



AGENDA (v.2)

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Tuesday, May 27, 2008
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: Public Art Update

SHORELINE CITY COUNCIL BUSINESS MEETING

Tuesday, May 27, 2008
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:30
2. FLAG SALUTE/ROLL CALL		
3. REPORT OF THE CITY MANAGER		
4. REPORTS OF BOARDS AND COMMISSIONS		
5. GENERAL PUBLIC COMMENT		7:40
<i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda and which are not of a quasi-judicial nature. Speakers may address Council for up to three minutes, depending on the number of people wishing to speak. If more than 15 people are signed up to speak each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. The total public comment period under Agenda Item 5 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period and will be called upon to speak generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
6. APPROVAL OF THE AGENDA		8:00
7. CONSENT CALENDAR		8:00
(a) Minutes of Study Session of April 7, 2008	<u>1</u>	
Minutes of Business Meeting of April 14, 2008	<u>17</u>	
Minutes of Study Session of April 21, 2008	<u>29</u>	
(b) Approval of expenses and payroll as of May 13, 2008 in the amount of \$ 1,910,619.65	<u>41</u>	
(c) Motion to Authorize the City Manager to Execute a Discretionary Work Request with King County for the 2008	<u>43</u>	

Road Overlay Program

- (d) Motion to Authorize the City Manager to Acquire Paramount Park Open Space Property 49
- (e) Motion to Authorize the City Manager to Award a Contract for Professional Services with INCA Engineers for the Design of the Traffic Signal at NE 170th Street and 15th Avenue NE in the amount of \$105,000 53
- (f) Motion to Authorize the City Manager to Execute a Contract Amendment with the Berger Partnership, Landscape Architects, for Design of Citywide Baseball/Softball Field Improvements and Citywide Trail Corridors 55
- (g) Motion to Authorize the City Manager to 1) Award Contract with Scarsella Bros., Inc. for Construction of the Pan Terra Regional Stormwater Facility Improvements; and 2) Award Professional Services Contract Amendment with Otak, Inc. for Engineering Services 63
- (h) Ordinance No. 506, amending Ordinance 498 by increasing the appropriation in the General Fund and General Capital Fund, and authorizing an amended City Contingency in the Civic Center Development Agreement Budget; waiving second reading per Council Rule 3.5 68-1

8. NEW BUSINESS

- (a) Urban Forest Assessment Presentation 69 8:10
- (b) Annual Comprehensive Plan and Development Code Amendments: Master Planning and Planned Areas Procedures 83 8:40

9. ADJOURNMENT

10:00

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 8 p.m. and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Council meetings can also be viewed on the City's Web site at cityofshoreline.com/cityhall/citycouncil/index.

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF STUDY SESSION

Monday, April 7, 2008 6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

ABSENT: Councilmember Hansen.

1. CALL TO ORDER

At 6:30 p.m. the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ryu led the flag salute. Upon roll call by Ronald Moore, Deputy City Clerk, all Councilmembers were present with the exception of Councilmember Hansen. Mr. Olander reported that Councilmember Hansen would not be attending the meeting.

Deputy Mayor Scott moved to excuse Councilmember Hansen. Councilmember Eggen seconded the motion, which carried 6-0.

(a) Proclamation of National Library Week

Mayor Ryu read the proclamation and presented it to Judy Weathers, Managing Librarian for the Richmond Beach and Shoreline Libraries. Ms. Weathers thanked the Council and the attendees for the proclamation.

(b) Recognition of Outgoing Library Board Members

Dick Deal, Parks, Recreation and Cultural Services Director, presented a plaque to Yoshiko Saheki and Jane Hinton for their service on the Library Board. Ms. Saheki thanked the City and the attendees for the plaque and encouraged people to visit the City's libraries.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, reported on various events taking place in the City of Shoreline. He announced that the City of Shoreline and the Shoreline Fire Department will be holding a three-week Community Emergency Response Team (C.E.R.T.) Training on April 15. He noted that there is a Community Capital Development workshop called "*Go Figure: A Class for Financing*

Your Business” on April 18. Finally, he reported that the City has selected Dan Pingrey as the new Police Chief.

4. COUNCIL REPORTS

Councilmember Way asked about a Council of Neighborhoods workshop featuring Jim Deere. Mr. Olander replied that there was a workshop on April 26 regarding asset-based community development. Councilmember Way reported that she attended the first meeting of the Lake Ballinger Basin group.

5. GENERAL PUBLIC COMMENT

a) Les Nelson, Shoreline, discussed public notification concerning developments and stated that sometimes notices are not listed in the newspaper. He said Channel 21 was out for the past two weekends and there are some major items that would be interesting to people. He said there are SEPA reviews coming up on April 18 and a discussion meeting on April 17. He added that it is important for people to get the documents to prepare their documents.

Mr. Olander responded that the power has been out at City Hall for a while and the programming for Channel 21 this weekend was affected.

6. STUDY ITEMS

(a) City Council and Planning Commission Work Plan

Mr. Olander suggested the Planning Commission open their meeting.

Vice Chair Will Hall called the Planning Commission to order. He noted that several members would arrive at about 7:30 p.m. Commissioners present included Vice Chair Will Hall, Commissioner Broili, Commissioner Behrens, and Commissioner Piro.

Mr. Olander announced that Planning and Development Services Director Joe Tovar has an injury that precludes his attendance tonight. He suggested the Council hear the Lake Ballinger Basin item first until more Planning Commission members arrive.

(b) Lake Ballinger Basin

Mark Relph, Public Works Director handed out a map of the Lake Ballinger Basin area and discussed the issues on the map. He discussed the December flooding issue and stated that water quality and flows have been an issue in the area for a while. He reviewed the history of the Lake and what has occurred at the site over the past 36 years. He noted that Lake Forest Park has come to the table to discuss the issue and that Shoreline has taken a “back seat” recently because the area is outside of City limits. He discussed the specifics of the map and where the boundaries are for the basin and creeks in the area, noting that there are minor maintenance problems at McAleer Creek. He said the statistics are presented in Attachment A concerning the area, inflow,

outflows, and depth. He stated that the City staff suggests the Council adopt a resolution for the City to join with the local jurisdictions to promote the stewardship of the Echo Lake/Lake Ballinger/McAleer Creek Basin area.

Mr. Olander stated that the City has been working with other jurisdictions and this will provide not only direction to staff but also notice to the other jurisdictions that the City wants to begin the process. He stated that an interlocal agreement between the City and other jurisdictions will be the next step and it would be brought back to another meeting on the Consent Calendar.

Mayor Ryu called for public comment.

a) Bill Bear, Shoreline, stated that Lake Ballinger represents a major watershed in the area and the Planning Department, Planning Commission, and Council have stated it is not significant. He stated that it is clear that if one tree is taken out it isn't significant. However, if it is done over and over again it becomes significant. The flooding and loss of salmon has resulted in having a significant impact, and the Council and Planning Commission need to understand the cumulative effect.

b) Bettelinn Brown, Shoreline, stated that there needs to be more awareness of the Lake Ballinger area. She said she has attended the Neighborhood Council meetings and it is hard for the residents in the Ballinger area to attend the meetings because there is no strong association and the area is divided by Ballinger Way. Therefore, she felt the Council should give them some support in dealing with their specific and unique problems.

c) LaNita Wacker, Shoreline, stated that Tony Angel began to clean up McAleer Creek about 40 years ago and she suggested the City utilize him as a resource. She also noted that Mimi Bolander who was a founder of the Lake Forest Park Stewardship Foundation and Roger Lotion, former Mayor of Lake Forest Park can help, too. She said they are very knowledgeable of McAleer Creek and the area.

Councilmember Eggen stated that the City will be complying with more stringent runoff regulations and asked to know if there would be changes in the way the City does business.

Mr. Relph stated that they have been discussed for decades and the Environmental Protection Agency (EPA) will begin to implement more stringent regulations in 2013. He said in the near future, quantity will be looked at, but not necessary the quality of the storm water.

Councilmember Way commented that she is very pleased that the City is considering this resolution. She discussed the watershed east of Meridian Avenue and an impact will be made because the City will enhance the headwaters. She stated that Lyon and McAleer Creek meet and make a "mess" for the people that live below when there are heavy rains. She suggested that the Council add Lyon Creek to the resolution and asked if there was some funding in the state budget that was acquired by Representative Marko Liias.

Mr. Relph said he would research the funding. He added that he is trying to communicate with the Public Works Director in Lake Forest Park about a characterization report they are doing concerning the Lyon Creek Basin.

Mr. Olander stated the cities involved will depend on what the boundaries are for Lyon Creek.

Councilmember Way stated that she was at a meeting with the five cities and four State Representatives and Lyon Creek was to be a part of the upcoming legislation. Mr. Relph responded that he thought the same thing; that is why he has to confirm with Lake Forest Park about this characterization report he has heard about.

Deputy Mayor Scott favored crafting a proposed resolution. He agreed with Councilmember Way and stated the staff can look at Lyon Creek.

Councilmember Eggen commented that all five cities have a similar resolution and he recalled that our city is the only one to add Lyon Creek to this. He supported the resolution as it is and to add Lyon Creek if it is easy to do.

Mayor Ryu questioned if Lyon Creek can be added without any additional funding.

Mr. Olander responded that some priorities need to be put into place by the Council if Lyon Creek is to be added. He mentioned that the City is currently working on the Ronald Bog Drainage Basin, Boeing Creek Drainage Basin, Lake Ballinger, and maybe Lyon Creek will be a fourth area to work on. He said the City will know more when a scope of work is developed, but Shoreline is a minority in this so expect minimal funding.

Mayor Ryu favored adopting the resolution and possibly adding Lyon Creek to it.

Councilmember Way stated that there are other important drainage sheds from the northeast because there are deep slope and sedimentation issues. She also mentioned that it is important for the City to work on this because it will come up on Phase III of the Aurora Avenue Project. She noted that Senator Cantwell lived on the Lake Ballinger Basin.

Mr. Olander summarized that the City staff will move forward and research adding Lyon Creek.

(a) City Council and Planning Commission Work Plan

Commissioner Kuboi took a second roll call of the Planning Commission and all Commissioners were present.

Steve Cohn, Senior Planner, introduced this item. He announced that there are five major items for discussion. There was a brief review of the overall work program of the Planning Commission. He discussed each item the Commission would be working on in 2008, including implementing the Housing Strategy, the moratorium regulations, the Environmentally Sustainable Community Strategy, and the Fircrest Master Plan.

Commissioner Kuboi stated that the Commission has a lot of work in front of them.

Councilmember Eggen thanked the Planning Commission for the work that they have done. He stated that the work plan is very full and there are some items that are missing. He asked if they are missing because they are too minor to include. He mentioned the low impact development standards and its requirements in certain areas. He also said there should be a requirement for recycling in multifamily housing, and some work on parking in North City depending on later discussions. He also said the Council discussed the Comprehensive Plan versus a development "vision" pertaining to where certain developments could be located, which would require a public hearing.

Councilmember Way said she is anxious to hear from the Planning Commission. She is concerned about noticing issues and would like to see impact fees addressed. She also said the subarea committee report should be communicated to the public by the Commission and it will be interesting to hear what the public says about that. She applauded the staff for including the design review and tree canopy impacts in the work plan. She is concerned about the quasi-judicial rezones going to the hearing examiner and wanted to discuss it.

Mr. Cohn affirmed for Councilmember McGlashan that the Southeast Subarea Plan doesn't include the Shoreline Community College Master Plan.

Mayor Ryu thanked the Planning Commission for their work and discussed the general status of the City to include transportation, economic development, the housing strategy, the sustainability strategy, and all of the work being done by the Commission and the City Staff. She added that she appreciated the Ridgcrest work and highlighted that public participation in the process was necessary. She felt there needs to be a "visioning" process done in the beginning where the problems are defined.

Mr. Olander stated that a majority of the low impact development standards will come from the Public Works department. However, the design review element can be discussed and be a part of what should be included in the design element. He noted that the big issue is the storm grading standards which the Council will review soon.

Mayor Ryu gave the floor to Commissioner Kuboi.

Commissioner Piro said he is very interested in this visioning process and there are several tie-ins when the design element is discussed. He said it will be a time to discuss visual impacts and what is going on with new development. He added that the subarea discussion will also be a good time to discuss this topic. He noted that the Growth Management Act mandates that the City do a complete Comprehensive Plan review by 2011 and he felt the City is really at a good time to begin the multi-year process.

Commissioner Pyle agreed with Councilmember Eggen's comments on things that can be added to the work plan. He said some of the things are included already such as sustainability and recycling. He said parking, noticing, and impact fees are a part of the Development Code and if there are noticing issues, the Development Code will need to be enhanced. He solicited

suggestions on impact fee. He felt the stormwater manual should not address low impact development standards because that belongs in the Development Code.

Chair Kuboi summarized that the Planning Commission wants to work on the visioning process and not remove anything from the work plan. He then yielded the meeting back to the Mayor.

Mayor Ryu called for public comment.

a) Bill Bear, Shoreline, commented that he didn't hear any response to the cumulative impact question he posed and wants developers to fix their mistakes. He said the code fails to determine or define cumulative impacts and how they are measured. He added that subarea plans should include resident comment and those comments shouldn't be ignored. Although he wasn't present for all the Ridgecrest discussions, he said he knows that the residents don't want a six-story building. He felt the citizens are being ignored and they know what is best for them, not the Council and the Commission. He is concerned about allowing a hearing examiner to decide what is best for the community.

b) Dennis Lee, Shoreline, said he is fighting the community business and residential business transitioning and he wants people to read the Comprehensive Plan to recruit citizens to get involved in the process. He noted that hundreds of people attended meetings concerning the Ridgecrest process and at the end of the process there were more people at the meetings from other neighborhoods. He felt citizens are being "snowed" on these issues and asked for a simpler staff report so residents can understand the issues. He asked that the Council and Planning Commission slow down.

c) Les Nelson, Shoreline, agreed with the previous speakers, noting that he is also confused by the definitions. He stated that the Comprehensive Plan doesn't discuss how the subareas relate and that they don't act individually. He suggested the subarea plans be defined in the Comprehensive Plan with an explanation on how to implement each of the plans so there is some coordination between them. He said this should be done in accordance with state law. He said the Growth Management Act is all about using a Comprehensive Plan and following it. He added that the SEPA schedule is missing from the work plan and all the comments should be in by April 18.

d) Gary Batch, Shoreline, said he wants to see some design coordination instead of the City being an orphan of King County. He felt the City needs to put together tasteful developments.

Commissioner Kaje stated that as a new Commissioner he has spent a lot of time looking at the Comprehensive Plan and the Code. He suggested that the Planning Commission look at the Comprehensive Plan first and understand what parts have not been implemented. He said this is a very important first step.

Commissioner Behrens commented that public input is critical and the more people that get involved, the better the ideas will be. He said Mr. Bear's comments were well taken and said there needs to be encouragement to the residents that their ideas and comments are important.

The subarea plans need to have a planned process, otherwise there will be a ton of collected information with no determination on what is important. He noted that the information needs to be accumulated and evaluated or this will fail. Commissioner Kuboi passed the gavel to Mayor Ryu.

Councilmember Way addressed Mr. Bear's comments on cumulative impacts and said that there is not a defined place in the Code for it. She added that there needs to be a starting point and measures need to be put into place so the impacts can be monitored and included with the permitting process. She asked for suggestions from the City staff on how this can be accomplished.

Commissioner Broili commented that cumulative impacts are real and the Planning Commission is looking at code development. He added that if they are successful in bringing forth code amendments, many of Mr. Bear's issues will be addressed.

Commission Piro added that he had a meeting with the Parks Board to discuss the sustainability strategy, which he said will be a great opportunity to address cumulative impacts.

Councilmember Eggen asked what the City does about cumulative impacts now.

Mr. Cohn communicated that the City staff did look at it with the Code that is in place right now and mitigations are assessed based on the current Comprehensive Plan. Nonetheless, the SEPA process is intact and it takes into consideration items which weren't analyzed prior to the Comprehensive Plan update.

