

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Action on the Final 2022 Comprehensive Plan Amendment Docket
DEPARTMENT: Planning & Community Development
PRESENTED BY: Steven Szafran, AICP, Senior Planner
Rachael Markle, AICP, Director
ACTION: ___ Ordinance ___ Resolution ___ X Motion
 ___ Discussion ___ Public Hearing

PROBLEM/ISSUE STATEMENT:

The City is limited by state law and the City's adopted procedures to processing Comprehensive Plan amendments once a year, with exceptions only in limited situations. Proposed amendments are collected throughout the previous year with a deadline of December 1st for public and staff submissions of suggested amendments to be considered in the following year. Shoreline Municipal Code (SMC) Section 20.30.340(C)(2)(b) permits the Council to submit an amendment to the Docket at any time before the final Docket is set.

The Docket establishes the amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan by the end of the following year. In addition, the Docket ensures that all the proposed amendments are considered concurrently so that the cumulative effect of the various proposals can be ascertained when the City Council is making its final decision, as required by RCW 36.70A.130(2)(b).

This year's Preliminary 2022 Docket was presented to the Planning Commission on February 3, 2022, and contained two (2) privately-initiated amendments and three (3) City-initiated amendments. Ultimately, the Planning Commission voted to recommended one (1) privately-initiated and three (3) City-initiated amendments be placed on the Draft 2022 Docket (Attachment A) for Council's consideration.

During the Council's discussion of the Draft 2022 Docket on March 7, 2022, Councilmember Roberts introduced two additional potential Docket items for consideration. As well, one additional Staff-initiated Docket item was brought forward to change the land use designation of one parcel in the Richmond Beach Saltwater Park from Public Facility to Public Open Space. If Council is interested in adding any of these potential amendments to the Final 2022 Docket, a Councilmember would need to move the addition of these amendments. Tonight, Council is scheduled to take action on the Final 2022 Comprehensive Plan Amendment Docket.

RESOURCE/FINANCIAL IMPACT:

The proposed Comprehensive Plan Amendments on the 2022 Final Docket will not have a direct financial impact to the City.

RECOMMENDATION

The Planning Commission recommends that the City Council move to adopt the Final 2022 Comprehensive Plan Amendment Docket as shown in Attachment A. Staff further recommends adding City-Initiated Potential Amendment #1 to the Final 2022 Comprehensive Plan Amendment Docket to amend the Comprehensive Plan Land Use Map from Public Facility to Public Open Space for one parcel (1126039010).

Approved By: City Manager ***DT*** City Attorney ***JA-T***

BACKGROUND

The State Growth Management Act, Chapter 36.70A RCW, limits consideration of proposed Comprehensive Plan amendments to no more than once a year. To ensure that the public can view the proposals within a concurrent, citywide context, the Growth Management Act directs cities to create a Docket that lists the amendments to be considered in this “once a year” review process.

Proposed amendments are collected throughout the previous year with a deadline of December 1st for public and staff submissions of suggested amendments to be considered in the following year. SMC Section 20.30.340(C)(2)(b) permits the Council to submit an amendment to the Docket at any time before the final Docket is set. The Docket establishes the amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan by the end of the following year.

Comprehensive Plan amendments usually take two forms: privately-initiated amendments and City-initiated amendments. This year, the Planning Commission was presented with two (2) privately-initiated amendments and three (3) City-initiated amendments.

The Planning Commission has recommended the Preliminary 2022 Docket (Attachment A) and the City Council is now tasked with establishing the Final 2022 Docket, which will direct staff's preparation of an amendment that will be considered for adoption later this year.

DISCUSSION

The Planning Commission considered the Preliminary 2022 Comprehensive Plan Docket on February 3, 2022, and voted to forward the recommended Draft 2022 Docket to the City Council for its consideration in establishing the Final 2022 Docket. The staff report for this Planning Commission meeting can be reviewed at the following link: [Draft 2022 Comprehensive Plan Docket](#).

The Planning Commission meeting minutes from the February 3, 2022 meeting are included as Attachment B to this staff report. A description and the Planning Commission's recommendations for the proposed Comprehensive Plan Amendments is shown below.

On March 7, 2022 the City Council reviewed and discussed the Draft 2022 Comprehensive Plan Docket. The staff report for this Council discussion can be found at the following link: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2022/staffreport030722-9c.pdf>.

Amendment #1 – Amend the Transportation Master Plan (TMP) and Transportation Element which Includes Updated Goals and Policies

This amendment will replace the current TMP with a new TMP. The City is currently updating its TMP to better serve the community's current and future transportation needs. The TMP supports all forms of travel – by foot, bicycle, skateboard, scooter, stroller, wheelchair, transit, motorcycle, and automobile. With the coming arrival of light rail transit, new and higher frequency bus service, new pedestrian/bicycle connections, land use changes, and anticipated population growth, the TMP update provides an opportunity to better align transportation goals, objectives, and policies with the City's Comprehensive Plan.

The last update to the TMP was in 2011. The TMP update will guide local and regional transportation investments and define the City's future transportation policies, programs, and projects for the next 20 years.

The TMP, which serves as the supporting analysis for the City's Comprehensive Plan Transportation Element, must be updated to align with the City's Comprehensive Plan periodic update by 2024 and meet the Growth Management Act requirements; maintain the City's eligibility for pursuing future grant funding; and set transportation policies for guiding the development of Shoreline. In fall 2020, the City launched a multi-year process to update the TMP with the goal of adoption by the end of 2022.

Planning Commission Recommendation

The Planning Commission recommends that this amendment be placed on the 2022 Comprehensive Plan Docket.

Amendment #2 – 2024 Comprehensive Plan Major Update

The State Growth Management Act (GMA) requires counties and cities to periodically conduct a thorough review of their Comprehensive Plan and regulations to bring them up to date with any relevant changes in the GMA and to respond to changes in land use and population growth. This mandatory "periodic update" takes place at least once every eight years. Shoreline last completed a major update of the Comprehensive Plan in 2012. The deadline for adoption of this periodic update is June 2024.

There are four overall tasks counties and cities must take during the periodic update process:

1. *Establish a public participation program* – Develop a plan that includes a schedule for steps in the update process to ensure the public is aware of the process and knows how they can participate (RCW 36.70A.130(2) and WAC 365-196-600).
2. *Review relevant plans and regulations* – Evaluate whether there is a need to revise the urban growth area, comprehensive plan, or development regulations to ensure they are consistent with the GMA (RCW 36.70A.130(3) and WAC 365-195-610).

3. *Take legislative action* – Adopt an ordinance or resolution finding that a review has occurred, and identifying revisions made or concluding that revisions were not needed (RCW 36.70A.130(1)(b)).
4. *Submit notice to the state* – Send formal notice of intent to adopt to the state at least 60 days prior to taking legislative action. Send a copy of the signed adopted ordinance or resolution 10 days after final action (RCW 36.70A.106).

Staff has created an outline schedule to propose a process for the update of the 2012 Comprehensive Plan (Attachment C). There are opportunities for efficiencies and cost savings through a collaborative approach with functional plans scheduled for updates before June 2024. To combine resources and prevent meeting fatigue for both the public and City, staff proposes that some Comprehensive Plan Element updates be considered concurrently with the development or update of other relevant plans. For example, the following Element reviews and plan updates could be combined:

- Housing Element (2022) with Housing Action Plan (adopted 2021)
- Transportation Element with Transportation Master Plan (TMP), deadline December 2022
- Parks, Recreation, and Open Space (PROS) Element with the PROS Plan, deadline July 2023
- Capital Facilities Element with Capital Improvement Plan, updated annually

Due to the different adoption schedules for the plans listed above, staff proposes to adopt changes to the Elements (Goals, Policies, and Supporting Analysis) along with each of the relevant plans. This will entail updating certain elements sooner than others. In the case of the Housing Element, it will be up to two years prior to the Comprehensive Plan deadline.

Planning Commission Recommendation

The Planning Commission recommends that this amendment be placed on the 2022 Comprehensive Plan Docket.

Amendment #3 – Amend the Comprehensive Plan Land Use Map Designation from Public Facility to Mixed-Use 1 and change the Zoning from Residential, 18 units/acre (R-18) and Mixed-Business (MB) to Mixed-Business (MB) at the King County Metro Park & Ride Facility at 19000 Aurora Avenue N

This amendment was originally initiated by King County Metro (KC Metro) to change the Comprehensive Plan Land Use Map designation of one parcel from Public Facilities to Mixed-Use 1 (Attachment D) and to concurrently rezone the parcel from R-18 and MB to entirely MB (Attachment E) in 2021. The zoning designation of the park & ride is split with roughly a third of the site zoned R-18 and the rest zoned MB. The request will allow the applicant to pursue greater redevelopment potential on the site.

The City previously engaged the State and KC Metro on the desire for long-term planning of the 192nd Park & Ride for transit-oriented development (TOD). Through a property ownership transition from the State, KC Metro is the current owner of the park

and ride. KC Metro TOD planners indicate that they are finalizing the 192nd Park and Ride TOD study and that a change in comprehensive plan land use designation and zoning would be one of the key first steps in the process. A change in the land use designation and zoning will allow KC Metro to go to market and secure a development partner for the park & ride. The TOD Study will be completed early this year and community outreach on the plan will occur before City Council would be discussing any changes to the Comprehensive Plan Land Use Map or the Zoning Map.

Amendment #3 supports City Council Goal #1, Action Step 10, which states: “Support King County Metro’s evaluation of the 192nd Park and Ride as a potential location for expanded transit operations and transit-oriented-development.” Adding this amendment to the Final 2022 Docket would support that action step if it were included in the final goals. Previous Council Goal language has also directed staff to support redevelopment of the park & ride.

