report and attachments from this meeting are available here: <http://www.shorelinewa.gov/home/showdocument?id=25603>; minutes are available here: <http://www.shorelinewa.gov/Home/ShowDocument?id=25805>
- **May 2, 2016** – Council directed that the Compact Community Hybrid be studied in the FEIS as a fourth alternative, in addition to the three alternatives studied in the DEIS, but they did not select a Preferred Alternative. Council also directed that the potential to phase zoning for all action alternatives (Connecting Corridors, Compact Community, and Compact Community Hybrid) be studied in the FEIS. The staff report and attachments from this meeting are available here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport050216-8b.pdf>; minutes are available here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Minutes/2016/050216.htm>
- **August 4, 2016** – Commissioner Mork proposed a potential amendment to the Compact Community Hybrid zoning scenario to be considered for tonight’s public hearing; this map is included as Attachment D. This map shows wetlands, streams, and their buffers surrounding Twin Ponds Park and Paramount Open Space, based on information from the recent delineation performed for Twin Ponds Park and the City’s Critical Areas GIS layer for Paramount Open Space. Commissioner Mork proposed that properties that include any critical areas or their buffers retain R-6 zoning, while properties that did not include a critical area or buffer would be zoned MUR-35’. Commissioner Mork’s reasoning was that properties likely to include critical areas or buffers should be limited to single-family development, but that other properties surrounding park land should have the option to maintain single-family standards or to redevelop with multi-family units that could house more people near such amenities. Her concern was that eventually, properties zoned R-6 that are not constrained by critical area regulations would eventually redevelop into larger, more expensive single-family homes, which she considered a potential equity issue and inconsistent with the vision.

Following tonight’s public hearing, the Commission could make a recommendation to Council regarding the zoning map to be adopted through Ordinance 751. This will be a component that Council will consider at their September 12, 2016 study session. They may choose to amend the Planning Commission recommendation and/or adopt the Subarea Plan package of ordinances on September 26.

ORDINANCE 752- PLANNED ACTION ORDINANCE (Attachment C, including Exhibits A, B, and C)

A Planned Action involves detailed SEPA review and preparation of EIS documents in conjunction with subarea plans, consistent with [RCW 43.21C.031](#) and [WAC 197-11-164](#) through [WAC 197-11-172](#). Such up-front analysis of impacts and identification of mitigation measures facilitates environmental review of subsequent individual development projects. The full Planned Action Ordinance for the 145th Street Station

Subarea Plan was discussed at the August 4 Planning Commission meeting. The staff report and attachments for that meeting are available at: <http://www.shorelinewa.gov/home/showdocument?id=26501>. Minutes from this meeting were not yet available at the time of publishing this staff report, but will be available at this link: <http://www.shorelinewa.gov/government/departments/planning-community-development/planning-commission/meeting-agendas-and-minutes/-toggle-allpast>.

It is important to reiterate that even though the Planned Action Ordinance references the Compact Community Hybrid zoning scenario, this should not be interpreted as a the presumptive adopted scenario. There are remaining opportunities for public comment, discussion and deliberation by both the Commission and Council before final zoning is determined. Decision-makers and the public should consider all attached ordinances and exhibits as illustrative of requisite components at this time. If necessary, staff will amend attachments and exhibits based on Planning Commission recommendation and City Council decision.

The key purpose of doing a Planned Action is to develop an understanding of cumulative impacts of potential redevelopment, rather than performing this analysis only at the development project level. Analyzing impacts and identifying mitigations through the FEIS for both 20 year and build-out timeframes allows the City to prioritize capital projects for the shorter timeframe, while also foreseeing what could be needed for the long-term.

Analyzing different timeframes has the added benefit of accommodating unpredictable rates of growth. If more redevelopment were to occur than projected for the 20 year timeframe, projects may not be considered under the planned action, but the City and other service providers would already know what general improvements would be necessary before development could proceed.

There are several reasons that staff recommends using the Phase 1 boundary as the planned action boundary, and only including mitigations for this phase as Exhibit A to Ordinance 752 (Attachment C).

- With the 185th Street Station Subarea Plan, the planned action boundary included the first two (of three) phases of development because Phases 1 and 2 would be in effect prior to 2033 (in 2015 and 2021, respectively).
- Phase 3 in the 185th Street Station Subarea Plan and Phase 2 in the 145th Street Station Subarea Plan could both be activated in 2033 (10 years after the light rail station is operational).
- Therefore, using a planned action boundary that correlates more closely to a 20-year development timeframe represents a consistent approach to both subarea plans.
- Twenty years is also a more common timeframe for planned action ordinances, as opposed to using the build-out of a zoning scenario, which could take 55-87 years for the Compact Community Hybrid, applying a growth rate of 1.5-2.5 percent.
- Because the 145th Street Station Subarea Plan FEIS studied a phased approach to zoning, specific mitigations were identified for this timeframe (through 2033), which were used as the basis for Ordinance 752, Exhibit A.