Mr. Olander added that the discussion needs to be elevated to the net tree canopy per community instead of how many trees get cut. There also should be net carbon goals and water quality parameters, including increases or decreases in the City's water quality. He felt the right direction is being taken, but standards need to be set. He noted that building and development standards need to be addressed because this is a fairly dense community. If current communities aren't rehabilitated there will not be any long term positive affects on the Puget Sound. He noted that there are improvements to water quality, street lighting, and other improvements that will move the City toward rehabilitation.

Deputy Mayor Scott inquired if there was a public education program for homeowners to address stormwater drainage and green building issues.

Mr. Olander responded that the building codes are governed by the State Building Codes Council and the City doesn't have any authority to adopt them. However, if a number of cities were to urge the legislature to move toward adopting green building standards in the building codes there would be more education offered. However, the City does refer residents to King County classes on yard care, recycling, and other topics. He discussed neighborhood yard care groups, noting that the only way to accomplish this is to find inexpensive ways for the City and homeowners to work together.

Councilmember McGlashan asked about rain gardens. Mr. Olander discussed having rainwater drainage going into gardens or into lawns to save water and add filtration.

Commissioner Kuboi opened the next item on the Planning Commission work plan and said subarea plans are used to clarify, apply and implement existing Comprehensive Plan policies.

Vice Chair Hall stated that there is a lot of value in subarea plans. He added, however, that there are some larger citywide issues. He said parking, upper floor stepbacks or transitioning, traffic, greenspaces, and waterways could be issues that can be addressed in subarea plans.

Commissioner Piro agreed with Vice Chair Hall and noted that one of the speakers discussed the Growth Management Act and it does have provisions for subarea plans as long as they are consistent with the Comprehensive Plan. He added that it is specific and detailed at what happens in specific neighborhoods.

Commissioner Broili said the neighborhood councils do have individuals and well-defined neighborhoods. He suggested that there should be subarea plans for each of them. The neighborhood councils are not being used to their fullest value and they can be with this.

Councilmember Kuboi stated that it is important that the communities know what a subarea plan is and what it isn't. He noted that all four of the current plans are different and the citizens are confused. He also said there needs to be a discussion of what will be the result of the process and what this document will do.

Councilmember Way said the subarea plans should include the parks. She suggested that natural boundaries be considered, to include the roadways. She suggested that Ballinger should be a subarea.

Commissioner Broili warned that the subarea plans are mechanistic and there needs to be a systemic view so they end up being holistic, not microscopic.

Commissioner Behrens noted that there are five areas that you could possibly have one block looked at one way and the next block looked at another way. He stated the areas should be looked at as systems and interrelated. He suggested that there needs to be a consistent approach so that a problem isn't moved from one spot to the next.

Moving on, Commissioner Piro raised the issue of moving quasi-judicial items to the hearing examiner for a period of one year. He stated there was discussion by the Planning Commission and the determination was that the work plan is large. He stated that the Planning Commission is looking at where they could use help and their meetings have been longer and more frequent. He added that the number of quasi-judicial hearings is increasing, and having the hearing examiner decide them would be less of a burden. However, he pointed out that there still would be a public comment process and the larger items could come to the Planning Commission if necessary.

Mr. Cohn stated that the hearing examiner would be looking at the same criteria as the Planning Commission and would be based on the code. Secondly, the hearing examiner would make a

recommendation to the Council. In turn, he explained that the Council would then make the final decision to concur or remand the item back to the hearing examiner for reconsideration.

Mr. Olander explained that the current hearing examiner charges the City about \$2,000 per hearing.

Mr. Cohn confirmed for Council that the fees would be paid by the applicant.

Councilmember McGlashan favored the recommendation.

Councilmember Way stated that she is concerned about this item because the hearing examiner process is more formal and not user-friendly. She was concerned that there is a perception that hearing examiners are biased because they are being paid by the City. She passed out a proposal to reform the hearing examiner process.

Councilmember Eggen stated that he supported the proposal by Councilmember Way and that public comment was confusing when he had a hearing examiner hearing.

Councilmember McGlashan asked that this item be tabled until there is a determination whether Council supports it.

Commissioner Pyle explained the process that is used in his work with other cities, which is similar to Councilmember Way's proposal. He added that there is a professional who puts together a conclusion for the Council and the process goes well.

Commissioner Broili commented that when the Planning Commission handles these quasi-judicial records it is hard for him to separate proposals and the developments relating to them. He agreed with the legislation because it is only for a one year period and the Planning Commission will still be in the loop concerning the hearings.

Commissioner Kaje suggested that the Council give consideration to the financial implications because the code gives strict direction about the fees and this would costly to the residents.

Commissioner Kuboi asked from remarks from the staff on this and wanted to know what the transition would be.

Mr. Cohn explained that the Council would either accept the decision of the hearing examiner or remand the case back to the hearing examiner for further recommendation. He clarified that the Council couldn't modify a decision of the hearing examiner.

Deputy Mayor Scott asked if these would ever be heard by the Planning Commission again if this is approved.

Commissioner Hall responded that he doesn't know the long term answer, but he suggested that the Council determine who they would want to review the criteria. He added that this is a tough

question; however, if this route is taken they would review the decisions and see if the process is working.

Councilmember Way read from the staff report and asked why there are more quasi-judicial rezones coming up.

Mr. Cohn explained they are coming forth because of economics and the generality of the City's Comprehensive Plan.

Mr. Olander noted that the Comprehensive Plan has general land use regulations that cover broad areas and there is a high density of residential property in Shoreline. Additionally, he noted that the Comprehensive Plan allows rezoning to R-12, R-24, and R-48 based on economics. In the future, he said wide area rezones will address these individual quasi judicial hearings. In more general terms, he said the current zoning doesn't match what the Comprehensive Plan allows.

Councilmember McConnell supported the recommendation by the Planning Commission. She noted that if there are issues in the future with the hearing examiner handling quasi-judicial cases, then the Planning Commission should resume handling them. She opposed Councilmember Way's proposal.

Mr. Olander stated that since there are new Planning Commissioners he isn't sure whether or not they should reevaluate this item. He communicated that the City already has backup hearing examiners. He added that you may not have a large pool because it is critical that the hearing examiner knows the City Code.

Councilmember Way stated that hearing examiners are highly trained and if cases go to superior court there are pro tem judges that hear them. She felt her proposal would increase public confidence and would provide an additional step for the public to have their hearings heard. She thought there should be something in the code stating that one City staff member deals directly with the hearing examiner.

Assistant City Attorney Collins stated that all communications to the hearing examiner from the City Attorney, the appellant and the applicant are coordinated directly through the Deputy City Clerk.

Deputy Mayor Scott discussed the development review process and that there should be a design review committee to address issues in the community.

Commissioner Pyle commented that design review has been missing from the code for a long time and needs to be taken seriously. He said property rights should be taken into consideration. He supported Deputy Mayor Scott's recommendation.

Commissioner Broili echoed Commissioner Pyle's comments and said this is something that the City has needed for a while. He suggested taking a hard look at it.

Commissioner Piro thought both Commissioners are on track and this needs to be considered with the influx of population and redevelopment. He stated that a design review committee is much needed to ensure character is preserved.

Mr. Olander felt this would be a very good move and that a design review committee is only as good as the design review code. He added that it would be an outlet for residents to voice their concerns and that people sometimes accept density if they know what it will look like. He noted that there are several questions that will need to be addressed about this committee and suggested starting with a subcommittee of the Planning Commission, Council, and City staff to determine what is going on in the region then have the ideas brought back to the full Council and Planning Commission.

Councilmember Way said she favored design review with either the commission or director with standards. She added that design also includes interrelationships (pedestrians, traffic, landscaping, soils, stormwater, etc) and connectivity to environmental effectiveness and priorities which may lead into cumulative impacts. She suggested that this be an environmental design and review commission. She noted that Lake Forest Park has an environmental design commission.

Councilmember Eggen supported the proposal as long as there are clear standards to be implemented by this commission. He added that there are several aspects to design, and he doesn't think that too much can be taken on. He added that it also has the potential to grow into something purely subjective.

Commissioner Kuboi said this seems to be a solution, but urged looking for examples where things went wrong and how a design review process would fix the problems.

Mr. Cohn introduced that next item on the staff report.

Mr. Olander commented that sometimes the Planning Commission insight is missing in the recommendations to them. He questioned how the information that the Planning Commission presents to the Council could be more developed or improved. He suggested perhaps more meetings between the Planning Commission and Council.

Deputy Mayor Scott thanked Mr. Olander and noted that the Planning Commission does diligent work. He noted that all of the work done by the Planning Commission is missed by the community when it comes to the Council. He said it is integral for the Council to see how the Planning Commission comes to a conclusion based on the work they have done.

Councilmember Way suggested televising the Planning Commission meetings which would allow the public to view what is happening. She noted that the speaker series is viewed on the television. She felt it is beneficial and asked if the video recording staff can fit the Planning Commission meetings into their schedules and what the cost may be. She said it would be helpful if the Council could hear or view the Planning Commission meetings in totality.

Commissioner Wagner noted that the Planning Commission spent a lot of time reviewing its own goals. She added that they discussed utilizing *Currents* to notice upcoming events. She said the Planning Commission would love to be on television, but it is costly. She said she has tried to build the record for the Council when it comes to their meetings and has asked the City staff rhetorical questions for the Council's benefit and to have City staff provide a framework for issues heard at their meetings. She added that as records are being compiled, the Council should have City staff explain the issue and frame it as how the Planning Commission came to the conclusions that they came to.

Councilmember McGlashan noted that the Planning Commission meetings are already recorded and wanted to know if the City staff has considered putting them on television or doing "podcasting."

Mr. Olander stated that the staff will look into recording the Planning Commission meetings.

Commissioner Piro urged the Commissioners to feel free to discuss deliberations with the Council and staff.

Mayor Ryu called for public comment.

a) LaNita Wacker, Shoreline, supported the suggestion of moving quasi-judicial hearings to the hearing examiner. She said the hearing examiner acts as a judge. Based on the codes the hearing examiner gathers the record and generates a conclusion. She is concerned about a city with uniformity and conformity, and supported individuality. She opposed the design review commission. She communicated that houses are different and people in them are different.

b) Tom Poitras, Shoreline, said there is a problem between the Council, Planning Commission and the City staff. He said the Ridgecrest area development still needs a lot of work, especially with the parking issues. He said there was a communication in the Planning Commission meetings that people were being taken seriously, but they weren't. He noted that when this issue went to the Council some of them took the issue seriously and the issues were solved. **(The Council meeting was interrupted by a fire alarm. At 9:55 p.m., Mr. Poitras continued his comments).** Mr. Poitras felt that the opinions expressed during the Planning Commission and Council meetings concerning Ridgecrest aren't representative of the community.

c) Les Nelson, Shoreline, commented that the design review committee sounds like a good idea and it would be good to have them review the transition proposal to see if they are matching what the community wants. He noted that the City will be taking a guess at this as they search for what will replace the moratorium and maybe certain aspects can be implemented and tested. He suggested having some beginning guidelines.

MEETING EXTENSION

At 10:00 p.m. Councilmember Way moved to extend the meeting to 10:30 p.m. Councilmember McGlashan seconded the motion, which carried 6-0.

(c) Southeast Neighborhoods Subarea Charter

Mr. Cohn stated that the 2005 Comprehensive Plan update designated parts of the Briarcrest and Ridgecrest neighborhoods as special study areas, which means there is no long range plan concerning them. He discussed the proposed Comprehensive Plan map and noted that there would be policy recommendations and Development Code amendments specific to this subarea. He noted that the subarea plan process has been used in many cities and the community advisory committee process works as noticed in the City's housing committee. He added that it is a way to build leadership on the ground as they get a taste for City planning. He added that the advisory committee process is beneficial to the community. He noted that he and Miranda Redinger have been discussing the plan within the community and had a community meeting on March 19 taking in about 45 applications for the committee. He added that staff has been asked to hold a second meeting, and a consultant was retained to facilitate the next meeting. He noted that the advisory committee process would begin in September because it is difficult to hold the meetings in the summer. He commented that the members of the community should be representative of the stakeholders in the area and be diverse. He urged holding the size of the committee to 12 - 14 members. He said the housing advisory committee consisted of 16 members, and that was a bit large. He communicated that the citizen advisory committee would have its recommendation to the Council in May.

Ms. Redinger commented that the charter is similar to the housing committee and reviewed it with the Council.

Mayor Ryu called for public comment.

a) Betty Lynn Brown, Shoreline, commented that she lives north of the subarea. She said she has been working on the Briarcrest newsletter for the neighbors so they would have a voice. She wanted the neighbors to be participants in what is going on in the area. She said that the PowerPoint presentation done by Steve Cohn is good, but the terms need to be familiar to everyone, and the word "charter" is unfamiliar to her. She said the next meeting will have more people who will be affected in it. She submitted a document to the Council concerning public involvement.

b) Dennis Lee, Shoreline, said he has tried to talk to the City Manager and the Planning Director and it took several phone calls to speak to them. He noted that he was told dates have been revised and asked for a spirit of trust and cooperation from the City. He said he is trustworthy and wants the City staff to note his value because he wants the City staff to excel. He said the City doesn't know how to recruit a community to get involved and is concerned that the committee should be different and run as it is in the charter, but all of the members should reside in the community. People need to work together and said he can't turn in an outline by tomorrow.

Mr. Cohn stated that there is no deadline yet concerning when the information can be submitted to the City. He said the City staff needs to work with the community to determine what the meeting should be about. He commented that there were 55 people at the last meeting and he wants the second meeting to be a success.

Councilmember Way thanked the Briarcrest neighborhood for the newsletter. She appreciated that the City staff has been trying to work with the community. She said she couldn't make it to the first meeting because there were three others she attended. She commented that she doesn't understand how the lines were drawn on the map because there is a boundary on the west side that isn't even a street and goes through a wetland. She commented that the people on the west side of the neighborhood didn't receive notice. She concluded that she has reservations about the boundaries and wanted to know how they can be fixed.

Mr. Cohn stated that they were focused on Comprehensive Plan areas that don't have a long range vision and the boundaries were squared and can be moved. However, to push it to the east doesn't make sense because everything is happening on the west side.

Mr. Olander noted that this was started in an area that was designated as a future special study area. He said it could be expanded, but the focus of the impact gets lost. Additionally, the areas to the east are high priority and those to the west could be expanded, but not too far.

Councilmember Way noted that the SEPAC process resulted in improper zoning next to the park and it needs to have special consideration so people by 8th Avenue and the skate park should be included.

Mayor Ryu summarized that the staff is asking for direction and said the staff is quite capable of working with the neighbors.

MEETING EXTENSION

At 10:30 pm. Councilmember Eggen moved to extend the meeting until 10:40 p.m. Deputy Mayor Ryu seconded the motion, which carried 6-0.

Mr. Olander asked for direction on the boundaries and suggested extending the boundary to 8th Avenue.

Councilmember McGlashan suggested shrinking the boundary to 11th Avenue and creating a special study area between 11th and 8th Avenue to 155th and 145th separately to include the skate park, Paramount Park, and Paramount Open Space as opposed to extending it.

Mr. Olander responded that the park land use that that of the skate park are always going to be open space public areas.

Councilmember Eggen was concerned about keeping unity in the area. He stated that there is a unity between 11th and 15th Avenues and that the homes were built about the same timeframe.

He noted that the neighbors are worried that their zoning is going to be changed and that he is neutral on this item.

Deputy Mayor Scott suggested making the study area smaller and involving more stakeholders. He added that given the testimony there is some angst, but he wanted the neighbors and the City staff to work together.

Mr. Olander suggested expanding the boundary to 8th Avenue and notifying the neighbors. He added that the focus would be to deal with land use areas.

Mayor Ryu supported the process and said it is better to get as many members so they feel included in the process. She supported the City staff and the residents.

Councilmember Eggen noted that discussion on diversity is usually about gender and age. He felt economic status should be identified as a part of diversity.

Mr. Olander summarized that there is general direction to move the boundary to 8th and have up to 16 members. He added that the City staff will hold the second meeting and work with the residents and send out the appropriate notices. He felt the Briarcrest and Ridgecrest neighborhood associations have great mailing lists and contacts that the City can utilize. He commented that the City staff will negotiate a reasonable timeline and the process will begin.

