



PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, February 6, 2020
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Ave N
Shoreline, WA 98133

	<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	7:03
a. January 16, 2020 Draft Minutes	

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	7:05
6. STUDY ITEMS:	
a. Development Code Amend. - Professional Offices in R8/R12 Zones	7:10
b. 2020 Comprehensive Plan Amendment Docket	7:40
7. UNFINISHED BUSINESS	8:10
8. NEW BUSINESS	8:11
9. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	8:12
10. AGENDA FOR February 20, 2020	8:13
11. ADJOURNMENT	8:15

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.

DRAFT
CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
MINUTES OF PUBLIC HEARING

January 16, 2020
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Montero
Vice Chair Mork
Commissioner Craft
Commissioner Davis
Commissioner Lin
Commissioner Malek
Commissioner Maul

Staff Present

Nora Gierloff, Planning Manager, Planning and Community Development
Andrew Bauer, Senior Planner, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Julie Ainsworth-Taylor, Assistant City Attorney
Carla Hoekzema, Planning Commission Clerk

CALL TO ORDER

Chair Montero called the meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Chair Montero, Vice Chair Mork, and Commissioners Craft, Davis, Lin, Malek and Maul.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The December 19, 2019 meeting minutes were approved as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

PUBLIC HEARING: AMENDMENTS TO MASTER DEVELOPMENT PLAN AND SPECIAL USE PERMIT DECISION CRITERIA

Chair Montero reviewed the rules and procedures for the public hearing and then opened the hearing.

Mr. Bauer reviewed that all of the campus zones within the City require a Master Development Plan (MDP). The Fircrest Campus, operated by the Department of Social and Health Services (DSHS), is the only remaining campus within the City that still doesn't have an MDP. In response to renewed activity by the DSHS to submit an MDP for the site that includes the expansion of existing uses on the campus and the potential siting of an Essential Public Facility (EPF), the City Council enacted a 6-month moratorium (Ordinance No. 868) on the filing, acceptance and approval of applications for MDPs, Special Use Permits (SUPs) and EFPs. The moratorium allows staff time to study the current decision criteria for both permit types in relationship to the City's goals and policies and to determine and recommend adequate and relevant processes to best evaluate an MDP that includes the siting of an EPF. The moratorium is set to expire on April 7th.

Mr. Bauer said the proposed amendments are intended to address the topics identified in the moratorium, clarify the process and relationship between MDPs, EPFs and SUPs, and make sure that the criteria and standards support the current goals and vision for Shoreline.

Mr. Bauer said EPFs are defined in the Revised Code of Washington (RCW). They are necessary uses that are typically hard to site. They include solid waste facilities, correctional facilities, and inpatient facilities (substance abuse, mental health, group homes, etc.) The Growth Management Act (GMA) requires local jurisdictions to contemplate and provide policies and a mechanism to allow EPFs in their comprehensive plans.

Mr. Bauer described each of the amendments as follows.

- **Special Use Permit (SUP) Amendments (Specific to EPFs).** These amendments focus on criteria to address EPFs. As proposed, the criteria:
 - Clarifies that a SUP is required for an EPF, which is separate from an MDP.
 - Adds a social justice component to ensure that the siting of an EPF would not have a disproportionate impact on certain socio-economic or racial groups.
 - Adds a requirement for emergency service providers to be informed throughout the process to ensure there is adequate service for the use.
 - Adds a requirement that EPFs incorporate mitigation measures as a condition of permit approval to address potential impacts.
 - Implements existing Comprehensive Plan policies. While the Comprehensive Plan has policies that deal with EPFs, there is not a strong implementation piece in the Development Code.
- **Master Development Plan (MDP) Amendments.** These amendments are intended to clarify the relationship between the SUP and the MDP. As proposed, the criteria:
 - Clarifies that both an MDP and a SUP would be required for an EPF.
 - Addresses MDPs that have multiple property owners. Such is the case at Fircrest, where there are multiple state agencies with different stakes in the overall campus zone.
 - Requires a direct community benefit to the adjacent neighborhood to be incorporated into an MDP. All of the MDPs do this to some degree, but the amendment makes it more formal.

- Requires MDPs to be designed in a compact pattern for the campuses to grow over time.
- References the applicable design standards currently adopted into the Development Code. These standards include internal walkways and circulation, outdoor lighting, siting and screening of service and mechanical areas, etc.
- Increases the approval time frame from 10 years to 20 years.
- **Land Use Amendments.** As proposed, these proposed amendments would:
 - Add new definitions for “Evaluation and Treatment Facility” and “Enhanced Services Facility.” These definitions were taken directly from the RCW and relate to different types of behavioral health facilities. In talking with DSHS, the potential proposal for the Fircrest Campus could fall into one of these categories, and the intent is to have some regulations and definitions related to these potential uses in place.
 - Clarify some of the existing uses.
 - Update the Land Use Table to acknowledge the land use designations that were added. The new uses would be listed as special uses within the Mixed Business (MB) zone. Applicants proposing one of the new uses in the Campus zone would be required to obtain a SUP.
- **Review Process Amendment.** These proposed amendments revise the SPU notification standards so they are in line with the MDP. Rather than treating EPFs and SUPs one way and MDPs another way, the amendment aligns the two. Should there be an instance where concurrent MDP and EPF applications come in at the same time, they would go through the same review process and have the same notification standards.

Mr. Bauer reviewed that, in addition to the required public notice, the draft amendments have been shared with property owners in all of the Campus and Mixed Business zones in the City. A few comments were received and incorporated into the proposed amendments where applicable.

Mr. Bauer reminded the Commission of the criteria that must be considered when reviewing Development Code Amendments and advised that a detailed response to each of the criteria was included in the Staff Report. He summarized that staff has reviewed the amendments against the criteria and is recommending the Commission forward a recommendation of approval to the City Council. The City Council will be the final decision maker. The Commission’s recommendation is tentatively scheduled to go before the City Council on February 10th.

Chair Montero invited members of the public to comment, but no one came forward.

VICE CHAIR MORK MOVED THAT THE COMMISSION FORWARD THE AMENDMENTS TO THE MASTER DEVELOPMENT PLAN AND SPECIAL USE PERMIT DECISION CRITERIA TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED. COMMISSIONER MAUL SECONDED THE MOTION.

Vice Chair Mork said she appreciated staff's effort to think through all of the various issues, particularly the time they spent reviewing and discussing the criteria. She also appreciated the information provided by DSHS representatives on December 5th.

THE MOTION CARRIED UNANIMOUSLY.

Chair Montero closed the public hearing.

Assistant City Attorney Ainsworth-Taylor indicated she would prepare the Commission's recommendation to the City Council for the Chair's signature.

DIRECTOR'S REPORT

Ms. Gierloff reported that 2019 was a very busy year for the Planning and Community Development Department. Almost 3,000 permits were received and 2,770 were issued. Total revenue was \$3.4 million, which was 38% over the target, not including the school district's permit fees. She summarized that the development climate is very good right now and some fairly significant projects have come in, including the Washington State Department of Transportation's (WSDOT) major remodel and new building. This project has been a hot-button issue because the improvements along Dayton will potentially require the removal of a number of trees (about 130). The Public Works Department is working to identify a cross section that would reduce that number considerably while still accommodating the required frontage improvements.

Ms. Gierloff advised that 19 of 20 homeowners on a block just west of the 145th Street Station have sold to a single developer. The original plan was for 81 townhouses, but the developer has presented a new set of plans showing 4 apartment buildings (287 units) with a central parking garage.

Chair Montero asked if Sound Transit is still on schedule with the station developments. Ms. Gierloff answered yes, as far as she knows. However, they had to stop construction for three days during the snowy weather.

Ms. Gierloff said there was some downtime for pre-application meetings in December, but January is fully booked. A new Health Science Building has been proposed for the Shoreline Community College Campus and is currently in for permit. The owner of the Vale Apartment Building just north of City Hall has purchased property on the north side of the street and submitted an application for another apartment building.

Ms. Gierloff reported that the City Council adopted the Townhouse Design Standards, and they became effective on January 14th. For the most part, the Council accepted the Commission's recommendation, but they went back to 40% of the units up to the street instead of the 30% recommended by the Commission. They also increased the weather protection requirement over entrances and required the same amount of open space for projects of all sizes rather than the two-tiered system recommended by the Commission. Staff is now seeing the first permits come in under the new standards.

Ms. Gierloff reported that there are currently more townhouse projects under review than were approved in all of 2019. Chair Montero asked how staff is handling the workload. Ms. Gierloff said they are very busy, and a lot of long-range planning projects are coming up, as well. The Commission's schedule will be busy this year.

Ms. Gierloff advised that the City Council has expressed a desire to address the issue of "missing middle housing, and the City applied for and obtained a grant from the Department of Commerce that will allow a bigger-picture look at housing. They are currently interviewing consultants to assist staff with a Housing Action Plan. The consultant will provide data relative to housing needs, existing housing stock and housing affordability and make suggestions for a toolkit of options the City can consider for implementation. The consultant will also assist staff in reviewing the current Comprehensive Plan policies. The project will include discussions with the Planning Commission, as well as public outreach opportunities.

Ms. Gierloff announced that the Permit Center has schedule Home Improvement Workshops and Vendor Fairs for March 31st, April 28th and May 19th.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

Commissioner Malek reported that BSRE presented its new plan for Point Wells. They also sent out an action notice advising they would be requesting a variance to not have multimodal transportation within the scope needed for the 18-stories they are proposing.

