

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF PUBLIC HEARING

October 19, 2023
7:00 P.M.

Commissioners Present

Chair Pam Sager
Vice Chair Julius Rwamashongye
Commissioner Leslie Brinson
Commissioner Janelle Callahan
Commissioner Andy Galuska
Commissioner Mei-shiou Lin
Commissioner Christopher Mosier

Staff Present

Andrew Bauer, Planning Manager
Jeff Raker, Sr. Transportation Planner
Nytasha Walters, Transportation Svcs. Mgr.
Cate Lee, Senior Planner
Kendra Dedinsky, Traffic Engineer (online)
Nathan Daum, Economic Devt. Program Manager
Julie Ainsworth-Taylor, Assistant City Attorney
Carla Hoekzema, Planning Commission Clerk

Other:

Kendra Breiland, Fehr & Peers
Patrick Doherty, Consultant

CALL TO ORDER

Chair Sager called the public hearing of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Ms. Hoekzema called the roll.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of October 5, 2023 were accepted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

PUBLIC HEARING

A. Transportation Concurrency Development Code Amendments

Chair Sager introduced the topic, reviewed procedures, and opened the hearing.

Staff Presentation:

Sr. Transportation Planner Jeff Raker and Kendra Breiland, Fehr & Peers made the staff presentation. Mr. Raker reviewed background on this topic and the process timeline. Ms. Breiland reviewed key terminology including Vehicular Level of Service (LOS) Policies; Multimodal LOS Policies, concurrency standards, multimodal concurrency, and person trip. City staff is recommending development of a multimodal concurrency system to align with the new Transportation Element and state law. The proposed program provides capacity for all types of multimodal infrastructure that is built and funded by the system based on the person trip capacity provided by the Transportation Element. As development in the community is approved, land uses are associated with a person trip demand. This program would be administered by staff through a concurrency tracking tool.

Mr. Raker explained that the staff recommendation is for the Planning Commission to recommend that the City Council adopt proposed concurrency program changes in Ordinance 997. The code amendments adjust the concurrency program from vehicular-based level of service standards to a multimodal level of concurrency. It also adopts associated Shoreline Municipal Code Chapter 20 amendments (Attachment A). The effective date would be March 15, 2024 to coincide with amendments to the Transportation Impact Fee program and building code. He noted that changes to impact fees and the building code are outside the purview of the Planning Commission's review and are reviewed and acted upon by Council.

Clarifying Questions:

Vice Chair Rwamashongye asked what kind of traffic they are prioritizing with multimodal traffic. Ms. Breiland replied that this system considers all of the projects in the City's financially-constrained project list of the Transportation Element so it reflects what it prioritized there. More fundamentally, with a person trip, a vehicle trip is the same as a pedestrian trip or a bicycle trip. All of that capacity counts. Vice Chair Rwamashongye suggested prioritizing pedestrian trips for safety. Ms. Breiland explained the City's choices in what they decide to fund are the priorities. This system doesn't get in the way of that. Kendra Dedinsky, Traffic Engineer, agreed that this program isn't telling the City how to prioritize; it is just collecting the information. She concurred that they need to do a better job prioritizing pedestrians, especially in areas that are densifying and where they are hoping to help people be more comfortable and less delayed on foot.

Commissioner Galuska asked if the trip generation rates would be coming out of the ITE (Institute of Transportation Engineers) manual. Ms. Breiland explained that the ITE manual provides a trip generation for a vast number of uses. One thing they are doing is calibrating that to a person trip. Person

trip calibrations come from local travel survey data. Commissioner Galuska asked if the fee charged would be a GMA-based impact fee. Ms. Breiland replied they are proposing a GMA-based impact fee program under the impact fee program which is established by a rate study. Concurrency is different because it just asks if there is capacity to support the development. GMA impact fees provide the funding mechanism to fund many of those projects. Ms. Dedinsky reiterated that the concurrency is just asking if there is enough capacity in the system to permit development. She explained how the process would work for developers.

Public Comments: None

Deliberation:

Commissioner Brinson asked what happens if the “bank account” is empty when a development comes in. Ms. Breiland explained they would fall out of concurrency. This will provide a way to monitor, forecast, and reorient investments if needed. Ms. Dedinsky added that the City can’t issue permits if they fall out of concurrency. The underlying zoning or land use does not guarantee that you will meet concurrency.