7. ADJOURNMENT

At 10:40 p.m., Mayor Ryu declared the meeting adjourned.

Ronald Moore, CMC
Deputy City Clerk

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, April 14, 2008 - 7:30 PM
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way

ABSENT: None

1. CALL TO ORDER

At 7:34 p.m., the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Councilmember Hansen.

(a) Proclamation of Earth Day

Mayor Ryu read the proclamation declaring April 22, 2008 as Earth Day in Shoreline.

Anina Sill, Managing Librarian of the Richmond Beach Library, and Miriam Driss, Community Liaison of the Shoreline Library, accepted the proclamation and thanked the City for the recognition. They also shared a poem about the recycling program. Ms. Driss noted the month of May and June will feature ways to live more sustainably.

Mayor Ryu recognized State Representative Maralyn Chase in the audience.

3. CITY MANAGER'S REPORT

(a) Legislative Report by Senator Darlene Fairley

Bob Olander, City Manager, noted that Senator Darlene Fairley, Representative Maralyn Chase, and Representative Ruth Kagi provided a legislative report at the dinner meeting; however, Senator Fairley would not be providing a report this evening. He then provided reports and updates on various City projects, events, and meetings. He announced that the Washington State Transportation Improvement Board recognized the Aurora Corridor Project and Bridge in their

2007 Annual Report. He also announced that the City has received the Distinguished Budget Presentation Award from the Government Finance Office Association. He thanked City staff Steve Oleson and Susana Villamarin for their work.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember Eggen reported on his attendance at three meetings this week: 1) a WRIA-8 presentation on attempts to aid Lake Washington homeowners make their shores more salmon-friendly; 2) Suburban Cities Association overview on housing and homelessness and disaster preparedness; and 3) Municipal Solid Waste Committee meeting regarding construction waste.

5. GENERAL PUBLIC COMMENT

a) LaNita Wacker, Shoreline, invited everyone to the dress rehearsal of the Seattle Shores Chorus at the Filipino-American Christian Church, 14800 1st Avenue NE, on April 18th at 6:30 p.m.

b) Warren Johnson, Shoreline, invited everyone to attend an interactive community meeting on April 16th at 7:00 p.m. at the Shimer Auditorium on the Crista Ministries campus regarding building community cooperation. He stated that Representative Ruth Kagi and King County Councilmember Bob Ferguson will speak.

c) Les Nelson, Shoreline, wanted to know when public hearings are required. He felt they should be advertised more so people can participate. He highlighted that there will be Code amendments discussed on April 21 to include the 2008 Comprehensive Plan amendments. He also noted that the SEPA review period ends on April 18.

d) Dwight Gibb, Shoreline, discussed Ordinance No. 478. He advocated for thinking in terms of systems instead of parts. He said the Aurora Corridor should be considered comprehensively as a system. He said Ordinance No. 478 changes the definition of community business density and affects one part of the corridor. He said Aurora Avenue could be seen as the center of the community.

Councilmember Hansen arrived at 7:55 p.m.

e) Rich Gustafson, Shoreline, commented that he and Dale Wright co-chair the organization known as Pro Shoreline, which is a non-partisan group that advocates for the overall community. He said the mission of the organization is to help residents achieve and maintain their vision for the City. He noted that one of the organization's main goals is to ensure the City of Shoreline maintains a strong city manager form of government. He felt that Councilmembers must understand their role as policymakers, and that the City Manager implements their policies.

Mr. Olander informed the Council and the public that sometimes public hearings are optional, which is the case for this meeting.

6. APPROVAL OF THE AGENDA

Councilmember Hansen moved approval of the agenda. Councilmember McGlashan seconded the motion, which carried 7-0 and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Eggen moved approval of the Consent Calendar. Councilmember Hansen seconded the motion, which carried 7-0 and the following Consent items were approved:

(a) Minutes of Business Meeting of March 3, 2008

(b) Approval of expenses and payroll as of March 31, 2008 in the amount of \$1,071,000.86 as specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
		23119-			
2/24/08-3/8/08	3/14/2008	23310	7416-7454	35801-35809	\$391,180.00
					<u>\$391,180.00</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
3/12/2008	35673	35694	\$33,601.84
3/12/2008	35695	35700	\$73,815.90
3/13/2008	35701		\$1,689.22
3/13/2008	35019		(\$618.98)
3/13/2008	35702		\$13,475.14
3/13/2008	35703	35729	\$53,080.67
3/14/2008	35730	35738	\$34,525.75
3/17/2008	35739	35754	\$30,901.25
3/17/2008	31312		(\$4,000.00)
3/17/2008	35755		\$4,000.00
3/18/2008	35756		\$5,264.50
3/18/2008	35757	35778	\$80,540.45
3/20/2008	35779	35800	\$77,709.44
3/24/2008	35810	35824	\$61,433.52
3/26/2008	35825	35856	\$115,076.74
3/26/2008	35857	35874	\$69,102.61
3/27/2008	35875		\$2,908.30
3/31/2008	35876	35878	\$26,684.51
3/31/2008	35879		\$630.00
			<u>\$679,820.86</u>

(c) Ordinance No. 498 Amending the 2008 Budget for Uncompleted 2007 Capital And Operating Projects and Increasing Appropriations in the 2008 Budget

(d) Authorizing the City Manager to execute a contract with All Phase Communications, Inc. for the acquisition and installation of a new telephone system

(e) Authorizing the City Manager to award the Professional Service Contract with Vanir Construction Management, Inc. for Construction Management and Inspection Services

8. ACTION ITEM: PUBLIC HEARING

(a) Public Hearing to receive Citizens' comments on the proposed Shoreline Sustainability Strategy

Juniper Nammi, Associate Planner, joined by Rachael Markle, Assistant Planning and Development Services Director, presented the draft Sustainability Strategy. Ms. Nammi discussed the definition of environmental sustainability and what might be involved in following environmentally sustainable strategies. Ms. Nammi outlined the Strategy development process and the outcomes of the various meetings and discussions. She pointed out that the Strategy is a tool, or intermediate step in achieving overall change in the City. She stated that there are 50 specific recommendations in the Strategy with 10 key program strategies. She highlighted that implementation has already started through existing programs. She then read the 14 out of 50 recommendations that have been identified as priorities. She said the scheduled date for adoption of the Strategy by the Council is June 9, 2008.

Mayor Ryu opened the public hearing.

a) Steve Plush, member of the Lake Forest Park Stewardship Foundation, noted that he served on the Planning Commission and the City Council in Lake Forest Park in 2007. He applauded the City for incorporating many of the themes from the Sustainability Conference held last year. He discussed action step #7 and said it should be more focused and direct regarding storm water in this area. He added that there should be language in action step #8 concerning the protection of streams, salmon habitat, and wetlands as they relate to water quality improvement. Referring to action step #10, he said enhancing the urban forest is a good way to reduce the carbon footprint. He discussed tree protection and the impact of tree-cutting. He congratulated the City and hoped Lake Forest Park can adopt something similar.

b) Les Nelson, Shoreline, suggested implementing sustainability strategies in upcoming projects, especially in the transition between single family homes and development. He asked if it would be a part of the design review process. He concluded that he was encouraged to hear the City Manager discuss increasing the tree canopy in the City.

c) Dennis Lee, Shoreline, discussed sustainable development practices and said that trying to increase density without a plan is not sustainable. He said the Comprehensive Plan is very clear about the various impacts of increasing density. Now, he felt the City is trying to

change the agreement on a lot-by-lot basis without a plan. He stated that all of these land use items are connected. He said the City staff is trying to figure out a long term sustainability process and has to think "outside the box" to do it.

d) Larry Owens, Shoreline, complimented the Council and City staff for their wisdom and foresight in addressing sustainability and involving the public. He said this City has made great progress, and every day there is evidence of environmental and economic impacts. He suggested that the City Hall design include solar energy from the beginning in order to reduce annual operating costs. He concluded by announcing that the 5th Annual Shoreline Solar Fair will be held at Meridian Park Elementary School on July 18-19.

e) David Bowen, Shoreline, said these are great goals and a great plan, but the end result will be determined by how you implement it. He discussed energy and carbon impacts and wanted the City to attempt cottage housing again and have the design review work on it. He said the City should follow the lead of the City of Portland and provide incentives to developers.

Mr. Olander said the City staff is still accepting written comments and phone calls up until adoption of the Strategy in June.

There was Council consensus to leave the public hearing open for new testimony on this item until May 5, 2008.

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

(a) Ordinance No. 497, rezoning the property located at 17562 12th Avenue NE from R-12 to R-24

David Levitan, Associate Planner, joined by Rachael Markle, Assistant PDS Director, presented Ordinance No. 497, which rezones one property from R-12 to R-24. He described the property and surrounding zones, the Planning Commission recommendation, how the proposal meets the zoning criteria, and how the proposal is consistent with the high density Comprehensive Plan zone designation.

Councilmember Hansen moved adoption of Ordinance No. 497. Deputy Mayor Scott seconded the motion.

Councilmember Eggen noted that the City is increasing the amount of impervious surface from 75% to 85% with this rezone. He asked if there was any information on the soils or infiltration issues.

Mr. Levitan commented that a soils report wasn't prepared and the level and quality of development will be higher, but there are no set numbers concerning how the 10% increase will impact the area.

Mr. Olander added that a soils report doesn't happen at the rezone stage, but in the site development permit process. He noted that the development review engineer will analyze the

proposal for consistency with the code. Ms. Markle submitted that the process always starts with the question "does the property have adequate storm water detention?"

Mayor Ryu clarified that the rezoning comes to the Council, but the development review doesn't. She stated that maybe there needs to be some low impact development (LID) standards put in place at some point. Mr. Olander concurred and stated that updates are needed and are yet to come.

Councilmember Way stated that there is a letter and comments from neighbors that say there is flooding on the street because a storm drain was plugged up. She asked if drainage was discussed at the Planning Commission level. Mr. Levitan responded that it was factored into some of the discussion. He said the developer will have to meet Development Code standards, including those pertaining to frontage and drainage improvements. Mr. Levitan confirmed for Councilmember Way that the City would know what standards would apply when the property is vested.

Councilmember Eggen said he is curious about what might happen under the current Code. He inquired if there are standards in place for recycling in multi-family structures. Mr. Levitan responded that there are certain parts of the Code which deal with storage areas and recycling for multi-family residential.

Councilmember Eggen noted that the rezone is requiring two-car garages and asked if there are also standards for allowing reasonable-sized vehicles. Mr. Levitan responded that the City's standards seem to be stricter than the City of Seattle regarding 20-foot driveways, etc. He noted that there should be plenty of room for emergency vehicles, so reasonable-sized vehicles should also fit.

Councilmember Way asked if there is a possibility for a design review when this project comes forward. Ms. Markle noted that the City does have multi-family design standards and it is an administrative review process.

Councilmember Way discussed the parking management plan mentioned by Steve Cohn on page 86 and asked what the likelihood was of doing one for this project. Mr. Olander felt a parking management plan is not necessary for this size of project, but there are special cases when reductions from the standards occur that need such a plan.

Councilmember Way responded that this project is in same zone as the North City Business District (NCBD) and residents feel impacted by the development there. She said she doesn't want to set a precedent of imposing a parking plan on a small development when it is the larger business district that is having a problem. Mr. Olander responded that if it looks like North City is having significant parking problems, then the City will consider it.

Mayor Ryu wondered what the impact of increasing density would be. She wanted to know where residents would go for entertainment without using a car. Mr. Levitan noted that just south of the subject location is the YMCA and Tracy Owen park. He said there are plans to redevelop the YMCA, but he is not sure if the park will remain.

Mayor Ryu noted that if the park is eliminated, the nearest alternatives would be in the vicinity of 15th Avenue NE. She wondered if there would be a "third place" within walking distance. Ms. Markle highlighted that the Hotwire Café, the Shoreline Library, and Hamlin Park are in proximity to this property.

Councilmember Hansen expressed support for the Ordinance. He was concerned, however, that this creates an R-24 zone adjacent to an R-6 zone which backs up to the NCBD. He said that is the area where the City should be putting in higher density, so perhaps the whole area should be considered for a zoning change instead of just one site. Mr. Levitan responded that the applicant initiated this action, but City can initiate a rezone for a larger portion too.

Regarding alternatives to driving, Councilmember Way asked if there was any connectivity across the block to 15th through Tracy Owen Park. Mr. Levitan responded that there weren't because the area slopes downward and crosses private property.

Councilmember Way inquired if there was a Comprehensive Plan element. She said the City should provide connectivity and perhaps the City can work with the private owner of the park.

Councilmember McConnell stated that there is no access and there would need to be an easement. Additionally, the current applicant has already encouraged making the units smaller and thereby more affordable.

Councilmember McGlashan commented that all those other properties are high density in the Comprehensive Plan.

Mr. Olander communicated that the City can do area-wide rezones, but they have been very controversial in the past. He said a City-initiated rezone to bring the zoning closer to the Comprehensive Plan is generally good, but time-consuming.

Mayor Ryu supported the Ordinance because it is next to the NCBD and it is serving as sort of a transition zone. She said she is glad the City staff will be looking at parking access and design standards.

A vote was taken on the motion to adopt Ordinance No. 497, rezoning the property located at 17562 12th Avenue NE from R-12 to R-24, which carried 7-0.

RECESS

At 9:08 p.m. Mayor Ryu called for a five minute recess. Mayor Ryu reconvened the meeting at 9:15 p.m.

(b) Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532 and 16538 Linden Avenue North from R-8 to R-24, File No. 201699

Steve Szafran, Planner, joined by Rachael Markle, Assistant PDS Director, outlined the proposal to change the zoning of five contiguous parcels from R-8 to R-24. He noted that the Comprehensive Plan designation surrounding the area is Mixed Use (MU) and he displayed pictures of the neighboring residences. He explained how the proposal meets zoning criteria and that the Planning Commission recommended R-24 instead of R-48 because of potential traffic impacts and density considerations.

Councilmember Hansen moved adoption of Ordinance No. 499. Deputy Mayor Scott seconded the motion.

Councilmember Hansen thought it would be good to have higher density at this location. He said there is access to the playfield and agreed with the Planning Commission recommendation to lower the zoning to R-24 because there is R-6 next to it.

Mayor Ryu inquired if she needed to recuse herself because she is familiar with one of the applicants. Mr. Sievers said it is not necessary because she didn't have a close social relationship that would disqualify her under the Appearance of Fairness Act.

Councilmember Way suggested changing the zoning to R-24 but keeping it designated as MU. She noted that page 98 highlights Comprehensive Plan land use designations and MU encourages pedestrian-oriented places with a wide variety of retail/service/residential uses. She asked how zoning it R-24 with no office or business usage complies with the Comprehensive Plan designation.

Mr. Szafran responded that MU can be looked at providing no guidance at all, because it allows anything. He felt multi-family housing with a modest increase in density would provide a better transition area. Ms. Markle added that the City gets a mix of uses with a proposal like this and the Comprehensive Plan doesn't say that there has to be a mix of uses. Mr. Olander noted that it actually says R-24 and R-48 are allowed within the MU zone.

Councilmember Way discussed the drainage issue, which was noted on page 102. She wanted to know what the City is doing regarding this. Mr. Szafran explained that the Surface Water department will be making drainage improvements in the area. He said that within a year there will be a pipe installed on the east side of the subject properties.

Councilmember Hansen discussed the recusal rules and suggested that Council review them. He felt the Mayor, from what she explained, has no issues regarding appearance of fairness and this application. He noted that if they did they would be required to leave table. Mr. Sievers responded that he is correct. Councilmember Ryu asked if any Councilmembers had any ex-parte communications, to which no one responded affirmatively.

Mayor Ryu referred to page 89 and clarified that there were four options open to the Council. Mr. Olander added that the Council can consider decreasing the density proposal.

Councilmember Way inquired about Transportation Goals on page 101. She again stated that a letter from a neighbor expressed concerns about traffic and parking and page 111 of the report

states that 25 new afternoon and evening trips will be generated which is an 11% increase. However, the report said that no significant impacts would result due to the proposed change in the zoning. She asked how the traffic can increase without any impacts.