Planning Commission Recommendation

The Planning Commission recommends that this amendment be added to the 2022 Comprehensive Plan Docket.

Amendment #4 – Amend the Land Use Element to add a New Policy “Housing development and preservation of significant trees can co-exist with the goal of maintaining and increasing Shoreline’s urban tree canopy”

This is a privately-initiated amendment (Attachment F) to add a new Land Use Element Policy – “Housing development and preservation of significant trees can co-exist with the goal of maintaining and increasing Shoreline’s urban tree canopy.”

The applicant states that the Comprehensive Plan contains many statements about the need to protect and preserve the tree canopy in Shoreline. This proposed amendment adds the recommendation that building and the protection of the tree canopy can coexist.

Planning Commission Recommendation

The Planning Commission recommends that this amendment be added to the 2022 Comprehensive Plan Docket.

Amendment #5 – Add Short Term Rental Definition, Licensing Requirements, and Location

This is a privately-initiated amendment to add requirements for short-term rentals (Attachment G) and includes the following:

- A. *Short-term rental definition – The use of an entire dwelling unit by any person or group of persons to occupy for rent for a period of less than thirty consecutive days. Short-term rentals do not include bed and breakfast inns, hotels and motels, or boarding houses.*

- B. *License Required. A City business license is required to operate a short-term rental. No more than two short-term rental sites may be operated by any individual, marital group, a group of people, or a corporate entity such as an LLC, within the City.*
- C. *Location. A short-term rental use may be located in a dwelling unit or an accessory dwelling unit. See SMC 20.40.210 for applicable accessory dwelling unit requirements.*

The applicant states that short-term rentals have the potential to generate income for the operator and tax revenue for the City. In this sense, short-term rental regulations support Goal III to “Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations”, and Economic Development Goal I to create jobs, support businesses, and “reduce reliance on residential property tax to fund City operations and capital improvements”. By defining what a short-term rental is, and what the requirements are, the City can provide clarity to short-term rental operators and grow tax revenue from short-term rental businesses by making clear it is an allowed use.

Planning Commission Recommendation

The Planning Commission recommends this request not be added to the Final 2022 Docket. As the applicant stated in their justification for the amendment, the proposed addition of a short-term rental use is already supported by Comprehensive Plan Housing Goals II, Housing Goal III, and Economic Development Goal I.

The City’s recently adopted [Housing Action Plan](#) addresses short term rentals as part of the Action 4.3 which states:

“Short-term rentals are sometimes perceived to have a negative impact on the availability of housing for full-time residents, as investors may purchase properties to rent them to visitors and others will short-term needs. This could create displacement pressure and is also related to issues of housing supply. Some jurisdictions, particularly in places with higher levels of tourism and visitation, have taken steps to regulate or even ban short-term rentals to maintain existing housing stock to meet the needs of their residents. Shoreline could consider such regulations if it determined that short-term rentals are negatively impacting housing availability for full-time residents”.

The report goes on to say:

“Shoreline should analyze the impact of short-term rentals on housing availability and housing price before determining whether such regulations are necessary. Short-term rentals can have positive economic impacts by increasing visitation and visitor spending at local businesses. If such regulations are deemed necessary and appropriate for Shoreline, the City may consider tailoring the regulations to apply only in places that are at a higher risk of displacement or that are not equipped to handle high levels of visitation. The magnitude of the short-term rental market in Shoreline is currently unknown”.

Through the development and adoption of the Housing Action Plan, the Planning Commission identified seven High Implementation Priorities for near term implementation:

- Update the Deep Green Incentive Program,
- Develop cottage housing regulations,
- Develop “missing middle” friendly zoning,
- Develop standards for small lot single-family development,
- Partner with affordable housing providers,
- Support community land trusts through incentives or partnerships, and
- Identify surplus City property for development of affordable housing.

This list of High Implementation Priorities will be used to inform future work plan priorities. For example, preliminary work is underway to develop cottage housing regulations. While short-term rentals were identified in the Housing Action Plan, they did not rise to the list of High Implementation Priorities.

Since policy support for short-term rentals currently exists in the Comprehensive Plan, staff did not recommend adding any new goals or policies and therefore recommended this request not be added to the Docket.

The topic of short-term rentals is most appropriately addressed as an independent work plan item for which Council can direct staff to study the impact of short-term rentals on housing availability and housing price to inform a future decision on adding the proposed use of short-term rental, licensing requirements, and location requirements to the Development Code through the Development Code Amendment process. Significant stakeholder and community engagement would also be a component of this topic as an independent work plan item.

Regulation of short-term rentals also likely requires additional City resources to fully regulate, monitor, and enforce, all of which would require further study and analysis.

For the reasons noted above, the Planning Commission recommends this request not move forward to the Final 2022 Docket and be tabled for potential future consideration in the context of implementing the Housing Action Plan High Implementation Priorities.

Additional Comprehensive Plan Docket Requests

Councilmember Roberts Potential Amendments

Councilmember Roberts introduced two amendments for consideration to add to the Final 2022 Comprehensive Plan Amendment Docket at the March 7th Council discussion. The two potential amendments are as follows:

Councilmember Roberts Potential Amendment #1

Amend the Comprehensive Plan Land Use Element to explicitly allow duplexes and triplexes and allow with conditions other dwelling types that are similar in scale with single family detached homes, in low density residential zones.

Councilmember Roberts Potential Amendment #2

Amend the Comprehensive Plan Land Use Policies to revise language that refers to density limits as a regulatory standard in low density residential zones, including exploring the use of form-based codes and Floor Area Ratio (FAR).

Staff Analysis

These proposed additions to the Comprehensive Plan Docket would significantly broaden the scope of the annual amendment process and will require an extensive outreach plan to fully review and analyze these policy changes to the City's Comprehensive Plan. In addition to the major workplan implications of such a project, the following issues are highlighted for the Council to consider:

- *Land Use* – As Council is aware, more than 70% of the city is zoned for low-density, single family homes zoned R-4 and R-6. Allowing single-family attached dwellings (duplexes and triplexes) outright in the R-4 and R-6 zones may cause alarm to existing residents in these zones without a proper public participation plan and public outreach in place. Staff is also concerned about adopting goals, policies, and development regulations for duplexes and triplexes before the State adopts a missing-middle housing bill. The concern is the City's regulations may not align with the State's rules once they are passed by the legislature.
- *Public Participation* – Policy changes of this scale (allowing duplexes and triplexes and removing density limits in the Low-Density Residential land use designation) will require a robust public participation process. Generally, staff follows the public participation process established in the Comprehensive Plan, which includes:
 1. *Visioning Process* – This process provides Shoreline citizens an opportunity to establish a framework and context upon which the amendments will be based. Planning Commission meetings will provide the forum for the initial community visioning process.
 2. *Planning Commission* - The Planning Commission will play a key role in establishing the City's dialogue with community members, hosting meetings and workshops during the development of the amendments. The Planning Commission will evaluate information provided by the community and develop recommendations for submission to the City Council.
 3. *Resident Survey* – The City will use the Resident Satisfaction survey, if available, to inform amendments.
 4. *Public Meetings* - Public meetings will be hosted by the Planning Commission on draft amendments.
 5. *Public Hearing* - At least one public hearing will be held before the Planning Commission to discuss proposed amendments.
 6. *Public Notice* - The City will provide notice of all meetings and hearings pursuant to the requirements of RCW 36.70A.020 and .035.
 7. *Written Comment* - The public will be invited to submit written comments. Comments will be specifically solicited from residents, special interest organizations and business interests. Comments may be in the form of letters, emails and other correspondence to the City regarding the Plan or

comments received electronically on the City's website. All comments will be logged-in according to specific area of the Plan.

8. *Communications Programs & Informational Services* – As staff and budgetary resources allow, the activities will be undertaken to ensure broad-based citizen participation:
 - a. News in Citywide Newsletter (Currents) – Updating the community on planned meetings, workshops or other significant events. Articles on topics related to the plan and a request for feedback from the community. The newsletter article will be disseminated via the City's website, emailed to a mailing list and/or provided in paper copy as appropriate.
 - b. Interest Groups – Contact local interest groups (i.e. Chamber of Commerce, home builders, environmental, neighborhoods, etc.) and arrange to meet and discuss relevant amendments and other city project issues.
 - c. Community Workshops – Conduct community workshops hosted by the Planning Commission to encourage neighborhood participation in the development of the amendments. These meetings may be held at City Hall, neighborhood schools, churches or other community facilities.
 - d. Press Release and Public Service Announcements – Work with the local newspapers, blogs, and social media to advertise and promote significant events related to city issues including the Comprehensive Plan, Development Code amendments and other city issues.
 - e. Develop a database of interested citizens and provide regular correspondence concerning the status of amendments.
 - f. Identify key resource personnel representing agencies and groups whose plans will be integrated into the Comprehensive Plan, including but not limited to fire districts, utilities, libraries and school district.
 - g. Maintain a log of all public participation meetings, events and actions that the City engages in to provide documentation on the City's effort to meet the requirements of the GMA.
- *State Environmental Policy Act (SEPA) Review* – Allowing duplexes and triplexes outright in the R-4 and R-6 zones has the potential to triple the density in these zones. Adding this many units throughout the city will require coordination with inside and outside agencies regarding impact studies for surface water, traffic, wastewater, and other utilities. Staff anticipates SEPA review will require consultant help which will impact the City's budget.
- *Comprehensive Plan Major Update* – The 2024 Comprehensive Plan Major Update is on the 2022 Docket and staff is under a deadline by the State to complete the update by the end of 2024. Staff has provided Council a general timeline of the specific update schedule when specific elements and functional plans will be considered by the Planning Commission and Council. Adding another planning project with a broad scope will spread thin the resources and capacity already anticipated to be devoted to the major update and could jeopardize the ability to complete the update by the deadline.