Even if Council does not adopt phased zoning for the subarea plan, staff recommends using the Phase 1 boundary as the planned action boundary. This means that any projects proposed within the Phase 2 area of the zoning scenario that is adopted would not be covered by the planned action, and non-exempt development projects would be subject to SEPA.

For the Phase 1 area that could potentially be the subject of the planned action, it is worth noting that this is not an indefinite or unlimited pass for growth. The City must monitor actual projects against the level analyzed, and if this threshold is reached, either a developer would need to perform independent environmental analysis, or the City could choose to develop a Supplemental Environmental Impact Statement to determine additional mitigations. Either option would be accompanied by new public process. Regulations that are adopted as part of a Planned Action Ordinance may be amended over time to address issues that arise, such as requiring additional design standards or mandating extra amenities and would require SEPA analysis.

FINAL ENVIRONMENTAL IMPACT STATEMENT

According to the Washington State Environmental Policy Act (SEPA) Handbook, there are several steps in the EIS process:

1. Conducting "scoping," which initiates participation by the public, tribes, and other agencies and provides an opportunity to comment on the proposal's alternatives, impacts, and potential mitigation measures to be analyzed in the EIS;
2. Preparing the Draft EIS, which analyzes the probable impacts of a proposal and reasonable alternatives, and may include studies, modeling, etc.;
3. Issuing the Draft EIS for review and comment by the public, other agencies, and the tribes;
4. Preparing the Final EIS, which includes analyzing and responding to all comments received on the Draft EIS, and may include additional studies and modeling to evaluate probable impacts not adequately analyzed in the Draft EIS;
5. Issuing the Final EIS; and
6. Using the EIS information in decision-making.

The City has completed steps 1-5. The Planning Commission discussed the Final EIS at their meeting on July 7, 2016. A Review Guide was published for this meeting that summarized findings of the Final EIS, prior to publication of the full document, which took place on July 18. Step 6 will take place at tonight's public hearing, and during City Council deliberation on September 12 and 26.

The Final EIS is intended to be very similar to the Draft, except that it should respond to public comments submitted and perform additional analysis if necessary. For the 145th Street Station Subarea Plan, the DEIS analyzed three potential zoning scenarios: No Action, Connecting Corridors, and Compact Community. On May 2, 2016 Council selected a fourth alternative zoning scenario (Compact Community Hybrid) for study in the FEIS, as well as directing that a phased approach be studied for all potential action alternatives.

The FEIS for the 145th Street Station Subarea Plan also included additional analysis with regard to an Addendum to the DEIS, which was published on February 19, 2016;

and the Preferred Concept for the 145th Street Corridor Study, which was adopted by Council on April 11, 2016. In addition to this new information, the FEIS also provides updated details regarding mitigations, including Development Code regulations that could be adopted as part of the Planned Action Ordinance or were adopted through the updated Critical Areas Ordinance, and greater emphasis on what to expect in the next 20 years.

PUBLIC NOTICE AND COMMENT

The City noticed the public hearing on August 3, 2016. The notice was posted in the Seattle Times, on the City's website and Shoreline Area News, and mailed to Parties of Record. A Notice of Issuance and Availability, emails, and Alert Shoreline notifications were sent to distribution lists on July 19 letting interested parties know that the FEIS was available. Another email and Alert Shoreline notification were sent to distribution lists when the Subarea Plan, and Planned Action and other adopting ordinances and their exhibits were available at www.shorelinewa.gov/145FEIS.

NEXT STEPS

Following tonight's hearing, the Commission may make a recommendation to the City Council regarding any and all components of the Subarea Plan Package (Ordinances 750, 751, and 752).

The following meetings and topics should complete the process for adoption of the 145th Street Station Subarea Plan.

- September 12- City Council meeting: Study Session on Subarea Plan package
- September 26- City Council meeting: City Council adopts Ordinances 750, 751, and 752*

*Council adoption may extend into October depending on number of revisions from Planning Commission recommendation.

RECOMMENDATION

Staff recommends the Commission amend if necessary, and recommend approval of Ordinances 750, 751, and 752 to be forwarded to Council for further consideration and potential adoption.

ATTACHMENTS

Attachment A: Ord. No. 750- Adopting the 145th Street Station Subarea Plan and Amending the Comprehensive Plan and Land Use Map

- Exhibit A- 145th Street Station Subarea Plan (this document is too large to attach, but is available at www.shorelinewa.gov/145FEIS)
- Exhibit B- Comprehensive Plan Future Land Use Map

Attachment B: Ord. No. 751- Amending the Unified Development Code, Shoreline Municipal Code Title 20, and the Official Zoning Map to Implement the 145th Street Subarea Plan

- Exhibit A- Development Code regulations
- Exhibit B- Compact Community Hybrid zoning map

Attachment C: Ord. No. 752- Adopting a Planned Action Ordinance for the 145th Street Station Subarea pursuant to SEPA

- Exhibit A- Mitigation measures for Phase 1, Compact Community Hybrid
- Exhibit B- Development Code regulations
- Exhibit C- Planned Action Boundary map

Attachment D: Potential Mork Amendment to Compact Community Hybrid zoning scenario