AGENDA PLANNING COMMISSION REGULAR MEETING



Thursday, June 20, 2013 7:00 p.m.

Shoreline City Hall Council Chamber 17500 Midvale Ave N.

		Estimated Time
1.	CALL TO ORDER	7:00 p.m.
2.	ROLL CALL	7:01 p.m.
3.	APPROVAL OF AGENDA	7:02 p.m.
4.	APPROVAL OF MINUTES	7:03 p.m.
	A. May 16 Regular Meeting	

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.

5.	GENERAL PUBLIC COMMENT	7:05 p.m.
6.	STUDY ITEMS A. Light Rail Station Subarea Study Boundaries • Staff Presentation • Public Comment	7:10 p.m.
7.	DIRECTOR'S REPORT	7:40 p.m.
8.	REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	7:50 p.m.
9.	AGENDA FOR July 18	7:55 p.m.
10.	ADJOURNMENT	8:00 p.m.

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. For up-to-date information on future agendas call 801-2236.

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CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

May 16, 2013 Shoreline City Hall 7:00 P.M. Council Chamber

Commissioners Present

Commissioner Craft Commissioner Maul Commissioner Scully Commissioner Wagner

Staff Present

Paul Cohen, Planning Manager, Planning and Community Development Steve Szafran, Senior Planner, Planning and Community Development Kate Skone, Planning Commission Clerk

Commissioners Absent

Chair Moss Vice Chair Esselman Commissioner Montero

CALL TO ORDER

Commissioner Wagner called the regular meeting of the Shoreline Planning Commission to order at 7:02 p.m.

ROLL CALL

Upon roll call by the Commission Liaison the following Commissioners were present: Commissioners Craft, Maul, Scully and Wagner. Chair Moss, Vice Chair Esselman and Commissioner Montero were absent.

ELECTION OF CHAIR PRO TEM

COMMISSIONER SCULLY NOMINATED COMMISSIONER WAGNER TO SERVE AS CHAIR PRO TEM FOR THE MAY 19, 2013 COMMISSION MEETING. COMMISSIONER CRAFT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of April 18, 2013 were adopted as submitted.

GENERAL PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

PUBLIC HEARING: DEVELOPMENT CODE AMENDMENTS

Chair Pro Tem Wagner reviewed the rules and procedures for the public hearing and then opened the public hearing.

Staff Presentation

Mr. Szafran advised that the purpose of the meeting is for the Commission to conduct a public hearing, discuss the questions raised during the study session and any follow-up questions, and make a recommendation to the City Council. He reviewed the questions raised at the study session as follows:

- How will modifying the building and hardscape requirements for single-family homes on R-12 zoned parcels affect storm and surface water? Mr. Szafran pointed out that storm and surface water are regulated by the Department of Ecology's (DOE) Stormwater Management Manual for Western Washington, and the manual does not distinguish between building types when mitigating water quality or quantity. He advised that surface water would be managed and mitigated regardless of the type of building.
- Should renewable energy systems be allowed above height limits in residential zones? Mr. Szafran referred to examples of renewable energy systems in residential zones, which were included in the Staff Report. He noted that some of the systems need to be quite high to function properly. Based on the examples, staff reevaluated the proposal and is recommending that renewable energy systems be limited to 15 feet above the height limit for the zone in which they are built.

Mr. Szafran summarized that, with the exception noted above related to renewable energy systems, no other changes were made to the proposed amendment since the Commission's study session. He said staff recommends approval of the proposed amendments as presented.

Questions by the Commission

None of the Commissioners had questions for staff at this point in the hearing.

Public Testimony

Alisha Leviten, Shoreline, specifically referred to the proposed amendment to the animal code (SMC 20.40.240) and said her comments would be specifically about roosters. She said she supports people in the City being allowed to sustain themselves with gardens, chickens, etc. However, she urged the

Commission to approve the restriction on roosters. She has nothing against roosters or people wanting to have roosters, but they are inappropriate for a city setting. People who want roosters should live on a farm in the country. She said she has several roosters within a few blocks of her home, one being her backyard neighbor. Having a rooster near you is equivalent to having someone stand in your yard and blast an air horn every 30 seconds to 2 minutes all day long. It starts at the crack of dawn, which is currently about 5 a.m. and will get earlier as the summer approaches. Sometimes the noise even continues throughout the night.