- *Housing Action Plan (HAP)* – The City of Shoreline developed the HAP with support from the Washington State Department of Commerce. The HAP provides an array of City-led initiatives that encourage the provision of housing at prices affordable to all of Shoreline’s residents, now and in the future. This Plan identifies the City of Shoreline’s greatest housing needs and associated housing tools to address these needs.

The Housing Toolkit identifies a variety of possible options to address those needs. The toolkit is a list of priorities and actions the city can take to:

- Increase the supply of housing in Shoreline;
- Increase the variety of housing types available in Shoreline;
- Provide more affordable housing Citywide;
- Serve low-income households and minimize displacement; and
- Preserve existing housing units in Shoreline, where appropriate.

The highest priority in the toolkit, cottage housing, is addressed below.

- *Cottage Housing Ordinance* – This action step was identified by Council as the highest priority in the HAP. Cottage housing is a type of missing middle housing that allows for small 1 or 2 story houses, either attached or detached and may not have a backyard but, instead, are arranged around a common interior courtyard. Houses are normally 700-1,200 square feet in size. These features and relatively small size allow for moderate-income housing well suited for seniors and small families. Cottage housing has the potential to blend with the scale of existing neighborhoods that consist of predominantly detached single-family housing but can increase the dwelling units per acre threefold and drastically increase the residential building capacity through infill development.

Cottage housing would be prioritized in areas in which this housing type would complement existing infrastructure and support investment in future transit services through well-designed infill development. While the City has focused much of its planning efforts in recent years to increasing development capacity and investing in infrastructure on the Aurora corridor and its two light rail station areas, cottage housing will provide a needed housing type to complement the more compact growth pattern planned in other areas of the City. Some of the work done as part of cottage housing and feedback from the community could be used to inform future work to broaden housing choices in the low density residential areas throughout the City.

Staff Recommendation

For the reasons stated above, staff recommends that the Councilmember Roberts potential amendments Nos. 1 and 2 not advance onto the 2022 Docket as independent items. While not going as far as allowing duplexes and triplexes in all single-family zones, staff is currently working on changes to allow denser development in the low-density single family zones with the proposed cottage housing development code amendments.

Through the work of the 2024 Comprehensive Plan Major Update, staff can evaluate potential amendments Nos. 1 and 2 and make recommendations at that time for policy changes to allow more missing-middle housing types within the Low Density Residential land use designation. The major update will allow for greater public participation, public comment, and opportunities for the public to weigh in on the potential changes proposed within the R-4 and R-6 zones areas of the city.

Amendatory Motion

If a Councilmember would like to move to add either of these potential amendments by amending the Planning Commission's recommendation to include Councilmember Robert's potential amendment Nos. 1 and/or 2, a Councilmember could move to modify the Planning Commission's recommendation as follows:

I move to amend the Planning Commission's recommendation by adding Councilmember Robert's potential docket amendment No. 1 and (or) No. 2 to the Final 2022 Comprehensive Plan Amendment Docket.

City-Initiated Potential Amendment

There was one additional amendment suggested by a private citizen to change the Comprehensive Plan Land Use Map for one parcel near the Richmond Beach Saltwater Park from Public Facility to Public Open Space (Attachment H). Staff agreed with this resident that the Comprehensive Plan Land Use Map should be corrected. Thus, staff is now proposing this as a City-initiated potential amendment.

City-Initiate Potential Amendment #1

Amend the Comprehensive Plan Land Use Map from Public Facility to Public Open Space for one parcel (1126039010).

Staff Analysis

Staff supports making this Comprehensive Plan Land Use Map change. This portion of Richmond Beach Saltwater Park, like the parcel directly north, includes upland portions of the beach assessable by the public and also portions that are either underwater or accessible only during low tide. Changing this parcel to Public Open Space will be consistent with the parcel directly north and the rest of Richmond Beach Saltwater Park.

Staff Recommendation

Staff recommends adding this potential amendment to the Final 2022 Comprehensive Plan Amendment Docket.

Amendatory Motion

If a Councilmember would like to move to add this potential amendment by amending the Planning Commission's recommendation to include staff's potential amendment No. 3, a Councilmember could move to modify the Planning Commission's recommendation as follows:

I move to amend the Planning Commission's recommendation by adding City-initiated potential docket amendment No. 1 to the Final 2022 Comprehensive Plan Amendment Docket.

RESOURCE/FINANCIAL IMPACT

The proposed Comprehensive Plan Amendments on the 2022 Final Docket will not have a direct financial impact to the City.

RECOMMENDATION

The Planning Commission recommends that the City Council move to adopt the Final 2022 Comprehensive Plan Amendment Docket as shown in Attachment A. Staff further recommends adding City-Initiated Potential Amendment #1 to the Final 2022 Comprehensive Plan Amendment Docket to amend the Comprehensive Plan Land Use Map from Public Facility to Public Open Space for one parcel (1126039010).

ATTACHMENTS

- Attachment A – Planning Commission Recommended Draft 2022 Comprehensive Plan Amendment Docket
- Attachment B – February 4, 2021 Planning Commission Meeting Minutes
- Attachment C – 2024 Comprehensive Plan Periodic Update Schedule
- Attachment D – Comprehensive Plan Amendment: KC Metro Park & Ride
- Attachment E – Zoning Amendment: KC Metro Park & Ride
- Attachment F – Kathleen Russell Application
- Attachment G – Janelle Callahan Application
- Attachment H – Richmond Beach Saltwater Park Map with Parcel Proposed for Comprehensive Plan Land Use Map Amendment



City of Shoreline

DRAFT 2022 COMPREHENSIVE PLAN AMENDMENT DOCKET

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

Planning Commission Recommended 2022 Comprehensive Plan Amendments:

1. Amend the Transportation Master Plan and Transportation Element which includes updated goals and policies.
2. 2024 Comprehensive Plan Major Update. Begin the update of the City of Shoreline Comprehensive Plan.
3. Amend the Comprehensive Plan Land Use Map Designation from Public Facility to Mixed-Use 1 and change the Zoning from Residential, 18 units/acre (R-18) and Mixed-Business (MB) to Mixed-Business (MB) at the King County Metro Park & Ride Facility at 19000 Aurora Avenue N.
4. Amend the Land Use Element to add a new policy "Housing development and preservation of significant trees can co-exist with the goal of maintaining and increasing Shoreline's urban tree canopy".

Estimated timeframe for Council review/adoption: December 2022.

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF PUBLIC HEARING (Via Zoom)

February 3, 2022
7:00 P.M.

Commissioners Present

Chair Pam Sager
Vice Chair Julius Rwamashongye
Commissioner Jack Malek
Commissioner Janelle Callahan
Commissioner Mei-shiou Lin

Staff Present

Rachel Markle, Planning Director
Andrew Bauer, Planning Manager
Steve Szafran, Senior Planner
Julie Ainsworth-Taylor, Assistant City Attorney
Carla Hoekzema, Planning Commission Clerk

Commissioners Absent

Commissioner Andy Galuska (excused)

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 January 20, 2022 were accepted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

PUBLIC HEARING: 2021 DEVELOPMENT CODE AMENDMENTS BATCH #2 – MISC., SEPA & TREE AMENDMENTS

Chair Sager made introductory comments regarding the purpose of and procedures for the public hearing. She opened the public hearing at 7:02 p.m.

Staff Presentation: Senior Planner Szafran made the staff presentation regarding the 2021 Development Code Amendment Batch #2 – Miscellaneous, SEPA, and Tree Amendments.

Miscellaneous Amendments: The staff-initiated amendments discussed on July 15 are a mix of updates, clarifications, and policy changes to parking, setbacks, and adaptive reuse of commercial buildings. Staff is recommending that these be approved as written.

SEPA (State Environmental Policy Act Amendments): These are related to the SEPA process and are staff initiated. They are related to the way certain permits are reviewed and appealed and how SEPA, if required, is reviewed and appealed. None of the amendments will substantively change the City's evaluation of environmental impacts of a proposal. Staff is recommending approval of amendments shown.

Tree Amendments: These are mostly privately initiated amendments with one staff-initiated proposal. It includes new and revised definitions, protection of trees during development, tree retention, tree replacement, and public notification when trees are removed in the public right-of-way.

- Tree Amendment #1 – This would add definitions for Critical Root Zone (CRZ) and Inner Critical Root Zone (ICRZ).
- Tree Amendment #2 – This would add revised definitions for Tree Canopy, Hazardous Tree, and Landmark Tree.
- Tree Amendment #3 – This would add the definition for Urban Forest and Urban Tree Canopy.
- Tree Amendment #5 – This would revise the Purpose section of Tree Code and would strengthen the language related to Shoreline's commitment to protecting and maintaining the tree canopy in the City.
- Tree Amendment #6 – This would revise General Requirements for Trees. Staff agrees the language should be added to provide additional protections for protected trees and vegetation where applicable. The original amendment has been amended by staff for consistency with existing provisions of the Shoreline Development Code.
- Tree Amendment #8 – Development standards for clearing activities. Staff agrees with the applicant's proposed increase of minimum tree retention requirements from 20% to 25% provided that the recommended language in Amendment #9 is included as well.
- Tree Amendment #9 – This would allow the Director to waive or reduce the minimum significant tree retention if an applicant meets certain criteria.