AGENDA FOR NEXT MEETING

Ms. Gierloff advised that the Commission's February 6th meeting agenda will include a study session related to Conditional Use Permits and Professional Office Code Amendments. Mr. Szafran reported that the City Council approved adding Professional Office Uses to the Land Use Policies, and development code amendments will be needed to implement this change in the R-8 and R-12 zones. The amendments will also include revised definitions and new procedural requirements for Conditional Use Permits.

Mr. Szafran advised that the 2020 Comprehensive Plan Amendment Docket will also be presented to the Commission on February 6th. He reviewed that the City Council approved 2019 Comprehensive Plan Amendments 2 and 3, which were related to the environment, and denied Amendment 1, which was related to a rezone.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

William Montero
Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Professional Offices in R-8 and R-12 zones
DEPARTMENT: Planning & Community Development
PRESENTED BY: Steven Szafran, AICP, Senior Planner
Nora Gierloff, Planning Manager

Public Hearing
 Discussion

Study Session
 Update

Recommendation Only
 Other

INTRODUCTION

On December 9, 2019, the City Council adopted Ordinance No. 881 which adopted two Comprehensive Plan Amendments. The amendment in question, amendment #3, added professional offices to Land Use Element Policy LU2 (LU2) which now states:

LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.

To implement the policy adopted by Council, staff is proposing amendments to the Shoreline Development Code Chapters 20.20 – Definitions, 20.30 – Procedures and Administration, and 20.40 – Uses. Staff prepared revised definitions for Professional Offices and new definitions of Outdoor Storage, Construction Services Office/Yard, and Contractor Construction Services Office to clarify the different types of uses. Staff is recommending that the newly defined uses be added to the SMC 20.40 Uses. Staff is also proposing that the Conditional Use Permit (CUP) process in SMC 20.30.300 be used to determine if a professional office should be permitted, permitted with conditions or denied in the R-8 and R-12 zones on a case by case basis.

While reviewing the (CUP) process to implement LU2, staff noted that the CUP process is silent on such provisions as permit expiration, transferability of permit, and permit revocation. The amendments in this staff report also address those issues.

BACKGROUND

The final 2019 Comprehensive Plan Docket contained three (3) amendments, including a concurrent rezone related to Amendment No. 1:

Approved By:

Project Manager 

Planning Director 

6a. Staff Report - Dev. Code Amend. - Professional Offices in R8/R12 Zone

1. Change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and change the Zoning from Residential, 8 units/acre (R-8) to Community Business (CB) of Two Parcels at 1510 and 1517 NE 170th Street.
2. Update Natural Environment Goal V by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels.
3. Amend Comprehensive Plan Policy LU2 to allow for professional offices in the R-8 and R-12 zones.

Initially, the applicants for Amendment No. 1 were given options that potentially could allow the existing office and showroom for a remodeling and construction business at their current location, in addition to an option to discontinue the use of their property for that business. One of those options included applying for a General Comprehensive Plan Amendment to change LU2 to allow for professional office uses.

SMC 20.20.040 defines a “Professional Office” as:

An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.

Changes to the Development Code are required to implement the amendment to LU2 as the code currently does not allow professional offices in the R-8 and R-12 zones. These Development Code amendments will address restrictions on siting and conditions under which such uses may be permitted within the R-8 and R-12 zoning districts, including access, proximity to commercial zones, setbacks, lighting, and signs.

ANALYSIS

On December 9, 2019, the City Council approved Comprehensive Plan amendment No. 3 to add “Professional Offices” to Land Use Element Policy LU2. To implement this policy, staff is suggesting the following Development Code amendments which would address the siting of professional offices in the R-8 and R-12 zones through a Conditional Use permit process:

- Clarify and revise the definition of Professional Office.
- Add a definition for Outdoor Storage.
- Add a definition for Contractor Construction Services Office.
- Add a definition for Construction Services Office/Yard.
- Add regulations to SMC 20.30.300 regarding revocation, transferability, expiration, and extension.
- Add Professional Offices, Contractor Construction Services Office, and Construction Services Office/Yard to Table 20.40.130.
- Add indexed criteria to Professional Offices in the R-8 and R-12 zone.
- Add indexed criteria to Contractor Construction Service Office.
- Add indexed criteria to Construction Services Office/Yard.

6a. Staff Report - Dev. Code Amend. - Professional Offices in R8/R12 Zone

Attachment A lists each proposed Development Code amendment with staff's justification for the amendment, proposed Development Code language, and recommendation.

Development Code Amendment Decision Criteria

In accordance with SMC 20.30.350.A, an amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

The Planning Commission may recommend to the City Council to approve or approve with modifications an amendment to the Development Code if all of the following are satisfied:

1. The amendment is in accordance with the Comprehensive Plan

The following Comprehensive Plan Goals and Policies are consistent with the proposed amendment:

Goal Land Use (LU)1 - Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Policy LU 2 - The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.

Policy LU 7 - promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and "third places"; and

The proposed amendments will encourage a variety of lower-intensity commercial uses in medium-density neighborhoods. In addition, offices in the R-8 and R-12 zoning districts promote small-scale commercial activity that provide for opportunities for employment.

Goal Economic Development (ED) VI: Support employers and new businesses that create more and better jobs.

Goal ED VIII: Promote and support vibrant activities and businesses that grow the local economy.

Policy ED13: Support and retain small businesses and create an environment where new businesses can flourish.

6a. Staff Report - Dev. Code Amend. - Professional Offices in R8/R12 Zone

The proposed amendments will support existing and future employers by allowing businesses to grow in place and by allowing new businesses to locate within more neighborhoods throughout the City of Shoreline.

Policy Community Development Policy (CD) 4 – Buffer the visual impact on residential areas of commercial, office, industrial, and institutional development.

The proposed amendment will allow office uses throughout residential neighborhoods potentially increasing conflicts between single-family homes and commercial uses. The Development Code addresses transitional setbacks and landscape buffers when commercial development locates adjacent to single-family uses. These requirements will lessen the impact of new offices adjacent to single-family uses.

Policy LU 15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.

Allowing offices in the R-8 and R-12 zones will increase commercial traffic, parking, noise, lighting, and general activity in single-family neighborhoods. Proposed indexed criteria for professional offices and Contractor Construction Service Office will reduce impacts to single-family neighborhoods by limiting hours of operation; requiring specific proximity to other commercial zones and arterial streets; prohibiting outdoor storage; regulating outdoor lighting; and regulating signage.

2. The amendment will not adversely affect the public health, safety or general welfare

The proposed amendment will not adversely affect the public health, safety, or general welfare of the residents of Shoreline. The proposed amendments will allow professional offices and contractor construction services offices in a very limited area of the city. The total area of parcels zoned R-8 and R-12 is 103 acres (483 parcels) which is just over 1% of the city's total area. In addition, staff has recommended indexed criteria, or conditions, that will further limit the impact of professional offices in the R-8 and R-12 zones.

The amendments to the Conditional Use Permit procedures and administration will give the Director greater discretion and authority in approving, revoking, and transferring conditional uses. That is to say, if a permittee has not met the conditions of approval or indexed criteria associated with a professional office or construction services office, the Director may revoke the permit and start code enforcement procedures outlined in SMC 20.30.760.

3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

The proposed amendment is not contrary to the best interest of the residents and property owners of the City of Shoreline. Currently, the city allows home-

6a. Staff Report - Dev. Code Amend. - Professional Offices in R8/R12 Zone

based businesses in all residential zones and allowing professional offices in the R-8 and R-12 zones may add a negligible impact over a home-based business. Allowing Professional Offices may cause additional traffic, parking, and general activity throughout a neighborhood, but those factors can be mitigated through the proposed indexed criteria for professional offices and contractor construction services offices.

TIMING AND SCHEDULE

A public hearing is scheduled on this topic at the March 5, 2020 Planning Commission meeting.

RECOMMENDATION

This meeting is for study and discussion purposes only. Staff will bring back a formal recommendation at the public hearing on March 5th.

ATTACHMENTS

Attachment A – Proposed Development Code Amendments

20.20. – Definitions

Justification – Since professional offices will be allowed in the R-8 and R-12 zones, staff analyzed the existing definitions for professional office to ensure that other, more intense uses, could not be considered professional offices. For example, a contractor’s office may not be compatible in residential zones since a contractor’s office typically has commercial equipment and vehicles that must be stored outdoors.

Staff is proposing amendments to the definition of professional office that clarify the type of uses that may occur as a part of the office and add a provision that professional offices shall not include outdoor storage or onsite transfer of commodities. Per the definition, a professional office is a place of business for licensed professionals such as attorneys and accountants and not professions that need a simple registration.

In order to accommodate certain businesses that do not qualify as a Professional Office but operate similarly, staff is proposing new definitions and uses for Construction Services Office/Yard and Contractor Construction Services Office.

A Contractor Construction Services Office is generally an office for the operation of a small contractor and construction services business that may, with certain conditions, be able to locate in residential neighborhoods with little impact. The definition includes provisions for no outdoor storage, no storage of building materials, and provisions for an onsite showroom.

A Construction Services Office/Yard is generally a more intense construction business where building materials, heavy equipment, tools, machinery, and vehicles are stored outdoors.

Lastly, in order to protect existing residential neighborhoods, staff is proposing a definition for outdoor storage. Outdoor storage includes equipment, materials, machinery, or other goods associated with a business stored outside of a building.