Mr. Olander advised against looking at percentage increases because residential streets can handle thousands of cars and the overall capacity of minor residential street is significantly higher. He said it is impossible to have higher densities without some traffic impacts. However, this area has good access to major arterials so traffic will not likely be a problem.

Councilmember Way wanted to know the impacts on the park. Mr. Szafran noted that this applicant is required to provide sidewalks on the frontage.

Councilmember Way expressed concern about potential criminal activity and the safety of pedestrians and kids in the park. She asked if there was any way to mitigate the proposal to provide sidewalks on the other side of street. Mr. Olander responded that there is a limited amount of funding for sidewalks. They are prioritized by schools, parks, and for completed sections of sidewalks that are intermittent.

Councilmember Way stated that a parking management plan would be good thing for this area.

Councilmember Eggen noted that people push the parking out into the street in his neighborhood on 12th Avenue NE. He commented that sidewalks should be constructed right up to the property lines.

Councilmember McGlashan questioned if having permitted parking was introduced for 165th Street to 173rd Street because the area one block south of the school is heavily impacted. Mr. Szafran responded that he wasn't aware of any parking permit proposals.

Mayor Ryu commented that Commissioners Kuboi and Hall wanted to rezone this to R-48. She noted that on page 120 a resident stated that if the City rezones it to R-48, he could build underground parking. Mr. Szafran stated the City doesn't have any plans to rezone the area.

Councilmember Way opposed the Ordinance because of traffic issues and pedestrian safety.

A vote was taken on the motion to adopt Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue N. from R-8 to R-24, which carried 6-1, with Councilmember Way dissenting.

(c) Ordinance No. 478, Amendments to the Development Code, Section 20.50.020; Residential Density in CB zones, affecting properties located in the Town Center Study Area and along Ballinger Way

Steve Szafran, joined by Steven Cohn, provided background on the proposal to amend the Municipal Code to change the densities and dimensions for residential development in non-residential zones. He stated that the Planning Commission recommendation imposed four conditions on the Code changes.

Mayor Ryu called for public comment.

a) Michelle Cable, Seattle, stated that the amendment provides the opportunity to develop affordable housing in both corridors. She said it implements the Comprehensive Plan, Council Goals, and the Housing Strategy recommendations. She read the Housing Strategy goals. She said the City of Shoreline must take steps to increase densities in places where it can reasonably handle it.

Councilmember Way asked Ms. Cable if she supported the amendment concerning ground floor commercial occupancy. Ms. Cable responded that she did not because it precludes affordable housing and makes the property difficult to sell to a tenant.

b) Les Nelson, Shoreline, said this is a backwards process. He said this is removing the cap in Community Business (CB) standards, which is a substantial change. He said the community understands that CB has an R-48 density cap. He said the City should rezone to a zone identified in the Comprehensive Plan and the SEPA documents. He felt the process is flawed in the Planning Commission because there was no discussion about what was included in Ballinger.

c) Dennis Lee, Shoreline, commented that a "spot rezone" is a quasi-judicial action, which is what this amounts to. He discussed traffic impacts and the 2005 Comprehensive Plan. He said as you spot rezone and change Comprehensive Plan, you trigger a complete study of the traffic and the environmental impact statement. He asked if there was any plan to decide where the threshold is in the future.

d) Jim Abbott, Shoreline, commented that this ordinance has been before the Planning Commission on five different occasions, before the Council three times, and has had a unanimous Planning Commission vote. He said it has been thoroughly examined and there are some additional criteria on page 128 which he supported. He said what's happening here with CB is not changing zoning or heights, setbacks, or parking requirements because this property is not in a single-family neighborhood. The property is close to the Aurora Corridor and business services. He said it addresses zoning that allows a certain bulk and height and only pertains to how many units can be included within the "box." He said the area would be allowed to have smaller units, which would provide affordable housing. He ended by reading a letter from Ironwood Investments.

Mr. Abbott responded to Deputy Mayor Scott and stated he supported MU and to Councilmember Way stating he supported commercial ground floor use.

e) Stan Terry, Shoreline, felt this is one of the most sensible changes to the Development Code that provides an opportunity for more affordable housing. He added that it has a minimal impact on single family neighborhoods, will lead to more people utilizing public transit, and helps "get people out of cars."

Councilmember Hansen moved adoption of Ordinance No. 478. Deputy Mayor Scott seconded the motion.

Councilmember McGlashan pointed out a correction on page 147 in that no application to rezone to Residential Business (RB) ever came from the James Alan Salon.

Deputy Mayor Scott asked Mr. Olander to address the issue of how these gradual impacts will impact the visioning of the Comprehensive Plan.

Mr. Olander clarified that they will have cumulative impacts on traffic. However, when the Comprehensive Plan is done they look at the maximum potential for growth. He explained that the City's 20-year plan gets implemented through the six-year Capital Improvement Program (CIP) and there are set points where the City is required to update the transportation plan and the land use plan. At that point the Council, he concluded, has the option to determine what they want to see in the plans.

Councilmember McGlashan moved to amend the Planning Commission recommended exemption to Table 20.50.020(2) as follows: "Properties shall include ground floor commercial uses and/or affordable housing." Deputy Mayor Scott seconded the motion. Councilmember McGlashan said there are people who feel there is not much need for retail; therefore, he felt there should be a way to make housing more affordable.

Councilmember Eggen moved to further amend the language by inserting the following: "For this purpose, affordable housing is defined as 20% of the available units reserved for residents meeting 80% of the average median income (AMI)." Mayor Ryu seconded the motion.

Mr. Olander supported the Planning Commission recommendation. He advised against the amendment because the City needs to protect commercial spaces on the City's busiest corridors.

Mayor Ryu opposed the initial amendment. She stated that most of the CB zones are within two blocks of Aurora Avenue and are already at R-48. She did not agree that there should be residential property only when they have the capacity for commercial and retail.

Councilmember Eggen explained that the purpose of the motion was that if the amendment were to pass he would like it to be substantial. He felt it would be premature to give up on commercial in these areas, but if a commercial lease is not obtained, the usage should be worth it.

Councilmember Way felt this legislation was premature and she was uncomfortable voting on it.

Councilmember Way moved to table this item to the May 12 City Council meeting. Deputy Mayor Scott seconded the motion, which carried 4-2, with Councilmembers Hansen and McConnell dissenting and Councilmember McGlashan abstaining.

10. ADJOURNMENT

Scott Passey, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, April 21, 2008 - 6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

ABSENT: None.

1. CALL TO ORDER

At 6:30 p.m., the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Councilmember Hansen, who was expected to arrive later.

(a) Proclamation of Volunteer Appreciation Week

Mayor Ryu read the proclamation declaring the week of April 26 - May 3, 2008 as Volunteer Appreciation Week in the City of Shoreline. Taylor Hartman, a volunteer with the City's Specialized Recreation Program, accepted the proclamation on behalf of City volunteers and thanked the Council for this recognition.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

(a) Presentation by Representative Ruth Kagi

Representative Kagi provided an update of the past legislative session. She said the forecast for the state budget was that it would be down \$422 million. However, at the end there was a reserve of \$850 million. She noted that Governor Gregoire vetoed an additional \$15 million. She noted that \$190M was spent in required expenditures for caseloads, prison, and K-12 education. Additionally, \$300 million was appropriated for the supplemental budget. The biggest portion went to K-12 which funded cost of living adjustments (COLA) for teachers and .5% to make up the COLA that wasn't funded when the budget was in deficit. She summarized that the total increase for teachers was 4.9%. The Basic Education Funding Taskforce will address the funding formulas next session, she said. She discussed education and said the state will have end-of-course assessments for math in the future, instead of the math WASL. She noted that full funding

was retained for full-day kindergarten. Regarding healthcare, there was a health insurance partnership created with small businesses so they can provide affordable healthcare. The insurance commissioner was given the authority to approve rate increases for health insurance. Additionally, she said there will be incentives offered for those that enter the primary care system and a bill was passed to create standards for health counselors. She stated that the state is putting \$7 million into augmenting caseworkers for the foster care system and adding a new category of specialized foster care for high needs children.

Continuing, Representative Kagi said she also sponsored the urban forestry bill which was supported by Councilmember Way which provides funding to the Department of Community, Trade, and Economic Development to develop model ordinances on urban forests and for the Department of Natural Resources to develop an assessment. She also sponsored a bill on family court, and if the court chooses to apply it they must commit to a two-year period so there is consistent coverage. She concluded that it was a very successful legislative session and there was \$2.3 million in the capital budget allocated for the repair of the St. Edwards Seminary. There was also \$270,000 allocated for the Fircrest master planning and funding for a community assessment for the public health laboratory. Finally, she said the idea of tolling on State Route 520 was introduced, but a plan that assesses impacts to the jurisdictions and other roadways must come before the legislature first.

Councilmember Hansen arrived at 6:44 p.m.

Councilmember McGlashan asked if the legislature would have to approve any plan for dual tolling on State Route 520 and Interstate 90. Representative Kagi replied affirmatively, adding that the legislature would have to approve any tolling before it is imposed.

Councilmember Hansen commented that people are very pleased with the Tacoma Narrows Bridge and the toll system. He suggested the same thing happen on State Route 520. Representative Kagi said it has clearly had an impact on congestion; however, she felt the situation with the Tacoma Narrows Bridge is different because going around it takes a lot more time. She said the bridge makes this route a lot shorter.

Councilmember Eggen said he is interested in the school funding formula. He asked if the idea is to have a simplified formula. He also wanted to know if there is going to be the opportunity to do levies. Representative Kagi replied that she is sure levies will continue to be available for local school districts. Councilmember Eggen urged her support to ensure there is enough funding for inner city schools. Representative Kagi said there needs to be an adequacy of financing because right now the state isn't putting adequate funding into K-12.

Councilmember Way said she enjoyed working with Representative Kagi on the Evergreen Cities bill, which, although small, will accomplish much. She also thanked Representative Kagi for her work on early childhood education, K-12, and the math WASL. She asked Representative Kagi her opinion on the state health laboratory expansion proposals.

Representative Kagi responded that Secretary Saleki led this tour and the building will be shaped like an open rectangle and filling in the empty space with more laboratory. She noted that there has been a growth in population since the laboratory opened in 1983, so they need to expand.

Councilmember Way asked her to help watch that carefully. She added that the community has had a lot of input into the Fircrest growth issue and she would like the health laboratory to remain in an appropriate envelope. She wanted this process to be transparent with the public on what is being proposed.

Councilmember Hansen thanked Representative Kagi for the great job she has done for the City for several years.

Mayor Ryu thanked Representative Kagi for her work with K-12 and early childhood education. She said access to education is important and that is where the funding should be allocated, not to prisons.

Bob Olander, City Manager, provided a report on various City news and meetings. Among his announcements, he noted that Shoreline has a new Department of Licensing Office located at 18551 Aurora Avenue N.

4. COUNCIL REPORTS

Councilmember Eggen reported on the topics discussed at the SeaShore Transportation Forum, including the Alaskan Way viaduct and the Sound Transit proposal. He said Sound Transit is trying to decide whether to go back on the ballot in 2008 or 2009. He said the City should be prepared to make public input concerning this in the near future.

Councilmember Way attended the City's Earth Day celebrations and pulled ivy at South Woods. She commented that there were long lines at Central Market for natural yard care giveaways. She said she also attended the Judge Ronald Annual Luncheon and attended the "Cool Cities" workshop in Tacoma. She highlighted that the theme of the event was sustainability, drainage, and climate change.

Councilmember Hansen said he attended a seminar on the "Take Back" medicine disposal program in SeaTac. He said Bartell Drug is mastering a pilot project for the State of Washington and possibly copying the program in British Columbia. The program will start primarily in Snohomish County in 10 stores located in Edmonds, Lynnwood and Shoreline.

5. GENERAL PUBLIC COMMENT

a) LaNita Wacker, Shoreline, urged the Council to set five goals for their upcoming retreat because there have been too many goals in the past. She said she based the number on the workloads of the City staff and the citizens. She commented that the Council is elected to represent the citizens, and in other bodies and cultures the senior person is recognized. Councilmember Hansen, she noted, has voted on every law in this City and as the most

experienced Councilmember, he knows parliamentary procedure. She urged the Council to use him as a mentor at the retreat.

b) Art Maronek, Shoreline, thanked the City Council and City staff for the March 31 legal opinion on "air condos." He stated that the City made the language clear that single family rules were applicable. He said this City has a very capable and responsive City Manager and City Attorney.

c) Dale Simonson, Shoreline, concurred with the previous speaker. He stated that he lives next to the development being discussed. He wanted the Planning Commission and Council to know that he is thinking about the development everyday and doesn't want his concerns to fall on deaf ears.

d) Dennis Lee, Shoreline, stated that the Fircrest community meetings were visioning exercises and there isn't much information on how it's going to work. He was concerned that City maps are being updated that show the public there may be a plan in the works that wasn't even considered in the legislature. He said now there are rumors and innuendo about the master planning process before it even starts.

e) Les Nelson, Shoreline, summarized what he's learned about zoning over the past 9 months. He said the City adopted the King County zoning and RB was only R-36 with a 35-foot height limit. Then, he said, the Comprehensive Plan and the Environmental Impact Statement (EIS) were generated. He noted that the 2008 code amendments refer to the 1998 EIS as the City's most up-to-date environmental document. He stated that the EIS reinforces the assertion that unlimited densities are not included in the current code.

f) Joe Krause, Shoreline, thanked the Councilmembers who look out for citizens, not developers.

Mr. Olander stated that the legislature passed additional funds to carry forward the Fircrest Master Plan but he hasn't heard from the state on the timing of the process yet. He also said he doesn't know why the property is mislabeled on the map, but the state laboratory now owns it.

6. STUDY ITEMS

(a) Trail Corridor Update

Dick Deal, Parks, Recreation and Cultural Services (PRCS) Director, joined by Jason Henry, Berger Architects, provided an update on the work and funding for trails and trail redevelopment as funded through the Parks Bond. He explained that successful trail strategies feature a well-designed system with a maintenance strategy. He communicated that there is much more trail use now than in the past and it is perceived as a low-impact recreational experience. He added that the PRCS Board created a citizen-based Trail Study Group which came up with Trail Route recommendations.

Mr. Henry displayed through a PowerPoint presentation highlighting the extensive system of existing trails in Shoreline. There are trails existing in South Woods, Hamlin Park, Boeing Creek Park/Shoreview Park, and in the Innis Arden Reserve, he said. He noted that there are other trails to include a linkage between the Interurban Trail and some community connectors. He noted there are some ivy and holly removal projects that need to occur that will also incorporate some needed revegetation.

Mr. Deal stated that there has been some experimentation done on trail surfaces, and he will come back in May to identify the areas in Hamlin Park and different types of planting and soil materials. He said the City staff needs to figure out what plants will do well in order to determine what to plant. Mr. Henry continued discussing Hamlin Park and adjacencies. Mr. Deal stated that there are linkages in the Fircrest master plan between Hamlin and Fircrest.

Councilmember Way asked about including the right-of-way along 165th Street as a route, which would be a way to avoid erosion.

Mr. Deal responded that they are trying to stay away from adjoining properties and are more concerned about existing connections. Mr. Henry added that the goal is to develop a primary system of trails which will reduce some of the impact on secondary routes.

Councilmember Way inquired about bike usage within the parks. Mr. Deal responded that there are no rules against bicycles at this time.

Mr. Henry continued and stated that the main focus in Hamlin Park is the restoration of the under story because it has been worn away. He said Innis Arden Reserve is the least developed park out of all the ones studied.

Mr. Deal stated the City will be putting signs in the Innis Arden Reserve M, Boeing Creek Park and Shoreview Park. He added that Hidden Lake is a fantastic opportunity for outdoor education. Additionally, he discussed surfacing and said that basalt is a good hard wear surface. He added that Boeing Creek Park is unique. He pointed out that Shoreline Community College students can no longer park on the Shoreview property, and there are discussions regarding a possible property trade between the City and the College to create a trailhead at Boeing Creek. He noted that there will be analysis to determine ways to cross Boeing Creek. He said the next steps will be to continue with design development with public meetings in the fall, completing the design process by end of 2008, and construction beginning next spring. He reviewed the proposed funding slides which he explained are estimates until the design development phase is completed.