- Tree Amendment #11 – This relates to tree protection standards during construction and onsite arborist observation when work is near the critical root zone. It increases the size for tree protection fencing from 4-feet to 6-feet and removes “plastic safety fencing”. Staff recommends keeping the language requiring pruning of visible deadwood on trees to be protected or relocated.

Mr. Szafran summarized that staff is recommending approval of all the amendments shown in Attachment A of the Staff Report.

Clarification Questions by the Planning Commission:

Commissioner Malek asked for clarification about how they arrived at the number for the increase of significant tree retention from 20 to 25%. Mr. Szafran explained it was requested by the public to increase it by 5%. Originally, there was an incentive table where everything was increased to 25% with incentives for additional retention. Those incentives were pulled out by staff to possibly be worked on in the future. Staff can support an increase from 20 to 25% because most of the development applications are saving more than that anyway.

Public Testimony:

Bob Gregg, Clinton, Washington, spoke in support of the staff recommendation to unbundle the parking in the Miscellaneous Amendments. He stated he also has submitted a written document. He does a lot of development in this area. He is a LEED (Leadership in Energy and Environmental Design) accredited professional, and they strongly encourage unbundling parking for environmental reasons, noting it has been very effective in getting people to use public transportation, ridesharing, carpooling, etc.

Susie Good, Seattle, spoke in support of unbundling parking on behalf of a property management company that has properties in Shoreline. She spoke to environmental reasons and noted that most of the parking garages they have are not on a one-to-one ratio. This makes it harder to comply with the code the way it is written and ends up with empty parking spots. She added it is also difficult to manage the spaces for renters.

Bill Turner, Shoreline, spoke on behalf of the Tree Preservation Code Team related to Amendment #2, Significant Tree definition in support of measuring of 6” diameter breast height (DBH). He noted that most surrounding cities have defined 6” DBH for their significant trees. Shoreline’s own code definition for significant public street trees is 6” DBH. Unfortunately, Bothell’s significant 8” DBH has been cited as an example, but Bothell is not an example to follow as they are behind the times in tree protection. The Tree Preservation Code Team is joined by the Citizens Advisory Group in recommending 6” DBH for the definition of significant trees. In light of all this he encouraged the Planning Commission to recommend the 6” DBH to the City Council.

Nancy Morris, Shoreline, spoke to the importance of preserving mature trees. She urged the Planning Commission to repeat the wisdom of the 2012 Planning Commission and recommend the protective tree code amendments 2, 6, and 10 as written by the Tree Preservation Code Team along with the other tree code amendments. She encouraged everyone to protect the trees and do what they can to help mitigate the climate extremes.

Kathleen Russell, Shoreline, Tree Preservation Code Team member, said she was confused by the staff presentation because several of the recommendations by the Code Team were not included in the presentation. These include Amendment 2, significant 6” definition; Amendment 2, landmark 24” definition; Amendment 6, general requirements penalties; Amendment 7, tree exemption on large properties; and Amendment 10, tree replacement or fee in lieu. She asked if the Planning Commission would have the opportunity to vote on those proposed codes tonight. She stated that the proposed codes would save some trees in the neighborhoods, especially at MUR35 and MUR45 sites. They do not pertain to the seven zones where none of the trees must be retained. She asked the Planning Commission to recommend all the proposed code changes to Council.

Ann Bates, Shoreline, spoke in support of the amendments 2, 6, and 10 as proposed by the Tree Preservation Code Team. These will help to preserve more and larger trees. The Shoreline Comprehensive Plan states that Shoreline should maintain and improve its tree canopy. Development is resulting in cutting down trees that are needed to lessen the effects of global warming. These amendments are meant to improve the environment and the health of the people in the City.

Peter Eglick, Attorney for the Innis Arden Club, Shoreline, stated that Innis Arden is the steward for 50 acres of forested reserve tracts. They have planted several hundred trees over the last few years. They strongly believe that trees and forests are important; however, they believe that what is being proposed by the Tree Preservation Code Team is not well thought through and not well supported. He hasn’t seen actual review of these proposed amendments by experts in the field to understand what their effects will be. He commented that Innis Arden was never invited as a stakeholder to participate in conversations that took place with staff before these amendments were brought forward. When they found out about them, they submitted comments on December 2, January 6, and January 18. Their recommendation is that none of the amendments related to trees should go forward. Instead, the City should establish a stakeholder process with an eye toward preparing an Environmental Impact Statement that addresses what it means to make regulatory changes in the City. He commented on the lack of science used to determine what level of replacement is appropriate and viable. The City’s own engineering standards are in conflict with the aspirations of some of these amendments.

Seeing no further comments, the public hearing was closed at 7:36 p.m.

Mr. Szafran mentioned that staff presented the Planning Commission with the amendments recommended for approval. The other amendments which he did not go over are in Attachment B of the Staff Report. He did not review them in the PowerPoint because they are not part of the staff recommendation.

Miscellaneous Amendments:

VICE CHAIR RWAMASHONGYE MOVED TO APPROVE THE MISCELLANEOUS AMENDMENTS AS PRESENTED BY STAFF AND TO FORWARD A RECOMMENDATION FOR APPROVAL TO CITY COUNCIL. COMMISSIONER MALEK SECONDED THE MOTION.

Vice Chair Rwamashongye spoke in support of the amendments as presented by staff.

THE MOTION WAS UNANIMOUSLY APPROVED (5-0).

SEPA Amendments:

COMMISSIONER CALLAHAN MOVED TO APPROVE THE 2021 COMPREHENSIVE PLAN AMENDMENTS, RELATED TO SEPA, IN THE STAFF REPORT DATED FEBRUARY 3 AND FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL. COMMISSIONER LIN SECONDED THE MOTION.

THE MOTION WAS UNANIMOUSLY APPROVED (5-0).

Tree Amendments:

Commissioner Callahan asked procedural questions. City Attorney Ainsworth-Taylor responded. Commissioner Malek asked how Mr. Eglick's recommendation would play out. City Attorney Ainsworth-Taylor explained the Planning Commission would make a recommendation to the City Council to not approve any of the Tree Code amendments, and the City Council would make the ultimate decision.

COMMISSIONER MALEK MOVED TO DENY ALL AMENDMENTS AS WRITTEN IN THEIR ENTIRETY AND REFER THEM BACK TO STAFF FOR MORE STUDY AND TO INCLUDE MORE SCIENCE AND MORE STAKEHOLDER PARTICIPATION. THE MOTION WAS SECONDED BY VICE CHAIR RWAMASHONGYE.

Commissioner Malek commented that he believes there have been some well-organized private citizen stakeholder groups represented, but not enough of a cross section of stakeholders in the community have been heard from. He urged everyone to think carefully about this because it is a big issue and goes to the character of Shoreline as one of the most treed communities.

Commissioner Lin stated she agrees they would like to have more study and a more holistic look, but she also feels these amendments have been looked at and studied for a long time. Many of the suggestions are aligned with cities that are moving toward preservation or fighting climate change. She suggested they continue to improve the code with more considerations and additional work that will happen in the future. She was not in support of denying all the recommendations.

Vice Chair Rwamashongye spoke to the importance of balancing accountability and responsibility with respect to development. This issue is so important to the City of Shoreline that more engagement with the citizens makes sense. He acknowledged that staff has done a lot of work and attempted to get public engagement, but it looks like there is an opportunity to do more.

Chair Sager agreed with Commissioner Lin that there is more work to be done, but it is important to take a step in the right direction. It is not over, but these amendments are a good start.

Commissioner Malek expressed concern that there is no impetus to continue refining this if it is not on the table. He spoke in support of looking at these as a group and allow for a better cross-section of the community to speak to this.

Commissioner Lin agreed that further study will be needed but this is a step in the right direction. She thinks this is an opportunity to listen to concerns that they are losing tree canopy. She thinks this may trigger further looking into regulations.

UPON A ROLL CALL VOTE, THE MOTION FAILED 2-3 WITH COMMISSIONERS MALEK AND RWAMASHONGYE VOTING IN FAVOR AND COMMISSIONERS CALLAHAN, LIN AND CHAIR SAGER VOTING AGAINST THE MOTION.

COMMISSIONER CALLAHAN MOVED TO APPROVE THE 2021 **COMPREHENSIVE PLAN AMENDMENTS, ATTACHMENT C, TREE CODES, TO THE STAFF REPORT DATED FEBRUARY 3, 2022 AS RECOMMENDED BY STAFF AND FORWARD A RECOMMENDATION FOR APPROVAL TO CITY COUNCIL. THE MOTION WAS SECONDED BY COMMISSIONER LIN.**

Amendment #C1:

AMENDMENT #C1 PASSED UNANIMOUSLY (5-0).

Amendment #C2:

AMENDMENT #C2 PASSED UNANIMOUSLY (5-0).

COMMISSIONER CALLAHAN MOVED TO WITHDRAW THE VOTE ON AMENDMENT #C2 DUE TO CONFUSION AMONG THE PLANNING COMMISSION ABOUT THE SUBSTANCE OF THE VOTE. THE MOTION WAS SECONDED BY COMMISSIONER MALEK. THE MOTION PASSED UNANIMOUSLY (5-0).

COMMISSIONER CALLAHAN MOVED TO APPROVE TREE AMENDMENT #C2 AS PRESENTED BY STAFF AND FORWARD A RECOMMENDATION TO CITY COUNCIL. THE MOTION WAS SECONDED BY COMMISSIONER LIN.

COMMISSIONER CALLAHAN MOVED TO AMEND THE DEFINITION OF A LANDMARK TREE FROM OVER 30" DBH TO 24" DBH. CHAIR SAGER SECONDED THE MOTION.

