

AGENDA

PLANNING COMMISSION REGULAR MEETING



Thursday, September 5, 2013
7:00 p.m.

Shoreline City Hall
Council Chamber
17500 Midvale Ave N.

	<u>Estimated Time</u>
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. June 20 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	7:10 p.m.
A. Reconsideration on Transition Area Setback Amendment	
• Staff Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	7:55 p.m.
8. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:05 p.m.
A. Light Rail Station Area Planning Committee Report	
9. AGENDA FOR October 3	8:10 p.m.
10. ADJOURNMENT	8:15 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

June 20, 2013
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Moss
Vice Chair Esselman
Commissioner Craft
Commissioner Maul
Commissioner Montero
Commissioner Scully (arrived at 7:06)
Commissioner Wagner

Staff Present

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

CALL TO ORDER

Chair Moss called the regular meeting of the Shoreline Planning Commission to order at 7:01 p.m.

ROLL CALL

Upon roll call by the Commission Liaison the following Commissioners were present: Chair Moss, Vice Chair Esselman, and Commissioners Craft, Maul, Montero, and Wagner. Commissioner Scully arrived at 7:06 p.m.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of May 16, 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.

STUDY ITEM: LIGHT RAIL STATION SUBAREA STUDY BOUNDARIES

Staff Presentation

Mr. Szafran said that the purpose of this agenda item is to discuss the proposed Light Rail Station Subarea Study Boundaries, which will require a Comprehensive Plan amendment. He explained that, in the current Comprehensive Plan, the initial study area boundaries were purposely vague placeholders until staff had the opportunity to engage the public, develop criteria, tour the station areas, and hire a consultant to help them through the process. The current Comprehensive Plan identifies two ½ mile radius circles around the City's preferred station locations.

Mr. Szafran reviewed that, working with staff, the Planning Commission's Light Rail Station Area Planning Subcommittee drafted study area boundaries using the following criteria: walk and bike travel shed, topography, Comprehensive Plan policy direction, existing conditions, jurisdictional conditions, and homeowner preferences. The study area boundary maps were presented at a joint City Council/Planning Commission meeting on May 2nd, and some modifications were made. The updated maps were presented at a public light rail meeting on May 22nd. He referred to maps, which illustrate the study area boundaries for both the 145th and 185th station areas.

Mr. Szafran advised that staff is recommending the following changes to the draft study area boundaries since they were last discussed by the Planning Commission and City Council.

- **Removing ¼ and ½ mile radius circles.** These circles will be replaced by the more precise mobility and land use study areas.
- **Removing land use study area from 5th Avenue Northeast.** During discussions of the Northeast 185th Street boundaries, the committee included parcels adjacent to 5th Avenue Northeast, between Northeast 185th and Northeast 165th Streets, as land use study areas. When both boundary maps were combined, it became clear that the line should either be extended all the way to 155th or stopped at 175th. He requested feedback from the Commission about whether or not parcels adjacent to roads that connect the two station areas should be considered for potential zoning changes or just the mobility study.
- **Removing mobility study area from 8th Avenue Northeast.** The initial thinking was that including 8th Avenue Northeast would provide an opportunity to support higher density because of the wide right-of-way. However, since the City plans to make additional investments in infrastructure along 5th and 10th Avenues Northeast, staff feels it would be redundant to also pursue a similar plan for 8th Avenue Northeast.
- **Removing mobility study from Northeast 187th and 188th Streets.** The City's transportation planners do not anticipate that these roads will be used to access the 185th Station. At the public open house, there was significant concern about cut-through traffic on these small and curvy streets.
- **Adding mobility study area for Meridian and 15th Avenue Northeast.** The City's transportation planners recommended including these roads.
- **Adding opportunity site at Ridgecrest.** When the study areas were combined, it became apparent that this property is a prime candidate to be considered as a catalyst for development or

an opportunity site. The site is located directly in between the 145th and 185th Stations, and it is already zoned for high-density residential development.

- **Adding environmental asset at Paramount Park.** For consistency, this park should also be included as an environmental asset.

Mr. Szafran once again referred to the draft study area maps and advised that the City's transportation planners recommended that black arrows be placed along the rights-of-way to show access points into the study areas. The Commission agreed that the arrows were helpful, but suggested that they should be larger.