<u>Construction Services Office/Yard</u>	<u>An office primarily engaged in the provision of general contracting or subcontracting services in the building construction trade. Construction yards include administrative offices, workshops, and the indoor or outdoor storage of tools, equipment, machinery, materials, and vehicles.</u>
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<u>Contractor Construction Services Office</u>	<u>A type of professional office used for the general administrative and accounting functions of a licensed contractor including new construction, additions, and remodels. The office may include a showroom to display sample merchandise connected to their services to view and select for subsequent delivery to the customer’s residence, business or project location. Offices may</u>
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Professional Offices in R8/R12 Zones - Attachment A

include fully-enclosed storage facilities but no outdoor storage is allowed.

Outdoor Storage The storage of any products, materials, equipment, machinery, or scrap outside the confines of a fully enclosed building.

Professional Office ~~An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.~~

An office used as a place of business by licensed professionals, such as attorneys, accountants, architects, and engineers, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills. Professional offices shall not involve outside storage, fabrication or transfer of commodity.

20.30 – Procedures and Administration

Justification – At the December 2, 2019 City Council meeting, Council raised several questions about the administration of existing and proposed Conditional Use Permits. Those questions included:

- 1. Can a CUP be revoked?*
- 2. If yes, what criteria would be used for revocation?*
- 3. Does a CUP run with the land or is it personal to the permittee?*
- 4. Can a CUP be abandoned?*

In addition to addressing Council concerns, staff has also proposed adding a provision for extending an approved CUP.

The first amendment to SMC 20.30.300 adds provisions for suspension, revocation or limitation of a CUP. This section allows the Director to revoke a CUP if the permit holder has failed to comply with any terms or conditions of approval, the permit holder has committed a code violation or created a public nuisance in the course of performing activities subject to that permit, the permit holder has interfered with the Director in the

Professional Offices in R8/R12 Zones - Attachment A

performance of their duties relating to that permit, the permit was issued in error or on the basis of materially incorrect information supplied to the City, or permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled. Revocation is proposed to be carried out through the notice and order provisions of SMC 20.30.760.

Second, staff is proposing a transferability section that states a CUP shall run with the land unless the Director states in the conditions of approval of the CUP that the CUP is issued to the permittee. This provision allows the Director the flexibility to approve a CUP based on unique attributes of a business that may not transfer well to subsequent owners of a parcel.

Third, the city's CUP provisions did not include a section for expiration. The SMC currently has a two-year expiration for permits when there has been no initial activity to effectuate the permitted use based on the filing of a building permit. There is no SMC provision related to the expiration of a permit once the permitted activity has commenced. Once a CUP is granted, it will last so long as the conditions that were agreed upon continue to be followed. Within the City's nonconforming use provisions in SMC 20.30.280, a legal nonconforming use is considered abandoned when its use has been discontinued for 12 consecutive months. As other cities have done (Lynnwood & Puyallup), this same time period will be used for CUPs.

Lastly, the City's CUP provisions do not include a section for extension. Staff is proposing a provision to allow the Director to grant an extension of an approved CUP that has not commenced not to exceed 180 days. Such extension of time shall be based upon findings that the proposed project is in substantial conformance, as to use, size, and site layout, to the issued permit; and there has been no material change of circumstances applicable to the property since the granting of said permit which would be injurious to the neighborhood or otherwise detrimental to the public health, safety and general welfare.

20.30.300 Conditional use permit-CUP (Type B action).

A. Purpose. The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.

B. Decision Criteria. A conditional use permit may be granted by the City, only if the applicant demonstrates that:

1. The conditional use is compatible with the Comprehensive Plan and designed in a manner which is compatible with the character and appearance with the existing or proposed development in the vicinity of the subject property;
2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood

Professional Offices in R8/R12 Zones - Attachment A

circulation or discourage the permitted development or use of neighboring properties;

3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
5. The conditional use is not in conflict with the health and safety of the community;
6. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
7. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
8. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

C. Suspension or Revocation of Permit.

1. The Director may suspend or revoke any conditional use permit whenever:
 - a. The permit holder has failed to substantially comply with any terms or conditions of the permit's approval;
 - b. The permit holder has committed a violation of any applicable state or local law in the course of performing activities subject to the permit;
 - c. The use for which the permit was granted is being exercised as to be detrimental to the public health, safety, or general welfare, or so as to constitute a public nuisance;
 - d. The permit was issued in error or on the basis of materially incorrect information supplied to the City; or
 - e. Permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled.
2. The Director shall issue a notice and order in the same manner as provided in SMC 20.30.760.
 - a. The notice and order shall clearly set forth the date that the conditional use permit shall be suspended or revoked.

b. The permit holder may appeal the notice and order to the Hearing Examiner as provided in SMC 20.30.790. The filing of such appeal shall stay the suspension or revocation date during the pendency of the appeal.

c. The Hearing Examiner shall issue a written decision to affirm, modify, or overrule the suspension or revocation, with or without additional conditions, such as allowing the permit holder a reasonable period to cure the violation(s).

3. Notwithstanding any other provision of this subchapter, the Director may immediately suspend operations under any permit by issuing a stop work order.

4. If a conditional use permit has been suspended or revoked, continuation of the use shall be considered an illegal occupancy and subject to every legal remedy available to the City, including civil penalties as provided for in SMC 20.30.770(D).

D. Transferability

Unless otherwise restricted by the terms and conditions at issuance of the conditional use permit, the conditional use permit shall run with the land. If it runs with the land and the Director finds it in the public interest, the Director may require that it be recorded in the form of a covenant with the King County Recorder's Office. Compliance with the terms and conditions of the conditional use permit are the responsibility of the current property owner, whether the applicant or a successor.

E. Expiration

1. Any conditional use permit which is issued and not utilized within the time specified in the permit or, if no time is specified, within two (2) years from the date of the City's final decision shall expire and become null and void.

2. A conditional use permit shall be considered utilized for the purpose of this section upon submittal of:

a. a complete application for all building permits required in the case of a conditional use permit for a use which would require new construction;

b. an application for a certificate of occupancy and business license in the case of a conditional use permit which does not involve new construction;
or

c. in the case of an outdoor use, evidence that the subject parcel has been and is being utilized in accordance with the terms and conditions of the conditional use permit.

3. If after a conditional use has been established and maintained in accordance with the terms of the conditional use permit, the conditional use is discontinued

Professional Offices in R8/R12 Zones - Attachment A

for a period of 12 consecutive months, the permit shall expire and become null and void.

F. Extension

Upon written request by a property owner or their authorized representative prior to the date of conditional use permit expiration, the director may grant an extension of time up to but not exceeding 180 days. Such extension of time shall be based upon findings that the proposed project is in substantial conformance, as to use, size, and site layout, to the issued permit; and there has been no material change of circumstances applicable to the property since the granting of said permit which would be injurious to the neighborhood or otherwise detrimental to the public health, safety and general welfare.

20.40 – Uses

Justification – The following amendments add uses to the nonresidential use table defined in the definitions section in SMC 20.20. The first amendment adds professional offices as a conditional use with indexed criteria in the R-8 and R-12 zones. This amendment implements the policy adopted by Council on December 9, 2019 that added professional offices to the Medium-Density Residential land use category in Policy LU2.

The second amendment adds Construction Services Office/Yard as a use. Since this use is more intense than a typical office use, staff is proposing to add this use in the Mixed-Business zone.

The third amendment adds Contractor Construction Services Office as a use. The proposed use, like professional offices, is a conditional use with indexed criteria in the R-8 and R-12 zones, a conditional use in the R-18 through TC-4 zones and permitted in the commercial zones.

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	RETAIL/SERVICE								
	<u>Construction Services Office/Yard</u>							<u>P</u>	
	<u>Contractor Construction Services Office</u>		<u>C-i</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Professional Offices in R8/R12 Zones - Attachment A

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	Professional Office		<u>C-i</u>	C	C	P	P	P	P

Justification – The following amendments add criteria, or conditions, to the uses described in the nonresidential use table above. The purpose of adding decision criteria is to ensure the proposed uses do not cause a negative effect to surrounding neighbors and cause the least disruption throughout the city’s neighborhoods. The first addition is the indexed criteria for a contractor construction services office. The indexed criteria address location of a potential business, hours and days of operation, no outdoor storage, signs, and outdoor lighting.

20.40.295 – Contractor Construction Services Office

A Contractor Construction Services Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit subject to the following conditions:

1. Located on an arterial street or within 400 feet of an arterial street.
2. Hours of operation are limited to 7am to 6pm Monday through Friday and 10am to 5pm Saturday and Sunday.
3. Subject parcel is abutting a R-18 through R-48 zone or abutting a Neighborhood Business, Community Business, Mixed Business, or TC 1,2, or 3 zone.
4. No outdoor storage.
5. Parking shall be on a paved surface, pervious concrete, or pavers. No commercial parking is allowed in required side or rear setbacks abutting single family residential uses.
6. Compliance with all dimensional requirements set forth in Table SMC 20.50.020(1), except minimum density.
7. One sign complying with Table 20.50.540(G) is allowed but may not be internally illuminated.
8. Outdoor lighting shall comply with SMC 20.50.240(H).
9. No onsite transfer of merchandise.

Professional Offices in R8/R12 Zones - Attachment A

10. Showrooms shall be limited to 50 percent of the net floor area of the building.

11. Parking areas shall be screened from adjacent single-family residential uses by either a 6-foot opaque fence or Type-1 landscape buffer.