Commissioner Callahan stated she wants the City to go further in saving trees as other jurisdictions are doing so that more trees are protected. She noted that the code may benefit from further refinement and study, but that is not a reason to stop this now.

Chair Sager agreed that this is important, and they need to start somewhere.

THE AMENDMENT TO THE MAIN MOTION RELATED TO #C2 PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

THE MAIN MOTION TO APPROVE AMENDMENT #C2 AS AMENDED PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

Amendment #C3:

COMMISSIONER CALLAHAN MOVED TO APPROVE AMENDMENT #C3 AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER LIN. THE MOTION PASSED UNANIMOUSLY (5-0).

Amendment #C5:

COMMISSIONER CALLAHAN MOVED TO APPROVE AMENDMENT #C5 AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER LIN. THE MOTION PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

Amendment #C6:

COMMISSIONER CALLAHAN MOVED TO APPROVE AMENDMENT #C6 AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER LIN.

Commissioner Malek expressed concern about devising their own science and pandering to a group that is very focused on using trees alone to impact the carbon footprint and global warming. He thinks trees are extremely important, but he also thinks they will lose more trees if they don't address bigger problems that are happening around us. Trees are great carbon sponges, but not putting carbon in the air at all is as good a way to mitigate and address the global warming issue. He expressed concern about the impact this could have on the goal of getting reasonable income and low-income housing as well as good housing that is dense and located near a multi-modal corridor. Eliminating carbon from the environment by concentrating density needs to also be considered.

THE MOTION TO APPROVE AMENDMENT #C6 PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

Amendment #C8:

COMMISSIONER LIN MOVED TO APPROVE AMENDMENT #C8 AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER CALLAHAN.

Commissioner Lin stated she is happy to hear from staff that many developments are already saving 25% of trees.

THE MOTION TO APPROVE AMENDMENT #C8 PASSED UNANIMOUSLY (5-0).

Amendment #C9:

COMMISSIONER CALLAHAN MOVED TO APPROVE AMENDMENT #C9 AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER LIN.

Commissioner Callahan stated she thinks it is important for the director to have this authority in those rare cases where waiving the requirement may be helpful for a homeowner who has a difficult situation.

Commissioner Lin commented on the importance of allowing this flexibility until the code is more refined.

THE MOTION TO APPROVE AMENDMENT #C9 PASSED UNANIMOUSLY (5-0).

Amendment #C11:

COMMISSIONER LIN MOVED TO APPROVE AMENDMENT #C11, TREE PROTECTION STANDARDS, AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER CALLAHAN.

Commissioner Lin stated she thinks this is a good step to preserving trees.

Vice Chair Rwamashongye asked how construction would happen within the dripline of a tree. Mr. Szafran replied that an arborist would have to be on site to make sure there isn't any damage to the tree.

Commissioner Malek commented that it seems excessive to expect an arborist to be there.

COMMISSIONER MALEK MOVED TO STRIKE PART E. THE MOTION DIED FOR LACK OF A SECOND.

Commissioner Lin commented that a protective fence is usually put up around the critical root zone. This item states that if the work must happen within that area, an arborist will need to be present to help the tree's survivability.

THE MOTION PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

THE MAIN MOTION AS AMENDED ABOVE PASSED (4-1) WITH COMMISSIONER MALEK VOTING AGAINST THE MOTION.

Commissioner Lin asked if the amendments not recommended by Planning staff will still be forwarded to City Council. Staff replied that they would. Commissioner Lin asked if the Commission should vote

on them. City Attorney Ainsworth-Taylor stated they could do that if they wanted to attach a recommendation. Either way, Council will still get the amendments in their packet. Commissioner Lin stated that staff has done a study of the denied items, but she would like to recommend that the 6” versus 8” significant tree definition be studied further to better understand the impacts. Chair Sager concurred. City Attorney Ainsworth-Taylor stated that when she drafts the recommendation letter to the Council, she will include the points and concerns the Commission has raised.

Vice Chair Rwamashongye asked if there are opportunities for developers to work with neighboring properties to plant a tree there if they remove one on their property to offset the loss. If so, would a 6” tree be the appropriate tree. He recommended looking at counterbalances in writing the regulations as opposed to just being restrictive.

Commissioner Malek noted they used to do the tree swap thing with the Parks where people could plant trees in the parks. He commented that he loves trees, but thinks it is very important that they don’t go down the path where they start to create landscape architect permits and plans for every individual, residential home. He thinks they need more science behind how the trees will be impacted. He agreed that keeping trees in the community by some sort of swap as suggested by Commissioner Rwamashongye is a good idea.

Commissioner Lin agreed with having a more creative approach. She recommended looking at the big picture and how they manage the larger parcels. She wondered about having a sort of forest management overlay to look at tree removal or preservation. This relates to Commissioner Malek’s point of looking at the Shoreline community as a whole.

Director Markle pointed out that the current code says that you can relocate a tree to another lot, but it doesn’t say that you can plant another tree.

STUDY ITEM: 2022 DRAFT COMPREHENSIVE PLAN DOCKET

Mr. Szafran reviewed the 2022 Draft Comprehensive Plan Docket:

- Amendment #1 – Amend the Transportation Master Plan (TMP) and Transportation Element which includes updated goals and policies.
- Amendment #2 – Begin 2024 Comprehensive Plan Major Update. Staff has included a proposed outline schedule.
- Amendment #3 – Amend the Comprehensive Plan Land Use Map Designation from Public Facility to Mixed Use 1 and change the zoning from Residential, 18 units/acre (R-18) and Mixed-Business (MB) to Mixed-Business (MB) at the King County metro Park & Ride Facility at 19000 Aurora Avenue N.
- Amendment #4 – Amend the Land Use Element to add a new policy “Housing development and preservation of significant trees can co-exist with the goal of maintaining and increasing Shoreline’s urban tree canopy”.
- Amendment #5 – Add Short Term Rental definition, licensing requirements, and location. Staff’s recommendation is not to include this in the Comprehensive Plan process but address it in other ways such as the Development Code process.

Staff is recommending that Amendments 1-4 be included in the Final 2022 Docket.

VICE CHAIR RWAMASHONGYE MOVED TO RECOMMEND TO COUNCIL APPROVAL OF THE 2022 COMPREHENSIVE PLAN DOCKET AS PRESENTED BY STAFF. THE MOTION WAS SECONDED BY COMMISSIONER MALEK.

Vice Chair Rwamashongye spoke to the importance of the Comprehensive Plan updated and aligned with goals and policies.

MOTION PASSED UNANIMOUSLY (5-0).

UNFINISHED BUSINESS

None

NEW BUSINESS

Commissioner Malek commented that a community member is doing work regarding safe and accessible park access. Commissioners should be receiving something soon.

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

None

AGENDA FOR NEXT MEETING

Staff reviewed the agenda for the next meeting which is scheduled for February 17, 2022.

ADJOURNMENT

The meeting was adjourned at 9:13 p.m.

Pam Sager
Chair, Planning Commission

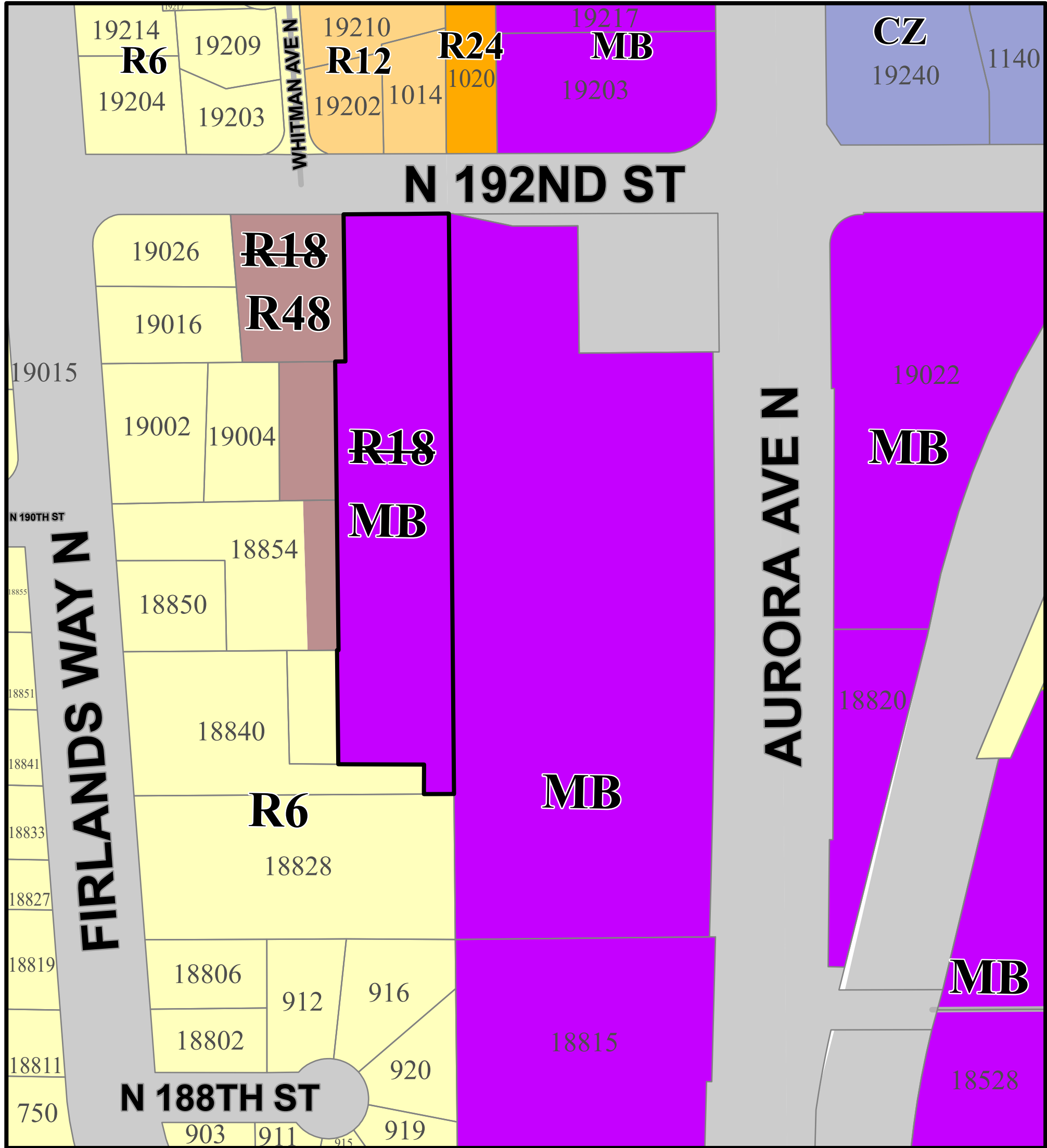
Carla Hoekzema
Clerk, Planning Commission