Commission Questions and Discussion

Commissioner Craft asked if it would be wise to include 8th Avenue Northeast in the mobility study area for the 185th Station, particularly if Northwest Perkins Way is identified as a potential access point. He expressed concern that eliminating this area could exclude any potential studies with regard to transportation that might enhance safety. He suggested it might be wise to include the area so the City can mitigate any potential future impacts that might arise. Mr. Szafran answered that staff would not be opposed to including this area. The intent was to steer people away from the neighborhood streets and direct the traffic onto collector arterials via wayfinding signs. Commissioner Craft pointed out that wayfinding signs can be ignored by virtue of convenience for drivers. Therefore, it might be appropriate to at least study potential impacts to the smaller streets. He said that he understands the neighbors' concern that including 8th in the study area might result in significant changes, but it would be important to at least understand the safety impacts of increased traffic. Mr. Szafran emphasized that the mobility study would simply be a study and no changes would be proposed. Chair Moss suggested it would be better to include the area in the mobility study area now rather than having to go back at some point in the future.

Commissioner Scully said that the subcommittee specifically discussed the fact that inclusion in the mobility study area did not necessarily mean that the roads would be made wider to accommodate more vehicles. It might actually mean traffic calming measures and signs for "local use only," etc. He agreed that the area between Northeast 187th and 188th Streets should be included in the mobility study. He asked if any of the other changes recommended by staff are based upon the thought of excluding streets where growth is undesirable from the mobility study area. Mr. Szafran answered no.

Commissioner Wagner suggested that it would be helpful to differentiate between preferred routes and study areas as soon as possible. She agreed that 8th Avenue Northeast should be studied even if it is not a preferred route. Other streets within the study area that are not preferred routes might be candidates for traffic calming, etc. She also suggested it would be helpful to add the pink lines back onto the maps to identify roads which would be included in the mobility study, particularly if 8th Avenue Northeast is removed from the mobility study area. Once again, Mr. Szafran advised that a lot of study and money has been focused on 5th and 10th Avenues Northeast, both of which have already been designated as arterials. He said 8th Avenue Northeast is designated as a local street. Commissioner Wagner explained that including a street in the mobility study area would not necessarily mean changes to accommodate additional traffic. Instead, the study might identify appropriate traffic calming measures to discourage cut-through traffic, etc.

Commissioner Maul commented that it makes sense to at least study 8th Avenue Northeast based on the neighborhood's concern about cut-through traffic. Commissioner Wagner highlighted the need for the City to facilitate more education and public regulations to help residents understand what the mobility study means. She suggested that staff provide more detailed descriptions for what the various colors on the study area maps mean.

The Commission discussed each of staff's recommended changes as follows:

- **Removing ¼ and ½ mile radius circles.** Mr. Szafran said the intent was always to include the radius circles as placeholders until more specific study area boundaries were identified; the study area boundaries would then replace the circles. The Commission agreed with this proposed change.
- **Removing land use study area from 5th Avenue Northeast.** Chair Moss agreed that there are likely opportunities along 5th Avenue. It is important to study these opportunities now rather than having to come back at a later time. Commissioner Scully said he lives in this area, and he questioned whether there really are terrific opportunity sites on 5th Avenue Northeast other than in Ridgecrest itself. It is all developed as single family residential, and he does not know of any vacant properties outside of the Ridgecrest area. He suggested that including 5th Avenue Northeast in the land use study area would not be the best use of City resources, and the remainder of the Commission concurred. It was noted that 5th Avenue Northeast is a main route between the two stations and would still be included in the mobility study area.
- **Adding opportunity site at Ridgecrest.** The Commission agreed to identify Ridgecrest as an opportunity site, given its location between the two stations and the fact that it is already zoned commercial.
- **Removing mobility study area from 8th Avenue Northeast.** The Commission agreed that 8th Avenue Northeast should be included in the mobility study area boundaries.
- **Removing mobility study from Northeast 187th and 188th Streets.** Chair Moss pointed out that the mobility study would also address pedestrian and bicycle access. She suggested that it might be appropriate to include these two streets in the mobility study area so they can specifically identify that the streets are not preferred alternatives and traffic calming devices are appropriate. She summarized that it is better to be inclusive, particularly when talking about traffic and mobility. Commissioner Montero noted that the streets are currently used by residents of Lake Forest Park as a shortcut to access the freeway. Changes in the current traffic pattern will be necessary if these streets can no longer be used for access to the 185th Station. The Commission agreed that the two streets should be included in the mobility study.
- **Adding mobility study area for Meridian and 15th Avenue Northeast.** The Commission supported this proposed change.

