



## MEMORANDUM

TO: Mayor Roberts and City Councilmembers

FROM: Jessica Simulcik Smith, City Clerk

DATE: May 23, 2017

RE: Documents received at 5/22/17 Council Meeting

CC: Debbie Tarry, City Manager  
John Norris, Assistant City Manager

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Attached hereto are documents received from the public at your May 22, 2017 City Council Regular Meeting.

- 1) Written comment regarding Highlands Utility Yard submitted by Greg Logan.
- 2) Comment Form regarding redevelopment of the surplus Police property submitted by Kevin Callahan.

**Shoreline City Council Presentation**  
**2017.05.22**

1. First, as I have repeatedly, stated, there TWO **separate and distinct uses** that were permitted for the Highlands. The Hearing Examiner made this perfectly clear in her Findings of Fact.

22. The Department determined that the Forty Acres had been used by The Highlands for many years for material storage and vehicle storage and maintenance, as well as for the location of The Highlands, Inc.'s maintenance staff. (Exhibit 14) Thus, the Department determined that under the Code, the materials storage and vehicle storage and maintenance uses were nonconforming and could be expanded on the project site through a CUP. (Exhibit 14) The source-separated recycling function, including yard waste collection, was considered a permitted use in a residential zone and thus, did not require a CUP.

In contrast, in the Department of Planning has mixed up these uses creating both a legal and factual error in the revisions made to the original conditions last Spring.

**1. REVISED CONDITION #1 - BACK-HOE/LOADER GREEN WASTE RECYCLE JAMMING**

- a. Paragraph added Spring 2016 -

- Landscape waste drop-box located outside the 200 foot setback and compression by a backhoe is a necessary function of the drop-box to fill the containers as a permitted function of the utility yard. You have indicated that this activity is limited to 45 minutes in the morning and 45 minutes in the afternoon to minimize the duration of the activity. [italics added]

**2. Portion of Highland Terrace Neighborhood and adjacent to the west in the Highlands neighborhood is zoned R-4.**

**20.40.030 Residential zones.**

A. The purpose of low density residential, R-4 and R-6 zones, is to provide for a mix of predominantly single detached dwelling units and other development types, such as accessory dwelling units and community facilities that are compatible with existing development and neighborhood character.

3. In light of the Highlands operating a Utility Facility/Yard and a neighbor green waste disposal site, one naturally wonders as to the legal basis used for the Highlands to be able to engage in USES other than an R-4 use.

Table 20.40.140 Other Uses

NAICS #	SPECIFIC USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2
<b>GOVERNMENT</b>									
9221	Court						P-i	P-i	P-i
92216	Fire Facility	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	<b>Interim Recycling Facility</b>	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
92212	Police Facility					S	P	P	P
92	Public Agency Office/Yard or Public Utility Office/Yard	S-i	S-i	S	S	S	P	P	
221	Utility Facility	C	C	C	C	P	P	P	P

**P = Permitted Use**

**P-i = Permitted Use with Indexed Supplemental Criteria**

**Subchapter 3.  
Index of Supplemental Use Criteria**

**20.40.200 Purpose.**

The purpose of this subchapter is to list alphabetically various uses or activities with supplemental criteria applicable to that use or activity. (Ord. 238 Ch. IV § 3(A), 2000).

-I-

**20.40.420 Interim recycling facility.**

A. Interim recycling facilities **in the residential zones** shall be **limited to drop box facilities** that are **accessory** to a public or community use such as a school, fire station or community center.

B. In NB and CB zones all processing and storage of material shall be within **enclosed buildings**, except drop box facilities for the collection and temporary storage of recyclable materials. Yard waste processing is not permitted. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. IV § 3(B), 2000).

## HEARING EXAMINER FINAL DECISION

### 1. HEARING EXAMINER FINDINGS OF FACT

41. An "interim recycling facility" is permitted by the SMC in the R4 zone if it is limited to "drop box facilities accessory to a public or community use such as a school, fire station or community center." SMC 20.40.140 and .420.

42. "Recyclable material" is defined in the Code as a "nontoxic, recoverable substance that can be reprocessed for the manufacture of new products." SMC 20.20.044.

### 2. HEARING EXAMINER CONCLUSIONS

11. Under SMC 20.40.140 and .420, drop boxes for interim recycling of source-separated materials are a permitted use of the project site, as they will be accessory to a maintenance/meeting/storage use on the site, which would qualify as a "community use," i.e., a use for the benefit of the Highlands community.

12. Although the size of drop boxes is not prescribed by the Code, the proposed yard waste recycling function on the site will utilize trailers sufficiently small to qualify as drop boxes, as that term is commonly understood. The use of such drop boxes for yard waste recycling is also an interim recycling facility and permitted in residential zones under SMC 20.40.140 and .420.

## CITY OF SHORELINE REVISIONS TO ORIGINAL CONDITIONS

### 2. REVISED CONDITION #1 - BACK-HOE/LOADER GREEN WASTE RECYCLE JAMMING

b. Paragraph added Spring 2016 -

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# City Council Comment Form

## Shoreline City Council Meeting

Date: May 22, 2017

Please use this form if you wish to provide written comments to the City Council. The form should be turned in to the City Clerk. This comment form is Public Record, so any contact information you provide may be disclosed as part of a Public Record.

Name Kevin S. Callahan

Address/Email: 18566 Midvale Ave N Kevin.S.Callahan@gmail.com

Phone Number 206-427-6478

Agenda Item (if applicable) Public hearing and adoption of Res 411 Surplus  
property designation of the Police station ~~at~~  
N 185<sup>th</sup> St

Comments:

I'm strongly opposed to any use of the subject  
property for purposes as any rehabilitation center,  
such as a methadone clinic as it once was.

My concern is that such use would attract a  
demographic of person who <sup>tend</sup> to act in a criminal manner.

I would encourage use of this property as retail  
or professional services.