2024 Comprehensive Plan Periodic Update – Tentative Schedule

2022	2023	2024
Q4 2021 / Q1 2022 Completed: <ul style="list-style-type: none"> • Comp Plan Docket • Early Scope (new CPP's and other requirements, best practices, emerging issues to incorporate, themes) • Develop Charter • Draft engagement strategy/public participation plan 	Q1 Completed: <ul style="list-style-type: none"> • Introduction • Land Use Element 	Q1 Completed: <ul style="list-style-type: none"> • Utilities • Capital Facilities • Subarea Plans (to the extent they need to be integrated with the document)
Q2 Completed: <ul style="list-style-type: none"> • Council briefing on early scope/schedule for update (tentative) 	Q2 Completed: <ul style="list-style-type: none"> • Community Design • Housing Element (build and use work from Housing Action Plan) 	Q2 Completed: <ul style="list-style-type: none"> • Integrate final document (design, graphics, etc.) • Adopt SEPA (early Q2) • Adoption of final ordinance completing periodic update (June 30, 2024)
Q3 Completed: <ul style="list-style-type: none"> • Kick-off visioning/engagement 	Q3 Completed: <ul style="list-style-type: none"> • Economic Development Element 	Q3 Completed: <ul style="list-style-type: none"> • Plan submittal for review/certification (PSRC) • Other regulatory filings (Commerce, etc.)
Q4 Completed: <ul style="list-style-type: none"> • Transportation Master Plan • Transportation Element • Climate Action Plan Update 	Q4 Completed: <ul style="list-style-type: none"> • PROS (due by 2024) – Parks Board & PC/CC • Natural Environment (integrate work from Climate Action Plan and Surface Water Master Plan) 	Q4 Completed:

NOTES:

- Functional plan updates will update goals, policies, and supporting analysis, where able (e.g. Transportation Master Plan, Surface Water Master Plan, PROS, etc.)



192nd St Park & Ride
Zoning Update R-18 to MB

Land Use Legend

- Parcel Line

TC-1 to TC-4; Town Center

MUR-70; Mixed Use Residential (70' height)

MUR-45; Mixed Use Residential (45' height)

MUR-35; Mixed Use Residential (35' height)

MB; Mixed Business

CB; Community Business

NB; Neighborhood Business

PA 3; Planned Area 3
- C; Campus

CZ; Contract Zone

R-48; Residential, 48 units/acre

R-24; Residential, 24 units/acre

R-18; Residential, 18 units/acre

R-12; Residential, 12 units/acre

R-8; Residential, 8 units/acre

R-6; Residential, 6 units/acre

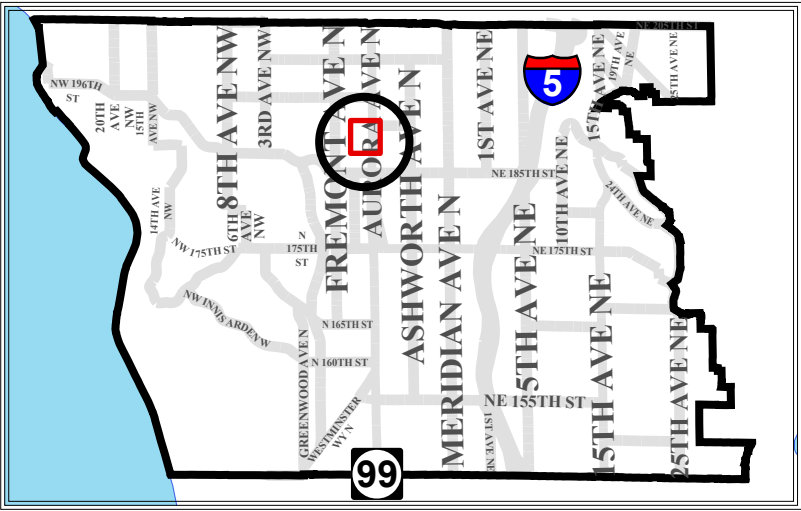
R-4; Residential, 4 units/acre

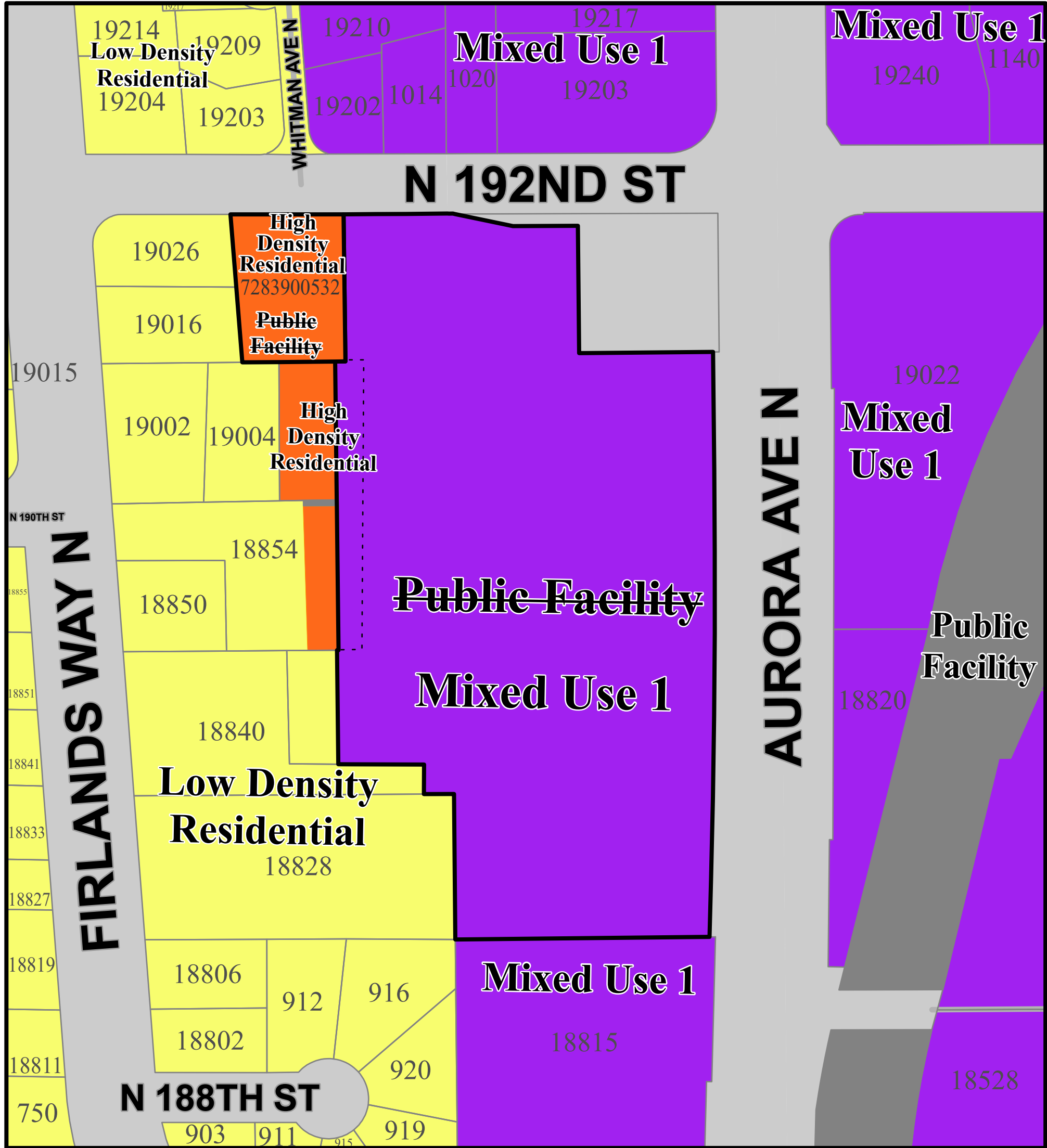
Feature Legend

- Parcel Change

- City Boundary
- Unclassified ROW

- Parcel Line





192nd St Park & Ride
Comprehensive Plan Amendment
Public Facility/High Density Residential to Mixed Use 1