Chair Moss observed that although the City has indicated a preference for station areas around Northeast 145th and 185th Streets, the City will not know Sound Transit's final decision regarding station locations until a later date. She asked if this entire process would have to be repeated if Sound Transit chooses other locations for the stations. Mr. Szafran answered affirmatively.

Vice Chair Esselman pointed out that the land use study area boundaries were generally extended to the back side of parcels located along arterials. However, the study area boundary depth is much greater in

some areas along Northeast 185th Street. She asked if this is related to the intensity of the anticipated uses. Commissioner Maul pointed out that Northeast 185th Street will become a main corridor, and the street will get busier. The subcommittee felt this street would be appropriate for high-density, commercial uses.

Public Comment

Tom Jamieson, Shoreline, said he was glad to see that staff incorporated his recommendation to show both station areas together on one map. He said this is very useful, particularly when considering the Ridgecrest opportunity site. He said it might also be useful to highlight the community renewal area (near Sears) and describe its relevance to the project. He summarized that there are a number of things going on concurrently that should be taken into account. He said he would also like staff to provide a diagram showing the entire City of Shoreline with the station area boundaries overlaid. He observed that the Comprehensive Plan has a number of different diagrams that talk about geological hazards, pedestrians, etc. He said it appears that the Commission has considered all of these issues when preparing the draft station area boundary maps, and it would be useful to also overlay the station area boundaries on these maps. He said he likes what he has seen so far.

Continued Commission Discussion

Chair Moss asked when Sound Transit is expected to make an announcement on the actual location of the station areas. Mr. Cohen said he does not anticipate that the Sound Transit Board will make a final decision on the preferred alternative for stations until October. Chair Moss asked if the study of both areas would move forward concurrently. Mr. Szafran said the City has already started Phase 1 of the 185th Station planning process based on the assumption that 145th will be the other preferred location. The 145th Station planning process has not yet started.

Commissioner Scully suggested that staff update the maps to incorporate the recommendations made by Mr. Jamieson. He said it is particularly important to provide a map of the City with the station areas overlaid. This will help the public get a sense of how large the area is compared to the City as a whole. Mr. Szafran noted that, at the recent open house, staff provided a map of the City that specifically identified the community renewal area, Point Wells, Shoreline Community College, Crista, and North City. He agreed to post this overview map on the City's webpage.

Chair Moss asked if the mobility study area will extend down Northeast 155th Street past Aurora Avenue North and to the Interurban Trail. Mr. Szafran advised that the consultant will review off-site traffic impacts on major corridors leading from the station to Highway 99, Crista, Point Wells, etc. These streets will be part of the Environmental Impact Statement that is prepared for the 185th Street station, and a similar process will be used for the 145th Street station. Chair Moss pointed out that regardless of whether the station is located at 145th or 155th, the Northeast 155th Street corridor will be a major access point.

Mr. Szafran advised that the map changes will be made for the public hearing that is scheduled for July 18th. Commissioner Wagner asked that the maps also include definitions for each of the colors. She suggested that these definitions should be incorporated into the Comprehensive Plan, as well.

DIRECTOR'S REPORT

Mr. Cohen announced that Sound Transit has sent out letters to property owners informing them that Sound Transit may be interested in purchasing their properties. As the process gets refined, Sound Transit will be more specific about the properties they want to purchase. Their goal is to provide as much notification to property owners as possible.

Mr. Cohen advised that the Draft Environmental Impact Statements (DEIS) for the station areas and rail alignment alternatives must be completed by the end of July. Staff will review and comment on the documents that relate to Shoreline. Based on the DEIS, the Sound Transit Board will select preferred alternatives for the station areas and alignments in October.

Mr. Cohen announced that staff is currently preparing to bring the issue of transportation impact fees to the City Council for consideration.

Mr. Cohen recalled that the City Council adopted the Planning Commission's recommendations for commercial design and zoning consolidation. However, there was one exception related to the setback requirement in the transition areas when single-family residential zones are located across the street from commercial zones. The Commission recommended a base setback of 15 feet, and the City Council reduced the setback to zero. There is a lot of consternation in the community, particularly around the Ronald Methodist Church, and the City Council agreed to reconsider their decision. They directed staff to bring that one specific change back to the Commission for further review and a recommendation to the City Council. The Planning Commission will conduct a study session on the issue on September 5th, followed by a public hearing in October.

