

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Scope of workplan for updating RB Zoning District
AGENDA TITLE:	Planning Commission 2009 Work Program
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Steven Cohn, Senior Planner Steve Szafran, AICP, Associate Planner

PROBLEM/ISSUE STATEMENT:

In May 2008, the Council adopted a 6 month moratorium along with interim regulations that limited residential development on RB zoned sites to a maximum of 110 dwelling units (du) per acre. (For consistency of reference in this memorandum the Comprehensive Plan land use designations will be referred to by their full title such as Regional Business, Community Business and Mixed Use, while the zoning designations will be referred to by their abbreviations such as RB and CB.) The moratorium was continued in November 2008 to allow time for the Vision process to proceed. It was expected that the vision discussion and outcome would inform the decision process on modifications to the RB zone, and that the Planning Commission would draft a proposal for City Council review by May 2009.

It is likely that the Vision discussion will be far enough along by April that the Planning Commission can develop a recommendation on the RB zone, hold a public hearing, and forward its recommendation to Council in time to be adopted in early May prior to the expiration of the moratorium.

To assist the Commission and staff in its deliberation, staff is presenting a draft work program to define the concepts that will be included in the study.

FINANCIAL IMPACT:

The 2009 budget included funding for staff work on this item.

RECOMMENDATION

Staff recommends that the Council discuss the scope of the workplan for the RB zone study and provide direction to staff that will assist the Planning Commission and staff in meeting the May deadline for adoption of the new regulations.

Approved By: City Manager  City Attorney ____

INTRODUCTION

In May 2008, the Council adopted a 6 month moratorium that limited residential development on RB zoned sites to a maximum of 110 du/acre. The moratorium was continued in November 2008 to allow time for the vision process to proceed. It was expected that the vision discussion and outcome would inform the decision process on modifications to the RB zone.

The community conversations have been completed and the Council and Planning Commission are developing the Vision statement and Framework Goals. Staff is proceeding under the assumption that the Vision discussions have provided enough information to develop a scope for the RB discussion. It is probable that the Vision discussion will be far enough along by April that the Planning Commission can develop a recommendation on the RB zone, hold a public hearing, and forward its recommendation to Council in time to be adopted in early May prior to the expiration of the moratorium.

At tonight's session, the Council will be asked to provide staff direction about the scope of the work program—Is the Planning Commission considering all the issues that the Council deems important prior to developing a recommendation?

BACKGROUND

In considering the discussions about the RB zone that have occurred over the last several months, staff identified three concerns that have been frequently raised:

1. The RB zone prior to the moratorium permitted “unlimited” residential density. There was concern that, on some sites, this could result in parking impacts on nearby residential neighborhoods and additional traffic on neighborhood streets.

Question: Should there be density limits in RB?

2. Some have stated that the RB zone was misapplied. The Comprehensive Plan has separate designations for Regional Business, Mixed Use, and Community Business that are applied along portions of Aurora (as well as elsewhere in town). On the Comprehensive Plan Map, the only area with a Regional Business Comprehensive Plan designation is the area along Aurora between N 185th and N 195th. However the City's zoning map shows RB zoning along most of Aurora as well as on scattered sites in other parts of the city.

Question: Was the RB zoning incorrectly applied?

3. Transition between RB zoned areas and single-family homes is a concern. How can transition be better handled?

Question: Do the recently adopted transition regulations need to be reviewed? Should other transition ideas (such as a new transition zone) be considered?

Staff response to questions:

1. Should there be a density limits in RB?

Some residents of single family neighborhoods near Aurora have raised concerns about the lack of a specified density limit, largely based on the issue of increased traffic and parking impacts on neighborhood streets.

Staff believes that, ultimately, the city should move towards form based zoning as a way of simplifying the development code and that the best way of addressing impacts is by regulating a structure's form (height and bulk, architectural features).

However, in discussions with the Planning Commission and City Council over the past year, staff has concluded that the community is not comfortable at this time with a pure form based zoning approach.

From a community-building, environmental sustainability, and economic development perspective, it is beneficial to create a "critical mass" of buildings in a distinct district or subarea, rather than spread them apart. If a large portion of the new residential development in Shoreline is to occur on and near Aurora Avenue, it makes sense to encourage development to occur in several defined areas rather than spreading development up and down all three miles of the Aurora Corridor.

To accomplish this, the City will probably want to encourage mixed use development, which will require densities that exceed 100 du/acre. If the Council opts to maintain a density limit, staff suggests that 110 du/acre be maintained as a base density in our highest intensity areas.

2. Was the RB zoning incorrectly applied?

On the Comprehensive Plan map, there are only a few sites with a Regional Business Comprehensive Plan land use designation along Aurora with most other sites designated as Mixed Use and Community Business. However, on the zoning map, most of the sites on Aurora are have an RB zone.

When deciding what zoning district to apply, the City not only looks to the Comprehensive Plan Map, but also to the policies. Comprehensive Plan Policy LU17 states that RB zoning is an allowed option in areas with a Mixed Use Comprehensive Plan land use designation. LU18 similarly allows RB zoning in the Community Business land used designation. And LU 19 permits RB zoning in the Regional Business land use areas. While the terminology is confusing and needs to be clarified or changes, the Comprehensive Plan and zoning are consistent.

To eliminate the confusion on Aurora, staff will suggest creation of a new zoning district. In addition staff will suggest revising the Comprehensive Plan to define and apply a new Comprehensive Plan designation on the Aurora Corridor.