Land Use Legend

- Station Area 1

Station Area 2

Station Area 3

Low Density Residential

Medium Density Residential

High Density Residential

Institution/Campus

Planned Area 3
- Mixed Use 2

Mixed Use 1

Town Center District

Public Facility

Public Open Space

Private Open Space

- Parcel Line

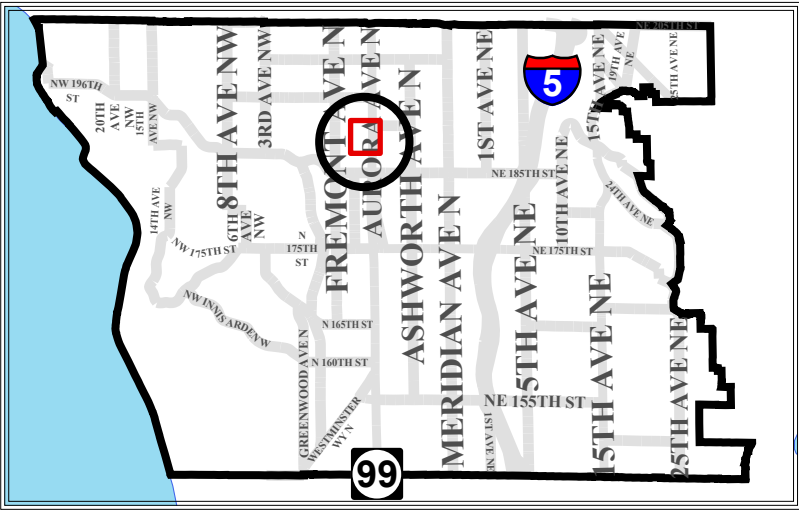
Feature Legend

- Parcel Change

- City Boundary

- Unclassified ROW

- Parcel Line



Comprehensive Plan General Amendment Application

Applicant name: Save Shoreline Trees

Address: 16069 Dayton Ave N, Shoreline, WA 98133

Phone: 510-599-7135

Submitted by: Kathleen Russell, Save Shoreline Trees/Communications

Email: krussell@russell-gordon.com

Proposed amendment:

"Housing development and preservation of Significant trees can co-exist with the goal of maintaining and increasing Shoreline's urban tree canopy."

Reference Element: Land Use

Why is this being proposed?

There are many statements in the Comprehensive Plan stating the need to protect and preserve the tree canopy in Shoreline. This proposed amendment adds the recommendation that building development and the urban tree canopy can co-exist.

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

This amendment addresses the increasing development taking place in Shoreline and the need to preserve the tall conifers and native trees.

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

The current Shoreline Comprehensive Plan mentions the importance of trees in several Elements. In the introduction, Land Use, Community Design, and Natural Environment, there are many supportive statements regarding trees and the urban tree canopy. The proposed amendment addresses both Land Use, Community Design and Natural Environment. This proposed amendment is definitely consistent with the current Shoreline Comprehensive Plan.

How will this amendment benefit the citizens of Shoreline?

As mentioned in the introduction of the Comprehensive Plan, Vision 2029, page 3:

"People are first drawn here by the city's beautiful natural setting and abundant trees..."

The proposed amendment confirms that the urban tree canopy is important to citizens. This amendment addresses the City vision of housing development and the importance of Shoreline's mature conifer and native trees.

As stated in the Shoreline's own 2020 Green Shoreline publication: *"Protecting, enhancing, and maintaining the trees that comprise Shoreline's urban forest – in neighborhoods, urban areas and parks-is critical to the health and welfare of the citizens of Shoreline and will have a positive impact on the entire region."*

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

As included in the current Comprehensive Plan, there are many references to Shoreline's urban canopy as listed in the following Elements: Land Use, Community Design, and Natural Environment.

Examples:

- **Land Use:** Policy LU6: "Allow flexibility in regulations to protect existing stands of trees."
- **Community Design:** Policy CD37: "Minimize the removal of existing vegetation, especially mature trees, when improving streets or developing property."
- **Natural Environment:** Goal NE X: "Maintain and improve the city's tree canopy."
- **Natural Environment:** Policy NE 19: "Minimize removal of healthy trees, and encourage planting of native species in appropriate locations."

Additional sources: why urban trees are necessary

Established Trees and Housing Can Co-Exist

Letter to the Editor by Claudia Turner

Shoreline Area News, July 27, 2021

<https://www.shorelineareanews.com/2021/07/shoreline-trees-established-trees-and.html>

Importance of urban trees

US Cities Losing Millions of Trees, CNN Sept. 18, 2019

<https://www.cnn.com/2019/07/20/health/iyw-cities-losing-36-million-trees-how-to-help-trnd/index.html>

<https://www.treepeople.org/22-benefits-of-trees/>

"Trees are major capital assets in cities across the United States. Just as streets, sidewalks, public buildings and recreational facilities are a part of a community's infrastructure, so are publicly owned trees. Trees -- and, collectively, the urban forest -- are important assets that

require care and maintenance the same as other public property. Trees are on the job 24 hours every day working for all of us to improve our environment and quality of life.” Colorado Trees/benefits

The Benefits of Trees for Livable and Sustainable Communities

<https://nph.onlinelibrary.wiley.com/doi/full/10.1002/ppp3.39>

Benefits of Urban Trees

<https://www.state.sc.us/forest/urbben.htm>

Birds and Trees

For the Birds: The Birds and the Trees

<https://www.shorelineareanews.com/search?q=for+the+birds+trees>

by Christine Southwick as published in *Shoreline Area News*

Heat Island Effect in cities and how urban trees can lower temperatures

<https://www.epa.gov/heatislands/learn-about-heat-islands>

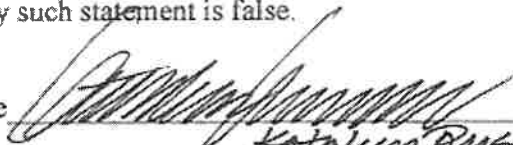
<https://www.kuow.org/stories/heat-wave-death-toll-in-washington-state-jumps-to-112-people>

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

See separate form as submitted by Save Shoreline Trees

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

Application Signature



Date

12-1-21

Kathleen Russell, Save Shoreline Trees

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



City of Shoreline

Planning & Community Development

17500 Midvale Avenue North Shoreline, WA 98133-4905

Phone: (206) 801-2500 Fax: (206) 801-2788

Email: pcd@shorelinewa.gov Web: www.shorelinewa.gov

Permit Hours – M, T, TH, F: 8:00 a.m. to 4:00 p.m. | W: 1:00 to 4:00 p.m.

COMPREHENSIVE PLAN GENERAL AMENDMENT APPLICATION

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

Please attach additional pages to this form, as needed.

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

Applicant Name Janelle Callahan

Address 15532 11th Ave NE City Shoreline State WA Zip 98155

Phone (206) 420-3320 Fax n/a Email janellecallahan@gmail.com

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

Communities worldwide are having to adapt to a multi-billion-dollar industry¹ that no one imagined just 20 years ago. Short-term rentals affect how homes are used in a community, and local government regulations can help guide this usage. Like many communities, Shoreline's municipal code currently says nothing about short-term rentals. The existing definitions for "bed and breakfasts"² and "boarding houses"³ are insufficient. They only address single-room or suite rentals, not the rental of an entire house, apartment, or accessory dwelling unit (ADU). Someone who is renting a room/suite and living on-site could be considered a bed and breakfast operator in Shoreline. A boarding house does not require owner occupancy, but it is for dwellings like "fraternity houses, sorority houses, off-campus dormitories, and residential clubs." It is not known if those who advertise on short-term rental platforms have bed and breakfast or boarding house permits from the city. Because these definitions do not reflect the current business model, operators may not realize they should have a permit. By adopting the following definition for short-term rentals, requiring a city business license and other clarifications, the city would be addressing rapidly changing circumstances and benefit Shoreline's citizens.

Short-term rentals.

A. Short-term rentals are the use of an entire dwelling unit by any person or group of persons to occupy for rent for a period of less than thirty consecutive days. Short-term rentals do not include bed and breakfast inns, hotels and motels, or boarding houses.

B. License Required. A city business license is required to operate a short-term rental. No more than two short-term rental sites may be operated by any individual, marital group, a group of people, or a corporate entity such as an LLC, within the city.

C. Location. A short-term rental use may be located in a dwelling unit or an accessory dwelling unit. See SMC 20.40.210 for applicable accessory dwelling unit requirements.

¹ Estimated revenue from the short-term rental industry in the U.S. is expected to be about \$15 billion in 2021.

<https://ipropertymanagement.com/research/vacation-rental-industry-statistics>

² <https://www.codepublishing.com/WA/Shoreline/#!/Shoreline20/Shoreline2040.html#20.40.250> (Last updated 2004).

³ <https://www.codepublishing.com/WA/Shoreline/#!/Shoreline20/Shoreline2040.html#20.40.260> (Last updated 2008).

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

This proposed amendment supports:

- Housing Goal II, to “Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations” (p. 39).
- Housing Goal III, to “Preserve and develop housing throughout the city that addresses the needs of all economic segments of the community, including underserved populations, such as households making less than 30% of Area Median Income” (p. 39).
- Economic Development Goal I, to “Maintain and improve the quality of life in the community by: increasing employment opportunities and the job base; supporting businesses that provide goods and services to local and regional populations; and reducing reliance on residential property tax to fund City operations and capital improvements” (p. 55).

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

Short-term rentals serve a variety of purposes. A search on popular short-term rental platforms reveals that there are short-term rentals in Shoreline. Guests come here as tourists, as well as for extended stays for a few weeks or months for various reasons (e.g., academics, business travelers, health care providers, patients or their families). Many of the listings publicize Shoreline's closeness to downtown Seattle as a great feature. A short-term rental generates income for the operator and tax revenue for the city.⁴ In this sense, short-term rentals regulations support Goal H II of the Comprehensive Plan, to "Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations," and Economic Development Goal I to create jobs, support businesses, and "reduce reliance on residential property tax to fund City operations and capital improvements."⁵ By defining what a short-term rental is, and what the requirements are, the city can provide clarity to short-term rental operators and grow tax revenue from short-term rental businesses by making clear it is an allowed use.