MOTION MADE BY COMMISSIONER CALLAHAN, SECONDED BY COMMISSIONER BRINSON, TO RECOMMEND THAT CITY COUNCIL APPROVE THE CONCURRENCY PROGRAM CHANGES IN ORDINANCE 997 AS WRITTEN IN ATTACHMENT A OF THE STAFF REPORT DATED OCTOBER 19, 2023 AND FOR STAFF TO FORWARD THAT RECOMMENDATION OF APPROVAL TO CITY COUNCIL. MOTION PASSED UNANIMOUSLY.

The public hearing was closed.

STUDY ITEMS:

A. Ground Floor Commercial Development Code Amendments

Andrew Bauer, Planning Manager

Patrick Doherty, Consultant

Nathan Daum, Economic Development Program Manager

Mr. Doherty reviewed the background on ground-floor commercial (GFC) requirements for multifamily buildings. He summarized the interim regulations and the previous Planning Commission discussion at the September 21 meeting. He reviewed public outreach efforts to date.

In the survey, residents indicated preference for:

- Proximity to neighborhoods with broad range of goods, services, activities
- Greater propensity to stay in Shoreline to shop, dine, etc.
- Transit, walking, cycling, ride-share, drop-off, etc. versus driving
- Edmonds, Ballard, Greenwood, Bothell, Capitol Hill, Phinney

- Did not prefer areas with homelessness, drugs, crime, vacant commercial spaces (and certain neighborhoods)

Business owners' responses:

- Prefer locating in neighborhoods with broad range of goods, services, activities.
- Given options, preferred to pay only slightly more or average rents for new GFC space with shared parking.
- Top areas: Ballard, Edmonds, and similar walkable areas with many commercial activities
- Least preferred areas: areas with no parking, car-oriented, high rents, vacant spaces, no greenery, bad design
- Desired incentives to promote GFC: enough/free parking nearby; incentives vs. regulations; no homelessness, drugs, or crime; city should require GFC and incentives/bonuses for small businesses; help with commercial build-out costs.

Developer stakeholders' meeting key takeaways:

- Support for mixed-use and GFC
- Parking is very expensive. Don't require too much or any for GFC.
- 75% GFC is infeasible on narrow lots.
- Like concept of primary vs. secondary frontages.
- Let developers provide GFC voluntarily (incentives)
- Height bonus only helpful in certain zones/instances with current building types
- Appreciate ability to seek departures through the Administrative Design Review (ADR) process.

Summary of Code Amendments:

- 20.40.120, Residential Uses – Revise table to change MF for NB, MB to P-I, indicating reference to index of supplemental criteria.
- 20.40.160, Station Area Uses – Revise table to replace “Apartment” with “Multifamily” and reference P and P-I, accordingly.
- 20.40.465, Multifamily:
 - Extend provisions to NB, MB, TC 1, 2, 3, MUR-70’.
 - “Commercial” to “nonresidential”
 - Disallow parking from GFC uses.
 - Allow live-work in 50% of GFC space on secondary frontage for five years.
 - Exempt GFC space from parking
 - Height bonus of 5’ for GFC, 10’ for restaurant, 20’ for grocery
 - Revise hardscape bonus of 5%, not to exceed 95%
- 20.50.020, Dimensional Requirements:
 - Table (2), Density and Dimensions in Mixed-Use Residential Zones, Exception 11: minor amendments here to clarify that the requirements in this subsection only apply when a project is proposed above the base height (base height includes height bonus of 5’ to 20’)
 - Clean up redundancies.
 - Table (3), Dimensions for Development in Commercial Zones: minor amendments to Exceptions 6 & 7 to reflect applicability of height increase for MF buildings when complying with GFC requirements and clarifying applicability of hardscape increase.

- 20.50.240 Site Design – Site Frontage Amendments intended to bring commercial development standards in MUR zones in sync with GFC requirements in multifamily/mixed use zones:
 - Raise GFC height minimum from 12’ to 15’.
 - 60% façade transparency on Principal and Minor arterials; 45% elsewhere (Exception for narrow lots, 100’ in width or narrower for garage entries.)
- 20.50.250, Building Design:
 - Require 75% GFC where buildings abut Principal and Minor arterials; 60% for other streets (exception for 100-foot or narrower lots for garage entries)
 - Discontinue fitness center associated with MF to be counted as GFC.
 - Reduce absolute minimum depth GFC to 15’, still requiring 30’ average.
 - Include required public place, integrated with GFC.
 - Reduce GFC minimum height from 18’ to 15’.
- Examples of Primary and Secondary Commercial Corridors

Discussion:

Commissioner Brinson expressed appreciation for all the work they have done to address the Planning Commission’s concerns. She referred to the maps and noted they had used the terms “Principal” and “Minor” arterials. She asked how the collector arterials fit in to this. Mr. Doherty explained Principal and Minor arterials are primary corridors that require the 75% GFC and the 60% transparency. Collector arterials and any other street would have the lower requirements. Planning Manager Bauer pointed out that the maps don’t really capture this because staff included the collector arterials as primary corridors. This is something for the Planning Commission to consider though.