Mr. Cohen reported that he met with the Richmond Highlands Neighborhood Association on June 18th, and there was a lot of discussion about the Ronald Methodist Church and the proposed subdivision of property located behind the church to develop low-income housing and community services. While the meeting went well, people are still very interested in the topic. There is currently a binding site plan application for the purpose of subdividing commercial property, and the project is vested under the regulations in place at the time the application was deemed complete. Staff is waiting for a development application to come forward.

Chair Moss clarified that, based on the City Council's action, the current zoning regulations require zero setback for commercially-zoned properties that are located across the street from properties zoned single family residential. Mr. Cohen said the setback would remain at zero while the Planning Commission and City Council go through the process of reconsideration. The current application is vested in the existing code and would not be impacted by any future changes in the setback requirement.

Mr. Cohen announced that the Washington State Supreme Court has agreed to consider Save Richmond Beach's suit against the vesting of the Point Wells application in Snohomish County. The State Legislature has also adopted annexation rules that allow jurisdictions to annex areas of the county without going through the boundary review board if certain criteria can be met. This change may impact Woodway's ability to annex Point Wells.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Montero announced that the Richmond Beach Community Association met on June 11th, and the meeting was attended by representatives from the City of Woodway and Save Richmond Beach, as well as the City of Shoreline's Assistant City Manager. The association discussed House Bill 5417, which would allow a city to annex an area without approval from the Boundary Review Board if the area is surrounded by the city by at least 80%. They also discussed House Bill 2068, which requires the area to be surrounded 100% by the city, which would eliminate Woodway's claim. The City of Shoreline supports House Bill 2068 and the City of Woodway does not.

Commissioner Scully announced that the Light Rail Station Area Planning Subcommittee will meet on June 21st.

AGENDA FOR NEXT MEETING

Mr. Szafran announced that a public hearing on the study area boundaries is scheduled for July 18th. There are no items currently scheduled on the August 1st agenda and many of the Commissioners will be unavailable. In addition, a public visioning meeting for the 185th Station is scheduled for August 1st. He suggested the Commission cancel their August 1st meeting. He noted that no items have been scheduled on the August 15th agenda, either.

Commissioner Wagner suggested the Commission consider holding a retreat in August. The Commission agreed and tentatively scheduled a retreat for August 15th. Mr. Szafran invited the Commissioners to email him their ideas for topics of discussion at the retreat.

Mr. Szafran announced that the Commission would have a study session regarding the setback requirements in transition zones on September 5th. Staff is working to set up a City-sponsored visioning meeting regarding the light rail station area planning for September 19th.

Commissioner Wagner suggested it would be helpful for staff to describe the different elements of the station area planning process. It is important to let citizens know which meetings they should attend and when their participation will have the most impact. This information could be added to the City's website. Mr. Szafran said staff is currently working on a master list of dates, which will be published on the City's website as soon as it is available. The list will provide a link to the sponsoring organization's website. Mr. Cohen pointed out that the link to "frequently asked questions" spells out the different groups that are involved in the station area planning process to date.

ADJOURNMENT

The meeting was adjourned at 7:56 p.m.

Donna Moss
Chair, Planning Commission

Kate Skone
Clerk, Planning Commission

DRAFT

TIME STAMP
June 20, 2013

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

GENERAL PUBLIC COMMENT:

STUDY ITEM: LIGHT RAIL STATION SUBAREA STUDY BOUNDARIES

Staff Presentation: 2:37

Commission Questions and Comments: 9:40

Public Comment: 25:55

Continued Commission Questions and Comments: 29:05

DIRECTOR'S REPORT: 33:02

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 45:10

AGENDA FOR NEXT MEETING: 47:16

ADJOURNMENT:

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Reconsideration on Transition Area Setback Amendment		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Paul Cohen, Planning Manager Rachael Markle, AICP, Director		
<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only	
<input type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other	

INTRODUCTION

The City Council adopted the commercial design standard amendments with Ordinance No. 654 on March 18, 2013. In that adoption, they moved and passed a different amendment to the Commission’s recommendation as it specifically related to front setbacks of buildings in commercial zones when across the street from single family zones. The Council reduced the recommended setback from 15 feet to 0 feet. In light of the City’s adoption of the Town Center code where the transition standard originated with substantial public input, the Council on April 22 reconsidered their decision by remanding only this provision to the Planning Commission for study, public hearing, and a recommendation (Attachment A).