The number of short-term rentals in Shoreline is currently unknown. It is not known how short-term rentals may be affecting housing affordability and availability. In a 2019 report prepared for the Washington State Department of Commerce on "Issues Affecting Housing Availability and Affordability," it is recommended that: "In an urban or suburban setting, demand for housing also can occur from uses that are temporary or second home in nature... Local jurisdictions in an urban or suburban setting should, therefore, seek to understand not only the volume of second home and temporary rental demand, but also the potentially complex nature of temporary rentals and second home demand."⁶

It is also unknown how many short-term rental listings in Shoreline are owner-occupied "bed and breakfasts" or whole dwelling ("absentee landlord") rentals. A study found that areas where owner-occupancy rates are higher are less affected by increases in rental rates or housing costs associated with short-term rentals. Bed and breakfast rentals do not take away from housing stock because someone is living there. Whole house short-term rentals, on the other hand, reduce the supply and create greater competition for long-term resident housing.⁷

Those who are renting long-term, especially those who are renting single-family homes here in Shoreline, may be vulnerable to displacement. An owner may decide to turn their property into a short-term rental because there may be potential to earn more income. The Department of Commerce report noted that: "Vacation rentals tend to earn more in rent per-night than as permanent housing." The average nightly rate in Seattle is estimated to be \$163/per night.⁸ If a property can be booked only 10 nights per month, the operator's income would be more than the average monthly long-term rent in our area (\$1,476).⁹

This proposed amendment supports Goal H III, to "Preserve and develop housing throughout the city that addresses the needs of all economic segments of the community, including underserved populations, such as households making less than 30% of Area Median Income" (p. 39). Currently, existing data assumes a single-family home in Shoreline is occupied by an owner, and a unit in a multi-family building is assumed to be occupied by a renter. The problem is that there are, in fact, single-family homes being used as rentals, but we do not know how many there are, or if demand for single-family homes as short-term rentals may be increasing. To assess and respond to the problem of housing affordability and availability, the city must be able to track short-term rentals.

⁴ [Substitute House Bill 1798](https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bill%20Reports/House/1798-S%20HBR%20FBR%2019.pdf?q=20211021190200) - Requires short-term rental operators and platform providers register with the state Department of Revenue and remit all local, state, and federal taxes - Effective July 28, 2019. <https://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bill%20Reports/House/1798-S%20HBR%20FBR%2019.pdf?q=20211021190200>

⁵ [City of Shoreline Comprehensive Plan](#)

⁶ Department of Commerce, [Housing Memorandum: Issues Affecting Housing Availability and Affordability](https://deptofcommerce.app.box.com/s/npwem3s3rvcsya15nylbroj18e794yk7) - July 16, 2019. <https://deptofcommerce.app.box.com/s/npwem3s3rvcsya15nylbroj18e794yk7>

⁷ [Research: When Airbnb Listings in a City Increase, So Do Rent Prices](https://hbr.org/2019/04/research-when-airbnb-listings-in-a-city-increase-so-do-rent-prices) Barron et al. *Harvard Business Review*, April 17, 2019. <https://hbr.org/2019/04/research-when-airbnb-listings-in-a-city-increase-so-do-rent-prices>

⁸ [InsideAirBNB](http://insideairbnb.com/seattle/) - Seattle - Accessed Oct. 21, 2021. <http://insideairbnb.com/seattle/>

⁹ [MIT Living Wage Calculator](https://livingwage.mit.edu/metros/42660) - Seattle - Housing for a single adult with no children. Accessed Oct. 21, 2021. <https://livingwage.mit.edu/metros/42660>

Other local jurisdictions have adopted codes to regulate short-term rentals. Most notably, the city of Seattle adopted regulations in 2018 because of the recognized impact the abundance of short-term rentals was having on housing affordability and availability.¹⁰ In August 2021, the city of Everett adopted a definition of short-term rental and required operators to have a city business license.¹¹ This proposal is based on the city of Everett's code. Shoreline should adopt similar code to define and track short-term rentals, trends, and possible effects on housing, and to be fair among all types of businesses in Shoreline. A short-term rental operator should be held to the same standard as any business owner. Shoreline requires a city business license for any business generating \$2,000 or more per year.¹² The code should be updated to make clear that this requirement includes short-term rental operators. This proposal may also raise awareness that owners of bed and breakfast types of rentals need permits.

Since 2019 in Washington state, short-term rental operators are required to register with the Department of Revenue, pay applicable state and local taxes, and have liability insurance. The state does not ask for or report the numbers or locations of short-term rentals, however, leaving it up to local governments to determine specific regulations. Since the state clarified that a short-term rental is a business, the city of Shoreline should as well. Since the state's role is limited to requiring liability insurance and collecting taxes for short-term rentals, the city should adopt code to say how short-term rentals may operate in our community.

One might question whether we should allow short-term rentals in Shoreline. Banning short-term rentals entirely is likely not the answer. They are here already, they serve a purpose by providing different types of housing, and they have economic benefit. A study found cities that restrict short-term rentals have reduced development compared with cities that do not. Cities that allow short-term rentals had 17% more accessory dwelling unit (ADU) permit applications and 9% more permit applications of other types. The results suggest demand for short-term rentals helped spur creation of new housing.¹³ If an ADU can be used as a short-term rental, it may provide the financing opportunities and rental income to allow a person to continue to live in their house in Shoreline. It may eventually be necessary to cap the number of whole house short-term rental permits at some point in the future. If the process of tracking these changes starts now, the city will be in a better position to leverage the advantages of short-term rentals and prevent or minimize negative impacts.

One might question why Shoreline should address the issue of short-term rentals right now. One might assume it is not a problem in Shoreline because we have not had widespread or visible problems with short-term rentals (e.g., "party houses") like other communities. But the fact is, we have no analytical insight into how short-term rentals may be affecting housing availability and affordability. The city and its residents may also be missing opportunities for growing tax revenue, incomes, jobs, and new housing development by continuing to ignore short-term rentals. This proposal would deliver information needed to understand the impact of short-term rentals on the city housing market and help make informed policy decisions.

There is a tremendous upheaval now with "the Great Resignation." People are quitting jobs and moving in record numbers. More than 4 million workers voluntarily resigned from their jobs in August 2021, the highest number ever recorded in the 20 years since the U.S. Department of Labor began reporting these figures.¹⁴ In September 2021, this record was broken with 4.4 million workers quitting.¹⁵ It is unknown how opportunities for remote work may be affecting choices to continue living in Shoreline or move somewhere else where the cost of living may be lower. It is possible some Shoreline homeowners may be purchasing second homes elsewhere and renting their Shoreline homes. There may also be residents for whom renting space on their property provides much-needed supplementary income. For these reasons, it is urgent to gather data on short-term rentals now.

This proposal benefits the citizens of Shoreline by creating a definition of short-term rental to help understand the situation in our city. It provides clarity for short-term rental operators who generate tax revenue for the city. It specifies that a short-term rental may be in an ADU and is subject to the requirements under the city's ADU code. It limits the number of short-term rental sites to two per operator to ensure that no single entity dominates the short-term rental market in Shoreline.

¹⁰ [Seattle Municipal Code 23.42.060](https://www.seattle.gov/sdci/codes/common-code-questions/short-term-rentals) - Effective Jan. 7, 2018. <https://www.seattle.gov/sdci/codes/common-code-questions/short-term-rentals>

¹¹ [City of Everett Municipal Code 19.08.150](https://everett.municipal.codes/EMC/19.08.150) - Effective Aug. 25, 2021. <https://everett.municipal.codes/EMC/19.08.150>

¹² [City of Shoreline Business Licenses](https://www.shorelinewa.gov/government/departments/city-clerk-s-office/business-licenses) - Accessed Oct. 21, 2021. <https://www.shorelinewa.gov/government/departments/city-clerk-s-office/business-licenses>

¹³ [Research: Restricting Airbnb Rentals Reduces Development](https://hbr.org/2021/11/research-restricting-airbnb-rentals-reduces-development). Bekkerman et al., *Harvard Business Review*, November 17, 2021. <https://hbr.org/2021/11/research-restricting-airbnb-rentals-reduces-development>

¹⁴ [Workers quitting their jobs hit a record in the U.S. in August](https://www.nytimes.com/2021/10/12/business/economy/workers-quitting-august.html). *New York Times*, Oct. 12, 2021. <https://www.nytimes.com/2021/10/12/business/economy/workers-quitting-august.html>

¹⁵ [The number of U.S. workers quitting their jobs in September was the highest on record](https://www.nytimes.com/2021/11/12/business/economy/jobs-labor-openings-quit.html). *New York Times*, Nov. 12, 2021. <https://www.nytimes.com/2021/11/12/business/economy/jobs-labor-openings-quit.html>

This proposed amendment will shed light on an unknown situation during a time of great change. What percentage of the available housing in Shoreline is occupied by homeowners, long-term renters, and short-term renters? How do the numbers compare among our 14 different neighborhoods? Is it a bed and breakfast rental with an owner/manager living on the property, or is it a whole house rental that affects the city's housing stock? These are important measures to track if we are to understand and improve housing availability and affordability. Addressing short-term rentals protects our most at-risk residents, our low-income renters, by monitoring the numbers and trends, and perhaps making further adjustments to this code if necessary.

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

Application Signature Janelle Callahan Date 11/29/2021

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