Commissioner Mosier asked if they could disassociate what they are calling primary and secondary corridors from the road type and just have an overlay of where they want it to be. Mr. Doherty explained they did not do that because the types of arterials change over time. This recognizes the living nature of the transportation system. Additionally, a mapping exercise could be very complicated and time consuming for the Planning Commission.

Commissioner Brinson referred to Aurora from 185th to 175th as an example of a space that makes the point that the collector arterials are important in this conversation. That brings the GFC in from Aurora and around into a most likely pedestrian-friendly area. Mr. Bauer referred to 200th and Aurora near the transit center as another example of a collector arterial which could be a prime location of a higher level of commercial standard for future development.

Commissioner Mosier referred to a standard for through-block projects where the developer has to provide a path from block to block. Mr. Bauer recalled that the key is that you are fronting the right-of-way on both block faces. Commissioner Mosier asked if there could be a provision that if you provide that through block some of the frontage could be turned to not face Aurora so that you could have businesses (like restaurants) that aren’t on the busy street. Mr. Daum thought that connection would have the lower level of requirements. Mr. Bauer said they could look at that frontage issue as a tradeoff in the administrative design review process.

Commissioner Mosier expressed concern that if they don't plan for a restaurant, the space won't ever become one because there are a lot of limitations with the mechanical and electrical code related to exhaust. Is there a way they can have the developer prove there is a path for exhaust in the future even if it is not "restaurant ready". Mr. Doherty explained that the biggest issue is the height and the storefront system. Usually there is a way to work out the venting as long as there is a side they can go out. Mr. Bauer explained that if a developer is planning to have a restaurant ready space, they will be required to show that they have a grease trap and exhaust provisions.

Mr. Doherty asked for clarification about the Commission's preference on the arterials. There was consensus to include all three levels of arterials.

Commissioner Mosier pointed out that the neighborhoods referred to by respondents in the survey are areas where businesses are not in multifamily buildings. He wondered if staff is working on other ways to encourage businesses. Mr. Doherty commented that one of the things they want to look at in the future is if there are barriers to converting residential buildings to commercial. Mr. Daum discussed the adaptive reuse code which the Planning Commission previously recommended and Council adopted. This provides more flexibility with reuse of existing spaces. Staff has also been talking about reconsidering frontage improvements that are currently triggered if you are investing more than 50% of the value of the building. Another thing they are considering is the impact fee exemption for commercial use.

Commissioner Brinson recommended clarifying the PowerPoint slide that talks about allowing live-work in 50% of GFC space on secondary frontage for five years before they take it to Council. Mr. Doherty concurred.

Vice Chair Rwamashongye asked about unintended consequences of changing language from "commercial" to nonresidential" (e.g., health/safety standards, site cleanup). Mr. Doherty clarified that the use of the overall site would not be "nonresidential". This only refers to the space at the ground floor of the building.

B. Transit Bus Bases and Individual Transportation and Taxi Facilities Development Code Amendments

Andrew Bauer, Planning Manager

Cate Lee, Senior Planner

Senior Planner Cate Lee presented background and discussion items related to Transit Bus Bases and Individual Transportation and Taxi Facilities Development Code Amendments. She summarized that most cities in King County separate out the two uses; allow bus bases in industrial zones; and allow taxi facilities in industrial and heavier commercial zones.

Recommended Names and Definitions:

- Fleet Base, Major: A vehicle storage use where vehicles equal to or greater than 30 feet in length are stored, repaired, maintained, and dispatched.

- Fleet Base, Minor: A vehicle storage use where vehicles less than 30 feet in length are stored, repaired, maintained, and dispatched.

Does the Commission support the staff recommendation to change the use definitions to “Fleet Base, Major” and “Fleet Base, Minor” use names?

Zoning Districts: Staff is recommending allowing both uses in the following zoning districts:

- Mixed Business (MB)
- Community Business (CB), when on a state highway
- R-4 through R-48 subject to certain criteria.

Does the Commission agree with the staff recommended zoning districts and locations where each use would be allowed?