Ms. Leviten said she and some of her neighbors believe that roosters are for rural farm settings where your neighbors are not 30 feet away from you. She said she doesn't understand why anyone would even consider having a rooster in the City. It is inconsiderate and thoughtless. She does not want to be woken up at 3:00 a.m. all summer long this year by roosters crowing. She bore that abuse last summer, and she was completely exhausted. She noted that people cannot have dogs that bark incessantly all day long, and there are many other noise ordinances for music, construction, etc. These ordinances control the times of day and how loud the noise can be, and that same logic should apply to roosters. Roosters are completely unnecessary for sustainable farming.

Assuming that roosters will be banned, Ms. Leviten questioned how the information would be disseminated to the public, especially those who currently possess roosters. It is also important for residents who don't have roosters to know this information so they can protect their own rights. She questioned the process for getting rid of the existing roosters from the City. Would they implement a farm adoption program for people who feel attached their animals? What will be the process for someone like her, who has a rooster living nearby, to do something after the legislation is approved?

Mr. Szafran said the proposed amendment to SMC 20.40.240(7) provides a list of prohibited animals, including roosters. The Community Response Team would enforce the ordinance based on citizen complaints. The City could also publish an article in *CURRENTS* to inform the public of the new animal code, specifically pointing out that roosters are prohibited. There could also be handout at the front counter of the Planning and Community Development Department.

Mr. Cohen explained that existing roosters could be treated as a type of legal, non-conforming use, but he acknowledged that it will be difficult to establish what was legally conforming before the amendment was approved. He explained that the City's Code Enforcement Officer deals with items in the code that are considered "nuisances." He suggested that language could be added to the code to enforce problems with current roosters, but it may be necessary to obtain direction from the City Attorney before doing so. Chair Pro Tem Wagner suggested the Commission postpone this debate until after the public hearing.

Dr. Russell Patterson, Seattle, said he is co-owner of the animal specialty hospital located at Northeast 148th Street and 15th Avenue Northeast. They have been in the business of providing specialty care for pets of the Seattle area for about 25 years. They were previously located in the Wallingford neighborhood; but as they grew and needed more space and parking, they began to look for properties in Shoreline. They moved into their new facility in the spring of 2009, and their experience in the neighborhood has been very positive. Their new facility has allowed them to grow further, and they are once again beginning to experience some lack of space. In looking to the future, they are about to purchase the property immediately to the east, which is currently developed with a small, abandoned

home. They are hoping that through an amendment to the text of the code, and subject to a conditional use permit, they would be able to use the property for parking. This would, in turn, allow for future growth of their business.

Dr. Patterson said they might not have considered purchasing the property to the east with this hope in mind had they not had a similar experience when purchasing their current property. He recalled that the existing parking lot, located to the east of the building, was zoned residential when the property was purchased, and it still is being used as such. He noted that, previously, the property had functioned as a parking lot to access a prior commercial business. This gave them reason to hope they would be allowed to use a residentially-zoned property to access their commercial building, as well. He summarized that the business is a valued member of the community, and they have a very good rapport with their neighbors. He noted that several neighbors have written letters and emails in support of the request. He concluded by stating that the animal specialty clinic is hopeful the City will approve their request and help them grow and continue to provide excellent veterinary care for the pets of Shoreline and the surrounding community.

Kristina Cerise, Seattle, said she is a land-use planner working with Dr. Patterson on the code amendment. Dr. Patterson spoke about the business and the need for expansion, and she was present to discuss the technical aspects of the proposal to allow veterinary clinics and hospitals as a conditional use. She noted that a range of non-residential uses are currently allowed in high-density residential zones. Some allow the use outright as a permitted use, and others with a conditional use permit. They took the more cautious approach and proposed a conditional use to calm any hesitation about the ability to look at site-specific impacts and mitigate any concerns for proposals down the road. The conditional use permit process would allow staff to review site-specific proposals and ensure compatibility with surrounding uses in the neighborhood.

Final Questions and Deliberations

Chair Pro Tem Wagner asked if the proposed amendment would meet Dr. Patterson's concerns. Mr. Szafran answered affirmatively.

Chair Pro Tem Wagner referred to the issue raised earlier by Ms. Leviten regarding how the City would enforce the new ordinance that prohibits roosters. She suggested that perhaps this issue could be addressed via a general noise ordinance. She noted that the City does not currently have codified standards to govern when a noise level reaches the point where it is considered a nuisance. She suggested the issue should be added to their parking lot agenda for future discussion. Mr. Szafran pointed out that the City regulates construction noise by limiting the hours in which it can occur, but the code does not establish a specific decibel level for noise.