The second addition is the indexed criteria for a professional office. Like the indexed criteria for Contractor Construction Services Office, the indexed criteria address location of a potential business, hours and days of operation, no outdoor storage, signs, and outdoor lighting. Since professional offices will most likely mirror the intensity of a Contractor Construction Services Office, the indexed criteria is the same.

20.40.475 – Professional Offices

A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:

1. Located on an arterial street or within 400 feet of an arterial street.

2. Hours of operation are limited to 7am to 6pm Monday through Friday and 10am to 5pm Saturday and Sunday.

3. Subject parcel is abutting a R-18 through R-48 zone or abutting a Neighborhood Business, Community Business, Mixed Business, or TC 1,2, or 3 zone.

4. No outdoor storage.

5. Parking shall be on a paved surface, pervious concrete, or pavers. No commercial parking is allowed in required side or rear setbacks.

6. No onsite transfer of merchandise.

7. Compliance with all dimensional requirements set forth in Table SMC 20.50.020(1), except density.

8. One sign complying with Table 20.50.540(G) is allowed but may not be internally illuminated.

9. Outdoor lighting shall comply with SMC 20.50.240(H).

10. Parking areas shall be screened from adjacent single-family residential uses by either a 6-foot opaque fence or Type-1 landscape buffer.

6b. Staff Report - Draft 2020 Comprehensive Plan Amendment Docket

Planning Commission Meeting Date: February 6, 2020

Agenda Item 6b.

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Draft 2020 Comprehensive Plan Docket
DEPARTMENT: Planning & Community Development
PRESENTED BY: Steven Szafran, AICP, Senior Planner
Rachael Markle, AICP, Director

Public Hearing
 Discussion

Study Session
 Update

Recommendation Only
 Other

INTRODUCTION

The State Growth Management Act (GMA), chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to no more than once a year. To ensure that the public and the City can consider the proposed amendments within a citywide context, RCW 36.70A.470 mandates that the City create a “docket” that lists the amendments to be considered in this “once a year” review process.

Thus, the “docket” represents a list of Comprehensive Plan amendments the City will be responsible for analyzing and evaluating for potential adoption. In addition, the “docket” ensures that all of the proposed amendments are considered concurrently so that the cumulative effect of the various proposals can be ascertained when the City Council is making its final decision, as required by RCW 36.70A.130(2)(b).

The Draft 2020 Comprehensive Plan Docket is attached as **Attachment A**.

BACKGROUND

Comprehensive Plan Amendments take two forms: Privately initiated amendments and city-initiated amendments. Pursuant to SMC 20.30.340(C)(2), all privately initiated Comprehensive Plan Amendments must be submitted by December 1 of the previous year. The Council may add Comprehensive Plan amendments any time before the final Docket is set.

Approved By:

Project Manager



Planning Director



Draft 2020 Comprehensive Plan Docket

For 2020, there is one privately initiated amendment and two (2) city-initiated amendments. At tonight's meeting, the Planning Commission will recommend which amendments should be evaluated in 2020, establishing the Draft 2020 Docket. This will be submitted to the City Council to establish the Final 2020 Docket. City Staff will then analyze and evaluate the proposed amendments and return to the Planning Commission for study sessions and a public hearing. The Planning Commission will issue its recommendation and the City Council will consider that recommendation when it determines what proposed amendments to adopt. The Council must act on the Docketed amendments before the end of 2020 or can defer all or some of the amendments to be considered for inclusion on a future docket.

Amendments

Amendment #1 – Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.

This amendment amends Table 6.6 of the Parks, Recreation, and Open Space Plan (PROS) (**Attachment B**). Table 6.6 is a list of general capital projects that are targeted for acquisition between 2024 and 2029. The amendment will consider acquisition of park space and open space between Dayton Avenue to I-5 and between 145th Street to 165th Street instead of the more constrained area of Aurora Avenue to I-5 and 155th Street to 165th Street. This amendment will provide additional opportunities to meet the level of service targets for the Westminster Triangle Neighborhood as demonstrated in PROS Plan Figure 4.17.

Recommendation:

Staff recommends that this amendment be placed on the 2020 Comprehensive Plan Docket.

Amendment #2 – Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway.

This amendment proposes to amend the Point Wells Subarea Plan and associated Comprehensive Plan Policy LU51 related to Point Wells to implement the Interlocal Agreement with the Town of Woodway approved by City Council on October 7, 2019. This agreement pertains to Shoreline's support for Woodway's future annexation of Point Wells and coordination of land use planning and development regulations for the area by the Town of Woodway and City of Shoreline. The following is a link to the approved interlocal agreement:

<http://www.shorelinewa.gov/Home/ShowDocument?id=45834> .

6b. Staff Report - Draft 2020 Comprehensive Plan Amendment Docket

In October 2019, a settlement and Interlocal Agreement (ILA) was entered between the Town of Woodway and the City of Shoreline for the purpose of addressing services, infrastructure, mitigation, impacts, and other issues related to the development of the Point Wells site located in unincorporated Snohomish County (**Attachment C**). As part of the agreement, a joint planning working group comprised of staff from the Town of Woodway and the City of Shoreline has been formed to develop and recommend mutually agreeable Comprehensive Plan Policies, development regulations, and design standards for Point Wells to be considered for adoption. Amendments to the Point Wells Subarea Plan will also be included to reflect the recommendations of the joint working group. The recommended goals, policies, and development regulations will be adopted by both the Town of Woodway and the City of Shoreline in order to have consistent development regulations under either jurisdiction.

As outlined in the ILA, development regulations must generally include:

1. Primarily residential uses that are pedestrian oriented with limited commercial uses.
2. A traffic study for any proposed development.
3. Building height limited to 75 feet.
4. Mandatory public recreational facilities and public access to Puget Sound.
5. Development required to achieve the highest level of environmental sustainability.
6. Development must adhere to “dark skies” standards in an effort to reduce light pollution to adjacent neighborhoods.
7. Development shall be approved under a Master Development Plan or Development Agreement with design review.
8. In no case shall traffic exceed 4,000 average daily trips on Richmond Beach Drive.

Recommendation:

Staff recommends that this amendment be placed on the 2020 Comprehensive Plan Docket.

Amendment #3 – Amend the Land Use Element to include a new policy requiring commercial uses within commercial and mixed-use zones.

This is a privately initiated amendment (**Attachment D**) to add a new Comprehensive Plan Land Use Element Policy, LU9, to require commercial uses in the city’s mixed-use and commercial zones. Currently, there are no regulations that require mixed-use or commercially zoned parcels be developed with commercial uses. The applicant has proposed a new Land Use Policy 9 which states,

LU9: Within the City’s commercial areas, mixing of land uses is encouraged to bring shops, services, and offices in close proximity to residential uses. The purpose is to permit those uses which are intended to provide goods and services for the everyday needs of the immediate neighborhood rather than serve the broader nearby communities, and which generally conform to the Comprehensive Plan of the City.

6b. Staff Report - Draft 2020 Comprehensive Plan Amendment Docket

Multifamily residential uses are permitted, provided the multifamily residential use is part of a mixed-use building or is on property that has commercial uses. Multifamily residential development without commercial uses on the property shall not be permitted.

The applicant of this amendment has also submitted a companion Development Code amendment that lists specific development regulations for commercial uses in mixed-use and commercial zones.

Not requiring commercial uses was an intentional choice on the part of the City Council and has been a city policy since the incorporation of Shoreline in 1995. Because market demand for commercial uses may be low, the city allows development within the mixed-use and commercial zones to be purely residential. To accommodate future commercial uses within these buildings, the city requires that the ground floor be built to commercial standards including:

1. Building interiors that shall be 12-foot height and 20-foot depth and built to commercial building code.
2. Minimum window area shall be 50 percent of the ground floor facade for each front facade which can include glass entry doors.
3. A building's primary entry shall be located on a street frontage and recessed to prevent door swings over sidewalks, or an entry to an interior plaza or courtyard from which building entries are accessible.
4. Minimum weather protection shall be provided at least five feet in depth, nine-foot height clearance, and along 80 percent of the façade where over pedestrian facilities.

Recommendation:

Staff recommends that this amendment be added to the 2020 Comprehensive Plan Docket.

PROCESS

It is important to remember that by recommending approval or denial of any proposed amendment for the Draft 2020 Docket, the Commission is only making a recommendation to the City Council. The City Council will ultimately decide what amendments will be included on the 2020 Final Docket. After the Final Docket has been established, amendments will be studied, analyzed, and considered for potential adoption before the end of 2020. The docketing process does not indicate approval of any amendment.

TIMING AND SCHEDULE

- Docket request press release and website – November 2019
- Docket submittal deadline – December 1, 2019
- Planning Commission Recommends Docket– February 6, 2020

6b. Staff Report - Draft 2020 Comprehensive Plan Amendment Docket

- Council Discusses the Final Docket – March 2, 2020
- Council Sets the Final Docket – March 16, 2020
- PC Public Hearing on Proposed Docketed Amendments – August 2020 (tentative)
- Council adoption of the Proposed Docketed Amendments– September 2020 (tentative)

RECOMMENDATION

Staff recommends that the Planning Commission recommend Amendments 1, 2, and 3 be placed on the proposed 2020 Comprehensive Plan Docket.

ATTACHMENT

- Attachment A – Draft 2020 Comprehensive Plan Docket
- Attachment B – Draft PROS Plan amendments to Table 6.6
- Attachment C – City of Shoreline and Woodway Interlocal Agreement
- Attachment D – Privately-initiated application to add a new Land Use Policy LU9



DRAFT 2020 COMPREHENSIVE PLAN AMENDMENT DOCKET

The State Growth Management Act generally limits the City to amending its Comprehensive Plan once a year and requires that it create a Docket (or list) of the amendments to be reviewed.