BACKGROUND

The development of the Town Center Subarea and Development Code was an approximate three year public process. Toward the end of that process the proposal for the development and design standards was being discussed by the Planning Commission. At that time there was substantial discussion on the subject of transition area requirements where commercial development in the Town Center abutted or occurred across a street to single family zones. With that discussion there was substantial public comment by a few residents who would be directly affected by the proposed requirements. The Town Center adopted code language that required a 15 foot building setback from the right-of-way for development in Town Center when located across a street from R-4, and R-6 zones.

In early 2012 staff was directed to amend the Development Code to the consolidate the commercial zoning and development and design standards based on the work completed for Town Center. In these amendments, the Planning Commission recommended that the building setback for all commercial development when across streets from R-4, R-6, and R-8 zones remained unchanged other than the inclusion of R-8 zones. At the Commission meetings in December 2012 and January 2013 there was discussion and public comment on this provision specifically regarding the Ronald Methodist Church property. Aside from parking and affordable housing, public comment from advocates of affordable housing on that site requested a reduced street front

Approved By:

Project Manager 

Planning Director 

setback in the proposed requirements to accommodate more housing and less expensive construction costs. Minutes to those meetings can be linked to:

http://shoreview/portal/server.pt/document/1212043/120612_docx

http://shoreview/portal/server.pt/document/1212044/010313_docx

http://shoreview/portal/server.pt/document/1212084/011713_docx

In March 2013 the City Council discussed the Planning Commission recommendations and adopted the revised language to reduce those setbacks from 15 feet to 0 feet. The general discussion around the revision cited: the adequacy of bulk and scale standards to protect R-4-R-8 properties across right of ways; the need for more affordable housing; development potential in general for Shoreline's commercial districts; and a visual preference for having buildings abutting sidewalks in commercial areas. The minutes discussing this issue can be linked to http://shoreline.granicus.com/MinutesViewer.php?view_id=4&clip_id=459. In response to the substantial public comment to the revised code amendment, the Council met April 22 to reconsider that decision and decided to remand this provision to the Planning Commission before reconsidering their adoption. The minutes discussing the reconsideration can be linked to

http://shoreline.granicus.com/MinutesViewer.php?view_id=4&clip_id=464.

PROPOSAL & ANALYSIS

The Planning Commission recommended the following provision under SMC 20.50.021.A.

From abutting property, a 35-foot maximum building height at the required setback, a building envelope under 35 feet of height for an additional 30 feet of property depth, and a two to one horizontal to vertical slope up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height at the required 15-foot setback, a building envelope under 35 feet of height for an additional 10 feet of property depth, and a one to one horizontal to vertical slope up to the maximum height of the zone. Parking garages facing Transition Areas with abutting property shall be entirely walled without openings.

The City Council adopted the following provision under SMC 20.50.021.A in Ordinance No. 654.

From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for 10 feet horizontally from the required building setback, then an additional 10 feet of height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet, up to the maximum height allowed in the zone.

Commercial Zones				
STANDARDS	Neighborhood Business (NB)	Community Business (CB)	Mixed Business (MB)	Town Center (TC-1, 2 & 3)
<u>Min. Front Yard Setback (Street) (1)</u> (see Transition Area setback, SMC 20.50.021)	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from Commercial Zones	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area setback, SMC 20.50.021)	20 ft	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones	15 ft	15 ft	15 ft	15 ft
Base Height (2)	50 ft	60 ft	65 ft	70 ft
Hardscape	85%	85%	95%	95%

See Attachment B to compare a cross-section of the two provisions. The impact from the Council’s revision allows for 15 feet by the width of the property by three stories more development potential. Building separation from single family zones across the street in comparison to single family abutting commercial zones is 80 feet (60-foot R-o-W plus 20-foot single family front yard setback requirement) with 35 feet (20-foot commercial setback plus 15-foot single family rear yard setback).

Criteria for Amending the Development Code

Neither of these provisions is in conflict with the following criteria in SMC 20.30.350 for amendment to the Development Code.

A. Purpose. An amendment to the Development Code (and where applicable amendment of the zoning map) 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.