3. Do the recently adopted transition regulations need to be reviewed? Should other transition ideas (such as a new transition zone) be analyzed?

RB is the most intense zone in Shoreline. In addition to permitting 6- story buildings (permitted also in CB zones), RB permits apartments and condos built to a density greater than 48 du/acre. Because most of the properties adjacent to Aurora are zoned RB, there are many instances where the most intense zoning in Shoreline (RB) abuts single-family.

In May 2008, the Council adopted a transition standard to be incorporated into the Development Code. The transition standard requires setbacks on developments abutting single family zones if the proposed buildings on the more intense site are higher than three stories.

Since these rules were adopted, staff has not received any building applications on sites that would be affected by these rules. The Planning Commission and Council spent a good deal of time and effort drafting these regulations, so staff believes that it would be prudent to see some actual examples before drawing conclusions about whether the rules should be modified or replaced. Also, staff is concerned that a new study of these regulations would require a considerable amount of staff and Commission time and will make it impossible to develop a package of regulations for adoption by May 2009 when the moratorium expires.

Having said that, staff believes that there have been valid concerns raised about impacts from developments that do not access a major arterial; that these developments could result in additional traffic on neighborhood streets. To address this concern, staff developed an option (described below) that limits housing density to less than 110 du/acre on sites, that due to a lack of direct access to Aurora or Midvale, are likely to result in traffic or parking impacts onto nearby neighborhood streets.

Proposed Scope of Work for Refining Regional Business Zoning District on Aurora

The following tasks represent the outlines of a workplan that is feasible to accomplish over the next couple of months. In considering feasibility, staff recognizes the State GMA requirement to send a proposal to the State CTED office 60 days (2 months) prior to Council actions as well as the requirements of SEPA.

1. Addressing the density limit in RB
 - Staff proposes renaming the RB zoning district along Aurora to be consistent with new Comprehensive Plan designation for the Aurora Corridor. The proposed default limit in this zone will be 110 du/acre. There may be portions of the district, such as Town Center or the Sears site, where higher densities might be permitted in conjunction with future subarea planning. In the subarea process, staff would likely develop a zoning district to permit greater density (with some defined maximum) if there is a public benefit. The concept is envisioned as being similar to the Ridgcrest zoning that defines public benefit as provision of affordable housing or developing the site in a sustainable fashion.

2. Addressing the question about whether sites adjacent to Aurora Avenue should be zoned RB if they are not designated as Regional Business in the Comprehensive Plan:
 - Staff has concluded that although there is no inconsistency between a site's Comprehensive Plan designation of Community Business or Mixed Use and it having an RB zone, the result is counter-intuitive and confusing.
 - To eliminate confusion, staff will propose that a new Comprehensive Plan designation be applied to the Aurora Corridor and that sites with that designation be rezoned to a new zone (basically a renamed RB zone) with a maximum residential density of 110 du/acre.
3. Addressing the issue of transition between an intense mixed use zone and nearby single family homes:
 - To reduce the likelihood that traffic generated on sites near the Aurora corridor will travel down neighborhood streets, staff could develop additional regulations that limit density to less than 110 du/acre (perhaps half that amount), to be applied to properties that do not have vehicle access on to Aurora or Midvale and are adjacent to single-family zoned areas. This proposal would not modify the design transition regulations adopted in May 2008 (stepbacks etc.) that currently affects future development of these sites.

Scoping Questions for the City Council

The recommendation above reflects staff's view of what can reasonably be accomplished between now and May, realizing that the State CTED needs to be notified of pending changes to regulations 60 days prior to adoption.

Staff has outlined an approach to answering the questions posed in previous discussion of the RB zoning district. Prior to bringing this item to the Planning Commission for discussion, staff is asking the Council to reflect on some additional questions to provide us and the Planning Commission with direction prior to beginning the process.

1. It is staff's current thinking that the permanent regulations will not differ a great deal from the existing regulations, with the exception of a name change along the Aurora Corridor. Does the Council want staff and the Planning Commission to look at other parts of the RB regulations?
2. Does the Council agree that a good way to eliminate confusion between zoning and Comprehensive Plan designations along the Aurora Corridor is to develop a new zone and comprehensive plan designation with boundaries that are coterminous?
3. Should the Planning Commission study the concept of developing a new transition zoning district in addition to defining regulations that deal with transition in terms of height and density?

4. The proposed concept would adopt the 110 du/acre density limit on all RB properties. Do you want staff to consider modifying the zoning district in other ways?
5. Should staff and the Planning Commission consider the concept of requiring mixed use buildings or, alternatively look at ways to encourage mixed use development by restricting density or height if developers want to construct development with only a residential component?

RECOMMENDATION

Staff recommends that the Council discuss the scope of the workplan for the RB study and provide direction to staff.

Attachment

1. New maps to illustrate the concept of a new designation and zone along Aurora corridor.



Legend

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- | | |
|---|-------------------------------|
|  | Low Density Residential |
|  | Medium Density Residential |
|  | High Density Residential |
|  | Mixed Use |
|  | Community Business |
|  | Aurora Business |
|  | Public Facilities |
|  | Institution/Campus |
|  | Special Study Area |
|  | Ballinger Special Study Area |
|  | Briarcrest Special Study Area |
|  | North City Business District |
|  | Paramount Special Study Area |
|  | Private Open Space |
|  | Public Open Space |

0 500 1,000 2,000 Feet

This map is NOT an official map. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

Exhibit ?

DRAFT prepared for
Ordinance XXX

Comprehensive Plan Land Use

Updated 1/22/2009