DRAFT 2020 Comprehensive Plan Amendments

1. Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.
2. Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway.
3. Amend the Land Use Element to include a new policy requiring commercial uses within commercial and mixed-use zones.

Estimated timeframe for Council review/adoption: November 2020.

2020 Comprehensive Plan Amendment Docket - Att. B

Table 6.6: Acquisition targeted for 2024-2029 (timing may be adjusted as appropriate if earlier funding opportunities arise)

INFLATOR =	24%	29%	33%	38%	43%	48%
2017 Project	2024	2025	2026	2027	2028	2029
Cost estimate						

**6-YEAR
TOTAL**

SHAPING OUR FUTURE: PARK ACQUISITION AND ASSOCIATED DEVELOPMENT PROJECTS

Rotary Park Development	\$1,093,000	\$1,406,000				\$1,406,000
145th Station Area Acquisition	\$4,803,000	\$1,494,000	\$1,598,000	\$1,654,000		\$6,291,000
145th Station Area Development	\$808,000			\$1,113,000		\$1,113,000
185th & Ashworth Acquisition	\$967,000	\$1,203,000				\$1,203,000
185th & Ashworth Development	\$404,000		\$520,000			\$520,000
5th & 165th Acquisition	\$5,473,000		\$7,041,000			\$7,041,000
5th & 165th Development	\$3,348,000		\$4,456,000			\$4,456,000
Paramount Open Space Acquisition	\$2,755,000		\$917,000	\$949,000	\$982,000	\$3,734,000
Paramount Open Space Improvements	\$200,000					\$257,000

2020 Comprehensive Plan Amendment Docket - Att. B

	INFLATOR =	24%	29%	33%	38%	43%	48%	
	2017 Project	2024	2025	2026	2027	2028	2029	6-YEAR
	Cost estimate							TOTAL
CEDARBROOK PLAYGROUND	\$404,000	\$503,000						\$503,000
AuroraDayton-I-5 1455th-165th Acquisition	\$7,210,000		\$9,931,000					\$9,931,000
AuroraDayton-I-5 1455th-165th Development	\$1,093,000					\$1,615,000		\$1,615,000
DNR Open Space Access Acquisition	\$1,576,000		\$2,027,000					\$2,027,000
DNR OPEN SPACE Development	\$432,000					\$616,000		\$616,000
RONALD BOG PARK TO JAMES KEOUGH PK TRAIL	\$65,000		\$84,000					\$84,000
Total Acquisition Costs	\$29,006,000	\$2,697,000	\$15,491,000	\$2,515,000	\$15,313,000	\$982,000	\$0	\$36,998,000
Total Acquisition Development Costs	\$7,847,000	\$503,000	\$2,267,000	\$4,456,000	\$1,113,000	\$616,000	\$1,615,000	\$10,570,000
TOTAL Costs	\$36,853,000	\$3,200,000	\$17,758,000	\$6,971,000	\$16,426,000	\$1,598,000	\$1,615,000	\$47,568,000

REVENUES Specific to Acquisition and NEW development

2020 Comprehensive Plan Amendment Docket - Att. B

	INFLATOR =	24%	29%	33%	38%	43%	48%	
	2017 Project	2024	2025	2026	2027	2028	2029	6-YEAR
	Cost estimate							TOTAL
KC CONSERVATION INITIATIVE	\$1,000,000		\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000
KING COUNTY CONSERVATION FUTURES TRUST	\$1,050,000	\$50,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,050,000
PARK IMPACT FEE	\$1,650,000	\$150,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,650,000
Total	\$3,700,000	\$200,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$3,700,000

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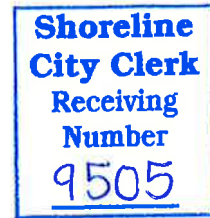
SETTLEMENT AND INTERLOCAL AGREEMENT

BETWEEN

CITY OF SHORELINE

AND

TOWN OF WOODWAY



This Settlement and Interlocal Services Agreement (“ILA”) ILA sets forth the terms of agreement between the City of Shoreline (“Shoreline”) and the Town of Woodway (“Woodway”) for the purpose of addressing services, infrastructure, mitigation, impacts, and related issues related to development or re-development of the unincorporated area of Snohomish County commonly referred to as Point Wells. Shoreline and Woodway are each a “City” and collectively the “Cities” and “Parties” to this Agreement.

WHEREAS, the Interlocal Cooperation Act, chapter 39.34 RCW, authorizes Shoreline and Woodway to enter into a cooperative agreement for the provision of services and facilities in a manner that will accord best with the factors influencing the needs and development of their cities; and

WHEREAS, Shoreline and Woodway are both municipal corporations of the State of Washington organized and operating under Title 35A RCW and planning under the Growth Management Act, chapter 36.70A RCW (GMA); and

WHEREAS, both Shoreline and Woodway have identified the Point Wells Area, located within an unincorporated area of Snohomish County, for future annexation in their respective comprehensive plans, which property is described and depicted in Exhibit A; and

WHEREAS, Shoreline and Woodway each have responsibility and authority derived from the Washington State Constitution and State laws to plan for and regulate uses of land and the resultant environmental impacts; and

WHEREAS, Shoreline and Woodway recognized that planning and land use and transportation decisions can have extra-jurisdictional impacts and that intergovernmental cooperation is an effective way to deal with and mitigate impacts and provide opportunities that transcend local jurisdictional boundaries; and

WHEREAS, the State Environmental Policy Act, chapter 43.21C RCW (SEPA), requires Shoreline and Woodway to consider the environmental impacts of development on their communities, adjacent communities and where applicable, regional impacts; and

WHEREAS, following analysis of various options, the cities agree that the long-term regulation and development of Point Wells is best served and controlled by annexation of Point Wells by either Woodway or Shoreline; and

WHEREAS, Woodway’s Municipal Urban Growth Area Subarea Plan for Point Wells contains various goals and policies, including that development should be pursuant to a master plan that results from

a coordinated planning effort between the Point Wells property owner, Woodway, and Shoreline, and that Woodway should coordinate with Shoreline, the Richmond Beach Neighborhood, and other affected property owners to ensure that development is compatible with existing residential neighborhoods; and

WHEREAS, Shoreline's Point Wells Subarea Plan contains various goals and policies for Point Wells including that consideration of traffic mitigation should include the participation of Woodway; and

WHEREAS, Shoreline and Woodway have expended valuable public resources over the years to protect their respective community interests regarding Point Wells, and Shoreline and Woodway desire to work together and with others toward adoption of interlocal agreements to address the issues of land use planning, transportation, provision of urban services, construction and development impacts, and local governance; and

WHEREAS, Shoreline and Woodway desire to enter into this ILA that sets forth the framework to formulate future intergovernmental agreements under the Authority of the Interlocal Cooperation Act, chapter 39.34 RCW, for the provision of services and facilities in a manner that will accord best with the factors influencing the needs and development of their cities to ensure that any future project in Point Wells is developed or redeveloped in the best interest of their respective communities and mitigates the related impacts.; and

NOW, THEREFORE, Shoreline and Woodway agree as follows:

I. PROVISIONS APPLICABLE TO ALL PARTIES

A. **Joint Planning Working Group – Comprehensive Plan Policies, Development Regulations, and Design Standards.** Within sixty (60) calendar days from the execution of this ILA, the Cities agree to create a joint staff working group (“Working Group”) to develop and recommend mutually agreeable comprehensive plan policies, development regulations and design standards, including applicable zoning, for Point Wells that will be considered for adoption by each City prior to annexation of Point Wells by either City.

1. The Working Group shall be comprised of three (3) staff representatives from Woodway and three (3) staff representatives from Shoreline. Each City shall have sole discretion on selecting and appointing their representatives.
2. The Working Group shall meet on a schedule mutually agreed to by its members, but no less than one (1) time per month until a recommendation is submitted to the Planning Commissions of Woodway and Shoreline for consideration and subsequent consideration and adoption by their respective Councils. The first meeting of the Working Group shall be held no later than thirty (30) calendar days after its formation. In formulating its recommendation, the Working Group shall consider this ILA, the goals and policies adopted in each of the Cities’ Subarea Plans for Point Wells as contained in their respective comprehensive plans, and the goals

and requirements of the Growth Management Act and other applicable laws and regulations.