B. Decision Criteria. The City Council may approve or approve with modifications a proposal for the text of the Land Use Code if:

1. The amendment is in accordance with the Comprehensive Plan; and

2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

PROCEDURE

These Planning Commission meetings and hearing were publically noticed in the Seattle Times, and listed in the City's website. As a courtesy, a notice was sent August 17th to all property owners that are zoned either commercially or R-4, R-6, and R-8 and located directly across a street from each other (Attachment C). The State Department of Commerce was notified August 8, 2013 of the possible amendment.

SEPA review for this action was completed with prior consideration of this amendment in 2012.

RECOMMENDATION

Staff recommends that the Planning Commission discuss the issue prior to the announced public hearing on October 3, 2013.

ATTACHMENTS

Attachment A – Council April 22 Reconsideration Staff Report
Attachment B – Diagram Comparing the 2 Provisions
Attachment C – Notice of Public Hearing

Council Meeting Date: April 22, 2013
Agenda Item: 8(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Reconsideration of the City's Development Code for Commercial Design Standards as it Pertains to the Transition Area Setback Amendment. (Shoreline Municipal Code Chapter 20.50.021(a))
DEPARTMENT:	Planning and Community Development
PRESENTED BY:	Rachael Markle, Director Paul Cohen, Planning Manager
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The purpose of tonight's meeting is to discuss possible reconsideration of a portion of Ordinance No. 654 pertaining to the setback for buildings in commercial zones in transition areas (SMC 20.50.021(a)) when across the street from R-4, R-6, and R-8 zones.

On March 18, 2013 the Shoreline City Council adopted the commercial design standards and zoning consolidation amendments. In those amendments, the Planning Commission recommended transition area amendments that the Council discussed, moved to change, and approved regarding development standards for transition areas between commercial zones and single family zones, and more specifically, the initial building setback from the property line when across the street from single family zones (R-4, R-6, R-8). The Commission's recommendation was a 15-foot setback that was consistent with the Town Center District standards. The Council moved and adopted a change to that setback. The Council adopted a required setback, which when using the dimensional chart, is 0 feet.

In consultation with the City Attorney, it is not possible to simply go back and amend the code that was just adopted. These legislative decisions must go through the Planning Commission, who is responsible for holding the open record public hearing on the proposed code and making a recommendation to the City Council. This staff report provides the alternatives available for Council to consider.

RESOURCE/FINANCIAL IMPACT:

No financial impacts are anticipated.

RECOMMENDATION:

Council should review the amendment and discuss the alternatives available for Council consideration. Staff is recommending that Council make no change and leave the code amendments as adopted on March 18, 2013 in Ordinance No. 654.

Approved By: City Manager *JU* City Attorney *IS*

BACKGROUND

On March 18, 2013 the Shoreline City Council adopted the commercial design standards and zoning consolidation amendments. In those amendments, the Planning Commission recommended transition area amendments that the Council discussed, moved to change, and approved regarding development standards for transition areas between commercial zones and single family zones, and more specifically, the initial building setback from the property line when across the street from single family zones (R-4, R-6, R-8). The Commission's recommendation was a 15-foot setback that was consistent with the Town Center District standards. The Council moved and adopted a change to that setback. The Council adopted a required front yard setback (SMC 20.50.020(2)), which when using the dimensional chart, is 0 feet.

Council Action as Summarized in the Adopted Minutes

Councilmember Hall moved adoption of Ordinance No. 654. Councilmember Roberts seconded the motion. Councilmember Hall proposed an amendment to SMC Chapter 20.50.021 relating to transition area requirements. Following discussion of the proposed change, Councilmember Hall withdrew the amendment to allow action on other amendments.

Councilmember Hall moved to strike the Planning Commission recommended code language in SMC Chapter 20.50.021, Transition Areas, and insert the following: "Development in commercial zones; NB, CB, MB, and TC1, 2 & 3, abutting or directly across street rights-of-way from R-4, R-6, or R-8 zones shall minimally meet the following transition area requirements: 1. From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional ten feet in height for the next ten feet horizontally, and an additional ten feet in height for each additional ten horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for ten feet horizontally from the required building setback, then an additional ten feet of height for the next ten feet horizontally, and an additional ten feet in height for each additional ten horizontal feet, up to the maximum height allowed in the zone." Councilmember Roberts seconded the motion.