Mayor Ryu called for public comment.

a) Dick Nicholson, Shoreline, member of the Trail Corridor study group, said he is impressed by the group, which contributed extensively to the study. He said he is also a member of the Shoreline Breakfast Rotary, which is working on an arboretum project at Ronald Bog. He said it is funded from trail funds. He noted that the group has staked out the route and it has been

approved. He said the trail is 475-feet long and will be installed around the arboretum with some unusual native trees.

Councilmember McGlashan asked about the thinning in Hamlin Park and wanted to know what the plan was to get sunlight down into it. Mr. Deal said there are a variety of sites and experimenting going on.

Councilmember McGlashan asked about an e-mail concerning tire tracks being found in north end of Hamlin. Mr. Deal said those were from PRCS equipment that was brought in to assist the Seattle Urban Nature people with a project they were doing. He said the area is blocked off and there were only small utility vehicles in the area.

Councilmember Eggen inquired if there was any requirement to develop a certain number of trails for disabled access. Mr. Deal responded that there is no requirement; however there will be some surfaces that can accommodate some people with disabilities.

Councilmember Eggen said the City needs to accommodate disabled people. He commented that the trail at Hamlin Park is so busy and wondered how it could be designed to make it better.

Councilmember Way asked if there is any consideration on how to link bicycles with this and if it could run from Hamlin Park to and through Paramount Park. She also asked if the workforce would consist of volunteers.

Mr. Deal replied that there is \$1.35 million for soft surface trails and that's one of the sites that would be considered after the big projects are completed. He also responded that the best scenario would be for the City to utilize Earth Corps and scouts to assist with the maintenance and revegetation of the parks. He said that volunteers would continue to be used when the trails are functional.

Deputy Mayor Scott commented that this City has a wonderful parks system. However, he stated that the Innis Arden Reserve M access points aren't clear to him. Mr. Deal replied that there are two access points to the Innis Arden Reserve M: One access point is on 14th Avenue NW; and the other is on 15th Avenue NW.

Mayor Ryu discussed the need for bike and non-motorized transportation options. She asked if there was a way to influence people into bicycling by having more bicycle trails.

Mr. Henry highlighted that Hamlin has east-west pedestrian movements, and there is a fairly nice connection for bicycles and it is possible to have a bicycle trail, but more study is needed.

Mr. Deal commented that the Planning and Public Works Departments need to get involved for more detailed analysis. He added that there is a King County Levy for Trails and Shoreline will be receiving \$100,000 for the next six years for trail connections. He also stated that the City is in line to receive \$500,000 for Boeing Creek. He thanked the citizen groups for their assistance.

RECESS

At 8:27 p.m. Mayor Ryu called for a five minute recess. The meeting reconvened at 8:34 p.m.

(b) Transitional Area Code Amendments in Response to the Moratorium, Ordinance No. 488

Paul Cohen, Planner, presented the Planning Commission recommendations for transitional area code amendments in response to the moratorium. He noted that the moratorium has been refined in Ordinance No. 488. He said the Code amendments focus on those properties most impacted by the diminished development potential. He said that the Planning Commission thought the moratorium should be expanded to include all zones. He read the Code amendment summary and said that under this proposal, 70 parcels are affected.

Councilmember Way said she compared this to the Overland Trailer Court location. She noted that page 81 is an odd optical illusion and it is an interesting problem they encounter at this location. She said that you can configure projects various ways on a given site.

Mr. Cohen noted that the picture shows a six story building, and it is a couple of stories less than what is reflected in the photo. He felt the rendering is much bigger than what the actual project would look like.

Mr. Olander commented that this started off as a limited moratorium to deal with these transition issues. Particularly, the Planning Commission has returned with ways to deal with the design and setbacks between low density and high density residential properties. He noted that it does include all properties, not just those adjacent to residential zones. He pointed out that balancing the equities is the big task because Aurora Avenue lots are very narrow, so not reaching too far is advised. He said there are already certain height and density limitations and the moratorium didn't reevaluate the zoning or the densities. He added that the Planning Commission wisely added a caveat that the traffic would have to go to an arterial, and additional work is required to discourage neighborhood cut-through traffic.

Mayor Ryu called for public comment.

a) LaNita Wacker, Shoreline, felt that land use is one of most important topics the Council has to deal with. She said this moratorium has prevented owners from using their private property rights. She said there needs to be space on top of the building for an elevator shaft, air conditioning equipment, satellite dishes, etc. Therefore, she felt limiting the roof of a building won't work. She said the people who were presumed to be interested in property, the SHAG Retirement Community, has a putting green on their roof at another development. She said it would be great to allow that kind of creativity for this development.

b) Les Nelson, Shoreline asked if the building would be allowed to be 80 feet tall. He suggested taking more time to do this right. He read the moratorium findings of fact and noted this will have a visual impact on the community. He said this revision will be taking an abundance of properties out that were originally in the moratorium. He noted that Ordinance No.

488 instituted a 40-foot height limit, but that's not addressed as a standard. He concluded by suggesting that the language should be more restrictive from the start.

c) Dennis Lee, Shoreline, noted that transition zoning wasn't a problem until market forces changed things. He said the problem is that the City has never done planning for high density development and the developers are getting cheated because the City is scaling back. He pointed out that the Comprehensive Plan has a maximum of R-48 and does not envision "built out" everywhere. He asked the City for some serious visioning and planning in the future to embrace density.

d) Randy Peterson, Seattle, on behalf of Dr. and Mrs. Murray, owners of the Overland Trailer Park, said the Murrays have owned and managed it as a low-income trailer park for 30 years. He said that in 2006, Dr. Murray asked him to help sell it. The property sold in 2007 and the residents were given one-year notice in 2007. The park was shut down in February 2008. In November 2007, Shoreline passed the moratorium and Dr. Murray wrote a letter to the Council asking for consideration of his situation. He said the situation is that the rules and regulations would require a 25% reduction in the development potential of his site. He asked that the Council consider the concept of fairness. He said a 25% taking to allow transition is more than enough.

e) Dwight Gibb, Shoreline, discussed the relationship between specialized and comprehensive thinking. He said planning involves comprehensive thinking. Specialized thinking leaves little to say about parking, transportation, aesthetics, recreation, etc. He said it is a mistake to begin specific changes then refine them later when the comprehensive plan is analyzed. He added that Aurora Avenue is a very narrow corridor and in the 2006 community survey there was a desire for more planning. He noted that a Seattle Times article by Joe Tovar, the Planning Director, demonstrates this kind of thinking.

f) Joe Krause, Shoreline, stated that the Murray's don't live in Shoreline. He discussed the parking and traffic issues caused by the abundance of vehicles at the Linden Avenue Apartments. He noted that he called one day and they told him to park at the strip mall because there is a parking problem. He said the same overcrowding that happens there will happen on NE 152nd Street.

Councilmember McGlashan inquired if decks are allowed on the 2:1 stepbacks. Mr. Cohn responded that they can be, but they have to be under the slope. Councilmember McGlashan noted that 800 square feet cuts straight up and asked if the building can be three stories high without an elevator. Mr. Cohen responded that he would speak to the developer and architect to determine if it can be done. He noted that this would lead to a diminished development potential if the building is built to three stories.

Councilmember McGlashan wondered if the Council would consider a 1:1 slope on the side facing street. He noted that 2:1 would add an extreme cost to the development and expressed concerns about making the base of the building thicker, thus taking more property and possibly taking out more trees, since the developer can't build it any higher.

Councilmember Eggen commented regarding elevator placement and asked what changed in the definition to decrease the number of affected properties from 94 to 70. Mr. Cohen said the difference is that the former language included all commercial properties within 90 feet within any single family zones; this language only deals with single family zones that abut or are across the street from the three commercial zones.

Councilmember Eggen commented that Ridgecrest used design standards to get the properties to look like single family homes. He noted that there are concerns from the neighbors concerning home values and whether or not they would drop. Mr. Cohen stated that there are multi-family design standards. Mr. Olander added that while he didn't have any data regarding home values, he assumed there would be some value concerning the improvement of the views because of the transition zones.

Councilmember Eggen stated he is also concerned with parking and said there was some discussion about a code interpretation leading to 0.5 cars per unit. Mr. Cohen noted that the Development Code has a list of uses and the required parking for each use. He clarified that not every single use is listed and the developer can ask for a code interpretation.

Councilmember Eggen wanted to know if the 0.5 cars per unit is the standard allowance with reduction by the Planning Director. Mr. Cohen responded that the allotment is site specific. For example, the Code has senior housing parking with stalls of 0.33 per unit. He added that the developer proposed a compromise between senior housing and single family. Mr. Cohen stated that he can give more information at a later time.

Regarding the Overland Trailer Park site, Councilmember Way stated that she has letters between the developer and the City staff pertaining to parking issues. She said notice was given to the community in 2007, and that's what brought the moratorium. She said the public was searching for answers and had trouble accessing the documents. She handed out copies of the administrative order. She said the first letter was written in August 2006 and this shows how difficult it is to access this information in a timely manner. She said there wasn't public notice until October 2007.

Mayor Ryu wondered if potentially significant inquiries could be maintained in a log. She noted that there were times when technical staff said things weren't happening, but the senior planning staff was talking to property owner/developer a year earlier. She wondered if there is a way to set a "trigger point."

Mr. Cohen replied that the City staff has always had pre-application meetings, which can occur a year before. He said there is no reason that the City staff would hide information, adding that perhaps the problem arose from how the questions were asked.

Mr. Olander responded that there are hundreds and thousands of inquiries every year. He noted that any City staff member can look up the history of applications. The log, he explained, is property-based, and the "trigger point" would have to be fairly well-known if one is to be set.

Councilmember Way said that the public needs access to the documents and legal notice. She said the "trigger point" is public anxiety, noting that there was a parking exception given to this proposal.

Councilmember Eggen felt there should be differentiation in the roof structures to provide visual relief.

Mr. Olander commented that the parking issue applies to all properties in the City and maybe the Council can revisit the Development Code.

MEETING EXTENSION

At 10:00 p.m., Councilmember Way moved to extend the meeting to 10:30 p.m. Mayor Ryu seconded the motion, which carried 6-0, with Councilmember Hansen abstaining.

Councilmember Hansen inquired what the City staff would bring back next week if the Council doesn't make any suggestions concerning this ordinance. Mr. Olander responded that the City would bring back a recommendation by the Planning Commission in the form of an ordinance, which would have the major points that Mr. Cohen discussed included.

Councilmember Hansen asked if this would alter and extend the moratorium or if it would eliminate it. Mr. Olander responded that if Council passes the ordinance next week, there is a slight gap because it takes five days for publication. In order to cover that gap there needs to be a 10-day extension, or a motion to extend the moratorium.

Councilmember Hansen questioned if it is the staff intention to repeal the moratorium within the legal limits. Mr. Olander responded that he was correct. Councilmember Hansen referred to the property drawings and asked why setbacks are required if the requirements also include a wall of trees between properties. Mr. Cohen responded that there needs to be space for landscaping and screening. He added that this takes the overall bulk of the building and sets it back 20 feet. He noted that the Planning Commission recommended the Council adopt these code amendments and the Planning Department refined the recommendation.

Councilmember Hansen commented that trees make an effective wall. Mr. Cohen expressed concern about solar access and said language was added in case the adjoining property owner doesn't like the tree screening. Councilmember Hansen said there is an area in Edmonds where shore pines were planted and they grew to over 40 feet tall. Then a lawsuit was initiated and they had to cut them down to 25 feet.

Councilmember Way referred to the Planning Commission minutes, page 37, where Mr. Cohn refers to the proposed changes as a "short term patch." She said this is like a temporary fix on a problem. She also noted that the language in the Development Code and in the Comprehensive Plan concerning commercial land use is confusing to the average person.

Mr. Olander agreed that the Comprehensive Plan is confusing. He explained that the Comprehensive Plan says that in the Community Business (CB) zone there are a number of

potential zones that are allowed as separate options, including Neighborhood Business (NB), Community Business (CB), Regional Business (RB), Office (O), R-12, R-18, and R-48. He added that the confusion of terms is very unfortunate and when the Comprehensive Plan is modified it will be very useful to get rid of the duplicate terms because it is very confusing. Additionally, in order to determine the density maximums you would have to refer to the Development Code. However, there is no legal conflict between the Comprehensive Plan and the Development Code.

Councilmember Eggen inquired if, at the time the Comprehensive Plan was developed, the RB zone had unlimited density and if there was a limit when the environmental impact statement was developed. Mr. Olander responded that he could find out, but the concept of unlimited density is not correct. He said even if it's not there to begin with, the SEPA documentation should indicate one.

Councilmember Way said the environmental impact statement is still in effect, and this proposal changes the land use designation without a Comprehensive Plan update or new environmental impact statement. Mr. Olander explained that the area is already zoned RB and the moratorium actually reduces what's there now. Councilmember Way replied that the Comprehensive Plan map has it designated as CB, which allows for a number of zones.

Mr. Olander responded that the Comprehensive Plan map has all of the land in south Aurora designated as community business, which allows a number of zones. He added that R-48 is a separate zoning category that could apply to it. He said it could be R-8, R-12, R-24, or R-48. He said it could also be CB, RB, or O, and what the Council selected was RB as the zoning, not R-48. He noted that RB allows the broadest range of commercial activities and residential uses, and to determine what density is allowed you must consult the Development Code.

Councilmember Way noted that eliminating the moratorium would automatically refer the area to RB.

Deputy Mayor Scott said Mr. Olander's explanation brings up the point that if it is confusing to the Council, it must be even more confusing to the citizens. He questioned if it is time to do a visioning process and involve the citizens to determine what they want Shoreline to look like. Mr. Olander commented that visioning is one of the topics on the agenda for the Council retreat.

Mayor Ryu summarized that the Council has three options: 1) deal with the topic on the table and find a short-term solution; 2) check back with the public on a visioning process to determine what they want the density to look like and come up with design standards; and 3) commit to a full Comprehensive Plan review. However, she cautioned that there are lots of pieces that need to be addressed before embarking on a comprehensive study.

Councilmember McGlashan said the Council needs to be aware of property values and the fact that "downzoning" properties will not be accepted by property owners. He said the transitioning needs to be done carefully.

Councilmember McConnell felt the Council has a duty to come up with amendments to get this done. She said they have to find a compromise between the community and the property owners. She added that as elected officials they have to make the difficult decisions. She urged the Council to come to the meetings prepared. She said the City staff has made several amendments to the ordinance and she agreed with them.

(c) Council Subcommittee Recommendations for Study Sessions and Public Input/Involvement Opportunities

This item was postponed to a future Council meeting.

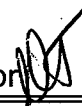
7. ADJOURNMENT

At 10:31 p.m., Mayor Ryu declared the meeting adjourned.

Scott Passey, City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of May 13, 2008
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director 

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,910,619.65 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
4/6/08-4/19/08	4/25/2008	23701-23895	7536-7573	36207-36218	\$500,758.47
					\$500,758.47

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
4/29/2008	36166	36179	\$18,729.30
4/29/2008	36180	36205	\$593,778.75
4/30/2008	36206		\$182.20
5/2/2008	36219	36221	\$14,639.09
5/2/2008	36222	36224	\$26,684.51
5/2/2008	36225	36238	\$6,266.13
5/6/2008	36239		\$3,750.00
5/6/2008	36240		\$25,000.00
5/7/2008	36241	36269	\$282,312.68
5/9/2008	36270	36288	\$76,518.15
5/9/2008	36289	36338	\$156,133.43
5/13/2008	36339	36365	\$144,766.94
5/13/2008	36366		\$61,100.00
			\$1,409,861.18

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Discretionary Work Request with King County for the 2008 Road Overlay Program
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director Jesús Sanchez, Operations Manager

PROBLEM/ISSUE STATEMENT:

The purpose of this report is to request Council to authorize the City Manager to execute a Discretionary Work Request with King County for the 2008 Road Overlay Program.