Mr. Cohen suggested one alternative would be to forward the proposed amendments to the City Council, with a specific request that they address the existing nuisance of roosters, which would no longer be allowed. The City Council could direct staff to find ways to enforce the prohibition on roosters or to ensure that it can be enforced with the current code language.

Commissioner Scully pointed out that nuisance issues are outside of the Commission's purview since they are not Development Code or Comprehensive Plan issues. Mr. Cohen concurred. Commissioner Scully expressed his belief that, if something presents a health and safety issue within land use, grandfathering would not be allowed. He said he hesitates to make a special exemption for roosters. He suggested the existing problem might be better addressed via the nuisance law, which would come before the City Council and not the Commission. Even if roosters can be grandfathered in, they typically live between three and five years and the problem will eventually resolve itself. He said he would be astounded if the City Attorney issued an opinion that if you had one rooster, you can replace it with another rooster forever.

Commissioner Scully suggested the Commission recommend approval of the amendments, as drafted, and then ask the City Council to address the short-term problems related to existing roosters. Chair Pro Tem Wagner expressed her belief that the Commission should not pass the buck to the City Council if it is something they can address. The Commission should consider the options, make a determination one way or another, and provide an opinion as to why they did or did not address it. Her inclination would be to point out to the City Council that there is a general noise issue that is separate from the care and feeding of animals, and roosters are already prohibited in the proposed amendment. They could recommend that addressing noise would be best approached via amendments to the general nuisance code.

COMMISSIONER SCULLY MOVED THAT THE COMMISSION FORWARD THE PROPOSED DEVELOPMENT CODE AMENDMENTS TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS DRAFTED BY STAFF. COMMISSIONER CRAFT SECONDED THE MOTION.

Commissioner Craft referred to the proposed language in SMC 20.40.240(7), which lists prohibited animals. He said he would like feedback from the City Attorney about whether or not existing nuisance animals on the list would be grandfathered in. Since the issue cannot be addressed tonight, he suggested they forward their recommendation with a request that staff raise this issue when the amendments are presented to the City Council. Mr. Cohen agreed that staff would convey the Commission's concerns to the City Council.

Chair Pro Tem Wagner reminded the Commission that in order to recommend approval of the proposed amendments, they must find that they are in accordance with the Comprehensive Plan, would not adversely affect the public health, safety or general welfare, and are not contrary to the best interest of the citizens or property owners in the City of Shoreline. She expressed her belief that the proposed amendments are well-drafted and none are controversial in nature. They are all minor amendments that either clarify or improve the code language. She noted that the issue she raised earlier about solar access and additional height on buildings, allowing them to add wind turbines or solar panels, was a question of balancing incentives for environmental sustainability with views and aesthetics of property. The proposed change would require the equipment to be camouflaged and limits the height to no greater than 15 feet above the height limit for the zone in which they are built. She noted that the Commission did not raise any concerns regarding the other proposed amendments. Commissioner Scully agreed that the amendments are not controversial.

Vote to Recommend Approval or Denial or Modification

THE MOTION CARRIED UNANIMOUSLY.

Closure of Public Hearing

Chair Pro Tem Wagner closed the public hearing.

DIRECTOR'S REPORT

Mr. Cohen did not have any items to report.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Scully announced that the Light Rail Station Area Planning Committee will not meet on May 17th. He recalled that they just conducted a study session with the City Council, and a public meeting is scheduled for May 22nd. He noted that the committee members would attend the public meeting, and he encouraged other Commissioners to attend, as well.

Chair Pro Tem Wagner asked staff to confirm that Ms. Redinger has communicated to interested parties that the committee meeting has been canceled since it has been noticed as an expected meeting.

AGENDA FOR NEXT MEETING

Mr. Szafran announced that Brian Lee will provide a presentation on right size parking at the Commission's June 6^{th} meeting.