3. The Working Group's shall attempt to complete its work within 180 calendar days of its first meeting. Upon completion of the work, the Working Group shall submit its recommendation to their respective Planning Commissions and City Councils for final consideration and adoption and inclusion in that City's respective comprehensive plan and/or implementing regulations applicable to Point Wells pursuant to the amendment process set forth in the Woodway Municipal Code (WMC), including chapter 15.04 WMC and Title 14 WMC, and the Shoreline Municipal Code (SMC), including chapter 20.30 SMC.
4. The recommendation developed by the Working Group shall be consistent with the provisions of this ILA and shall contain, at a minimum:
 - a. Requirements that Point Wells be zoned and developed as a primarily residential development, and that any mixed-use development be pedestrian-oriented and incorporate a variety of residential types and limited commercial uses along with public recreation accessible to residents of both cities. This provision does not apply to Snohomish County Tax Parcel No. 27033500303600.
 - b. Requirement that any development application for Point Wells include a traffic study for Shoreline and Woodway roads consistent with the preparation criteria required by each City.
 - c. A building height limitation of no more than 75 feet and a process or regulations for*additional height restrictions for development located within the southern portions of Point Wells based on consideration and preservation of view corridors for Woodway's residents and Shoreline's Richmond Beach neighborhoods.
 - d. Mandatory public recreational facilities and public access to the Puget Sound shoreline, with adequate public parking requirements that must be incorporated into the site plan in a manner that avoids large surface parking lots.
 - e. Requirements that development at Point Wells must demonstrate appropriate and adequate sensitivity to the natural environment, with mixed-use and residential development reflecting an effort to achieve the highest level of environmental sustainability for design, construction, and operation of buildings and infrastructure.
 - f. Requirements that development must adhere to "dark skies" standards, such as light source shielding to prevent the creation of light pollution from light fixtures and landscaping.

g. A requirement that development or redevelopment of Point Wells shall be subject to a Master Development Plan or a Development Agreement with a required design review process that includes a consultation with each City.

h. A traffic restriction of 4,000 ADT on Richmond Beach Drive in Shoreline and a LOS D with 0.9 V/C for the remaining Richmond Beach Road Corridor. This requirement or level of service will apply within each city as well as for any development in Point Wells per the applicable County development regulations, such as Urban Center or Urban Village, to the fullest extent allowed by law.

- B. Adoption of Recommended Policies, Regulations, and Standards.** Each City agrees to timely process the Working Group's recommendation and to place the Planning Commission's and Working Group's recommendation (if different) before its City Council for consideration and adoption within 180 calendar days of submittal of the Working Group's recommendations, PROVIDED that the Cities recognize that any recommended amendments to a City's comprehensive plan or development agreement shall adhere to the requirements of the Growth Management Act (GMA). Prior to the effective date of a City ordinance or state legislation authorizing annexation, a City will consider necessary amendments to its comprehensive plan and development regulations in the manner set forth in Section IA. Each City further agrees that it will affirmatively recommend to its City Council not to amend or repeal the adopted regulations or amendments resulting from the Working Group's recommendations for a period of two (2) years after: (1) the effective date of any state unilateral annexation legislation; or (2) adoption of a city resolution or ordinance annexing Point Wells, unless required to do so by a court of competent jurisdiction, including the Growth Management Hearings Board, or unless the other City formally agrees to such modifications in writing.
- C. Amendment of Comprehensive Plan and Implementing Regulations.** Each City shall provide the other City with at least thirty (30) calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, for any legislative actions that may modify or amend the comprehensive plan policies or development regulations adopted from the recommendations from the Working Group, or that otherwise impacts the uses, development or redevelopment of the Point Wells area. Notice shall include, but not be limited to, notice of all Planning Commission and City/Town Council meetings and hearings related to such legislative considerations or actions.
- D. Reciprocal Mitigation Agreements.** The Cities will create reciprocal mitigation agreements related to the impacts of development and redevelopment within the Cities for recommended adoption by the respective legislative bodies of the Cities for approval. The agreements will provide for issues related to cooperative review of environmental impacts and will include, but not be limited to, issues such as SEPA lead status, review process, and review of impacts related to transportation and park/recreation facilities and may address other impacts of development as well.

- E. **Consultation on land use permit applications.** After annexation, each city agrees to provide the other no less than thirty (30) calendar days written notice of all land use permit applications for Point Wells consistent with chapter 36.70B RCW, Local Project Review. Each city agrees to invite the other city's staff to attend meetings between city staff and the applicant relating to such permit applications, including, pre-applications meetings, and allow the other city reasonable review and comment opportunity.

- F. **State Environmental Policy Act (SEPA) Mitigation.** Per WAC 197-11-944, the cities will share or divide the responsibilities of lead agency on SEPA review and mitigation for specific environmental impacts in accordance with the impacts from any non-exempt SEPA action from the development or redevelopment of Point Wells. The City in which the development is located shall, however, be responsible to designate one of them as the nominal lead agency and the cities shall consider and apply the mitigations, conditions, and levels of service as set forth in Section I of this ILA as allowed by law.

Nothing in this ILA limits the ability of either City to request additional mitigation pursuant to SEPA where a City has determined and identified specific environmental impacts of development as being significant adverse impacts that are not addressed by this ILA or a SEPA determination.

If Snohomish County is the jurisdiction responsible for SEPA review and mitigation in relation to the development or redevelopment of Point Wells, each city agrees to support the mitigation measures and applicable terms set out in this ILA when participating in the County's environmental review process.

- G. In the event neither city has annexed Point Wells prior to the developer submitting a development application to Snohomish County each city, except as required by law or by a judicial or administrative order/decision, agrees not to enter into any agreement(s) with the developer and/or Snohomish County inconsistent with the terms set forth in this Agreement.

II. PROVISIONS APPLICABLE TO THE CITY OF SHORELINE

- A. **No Annexation of Point Wells.** In accordance with this ILA, Shoreline agrees that it will take no actions to annex Point Wells, except as otherwise allowed and provided for herein.

- B. **Support of Woodway Annexation of Point Wells.** Upon the Effective Date of this ILA, Shoreline agrees not to challenge or object to Woodway's annexation of Point Wells, including any administrative or judicial process. Shoreline further agrees to work with Woodway and to fully support Woodway's annexation of Point Wells, including support of any legislation necessary to effectuate an annexation without the consent of the Point Wells property owner, provided said legislation does not interfere or conflict with the

requirements of this ILA. Should there be inconsistency between any legislation providing for such annexation and the terms of this ILA, Woodway and Shoreline mutually agree, to the extent the law allows, that the requirements of this ILA shall control. Shoreline shall not provide sewer service to Woodway residences or businesses absent a separate agreement with Woodway.

- C. **Richmond Beach Drive.** Shoreline agrees that, following annexation of Point Wells by Woodway, Shoreline will not take action that would reduce the current 4,000 ADT limitation on Richmond Beach Drive. The Cities assume that the 4,000 ADT limitation should allow for approximately 400 to 800 multi-family residential units with such estimate being subject to appropriate mitigation. Further, Shoreline agrees that it will not restrict access to Point Wells via Richmond Beach Drive in any way that would unreasonably interfere with or prevent use of the road by the general public, unless agreed to in writing by Woodway, who shall not unreasonably withhold its approval. Notwithstanding the foregoing, nothing shall prevent Shoreline from taking standard health and safety actions to protect its residents and the public from risk or harm or implement emergency measures.

III. PROVISIONS APPLICABLE TO THE TOWN OF WOODWAY

- A. **Annexation of Point Wells.** Woodway shall use its best efforts to effectuate the annexation of Point Wells as expeditiously as reasonably possible considering the factors affecting its ability to annex Point Wells, consistent with this ILA.
1. If Woodway, by resolution or formal action of its Town Council, notifies Shoreline of Woodway's election to not annex Point Wells, then Section II(A) of this ILA shall become immediately null and void, and Shoreline may seek annexation of Point Wells under any method legally available to Shoreline. Under such circumstance, Woodway agrees to support and work with Shoreline to have Snohomish County include Point Wells into Shoreline's Municipal Growth Area in Snohomish County, and to fully support Shoreline's annexation, including support of any changes in state legislation necessary to facilitate such annexation.
 2. If Woodway fails to file a notice of intent to annex Point Wells with the Boundary Review Board (if such a notice is legally required) or to adopt an annexation ordinance (if Boundary Review Board approval is not required) within three (3) years from the date of a direct petition or within three (3) years after the availability of a statutorily-authorized method of annexation without the property owner's consent becomes legally available, (whichever occurs first), then Shoreline may seek annexation of Point Wells under any method legally available to Shoreline. Should this occur, there shall be no requirement of a resolution of Woodway's Town Council and upon Shoreline providing a notice to Woodway of Shoreline's desire to annex Point Wells, Sections II(A) and (B)) of this ILA shall become immediately null and void, and upon receipt of such notice Woodway shall fully support Shoreline's annexation as set forth in subsection (1) of this section above.

3. Should Shoreline fail after being fully able to annex Point Wells to move forward and file a notice of intent to annex Point Wells with the Boundary Review Board (if such a notice is legally required) or to adopt an annexation ordinance (if Boundary Review Board approval is not required) within three (3) years from the date of a direct petition, or within three (3) years after the availability of a statutorily-authorized method of annexation without the property owner's consent becomes legally available (whichever occurs first), Woodways obligation under the preceding section to fully support Shoreline's annexation shall become immediately null and void. Shoreline and Woodway may then pursue annexation of Point Wells without obligation of support from the other party.

4. Woodway shall not acquire any of Shoreline's sewer utilities located within Point Wells or provide sewer service to Shoreline residences or businesses absent a separate agreement with Shoreline. Woodway shall not interfere in any way with Shoreline's acquisition of property described in Exhibit B from BSRE in relation to Lift Station 13. Woodway further agrees, except for the connection of Point Wells with Richmond Beach Drive, that Shoreline's acquisition of the herein described property in relation to Lift Station 13 is a superior public use to any use that Woodway may have for the property. Woodway also expressly recognizes that the existing Lift Station 13 facilities and property is property that will become Shoreline's property and part of Shoreline's wastewater utility system upon its assumption of Ronald Wastewater District. Lift Station 13, as used herein, is the property and system that is currently located off of Richmond Beach Drive in unincorporated Snohomish County.