FINANCIAL IMPACT:

Council has authorized \$822,000 in the 2008 Capital Improvement Program and a 2007 carryover amount of \$172,215 for the Annual Road Surface Maintenance Program bringing the total budget for 2008 to \$994,215. The amount for the Road Overlay Program is \$899,215. The remainder of \$95,000 will be used for the paving road maintenance preparation for the overlay.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a Discretionary Work Request with King County for the 2008 Road Overlay Program not to exceed the amount of \$ 899,215.

Approved By: City Manager *Jm* City Attorney

INTRODUCTION

King County has paved City of Shoreline streets with asphalt overlay since the City's incorporation in 1995. To meet the County's schedule of beginning the overlay project in early summer, a King County Discretionary Work Request must be signed. The purpose of this report is to request Council to authorize the City Manager to execute a Discretionary Work Request with King County for the 2008 Road Overlay Program.

BACKGROUND

The roads identified in this year's overlay recommendation have eroded to a degree where alternate methods of maintenance (other than overlays) would not result in the successful rehabilitation of the pavement conditions in these areas. In addition, completing these areas would reduce the number of customer requests received and the amount of reactive maintenance costs. Our primary objective is to effectively maintain or enhance the integrity of the City's roadway system in the most cost efficient manner. As in past years, we attempt to concentrate the overlay projects in specific neighborhoods to encourage better bid pricing and reduce the number of areas inconvenienced by the work.

DISCUSSION

Council has authorized \$822,000 in the 2008 CIP Budget and a 2007 carryover amount of \$172,215 for the Annual Road Surface Maintenance Program bringing the total budget for 2007 to \$994,215 for this program. Part of the reason for the carry over was due to a secondary project conflict relating to a drainage project. A decision was made to delay the roadwork until pipe replacement and improvements were completed.

The proposed overlay program includes those roads with pavement conditions with ratings of poor to failing that cannot be effectively repaired using other treatment options. King County's schedule for beginning the overlay project is early summer.

Staff is requesting to contract with King County's Department of Transportation, Road Services Division to complete the City's 2008 Road Overlay Program. King County uses a formal bid process to choose a contractor. The funding for the Roads Overlay Program is budgeted at \$899,215 to overlay approximately 2.5 centerline miles of streets with King County (Attachment A). The City of Shoreline pays the appropriate amount based upon the tons of asphalt used for our streets. By using the County's contractor, the City is able to take advantage of lower bids.

The remainder of \$95,000 will be used for the road maintenance preparation and base repair work performed by city staff.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a Discretionary Work Request with King County for the 2008 Road Overlay Program in an amount not to exceed \$899,215.

ATTACHMENTS

- A: 2008 Road Overlay Program List
- B: 2008 Proposed Street Overlay Map

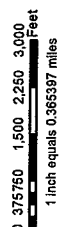
2008 Overlay Streets-Attachment A

[illegible]

2008 Proposed Street Overlay

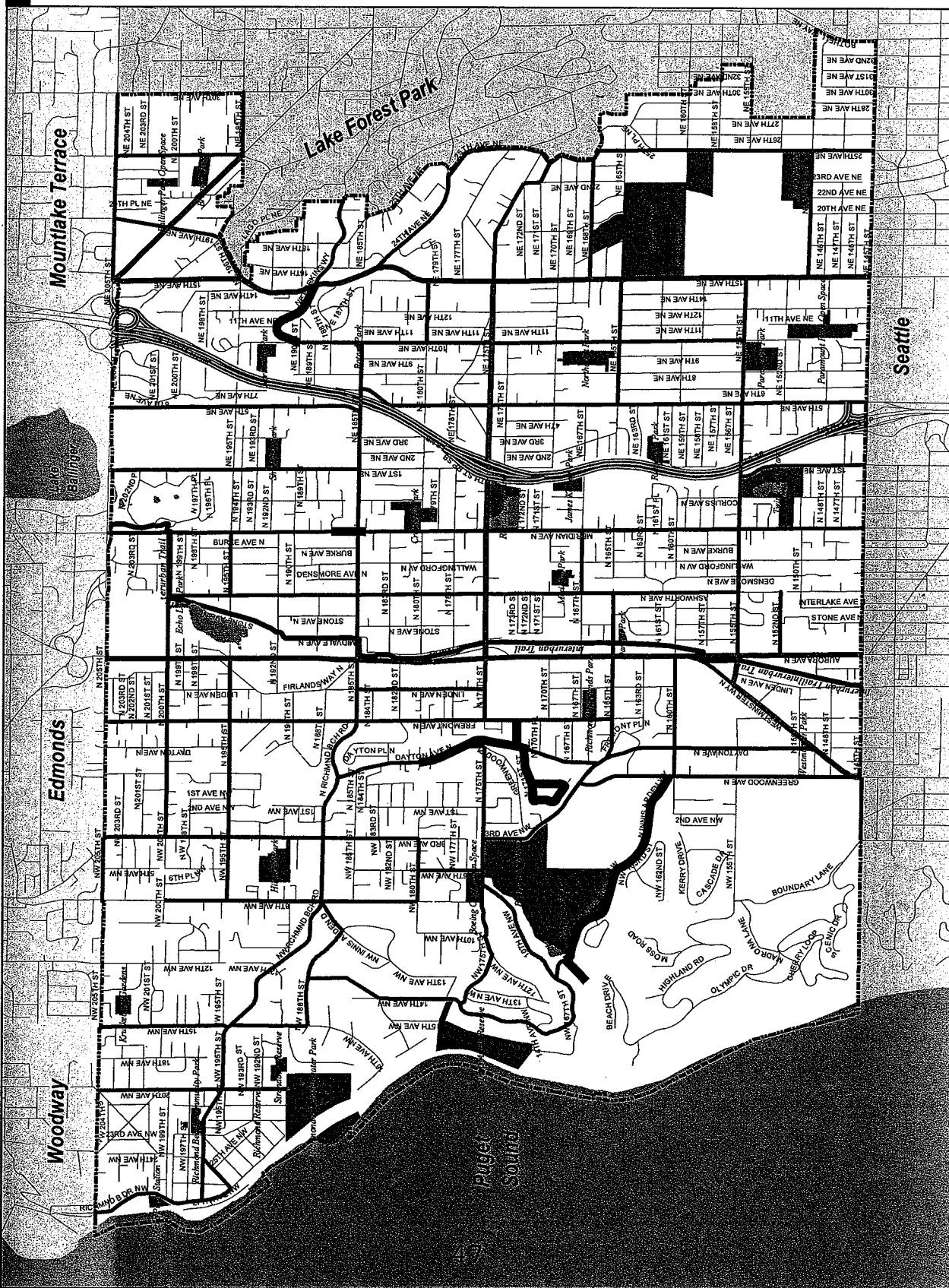
Overlay

2.5 Miles



No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

Created on: September, 2007
Update on: January, 2008



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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Paramount Open Space Property Acquisition
DEPARTMENT: Parks, Recreation, and Cultural Services
PRESENTED BY: Dick Deal, PRCS Director

ISSUE STATEMENT:

Acquiring additional property adjacent to Paramount Open Space has been identified as a priority by the City Council. The 2008 – 2013 Capital Improvement Plan (CIP) has identified funding to be used for the acquisition of a parcel of land adjacent to the park. This will allow us to increase the size of the park by .4 acres, and will preserve and protect a wetland on this sensitive site. See Attachment A – plat map.

The 17,084 square foot parcel, tax ID 663290 0591, is located in the northeast corner of the park and is located in the 14800 block of 12th Avenue NE., Shoreline, Washington. In a survey completed by King County, a significant portion of the subject site is designated as a wetland area. See attachment B – photos of the parcel.

The legal description for the property is: 2-3 17 Paramount Park Division #2 S ½ Lot 3 Less E 148 Ft Thof & Less 23 Ft Thof Tgw Por Lot 2 Less E 148 Ft Thof & Less S 37.5 Ft Thof – Aka – Pcl B Shoreline Lia #shla-97-023 Rec #9802231408.

The appraiser determined that the highest and best use for the parcel would be for open space, and because of the adjacency to Paramount Open Space there is value in adding to the existing park acreage. The appraised value as of February 9, 2008 is \$70,000.

FINANCIAL IMPACT:

A grant has been received from King County Conservation Futures Trust to pay for 50%, or \$35,000, of the cost of acquisition. The other 50% of funding is from the city's General Capital Fund.

RECOMMENDATION

Staff recommends that the Council authorizes the City Manager to sign a purchase and sale agreement in the amount of \$70,000 for the acquisition of the property located in the 14800 Block of 12th Avenue NE, Shoreline.

ATTACHMENTS

Attachment A Plat Map showing property location
Attachment B Photos of the site

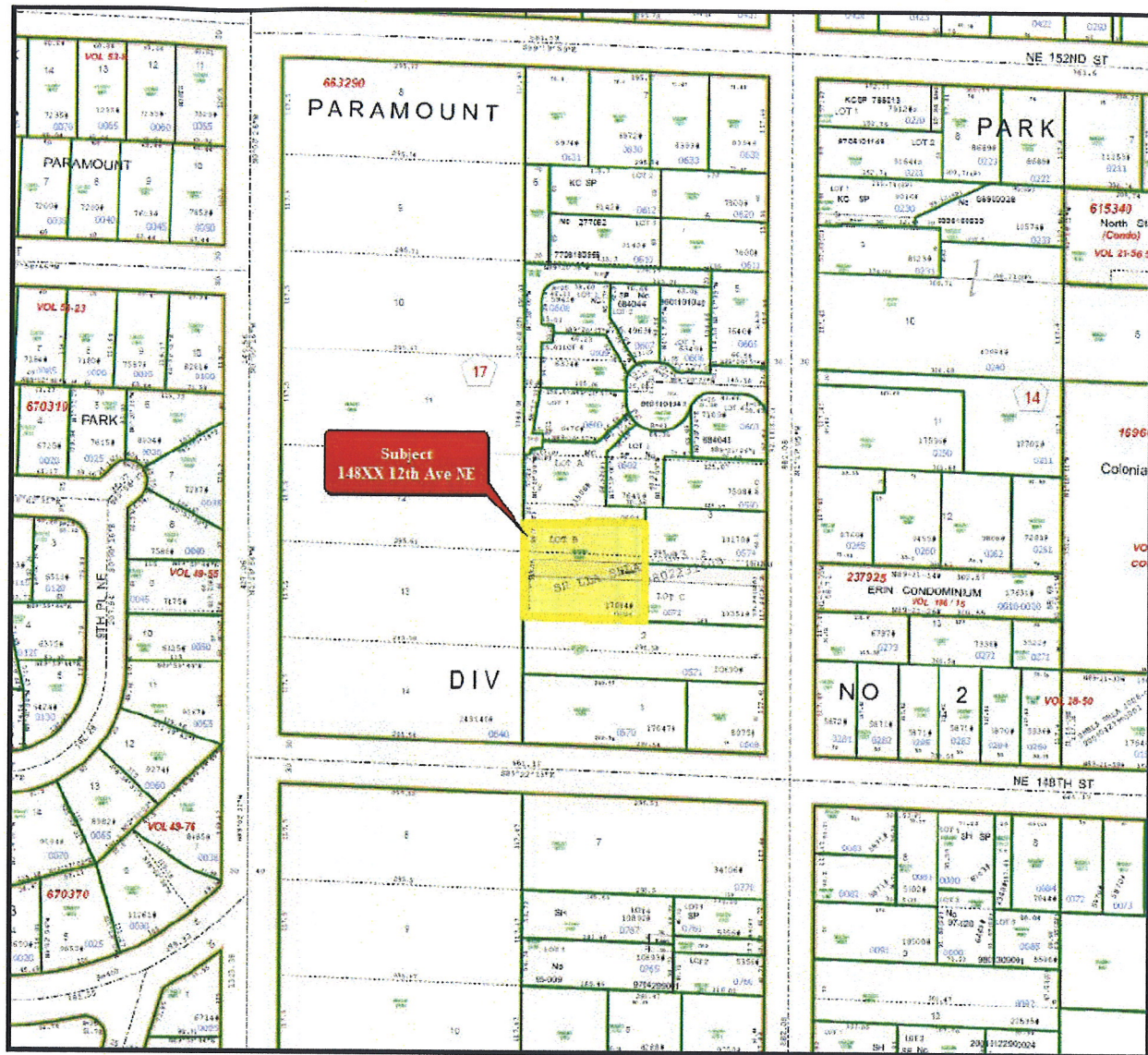
Approved By:

City Manager 

City Attorney 

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PLAT MAP



SUBJECT PHOTOGRAPHS



Subject, Looking Westerly from Near the East Property Line



Subject, Looking Westerly from Near the East Property Line

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager to Award a Contract for Professional Services with INCA Engineers for Design of the Traffic Signal at NE 170 th Street and 15 th Ave NE
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Capital Projects Administrator

PROBLEM/ISSUE STATEMENT:

Staff is requesting Council to authorize the City Manager to award a contract with INCA Engineers for the design of the 15th Ave NE/NE 170th Street Signal Project. This contract will also include engineering services during construction.

BACKGROUND:

The 2008-2013 Capital Improvement Program adopted by Council includes this signal project. The goal of the project is to enhance pedestrian safety by constructing a traffic signal at the intersection of 15th Ave NE/NE 170th Street and meet current ADA requirements.

On January 28, 2008, Council authorized the City Manager to enter into an agreement with Washington State Department of Transportation (WSDOT) for \$425,000 for a Bicycle and Pedestrian Safety Grant for this intersection. Subsequent to entering the agreement, staff prepared a Request for Qualifications (RFQ) for a consultant and received five (5) proposals from qualified engineering service consultants. After review of the proposals, interviews were conducted with three firms; INCA Engineers was selected as the most qualified firm.

With approval of the contract, design is expected to begin June 2008 and be completed in Fall 2008. Right-of-way acquisition may impact the schedule of this project, but advertisement for bids is anticipated in November 2008.

FINANCIAL IMPACT:

The current 2008 budget for this project is \$455,000, of which \$425,000 is a Pedestrian and Bicycle Safety Grant. However, the proposed 2009-2014 CIP for this project is being increased to a total budget of \$789,000 to accommodate an increased scope and cost for this project. There are currently sufficient funds to award this design contract.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to award a contract for professional services with INCA Engineers for the design of the Traffic Signal at 15th Ave NE/NE 170th Street in the amount of \$105,500.

Approved By:

City Manager  City Attorney 

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Contract Amendment with Berger Partnership PS Landscape Architecture, for Design of Citywide Baseball/Softball Field Improvements and Citywide Trail Corridors

DEPARTMENT: Parks, Recreation and Cultural Services

PRESENTED BY: Dick Deal, PRCS Director
Maureen Colaizzi, Parks Project Coordinator

PROBLEM/ISSUE STATEMENT:

This contract amendment will provide the resources to complete construction documentation for two Park Bond related projects: Baseball/Softball Field Improvements including the restroom at Richmond Highlands and Citywide Trail Corridors including the South Woods pedestrian walkway along 150th.

This contract supplements the current contract amount of \$48,500 for a total contract amount of \$144,785. The scope of work covered in this amended contract includes complete construction documentation of the Richmond Highlands Restroom Plaza Design, Citywide Baseball/Softball Field Improvements, South Woods Pedestrian Walkway Design, and Soft Surface Trail Improvements including but not limited to: cost estimates, plans, details, specifications, bid package preparation and construction administration.

FINANCIAL IMPACT:

There are sufficient funds for both bond projects: \$250,000 for Baseball/Softball Field Improvements and \$2.5 million in Trail Corridors. The amendment to this scope will include the following funding to complete the work described in the background section of this staff report:

City-wide Field Improvements

Richmond Highland Restroom	\$ 5,540.00
Other Field Improvements	\$15,250.00

Trail Corridor Improvements

City Wide Trail Improvements	\$38,140.00
South Woods Pedestrian Walkway	\$37,355.00

Total	\$96,285.00
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An administrative selection was conducted from the City's Architectural and Engineering Service Roster. Using the waiver process, staff will continue the contract with Berger Partnership to complete the above listed scope. Staff contends that it is the City's interest to use the Berger Partnership because of their familiarity with the project's details and ability to proceed immediately with design and contract preparation saving the City time and money.