ADJOURNMENT

The meeting was adjourned at 7:31 p.m.	
Donna Moss	Kate Skone
Chair, Planning Commission	Clerk, Planning Commission

TIME STAMP May 16, 2013

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

DIRECTOR'S COMMENTS:

APPROVAL OF MINUTES:

GENERAL PUBLIC COMMENT:

PUBLIC HEARING: DEVELOPMENT CODE AMENDMENTS: 1:50

Staff Presentation: 2:15

Questions by the Commission: 5:27

Public Testimony: 5:58

Final Questions and Deliberations: 16:31

Vote to Recommend Approval or Denial or Modification: 27:20

Closure of Public Hearing: 27:32

DIRECTOR'S REPORT: 27:40

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 28:10

AGENDA FOR NEXT MEETING: 29:13

ADJOURNMENT:

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PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Study Session on Comprehensive Plan Amendment- Map Change for Light Rail Station Study Areas (Phase 1 of Subarea Plans)			
DEPARTMENT: Planning & Community Development PRESENTED BY: Steven Szafran, AICP, Senior Planner				
	Rachael Markle, AICP, Director			
Public Heari	g Study Session Recommendation Only Update Other			

INTRODUCTION

Sound Transit is currently in the process of planning and design of the Lynnwood Link light rail extension north of Northgate. The light rail line will travel along I-5 and include two stops in Shoreline. Light rail represents a significant change to transit service in Shoreline. Additionally, the station areas provide an opportunity for redevelopment that is transit oriented and transit supportive, helping the City achieve the goals expressed in Vision 2029, the Transportation Master Plan, and the newly adopted Comprehensive Plan.

The Land Use Map (Figure LU-1) from the Comprehensive Plan designates light rail station study areas as ½ mile radius circles from potential station locations at NE 185th and 145th Streets. Phase 1 of subarea plans for each station area will be adopting revised, parcel-specific study area boundaries. Tonight's meeting is an opportunity for the community and Planning Commission to discuss proposed study area boundaries and recommend any changes prior to a public hearing on July 18.

BACKGROUND

The initial study area boundary adopted as part of the Comprehensive Plan was a purposefully vague placeholder until staff had an opportunity to engage in a public process that explained the difference between study areas, Comprehensive Plan designations, and zoning designations, and allowed residents a role in establishing boundaries. Based on Council direction that these boundaries be more clearly defined as soon as possible, the Planning Commission light rail committee met monthly with staff to establish criteria for setting study area boundaries, tour both subareas, and create draft boundaries.

The criteria they used to determine where to draw study area boundaries are as follows:

- · Walk and bike travel sheds:
- Topography;

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- Comprehensive Plan policy direction;
- Existing conditions- residential and commercial zoning, major arterials, and community features. It is worth noting that community features include environmental assets, which will likely not be subject to change themselves, but often provide an amenity that could be supportive of adjacent higher intensity uses and density;
- Jurisdictional- to clarify that we will not be drawing lines on the Seattle side; and
- Homeowner preference- this consideration does not apply to individual homeowners, but if a block of neighbors on the edge of the boundary feel strongly about being in or out, this preference may influence decision-making.

Criteria maps displaying information about zoning, topography, existing features, and walk and bike travelsheds are available on the City's project web page (www.shorelinewa.gov/lightrail).

In applying the criteria to draft boundaries, the committee recommended using two sets of boundary lines to be clear about what will be studied in each. The *mobility study area* encompasses a broader region and is drawn on existing rights-of-way. In some cases, the mobility study will encompass longer lengths of arterials and other roadways than are included within the boundary; in the future, these may be shown as arrows pointing into the study area to delineate the direction from which traffic will most likely access stations. Residents living within the mobility study areas or along arterials leading to stations are concerned with traffic impacts to their neighborhoods. The intent of this study area will be to examine routes that potential transit users will likely travel to and from stations, and may lead to recommendations regarding traffic calming, infrastructure for alternate modes of travel, or creating connections in neighborhoods without direct access.

The *land use study area* represents a smaller geographic region that is more likely to undergo transition and zoning change. This may lead to recommendations regarding appropriate uses, design and transition standards, redevelopment scenarios, and thresholds that may trigger phased zoning or other strategies to encourage implementation of the subarea plans. These lines are generally drawn along the backside of parcels fronting an arterial so that transitions occur along the rear of a property stepping into a neighborhood and there can be more consistency in scale and design from the streetscape. In some cases, environmental assets or other sensitive areas that are not anticipated to redevelop were included in study area boundaries in order to capture information about their value and function.

It is important to note that since these areas are for the purpose of study, not necessarily indicative of change, the Commission generally chose to be more inclusive when the boundary line could have been drawn in multiple places based on the criteria.

The full Commission discussed draft study area boundaries at their April 18 meeting and with Council at their joint meeting on May 2. Suggested changes were incorporated and presented to the community at the May 22 meeting, which was attended by approximately 150 people. Study area boundaries were not addressed by any of the speakers who offered public comment, nor were any specific comments about

boundaries relayed to staff. Attendees were invited to comment on boundaries at the June 20 Study Session and the July 18 Public Hearing.