There was Council discussion and questions regarding the merits of the proposed change. Following discussion, a vote was taken on the motion, which carried 6-1, with Councilmember Salomon dissenting.

See Attachment A for a diagram comparing Planning Commission's recommendation and Council's adoption.

Adopted Code Language

1. From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional ten feet in height for the next ten feet horizontally, and an additional ten feet in height for each additional ten horizontal feet up to the maximum height of the zone. *From across street rights-of-way, a 35-foot maximum building height for ten feet horizontally from the required building setback (as adopted in the dimensional chart SMC 20.50.020(2)), then an additional ten feet of height for the next ten feet horizontally, and an additional ten feet in height for each additional ten horizontal feet, up to the maximum height allowed in the zone.*

DISCUSSION

Survey of Affected Properties

Staff has reviewed the City's parcel maps to identify how many parcels this provision will affect. Staff found 85 parcels of R-6, R-4, and R-8 property that each average about 100 lineal feet of frontage and which are across streets from commercial zoned property. While many of these parcels are peppered throughout the City, a significant amount of them are on Linden in Town Center and on Dayton near the Washington State Department of Transportation property.

Citizen Concerns

Since the code amendment adoption, some citizens, who live in Town Center, have expressed concerns regarding the change. Some of these same citizens are also concerned about the proposed Ronald Commons project, which is an affordable housing, food bank and community service development proposed on Linden Avenue, on the north side of the Ronald Methodist Church. There is no application for this project yet; however, the development team has informed staff that they plan to submit a binding site plan soon.

ALTERNATIVES

In consultation with the City Attorney, it is not possible to simply go back and amend the code that was just adopted. These legislative decisions must go through the Planning Commission, who is responsible for holding the open record public hearing on the propose code and making a recommendation to the City Council. Alternatives for the Council to consider include:

- **No Change** – Make no change and leave the code amendment as adopted on March 18, 2013 in Ordinance No. 654.
- **Code Amendment Process** – There are two possible paths to amend the code:
 1. *Routine Code Review & Amendment Process* – Direct staff to revisit the specific amendment with the Planning Commission. This would include a public hearing, discussion, and recommendation from the Planning Commission to return to Council. The timeline for this returning to Council would be late 2013/early 2014.
 2. *Six-Month Moratorium with Interim Regulation* – Adopt a moratorium for the one provision regarding commercial zone building setbacks that are across the street from R-4, R-6, and R-8 with interim regulations. For the interim regulation staff recommends that the Council adopt the Planning Commission's recommendation of 15-foot setback for all commercial zones.

The staff recommends the no change alternative.

RESOURCE/FINANCIAL IMPACT:

No financial impacts are anticipated.