B. Woodway Access Road. Upon annexation of Point Wells by Woodway, Woodway shall require that any development or redevelopment of Point Wells of 25 or more units or commercial development that would trigger the equivalent number of trips, or any combination thereof, shall, as a condition of development approval, provide a general-purpose public access road wholly within Woodway that connects into Woodway's transportation network and provides a full second vehicular access point to Point Wells into Woodway. This road shall be built to Woodway's standards and shall accommodate full access for commercial, emergency and residential traffic that meets acceptable engineering standards, and provides a viable reasonable alternative to the use of Richmond Beach Drive. This secondary access road, including the ingress and egress to and from the road, shall not be restricted in any way that would prevent such use of the road by the general public, unless agreed to in writing by Shoreline. Notwithstanding the foregoing, nothing shall prevent Woodway from taking standard health and safety actions to protect its residents and the public from risk or harm or implement emergency measures. This provision may not be relied upon by any applicant, other third party, or governmental entity as an obligation on Woodway to acquire property or construct the access or a requirement to approve access.

IV. GENERAL PROVISIONS

A. TERM

The intent of the Cities is that this ILA shall remain in full force and effect until the responsibilities and obligations of the parties set forth herein are fulfilled, but no later than December 31, 2034, unless an extension is mutually agreed to in writing by the parties. This ILA may be terminated at any time by mutual consent of the Cities, provided that such consent to terminate is in writing and authorized by the Shoreline City Council and the Woodway Town Council.

B. SEVERABILITY

This Agreement does not violate any federal or state statute, rule, regulation or common law known; but any provision which is found to be invalid or in violation of any statute, rule, regulation or common law shall be considered null and void, with the remaining provisions remaining viable and in effect.

C. DISPUTE RESOLUTION.

1. **Dispute Resolution.** It is the Cities' intent to work cooperatively and in good faith to resolve any disputes in an efficient and cost-effective manner. If any dispute arises between the Cities relating to this ILA, then the Shoreline City Manager, or designee, and the Woodway Town Administrator, or designee, shall meet and seek to resolve the dispute, in good faith, within ten (10) calendar days after a City's written request for such a meeting to resolve the dispute. If the matter cannot be resolved amicably and promptly by the Shoreline City Manager and the Woodway Town Administrator, then the matter shall be subject to mediation.
2. **Mediation proceedings.** The mediator will be selected by mutual agreement of the Cities. If the Cities cannot agree on a mediator, a mediator shall be designated by the American Arbitration Association. Any mediator so designated must be acceptable to the Cities. The mediation will be conducted in King County, Washington. Any City may terminate the mediation at any time. All communications during the mediation are confidential and shall be treated as settlement negotiations for the purpose of applicable rules of evidence, including Evidence Rule 408. However, evidence that is independently admissible shall not be rendered inadmissible by nature of its use during the mediation process. The mediator may not testify for either City in any subsequent legal proceeding related to the dispute. No recording or transcript shall be made of the mediation proceedings. The cost of any mediation proceedings shall be shared equally by the

Cities. Any cost for a City's legal representation during mediation shall be borne by the hiring City.

D. INDEMNIFICATION AND LIABILITY.

1. Indemnification of Woodway. Shoreline shall protect, save harmless, indemnify and defend, at its own expense, Woodway, its elected and appointed officials, officers, employees, volunteers and agents, from any loss or claim for damages of any nature whatsoever arising out of Shoreline's good faith performance of this ILA, including claims by Shoreline's employees or third parties, except for those damages caused solely by the negligence, recklessness or intentional misconduct of Woodway, its elected and appointed officials, officers, employees, volunteers or agents.
2. Indemnification of Shoreline. Woodway shall protect, save harmless, indemnify, and defend at its own expense, Shoreline, its elected and appointed officials, officers, employees, volunteers and agents from any loss or claim for damages of any nature whatsoever arising out of the Woodway's good faith performance of this ILA, including claims by Woodway's employees or third parties, except for those damages caused solely by the negligence, recklessness or intentional misconduct of Shoreline, its elected and appointed officials, officers, employees, volunteers or agents.
3. Extent of liability. In the event of liability for damages of any nature whatsoever arising out of the performance of this ILA by Shoreline and Woodway, including claims by Shoreline's or Woodway's own officers, officials, employees, agents, volunteers, or third parties, caused by or resulting from the concurrent negligence of Shoreline and Woodway, their officers, officials, employees and volunteers, each party's liability hereunder shall be only to the extent of that party's negligence.
4. Hold harmless. No liability shall be attached to Shoreline or Woodway by reason of entering into this ILA except as expressly provided herein. Shoreline shall hold Woodway harmless and defend at its expense any legal challenges to Shoreline's requested mitigation. Woodway shall hold Shoreline harmless and defend at its expense any legal challenges to Woodway's requested mitigation.

E. GENERAL PROVISIONS

1. **Notice.** Any notice required under this ILA will be in writing, addressed to the appropriate City at the address which appears below (as modified in writing from time to time by such City), and given personally, by registered or certified mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

City Manager
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133-4905
(206) 801-2700
dtarry@shorelinewa.gov

Town Administrator
Town of Woodway
23920 113th Place W
Woodway, WA 98020
(206) 542-4443
eric@townofwoodway.com

2. **Governing Law.**

- a. This ILA shall be construed and enforced in accordance with the laws of the State of Washington.
- b. This ILA in no way modifies or supersedes existing law and statutes. In meeting the commitments encompassed in this ILA, Shoreline and Woodway shall comply with the requirements of the Open Public Meetings Act, chapter 42.30 RCW, Growth Management Act, chapter 36.70A RCW, State Environmental Policy Act, chapter 43.21C RCW, Public Records Act, chapter 42.56 RCW, Annexation by Code Cities, chapter 35A.14 RCW, and other applicable laws and regulations, as amended from time to time.
- c. By executing this ILA, Shoreline and Woodway do not purport to abrogate any land use and development authority vested in them by the law.

3. **Venue.** Venue of any suit between the Cities arising out of this ILA shall be in either King County Superior Court or Snohomish County Superior Court.

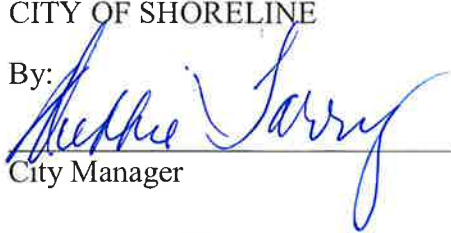
4. **Third Party Beneficiaries.** There are no third-party beneficiaries to this ILA, and this ILA shall not be interpreted to create any third-party beneficiary rights.

2020 Comprehensive Plan Amendment Docket - Att. C

Each individual signing below hereby represents and warrants that he/she is duly authorized to execute and deliver this Interlocal Agreement on behalf of the city for which they are signing and, that such city shall be bound by the terms contained in this Interlocal Agreement.

CITY OF SHORELINE

By:



City Manager

Approved as to form:



City Attorney

TOWN OF WOODWAY

By:



Mayor

Approved as to form:



Town Attorney



Exhibit B





2020 Comprehensive Plan Amendment Docket - Att. D
City of Shoreline

Planning & Community Development
17500 Midvale Avenue North Shoreline, WA 98133-4905
Phone: (206) 801-2500 Fax: (206) 801-2788
Email: pcd@shorelinewa.gov Web: www.shorelinewa.gov
Permit Hours – M, T, TH, F: 8:00 a.m. to 4:00 p.m. | W: 1:00 to 4:00 p.m.

**COMPREHENSIVE PLAN
GENERAL AMENDMENT
APPLICATION**

Amendment proposals may be submitted at any time, however if it is not submitted prior to the deadline for consideration during that annual amendment cycle, ending on December 1st, the amendment proposal will not be considered until the next annual amendment cycle.

Please attach additional pages to this form, as needed.

Contact Information - If the proposal is from a group, please provide a contact name.

Applicant Name Kevin Atkinson

Address 18417 12th Ave NE City Shoreline State WA Zip 98155

Phone 206.403.0006 Fax _____ Email northcityyimby@gmail.com

Proposed General Amendment - This can be either conceptual: a thought or idea; or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered. If specific wording changes are proposed please use underline to indicate proposed additions and strikethrough to indicate proposed deletions. **Please note that each proposed amendment requires a separate application.**

Within the City’s commercial areas, mixing of land uses is encouraged to bring shops, services and offices in close proximity to residential uses. The purpose is to permit those uses which are intended to provide goods and services for the everyday needs of the immediate neighborhood area rather than serve the broader nearby communities, and which generally conform to the comprehensive plan of the city.

Multifamily residential uses are permitted, provided the multifamily residential use is part of a mixed-use building or is on property that has commercial uses. Multifamily residential development without commercial uses on the property shall not be permitted. Excluding parking facilities, residential uses are limited to 20% of the street-level, street-facing facade.

Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable) - (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)

Land Use Goals: Goal LUI, Goal LU II, Goal LU V, Goal LU VI, Goal LU VII
Residential Land Use: LU7



2020 Comprehensive Plan Amendment Docket - Att. D

Support for the Amendment - Explain the need for the amendment. Why is it being proposed? How does the amendment address changing circumstances or values in Shoreline? Describe how the amendment is consistent with the current Shoreline Comprehensive Plan, if inconsistent, explain why. How will this amendment benefit the citizens of Shoreline? Include any data, research, or reasonings that supports the proposed amendment. (A copy of the Shoreline Comprehensive Plan is available for use at the Planning & Community Development department, Shoreline Neighborhood Police Centers, and the Shoreline and Richmond Beach libraries).