PROPOSAL & ANALYSIS

Staff is recommending several changes to the draft study area boundaries since they were last discussed by Planning Commission and Council. These recommendations are based on input from the City's Transportation Planners and issues that were identified when the two station areas were combined on a single map. Proposed changes are summarized below and represented on Attachments A, B, and C. Attachments D, E, and F are the drafts last modified based on Commission and Council direction on May 2 and presented at the Community Meeting on May 22.

Removing ½ and ½ mile radius circles: The radius circles were helpful in delineating framework policies about the types of densities and uses that may be appropriate within a quarter and half-mile from stations, but as boundaries become criteria-based and parcel-specific, the circles could create confusion. They have therefore been removed from the individual study area boundary maps (Attachments A and B). The ½ mile radius is still shown on the combined map (Attachment C) to provide perspective on distance, but mobility and land use study boundaries are shown more boldly, while the radius circle is thinner and dashed.

Removing land use study area from 5th: During discussion of 185th boundaries, the committee included parcels adjacent to 5th Avenue NE between NE 175th and 165th Streets as land use study areas. When both boundary maps were combined, it became clear that the line should be extended all the way to 155th or stopped at 175th. An overarching question to discuss this evening will be *whether or not parcels adjacent* to roads that connect the two station areas should be considered for potential zoning change, or just mobility study.

Removing mobility study area from 8th: 8th Avenue NE runs roughly adjacent to the Seattle City Light utility corridor. Initial thinking was that this provided an opportunity to either support higher density because of the open space that would be provided by the utility corridor, or that the land under transmission lines could potentially be used for pedestrian and bike infrastructure, like the Interurban Trail. However, since the City has plans to make additional investments in such infrastructure along 5th Avenue NE and 10th Avenue NE, it would be redundant to also pursue a similar plan for 8th Avenue NE.

Removing mobility study from NE 187th and 188th Streets: Transportation Planners do not anticipate that these roads will be used to access the 185th station.

Adding mobility study area for Meridian and 15th: Transportation Planners recommended including these roads in the mobility study.

<u>Adding opportunity site at Ridgecrest:</u> When maps of both study areas are combined, it become apparent that this property is a prime candidate to be considered as a catalyst development or opportunity site.

<u>Adding environmental asset at Paramount Park:</u> For consistency, this park should also be included as an environmental asset.

TIMING AND SCHEDULE

Changing the study area boundaries from the ½ mile radius on the adopted Comprehensive Plan Land Use Map to be parcel-specific requires a Comprehensive Plan Amendment. While this type of Comprehensive Plan Amendment is exempt from the once annual docket cycle, it does require notice to the Departments of Commerce and Ecology and a SEPA Determination. Below is a summary of the schedule for the process of adopting Phase 1 of the 185th and 145th Subarea Plans (study area boundaries).

- Planning Commission Discussion of Study Area Boundaries: April 18 and June 20, 2013
- Joint Council/ Planning Commission Discussion of Study Area Boundaries: May 2, 2013
- Notification of potential Comprehensive Plan Amendment to Department of Commerce: May 20, 2013
- Public Meeting Discussion of Study Area Boundaries: May 22, 2013
- SEPA Determination: May 31, 2013
- Notification of potential Comprehensive Plan Amendment to Department of Ecology: June 3, 2013
- Public Hearing on Study Area Boundaries: July 18, 2013
- Council Study Session on Phase 1 of NE 185th and 145th Street Station Subarea Plans (Study Area Boundaries): August 12, 2013
- Council Adoption of Phase 1 of NE 185th and 145th Street Station Subarea Plans (Study Area Boundaries): September 9, 2013

Information about Shoreline's Light Rail Station Area Planning can be found at: http://shorelinewa.gov/lightrail

ATTACHMENTS

Attachment A- Proposed Light Rail Station Study Area Boundaries for NE 185th Street

Attachment B- Proposed Light Rail Station Study Area Boundaries for NE 145th Street

Attachment C- Proposed Study Area Boundaries for both NE 185th and 145th Streets

Attachment D- Previous draft boundaries for NE 185th (presented at May 22 community meeting)

Attachment E- Previous draft boundaries for NE 145th (presented at May 22 community meeting)

Attachment F- Previous draft boundaries for both NE 185th and 145th Streets (presented at May 22 community meeting)