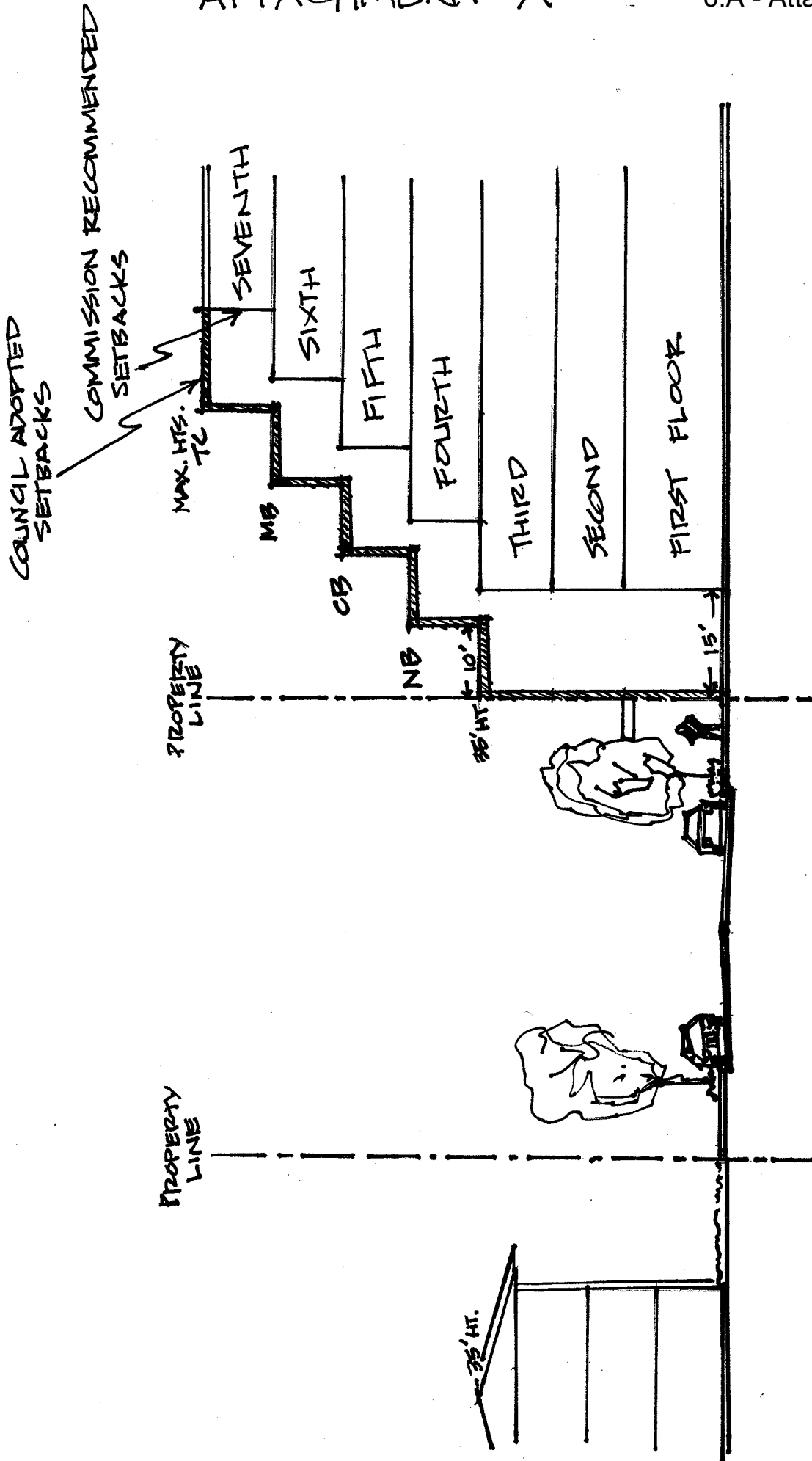
RECOMMENDATION

Council should review the amendment and discuss the alternatives available for Council consideration. Staff is recommending that Council make no change and leave the code amendments as adopted on March 18, 2013 in Ordinance No. 654.

ATTACHMENT:

Attachment A – Comparison of Planning Commission Recommendations and Council Adoption

COMPARISON OF P.C. RECOMMENDATIONS + C.C. ADOPTION



COMMERCIAL ZONE

60' R-O-W

204, R-6, or R-3 ZONE

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AMENDED**The City of Shoreline Notice of Public Hearing of the Planning Commission**

Description of Proposal: Proposed development code amendments to section 20.50.021.A. This section affects property that is commercially zoned (NB, CB, MB, or TC) when directly across the street from single family property zones (R-4, R-6, or R-8). In March 2013 the City Council changed the building setback from the street right-of-way (back of sidewalk) in this situation for commercial zone development from 15 feet to 0 feet. They have asked the Planning Commission to reconsider that new code provision on September 5 and October 3, 2013. September 5th will be a study session and the public hearing will be held on October 3rd. These meetings begin at 7 PM in the Council Chambers at City Hall. A SEPA Threshold Determination of Nonsignificance was issued on this proposal on October 3, 2012. You are notified if you want to attend these meetings to comment or send your comments to Paul Cohen, Project Manager, PC&D, 17500 Midvale Ave N. 98133 or email to pcohen@shorelinewa.gov or fax (206) 801-2788. For more information call Paul at (206) 801- 2551.

Written comments must be received at the address, email or fax listed above before **5:00 p.m. October 2, 2013**. Upon request, a copy of the final City Council decision on the proposal.

Interested persons are encouraged to provide oral and/or written comments regarding the above project at an open record public hearing. The hearing is scheduled for Thursday, October 3, 2013 at 7:00 p.m. in the Council Chamber at City Hall, 17500 Midvale Avenue N, Shoreline, WA.

Questions or More Information: Please contact Paul Cohen, Planning & Community Development at (206) 801-2551.

Any person requiring a disability accommodation should contact the City Clerk at (206) 801-2230 in advance for more information. For TTY telephone service call (206) 546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.