Explain the need for the amendment. Why is it being proposed?

The amendment was inspired by a deep frustration with seeing the continual redevelopment of the historical North City Business District exclude commercial space. The amendment was designed and drafted after comparative study of other municipalities in Puget Sound. The research revealed that nearly every other city in Puget Sound fosters its business districts by requiring mixed-use development in commercial zones whereas Shoreline does not. The language of the amendment is a composite of land use policy language from other cities in Puget Sound. The city of Shoreline has abundant vision documents, subarea plans, and framework goals; The deficiency is entirely within the land use code itself. The amendment is being proposed to protect historical commercial space and to ensure transit-oriented development near light rail stations.

How does the amendment address changing circumstances or values in Shoreline?

The amendment is entirely consistent with the values set forth in the Framework Goals of the Comprehensive Plan. In fact, the intention of the amendment is to bring Shoreline land use code into compliance with the values outlined within the Framework Goals. Describe how the amendment is consistent with the current Shoreline Comprehensive Plan

The amendment is consistent with the following statutory goals identified in the Growth Management Act (GMA). (Pg.2 Comprehensive Plan, City of Shoreline)

- Guide urban growth to areas where urban services can be adequately provided;
- Encourage economic development throughout the state;
- Encourage the participation of citizens in the planning process;

Furthermore, the amendment is consistent with several Framework Goals in the Shoreline Comprehensive Plan. (Pg.6 Comprehensive Plan, City of Shoreline)

FG4: Provide a variety of gathering places, parks, and recreational opportunities for all ages and expand them to be consistent with population changes.

FG9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.

FG10: Respect neighborhood character and engage the community in decisions that affect them.

FG14: Designate specific areas for high-density development, especially along major transportation corridors.

FG15: Create a business-friendly environment that supports small and local businesses, attracts large businesses to serve the community, expands our jobs and tax base, and encourages innovation and creative partnerships.

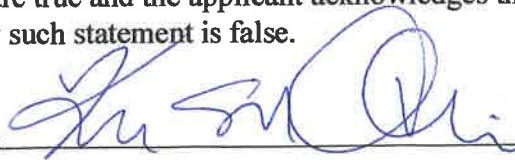
FG16: Encourage local neighborhood retail and services distributed throughout the city

How will this amendment benefit the citizens of Shoreline? (See PDF copy online. Next sections do not print.)

This amendment will benefit the citizens of Shoreline by providing a variety of gathering places and recreational opportunities for all ages. It will promote quality, functionality, and walkability through good design and development that is compatible with the surrounding area. The neighborhood character of commercial and gathering spaces will be respected rather than converted into secured residential buildings. (Framework Goals 4, 9, & 10) The amendment will benefit the citizens of shoreline by creating a business-friendly environment that supports small and local businesses, attracts large businesses to serve the community, expands our jobs and tax base, and encourages innovation and creative partnerships. Last but certainly not least, this amendment will encourage local neighborhood retail and services distributed through the city. (Framework Goals 15 & 16)

Include any data, research, or reasonings that supports the proposed amendment.
<http://urbanshoreline.org/>

Signature - An amendment application can not be accepted unless the signature block below has been completed. The applicant certifies that all of the aforementioned statements in this application, any exhibits and/or maps transmitted herewith are true and the applicant acknowledges that any amendment granted based on this application may be revoked if any such statement is false.

Application Signature 

Date Nov 22, 2019

PROPOSED AMENDMENTS WITHOUT THE REQUIRED APPLICATION INFORMATION MAY BE REJECTED OR RETURNED FOR ADDITIONAL INFORMATION.



BCD

To be submitted by Kevin Atkinson

Comprehensive Plan General Amendment Application

<http://www.shorelinewa.gov/home/showdocument?id=2992>

Proposed General Amendment

Within the City's commercial areas and near the light rail stations, mixing of land uses is encouraged to bring shops, services and offices in close proximity to residential uses. The purpose is to permit those uses which are intended to provide goods and services for the everyday needs of the immediate neighborhood area rather than serve the broader nearby communities, and which generally conform to the comprehensive plan of the city.

Multifamily residential uses are permitted, provided the multifamily residential use is part of a mixed-use building or is on property that has commercial uses. Multifamily residential development without commercial uses on the property shall not be permitted. Excluding parking facilities, residential uses are limited to 20% of the street-level, street-facing facade.

Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable) - (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)

Element 1 – Land Use Goals

<http://www.shorelinewa.gov/home/showdocument?id=12641>

Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU II: Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.

Goal LU III: Create plans and strategies that implement the City's Vision 2029 and Light Rail Station Area Planning Framework Goals for transit supportive development to occur within a ½ mile radius of future light rail stations.

Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.

Goal LU VI: Encourage pedestrian-scale design in commercial and mixed-use areas.

To be submitted by Kevin Atkinson

Goal LU VII: Plan for commercial areas that serve the community, are attractive, and have long-term economic vitality.

Element 1 – Residential Land Use

LU7: Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and “third places”.

Element 1 – Mixed Use and Commercial Land Use

LU9: The Mixed-Use 1 (MU1) designation encourages the development of walkable places with architectural interest **that integrate a wide variety of retail, office, and service uses**, along with form-based maximum density residential uses. Transition to adjacent single-family neighborhoods may be accomplished through appropriate design solutions. Limited manufacturing uses may be permitted under certain conditions.

LU10: The Mixed-Use 2 (MU2) designation encourages the development of walkable places with architectural interest **that integrate a wide variety of retail, office, and service uses**. It does not allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

LU11: The Station Area 1 (SA1) designation encourages Transit Oriented Development (TOD) in close proximity of the future light rail stations at I-5 and 185th Street and I-5 and 145th Street. The SA1 designation is intended to support high density residential, **a mix of uses, reduced parking standards, public amenities, commercial and office uses that support the stations and residents of the light rail station areas**. The MUR-70' Zone is considered conforming to this designation.

LU12: The Station Area 2 (SA2) designation encourages Transit Oriented Development (TOD) in areas surrounding the future light rail stations at I-5 and 185th Street and I-5 and 145th Street. The SA2 designation is intended to provide a transition from the SA1 designation and encourages the development of higher density residential along arterials in the subarea, **neighborhood commercial uses**, reduced parking standards, increased housing choices, and transitions to lower density single family homes. The MUR-45' Zone is considered conforming to this designation.

LU13: The Station Area 3 (SA3) designation encourages Transit Oriented Development (TOD) in area surrounding the future light rail stations at I-5 and 185th and I-5 and 145th. The SA3 designation is intended to provide a transition from the SA1 and SA2 designation and transitions to lower density designations and encourages the development of medium density residential uses, **some neighborhood commercial uses**, increased housing choices, and transitions to low density single-family homes. The MUR-35' Zone is considered conforming to this designation.

LU14: The Town Center designation applies to the area along the Aurora corridor between N 170th Street and N 188th Street and between Stone Avenue N and Linden Avenue N, and provides for **a mix of uses, including retail, service, office**, and residential with greater densities.

To be submitted by Kevin Atkinson

Support for the Amendment

Explain the need for the amendment. Why is it being proposed?

The amendment was inspired by a deep frustration with seeing the continual redevelopment of the historical North City Business District exclude commercial space.

The amendment was designed and drafted after comparative study of other municipalities in Puget Sound. The research revealed that nearly every other city in Puget Sound fosters its business districts by **requiring** mixed-use development in commercial zones whereas Shoreline does not. The language of the amendment is a composite of land use policy language from other cities in Puget Sound.

The city of Shoreline has abundant vision documents, subarea plans, and framework goals; The deficiency is entirely within the land use code itself. The amendment is being proposed to protect historical commercial space and to ensure transit-oriented development near light rail stations.

How does the amendment address changing circumstances or values in Shoreline?

The amendment is entirely consistent with the values set forth in the Framework Goals of the Comprehensive Plan. In fact, the intention of the amendment is to bring Shoreline land use code into compliance with the values outlined within the Framework Goals.

Describe how the amendment is consistent with the current Shoreline Comprehensive Plan.

The amendment is consistent with the following statutory goals identified in the Growth Management Act (GMA). (Pg.2 Comprehensive Plan, City of Shoreline)

- Guide urban growth to areas where urban services can be adequately provided;
- Encourage economic development throughout the state;
- Encourage the participation of citizens in the planning process;

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FG9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.

To be submitted by Kevin Atkinson

FG10: Respect neighborhood character and engage the community in decisions that affect them.

FG14: Designate specific areas for high-density development, especially along major transportation corridors.

FG15: Create a business-friendly environment that supports small and local businesses, attracts large businesses to serve the community, expands our jobs and tax base, and encourages innovation and creative partnerships.

FG16: Encourage local neighborhood retail and services distributed throughout the city

How will this amendment benefit the citizens of Shoreline?

This amendment will benefit the citizens of Shoreline by providing a variety of gathering places and recreational opportunities for all ages. It will promote quality, functionality, and walkability through good design and development that is compatible with the surrounding area. The neighborhood character of commercial and gathering spaces will be respected rather than converted into secured residential buildings. (Framework Goals 4, 9, & 10)

The amendment will benefit the citizens of shoreline by creating a business-friendly environment that supports small and local businesses, attracts large businesses to serve the community, expands our jobs and tax base, and encourages innovation and creative partnerships. Last but certainly not least, this amendment will encourage local neighborhood retail and services distributed through the city. (Framework Goals 15 & 16)

Include any data, research, or reasonings that supports the proposed amendment.

<http://urbanshoreline.org/>