Zoning maps were reviewed showing the areas of the city where staff is recommending these uses be allowed.

Recommended approval process:

- Fleet Base, Major: Special use in MB, CB, and R-4 through R-48
- Fleet Base, Minor: Conditional use in MB and CB, Special Use in R-4 through R-48

Does the Commission agree with the staff recommended approval process?

Recommended criteria:

- In the Community Business (CB) zone, the use is only allowed when the site has frontage on a state highway.
- In the R-4 through R-48 zones, the use is only allowed when the site is a minimum of 10 acres in size and abuts a limited access highway from which it has direct vehicular access.
- In areas covered by Subarea Plans listed in Appendix B of the Comprehensive Plan, or Planned Action Ordinances, uses shall be consistent with the recommendations of the plans or ordinance.
- Adequate buffering devices such as fencing, landscaping or topographic characteristics protect adjacent properties from adverse effects of the use, including adverse visual or auditory effects. Consideration should be given to whether certain features, such as a fence, would be consistent with the zone or the code requirements.
- Any other similar considerations to address potential impacts to public infrastructure, nearby properties, or the community generally, may be applied if appropriate to a particular case.
- The use shall meet or exceed the same standards for parking, landscaping, design, and other development regulations that are required in the district it will occupy.
- The use has vehicular access, suitable for use by the size of vehicle stored and repaired at the site (e.g., buses), to a designated arterial improved to City standards.
- The use shall, to the maximum extent feasible, mitigate all significant adverse environmental impacts on public and private properties. Full consideration shall be given to alternative locations and/or routes that eliminate adverse impacts; and alternative designs that reduce or eliminate adverse impacts.

Does the Commission agree with the staff recommended additional decision criteria?

Public Engagement: There were two comments at the City Council Public Hearing provided by the property owner of the access van site and King County Metro on October 14. They were concerned about the moratorium and their ability to locate on another site in Shoreline. City staff and King County Metro staff met on October 12 to discuss Metro's siting needs, the research the City had done, and next steps to find an appropriate location for an access van site.

Discussion:

Vice Chair Rwamashongye asked about school buses. Ms. Lee explained those are in a different location; the scope of these amendments relates specifically to the amendments in front of them. Mr. Bauer added that the school bus use is defined separately within the code. Vice Chair Rwamashongye asked if there is another site that the north base would be able to move to. Ms. Lee explained that they do not expect that to be impacted. It would be allowed to continue to operate as a special use as long as it is consistent with the City's visioning documents.

Commissioner Callahan commented that it sounds like the access van site would not be permitted because it is not close enough to a state road. Ms. Lee concurred.

Vice Chair Rwamashongye asked why they didn't say primary arterial or principal arterial instead of state route. Mr. Bauer explained it had to do with the level of traffic they expected and trying to focus on locations where they already have the roadway to accommodate the volume or anticipated traffic. Ms. Lee stated she would look into that further.

Commissioner Mosier said he would rather not have a bus base along Aurora at all because it takes away from business areas. It also doesn't help to improve the quality of Aurora. Mr. Bauer clarified that these uses are already permitted in these locations. These amendments are intended to narrow the scope of where they are allowed pretty significantly. Also, just because they zone to allow something doesn't mean that it will happen.

Chair Sager spoke in support of the recommended names and definitions. She asked if there is specific language related to odor mitigation in these facilities. Ms. Lee thought there was, but if not, they can add it to the decision criteria. Vice Chair Rwamashongye agreed that this is important along with regulations about how things like oil are managed.

Commissioner Lin asked if they have heard about any future proposals related to this. Ms. Lee explained that the access van site is going to need to find a new site, but it is not known if it will be in Shoreline.

Vice Chair Rwamashongye asked about potential impacts to the users of the access vans. Ms. Lee said they have been working with King County Metro on what their siting needs are. Staff has not reached out to users of the service. It is just a location for storage, repair, and dispatch. Vice Chair Rwamashongye expressed concern about what would happen if they can't find another location and the service goes away. Mr. Bauer said they haven't heard anything from King County Metro about that.

Staff will come back with draft code amendments for a public hearing on November 16.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

Commissioner Rwamashongye announced he would be on sick leave for about six weeks.

AGENDA FOR NEXT MEETING

Staff reviewed the agenda for the next meeting – Ground Floor Commercial Development Code for public hearing and potential recommendation.

ADJOURNMENT

The meeting was adjourned at 9:06 p.m.



Pam Sager
Chair, Planning Commission



Carla Hoekzema
Clerk, Planning Commission