RECOMMENDATION:

Staff recommends the City Council authorize the City Manager to execute a contract supplement with The Berger Partnership PS Landscape Architecture, for professional services in the amount not to exceed \$96,285 to design the following bond related projects: Citywide Baseball/Softball Field Improvements including Richmond Highlands Restroom and Citywide Trail Corridors including the South Woods pedestrian walkway along 150th.

BACKGROUND:

In 2006 the Berger Partnership responded to RFQ #3978 for the master site planning of Cromwell and Hamlin Park. They were not selected for this contract, but because of their extensive experience in facility design and trails they were hired to assist with the baseball/ softball field improvements and some preliminary design work on the trail corridor projects. At the time they were hired the original scope of work was \$48,500 to explore the facility options for the baseball/ softball fields, assist with the initial trail routing study and off-leash dog area preparations. As a result of their original scope of work it was decided to complete the design of the restroom at Richmond Highlands Park, and to prepare documents for the bidding of trail improvements including the South Woods pedestrian pathway along 150th.

The City Manager has waived a new RFQ for selecting an architect for the additional work exceeding \$50,000. The amendment with Berger Partnership meets the waiver criteria of 2.60.070 in that it has successfully performed work on each of these projects under the original contract; and changing architects would be costly in terms of project cost and time to complete. It is important that the City continue to make progress on the development of bond funded projects to ensure that the majority of funds are expended within three years from the date of the bond sale.

Citywide Baseball/Softball Field Improvements

Richmond Highlands Restroom Plaza Design:

A schematic design has begun for a new restroom at Richmond Highlands Baseball/Softball Fields. The restroom will be relocated to street level from its current location at the north end of the park between the two baseball/ softball fields. Amenities will be created that will include an entry plaza, park signage, bollards and access to the fields. The Berger Partnership will complete the design for the restroom plaza and prepare the project for permits and bidding. Design is anticipated to be complete this summer with construction occurring this winter. The Parks, Recreation and Cultural Services (PRCS) Board has reviewed the schematic design providing Staff with direction for completion.

Other Field Improvements:

Meetings with user groups began in January to help identify needed improvements at other fields. A cost and project matrix is being developed to prioritize needed improvements. The Berger Partnership will complete construction plans for these needed improvements and prepare a construction bid package that would include the top priorities from the list with the available bond funding. The PRCS Board will assist Staff with prioritizing the list of projects.

Citywide Trail Corridor Improvements/South Woods Sidewalk Design

South Woods Pedestrian Walkway

A requirement of the purchase of South Woods, design is underway for a pedestrian walkway along 150th Street from 25th Avenue NE to the southeast corner of the Fircrest property. Currently at 60% design, the project will include asphalt surfacing with some portions in porous concrete, new drainage features including a rain garden and weir system in the existing drainage ditches, enhanced access to the park including interpretive and entry signage. The Berger Partnership will coordinate engineering reviews and obtain permits for the project, complete the construction documents and provide construction administration services. The PRCS Board has reviewed the design drawings for the project and provided staff with direction for completing design.

Soft Surface Trail Improvements

Soft surface trail improvements have been identified by the PRCS Board's Subcommittee, the Trail Corridors Study Group with input from the public participation process. The following parks will receive soft surface trail improvements, Boeing Creek, Shoreview, Innis Arden Reserve M, South Woods and Hamlin Parks. The Berger Partnership will provide cost estimates, trail restoration planting designs, details and construction drawings for these improvements including construction administration services. The PRCS Board and City Council have reviewed the trail improvements and provided Staff with direction for implementation.

RECOMMENDATION:

Staff recommends the City Council authorize the City Manager to execute a contract supplement with The Berger Partnership PS Landscape Architecture, for professional services in the amount not to exceed \$96,285 to design the following Bond related projects: Citywide Baseball/Softball Field Improvements including Richmond Highlands Restroom and Citywide Trail Corridors including the South Woods pedestrian walkway along 150th.

ATTACHMENTS:

Attachment A – Original Scope of work for Berger Partnership

Attachment B – Amended Scope of work for Berger Partnership

Approved By:

City Manager 

City Attorney 

Exhibit A

Scope of Work

This document outlines a scope for our landscape architectural services that may be pursued as part of this consultant contract.

Services will be provided per your request and direction on a time and materials basis with total fees not to exceed \$48,500 including reimbursables. Fees will be tracked by projects with scopes listed below with the specific scope of each task, anticipated staff roles, and associated hourly rates identified to you prior to proceeding:

- Parks Bond Project Citywide Baseball/softball Field Improvements:
 - Assist City in developing a prioritized list of field improvement projects from the input from user groups.
 - Attend meetings with Staff, User Groups and Park Board; conduct site visits; draft, edit and finalize a report; prepare meeting graphics.
 - Prepare cost estimates and construction drawings for prioritized improvements.
- Parks Bond Project Dog Off-Leash Area:
 - Assist City in siting and design considerations associated with a potential Off Leash Dog Park
 - Attend meetings with Staff, User Groups and Park Board; conduct site visits; prepare meeting graphics as needed; provide cost estimates.
- Parks Bond Project Trail Corridors:
 - Assist City in developing a comprehensive list of improvement projects for a Trails and Corridors Plan developed by the Trail Corridor Study Group
 - Attend meetings with Staff, User Groups and Park Board; conduct site visits; draft, edit and finalize a report; prepare meeting graphics as needed.
 - Prepare cost estimates and construction drawings for prioritized improvements as design fees allow.

This document outlines hourly rates and billing protocol for this contract.

Billing and Fees

Fees will be billed monthly based on hourly rates accrued and tracked for individual scopes of work, as defined by you. Hourly rates will be billed based on the following:

Principal (Jason Henry, Guy Michaelson)	\$150.00 per hour
Associate	\$100.00 per hour
Senior Project Manager	\$90.00 per hour
Project Manager	\$80.00 per hour
Landscape Architectural Staff	\$70.00 per hour
Administrative Staff	\$45.00 per hour

If the duration of the contract exceeds one year, hourly rates may be subject to annual adjustments at the anniversary date of the contract.

If payment for services is not received within 90 days of the invoice date, all subsequent services and/or issuance of documents may be postponed until receipt of payment, unless special arrangements are made prior to providing the services.

Reimbursables

Printing, reprographic expenses, CAD plots, film, travel costs, and other reimbursable expenses will be billed and documented monthly and will include a 10% administrative mark-up. Reimbursables will be included in the \$45,000 maximum fee. For the purposes of tracking Reimbursables, we propose a reimbursable budget of \$3,500 that will be identified on invoicing. If this budget is not used, it can be rolled back into the fee budget if required.

Consultants

Due to the general nature of this consultant contract, sub-consultants' fees are not included in the scope of work, nor are any foreseen. However, should any sub-consultants be required as the scope of work becomes further defined, we will identify them in a letter to you for approval of additional fees prior to engaging their services, or make provisions for you to contract with them directly.

Phase A: City Wide Field Improvements

Completed under original contract

Attended 2-3 meetings with City, user groups and Park Board

Site visit to the fields, including one city wide tour with user groups

Provided draft report of the meeting

Removed from original contract

No items removed

\$0.00

Scope to be added to contract

Prepare Cost Estimate and approve matrix

\$580.00

Attend 2 meetings with City of Shoreline

\$590.00

Prepare 50% Construction documents for improvements from matrix

\$1,940.00

Coordinate comments from City of Shoreline and prepare appropriate permit documents (Building; related to backstops and covered dug outs)

\$600.00

Prepare 100% Construction documents (Specifications and drawings)

\$1,020.00

Bid Administration (Addenda, Questions)

\$270.00

Construction Administration

\$540.00

Total \$5,540.00**Phase A: Richmond Highlands Restroom**

Completed under original contract

Obtain bids from surveyor and complete a site survey

Site planning for a new restroom on site including parking study options

Restroom manufacture selection and criteria

Removed from original contract

Covered dugouts

\$0.00

Scope to be added to contract

Attend pre-application mtg w/ City staff to review project

\$700.00

3 meetings with City staff

\$1,720.00

100% Design Development (site plan and elevations)

. \$0.00

100% Design Development estimate

\$590.00

Coordinate with Romtec on Restroom design

\$1,080.00

Coordinate with COS on building elevations, materials, elevations, fixtures

\$700.00

50% Construction Document set for all site elements indicated on 100% DD plan

\$2,900.00

Revise documents based on City comments

\$700.00

100% Construction Documents (dwgs and specs), bid ready

\$1,120.00

Structural engineer for site walls and foundation slab as needed

\$2,500.00

Coordinate with Romtec for installation and permitting of

\$700.00

structure	
Assist City of Shoreline with Bid phase (addenda, questions)	\$380.00
Construction Administration to assist City of Shoreline with design intent	<u>\$2,160.00</u>
Total	\$15,250.00

Phase C: Trail corridors report

Completed under original contract	
Attended trail corridor study group mtg on June 25, 2007	
Provided GPS positioning of trails staked in the field through surveyor	
Provided graphics of trail alignments using City GIS mapping	
Incorporated work by OTAK at Shoreview and Boeing Creek for graphics	
Removed from original contract	
No items removed	\$0.00
Scope to be added to contract	
Prepare cost estimate for soft surface trails	\$480.00
Attend 1 City Council / Park Board meeting	\$320.00
Additional site visits to each site to refine scope of improvements	\$2,500.00
Four design coordination meetings	\$1,960.00
Provide typical trail details (trail bed, box steps, limited retaining, boardwalk)	\$5,600.00
Provide trail restoration planting (vegetation management plan, planting details)	\$4,800.00
Update cost estimates for each site	\$2,060.00
Volunteer package preparation (three document packages assumed)	\$3,800.00
Bid package preparation (two document packages assumed)	\$4,560.00
Construction administration (including volunteer events)	<u>\$12,060.00</u>
Total	\$38,140.00

Phase C: South Woods

Completed under original contract	
Attended 3 meetings with City Staff	
Obtain bids from surveyor and complete a site survey	
Visited the site and walked trail alignments with City Staff and Community Representatives	
Prepared trail layout options for review at public open house	
Prepared graphics for Park Board meeting	
Worked with Mayfly Engineering for assistance on Civil related scope	
Prepared 65% Construction documents for trail and storm water features	

Prepared associated storm water calculations to meet City requirements
 Researched permeable concrete specifications

Removed from original contract

No items removed \$0.00

Scope to be added to contract

Attend 5 additional meetings with City of Shoreline staff to finalize direction \$2,160.00

Coordinate all civil related work with Mayfly engineering \$1,260.00

Revise drawings based on input received from City of Shoreline \$1,080.00

Prepare 100% Construction documents in coordination with Mayfly \$2,420.00

Develop permeable standard specs/drawings for the city \$700.00

Prepare Cost Estimate based on the 100% Construction Document set \$700.00

Bid Administration \$540.00

Construction Administration for Site layout and planting \$4,320.00

Civil related scope to be added as follows: \$23,634.80

- Production of layout, grading and storm drainage and profile plan sheets. Permit submittals will be stamped and signed by a licensed engineer.

- Review, design and comment on elements found on the cover sheet, demolition and TESC sheet and detail sheets produced by The Berger Partnership. Details will be stamped by a licensed engineer as required.

- Structural design of all retaining walls. All wall details will be stamped and signed by a licensed structural engineer. These details will be located on detail sheets drafted by The Berger Partnership.

- A drainage report detailing how our proposed plans meet the design criteria set forth in the Shoreline Development Code.

- Cost estimate assistance related to civil design elements.

- Attendance at up to five meetings with design team and/or city staff.

- Research into traffic accidents related to weirs in ditches.

- A pervious pavement specification commensurate with other pervious paving that has been constructed successfully in similar conditions.

- Specifications for other civil design elements.

- Construction Administration for Civil design elements

Assist the City of Shoreline during the Bidding phase (addenda, questions)

\$540.00

Total \$37,354.80

Phase B: Off Leash Dog Area

Completed under original contract

No tasks have been completed

Removed from original contract	
Scope will be removed from contract	\$0.00
Scope to be added to contract	
No tasks will be added	\$0.00
Total	<u>\$0.00</u>
Amended Services Total	<u>\$96,284.80</u>
Grand Total	\$96,284.80

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Award Construction Contract to Scarsella Bros., Inc. and Professional Services Contract Amendment with Otak, Inc. for Engineering Services for Construction of the Pan Terra Regional Stormwater Facility Improvements
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Capital Projects Administrator Jon Jordan, Capital Projects Manager

PROBLEM/ISSUE STATEMENT:


This agenda item is to request Council's authorization to award a construction contract with Scarsella Bros., Inc. for construction of the Pan Terra Regional Stormwater Facility Improvements and a professional services contract amendment with Otak, Inc. for engineering support services during construction. The project was advertised on April 23 and bids were opened on May 14. The engineer's estimate is \$1,761,000. Twelve bids were received with Scarsella Bros., Inc. being the lowest bid at \$1,441,588.75.

RECOMMENDATION

Staff recommends that Council Authorize the City Manager to: 1) award the construction contract with Scarsella Bros., Inc. in the amount of \$ 1,441,588.75 plus a 10% contingency for construction of the Pan Terra Regional Stormwater Facility Improvements; and 2) award the professional services contract amendment with Otak, Inc. in the amount of \$98,500 for engineering services during construction of this project for a total contract amount of \$1,105,398.

Approved By:

City Manager

 City Attorney

BACKGROUND

The Pan Terra Regional Stormwater Facility Improvements Capital Improvement Project (formerly named the Pan Terra Pond and Pump Project) includes: re-grading the existing facility to detain more stormwater, addition of a pump station including a back-up generator, construction of a forced main (a pressurized pipe to pump water to the new conveyance pipe on 3rd Avenue NW), and pipe replacement south of NW 183rd Street in the Happy Valley neighborhood (the existing pipe is undersized and sloped opposite the direction of flow). These improvements provide 25-year flood protection to roadways and property structures downstream of the facility in Happy Valley. Approximately eight properties in Happy Valley experienced flooding, most recently during the December 3, 2007 storm. The improvements also declassify Dayton Avenue N roadway embankment as a dam.

The Pan Terra Regional Stormwater Facility is located at 324 N 185th Street, southwest of the intersection of Richmond Beach Road and Dayton Avenue North. The facility is surrounded on the west and south by homes, on the north by Richmond Beach Road, and on the east by the Dayton Avenue North road embankment. The facility was not originally designed as a stormwater detention facility. In 1967 King County raised the roadbed of Dayton Avenue N (the current height of the roadbed is 26 to 34 feet above the facility) and installed a 24-inch culvert under the road to allow the upstream impoundment area to drain. By 1981, the County had installed a flow control structure manhole on the upstream end of the 24-inch culvert, creating a regional stormwater facility. As Dayton Avenue North now holds the water in the facility, it is considered a dam by the Washington State Department of Ecology Dam Safety Office (WDOE Dam Safety). The County continued to operate this stormwater facility until 1995 when King County transferred ownership of the Pan-Terra Pond to the newly incorporated City of Shoreline. The City's Public Works department was created in 1997, and the first Capital Improvement Plan in 1999 included Surface Water Small Projects to address local flooding problems.

In 1999, under the Surface Water Small Projects, the City of Shoreline authorized Otak to study and design stormwater improvements to alleviate annual flooding immediately downstream of the Pan Terra stormwater facility in the Happy Valley neighborhood. The objectives of the study and design were to maximize the storage potential of the facility by excavating a larger storage volume and installing a new flow control device that would reduce flows leaving the site to a rate that would not cause flooding of homes downstream. As part of a 2000 Dam Safety Analysis performed for the project, it was discovered that the Dayton Avenue North road embankment was never designed or certified as a dam. The WDOE Dam Safety determined that since it meets their criteria of a dam the City must either 1) certify the Dayton Avenue embankment as a dam, or 2) modify the stormwater facility so that it no longer meets their dam criteria. The project was ultimately put on hold due to the unexpected and large scope of work to modify the embankment to meet dam criteria, coupled with strong opposition to the project from surrounding neighbors concerned about the loss of trees and habitat, increased noise, and the increase of open water in the pond that could increase mosquitoes.

At the same time, Otak was involved with the 3rd Avenue NW Drainage Study, which was a comprehensive basin study consisting of the Dayton Avenue and 3rd Avenue

subbasins. In 2003, Otak began work on the 3rd Avenue NW Drainage Improvements Project based on Council approved concepts and staff recommendations of the 3rd Avenue Drainage Study. Part of that work involved an alternatives analysis to integrate flood reduction measures for the Dayton Avenue and 3rd Avenue subbasins. This analysis evaluated solutions to address stormwater management within the North Boeing Creek drainage basin including the Pan Terra stormwater facility. The City's main goals were to find solutions that would provide: 1) a 25-year level of protection for Happy Valley while meeting a point of compliance in Boeing Creek downstream of the Boeing Creek Stormwater Facility (i.e., reduce erosion in Boeing Creek by not increasing flows to the stream); and 2) to declassify the Dayton Avenue embankment as a dam. The design and construction of the improvements recommended from the 3rd Avenue NW Drainage Study and the Dayton Avenue and 3rd Avenue subbasins Flood Reduction Improvements was phased and coordinated with the King County Hidden Lake/Boeing Creek Trunk Sewer project. The improvements were divided into three separate projects, "3rd Avenue NW Drainage Improvements," "Boeing Creek Park & Stormwater Improvements," and the "Pan Terra Regional Stormwater Facility Improvements." The 3rd Avenue NW Drainage Improvements were constructed in 2005. The Pan Terra Pond and Pump Project became a CIP project in the 2006-2011 CIP and will be constructed during the summer/fall of 2008, at the same time as the Boeing Creek Park & Stormwater Improvements. The upgrades to Boeing Creek Park Stormwater Facility must be completed before the Pan Terra Regional Stormwater Facility is fully operational.

Past Council Action: On May 23, 2005 Council authorized staff and Otak to conduct an assessment of the Happy Valley drainage system downstream of the Pan Terra stormwater facility near St. Luke's School, and to conduct an analysis of and design the pump station configuration. In December of 2007, a contract amendment was authorized by the City Manager for the design and production of construction documents for downstream improvements to address local flooding in Happy Valley and to address public comment from the October 18th neighborhood meeting.

Public Process: Public involvement began in 2000 and a neighborhood meeting was held on August 16, 2000 in accordance with the City of Shoreline Planning and Development Services (PADS) procedures for the Site Development Permit Review. As stated above, the project was put on hold due to public opposition and the large scope of work to meet WDOE Dam Safety requirements that was beyond the scope of the Surface Water Small Projects.

A second neighborhood meeting was held on October 18, 2007 for neighbors to look at updated design plans that addressed previous public comments and WDOE Dam Safety requirements. Plans were further modified to protect additional trees as a result of public input at the meeting. Interested public and affected agencies were notified in February of the completed Site Development Permit proposal during the official Notice of Site Development Permit, including SEPA DNS process as required by law. Project plans were available to the public throughout the process. A Determination of Nonsignificance (DNS) was issued on March 20, 2008. Construction documents were prepared and the project was publicly advertised on April 23.

Scope of Work: Awarding the contract to Scarsella Bros., Inc. will allow construction of the following improvements to the Pan Terra Regional Stormwater Facility: (1) re-grade the existing facility to increase the storage volume; (2) construct an earthen berm to detain stormwater and remove an existing flow control structure that will allow the Dayton roadway embankment to be declassified as a dam; (3) install a new flow control structure to reduce flooding of homes downstream, and; (4) install a pump station to route peak stormwater flows directly into the 3rd Avenue drainage system and bypass the downstream neighborhood of Happy Valley to reduce flooding that occurs under existing conditions.

ACTION ITEMS

1) Award Construction Contract to Scarsella Bros., Inc.

The project was advertised on April 23 and bids were opened on May 14. The engineer's estimate for the project is \$1,761,000. Twelve bids were received with Scarsella Bros., Inc. being the lowest bid at \$ 1,441,588.75. A table of all bid results follows.

	Company Name	Total Base Bid
1	Scarsella Bros. Inc.	\$ 1,441,588.75
2	Premium Construction Group, Inc.	\$ 1,549,646.20
3	Construct Company LLC	\$ 1,555,952.90
4	Award Construction, Inc.	\$ 1,562,129.13
5	Plats Plus, Inc.	\$ 1,598,024.00
6	Grade, Inc.	\$ 1,599,931.05
7	Interwest Construction, Inc.	\$ 1,653,057.00
8	SRV Construction, Inc.	\$ 1,681,691.80
9	David C Willi, Inc.	\$ 1,773,251.50
10	Road Construction Northwest, Inc.	\$ 1,870,823.39
11	Westwater Construction Company	\$ 2,249,323.00
12	Johansen Excavating, Inc.	\$ 2,312,666.27

Staff has completed all applicable reference checks on Scarsella Bros., Inc. including State Agency fiscal compliance. References were satisfactory regarding quality of construction and their history of managing budget, materials, and personnel. Staff is confident in Scarsella Bros., Inc.'s ability to complete this project within all terms of the contract.

2) Amend Professional Services Contract with Otak, Inc.

The contract amendment will allow Otak to provide engineering services during construction. These services include: bid support services, verification of construction documents and site conditions, special inspections, developing and administering a stormwater pollution prevention plan, addressing field direction and/or design changes, preparation of record drawings, and other engineering services during construction.

The Otak amendment is to an existing contract for design services. Otak was awarded a contract for design of the 3rd Avenue NW Drainage Improvement Project in 2002 for

\$384,634 as the result of the RFQ process selecting Otak as the best qualified firm on the A&E roster. That contract was amended in 2005 for \$45,098 for professional design services in connection with the Boeing Creek Park Improvements, the Boeing Creek Park Stormwater Project, and the Pan Terra Pond and Pump Station. Additional amendments for design and construction services have since increased Otak's total contract amount to \$1,006,898. The earlier contract, that is being extended by \$98,500 under this amendment, was for analysis and design of the Pan Terra stormwater facility and Dayton Avenue drainage basin downstream of it and did not include construction engineering in the original scope. The City Manager has waived a new RFQ for this extension of the Otak contract. This amendment adds engineering services for the construction phase, and since they did design they are best qualified to perform these services satisfying this criterion for waiver of the RFQ for extension of engineering services contracts exceeding \$50,000.

FINANCIAL IMPACT:

The improvements are funded in the 2008-2013 Capital Improvement Plan. A summary of the financial budget for this project can be found in Attachment A. The bid results are below engineer's estimate and there is sufficient funding in the project budget to award a contract to Scarsella Bros., Inc. and a contract amendment to Otak, as presented in this staff report. The revenue for this project is \$2,280,621. The total project cost estimate, including the Scarsella Bros., Inc. and Otak contracts, is \$2,090,497.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to: 1) award the construction contract with Scarsella Bros., Inc. in the amount of \$ 1,441,588.75 plus a 10% contingency for construction of the Pan Terra Regional Stormwater Facility Improvements; and 2) award the professional services contract amendment with Otak, Inc. in the amount of \$98,500 for engineering services during construction for a total contract amount of \$1,105,398.

ATTACHMENTS:

Attachment A – Budget Summary

Attachment A: Budget Summary

Pan Terra Regional Stormwater Facility (Pond & Pump Station)

Project Costs		Subtotal	Total
Engineering			\$ 479,750
	Contracted Services	\$ 161,625	
	Otak (current)	\$ 171,175	
	Otak (this amendment)	\$ 98,500	
	City Costs	\$ 48,450	
Real Estate Acquisition		\$ -	
Construction			\$ 1,585,748
	Construction Contract	\$ 1,441,589	
	Contingency (10%)	\$ 144,159	
	Utilities (other)	\$ 25,000	
1% for Arts			\$ -
Total Costs			\$ 2,090,497
Project Revenue			
Surface Water Capital Fund		\$ 2,280,621	
Total Revenue			\$ 2,280,621
Project Balance (revenue- costs)			\$ 190,124

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 506, Amending the 2008 Budget for General and General Capital Funds
DEPARTMENT: Finance
PRESENTED BY: Debbie Tarry, Finance Director

PROBLEM/ISSUE STATEMENT:

The 2007 General Fund revenues exceeded projections by 2.7% and expenditures were under projections by 1.5% resulting in one-time savings of \$1.278 million. This information was shared with the City Council in the 2007 4th Quarter Financial Report on April 28, 2008 and May 19, 2008. Staff's recommendation was that the savings should be allocated as follows: \$1,027,265 for the Civic Center Project and \$250,000 for the acquisition of a new telephone system. Ordinance No. 506 amends the 2008 budget to reflect this recommendation.

DISCUSSION

General Fund

Ordinance No. 506 increases the 2008 General Fund budget by \$1,277,265. The two major items included in this amendment are:

- Telephone System Acquisition - \$250,000
- Transfer from the General Fund to the General Capital Fund for the Civic Center project - \$1,027,265

General Capital Fund

Ordinance No. 506 increases the 2008 General Capital Fund budget by \$1,116,265. This increase is related to the Civic Center project. In March 2008, the City Council adopted Resolution No. 274 that authorized the City to enter into a development agreement with Opus Northwest to construct the Civic Center for \$30.55 million. Included in the resources to fund the project was \$466,265 of estimated 2007 General Fund budget savings. Following this time period staff was able to complete all transactions for 2007 and the actual General Fund savings was \$1.278 million.

As a result, staff recommended that an additional \$581,000 be allocated to the Civic Center project. \$500,000 is to be added to the City's contingency. This will bring the total City contingency to \$1,000,000, approximately 3.5% of design and construction costs. The contingency will be available for unanticipated costs; acquisition of equipment or furnishings in excess of the current allowance of \$400,000 (i.e., audio visual, generator, etc.); and unanticipated project finance costs in excess of the current allowance of \$1,650,000. If not for construction of the civic center the City contingency will be used to reduce the amount of long-term debt issued to pay the development

costs. The increase in contingency funds will result in an amended development agreement base budget cost of \$31.05 million.

The remaining \$81,000 transfer from the General Fund will go towards the cost of the utility hook-up fees for the new Civic Center. The total estimated cost for utility hook-up fees is \$170,000. These fees must be paid by the City outside of the development agreement. The remaining \$89,000 will come from existing General Capital funds.

FINANCIAL IMPACT:

The following table summarizes the recommended budget amendment:

	General Fund	General Capital Fund
Adopted Budget	\$31,353,771	\$29,322,156
Budget Amendment:		
2007 General Fund Budget Savings:		
Telephone System	\$250,000	
Transfer for Civic Center Project	\$1,027,265	\$1,027,265
Utility Hook-Up Costs		\$89,000
Total Amendments	\$1,277,265	\$1,116,265
Amended Budget	<u>\$32,631,036</u>	<u>\$30,438,421</u>

RECOMMENDATION

Staff recommends that Council approve Ordinance No. 506, amending the 2008 budget.

Approved By: City Manager gm City Attorney ____

Attachment A – Ordinance No. 506 Amending the 2008 City Budget

ORDINANCE NO. 506

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE 498 BY INCREASING THE APPROPRIATION IN THE GENERAL FUND AND GENERAL CAPITAL FUND, AND AUTHORIZING AN AMENDED CITY CONTINGENCY IN THE CIVIC CENTER DEVELOPMENT AGREEMENT BUDGET.

WHEREAS, the 2008 Budget was adopted in Ordinance 486; and

WHEREAS, the City Council adopted Resolution No. 274 authorizing the City Manager to enter into a development agreement with Opus Northwest, LLC for the construction and lease of the Shoreline Civic Center for a Base Project Cost of \$30,550,000; and

WHEREAS, when the City Council adopted Resolution No. 274 they authorized the allocation of \$446,265 of anticipated 2007 budget savings to fund the Civic Center Base Project Costs; and

WHEREAS, the City Council desires to increase the City's contingency funds within the Development Agreement from \$500,000 to \$1,000,000 for unanticipated expenditures or if not utilized to increase the cash payment for the Civic Center project ; and

WHEREAS, a contingency of \$1,000,000 is only equal to 3.5% of the design and construction costs which total \$28,000,000 for the Civic Center project; and

WHEREAS, the utility hook-up fees for the new Civic Center must be paid by the City of Shoreline directly and are not included as part of the Development Agreement with Opus Northwest; and

WHEREAS, the City Council authorized the City Manager to enter into a service contract for the delivery of a new telephone system on April 14, 2008; and

WHEREAS, the 2007 financial year-end results produced \$1.2 million in one-time savings as a result of revenues exceeding projections by 2.7% and expenditures being under projections by 1.5%; and

WHEREAS, staff provided the City Council with the 2007 year-end financial results of the City's General Fund in a staff report on April 28, 2008 and again on May 19, 2008 and a recommendation on the allocation of ; and

WHEREAS, the City wishes to appropriate a portion of the 2007 budget savings from the General Fund to provide additional contingency for the Civic Center project and to provide funding for the utility hook-ups for the Civic Center project and for the acquisition of the telephone system; and

WHEREAS, the City of Shoreline is required by RCW 35A.33.00.075 to include all revenues and expenditures for each fund in the adopted budget:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amending Section 1 of Ordinance No. 498. The City hereby amends Section 1 of Ordinance No. 498, the 2008 Adopted Budget, by increasing the appropriation for the General Fund by \$1,277,265 and for the General Capital Fund by \$1,116,265 and by increasing the Total Funds appropriation to \$102,989,186 as follows:

General Fund	\$31,353,771	\$32,631,036
Street Fund	\$2,741,170	
Code Abatement Fund	\$100,000	
Asset Seizure Fund	\$23,500	
Public Arts Fund	\$0	
Revenue Stabilization Fund	\$0	
General Capital Fund	\$29,322,156	\$30,438,421
City Facility-Major Maintenance Fund	\$40,000	
Roads Capital Fund	\$23,012,286	
Surface Water Utility Fund	\$11,806,854	
Vehicle Operations/Maintenance Fund	\$115,049	
Equipment Replacement Fund	\$241,750	
Unemployment Fund	\$10,000	
Unltd Tax GO Bond	\$1,662,475	
Total Funds	<u>\$100,595,656</u>	<u>\$102,989,186</u>

Section 2. Amending the 2008 Budget. The 2008 Budget is amended as set forth in Exhibit 1 and increases the Total Funds appropriation by \$2,393,530.

Section 3. Amending the Civic Center Development agreement with Opus Northwest. The City Manager is authorized to sign an amendment to the Civic Center Development Agreement increasing the base budget costs from \$30,550,000 to \$31,050,000 resulting in an increase in the City contingency from \$500,000 to \$1,000,000.

Section 5. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

PASSED BY THE CITY COUNCIL ON May 27, 2008

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Publication Date:
Effective Date:

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Urban Forestry Assessment Informational Update
DEPARTMENT:	Parks, Recreation and Cultural Services
PRESENTED BY:	Dick Deal, PRCS Director Maureen Colaizzi, Parks Project Coordinator

INTRODUCTION:

This staff report and presentation is an informational update that provides the Council and community with an opportunity to learn more about the results of the Urban Forest Assessment of four Shoreline Parks: Shoreview, Boeing Creek, Hamlin and South Woods Park.

The City recognizes the need to create a comprehensive management plan to guide future management of urban park forests within the city. A critical first step in the creation of a management strategy is to conduct an inventory of existing vegetation resources in our largest wooded parks.

BACKGROUND:

The City Council approved \$50,000 for an Urban Forestry Assessment in the 2006 Parks Department budget to conduct an inventory of existing vegetation resources within our public parks to guide future forest management decisions. Additionally the preparation of an Urban Forestry Assessment meets Goal #6 of the 2007-2008 City Council Work Plan, Create an "environmentally sustainable community."

The Parks & Recreation Department (PRCS) hired Seattle Urban Nature (SUN) to provide habitat mapping, vegetation surveys and management recommendations. Based on available budget, the proposed scope includes the four largest wooded public parks to begin the City's goal of completing an Urban Forest Assessment of city-owned property.

The City Council reviewed the proposal to conduct the urban forest assessments of Boeing Creek Park, Shoreview Park, Hamlin Park and South Woods in October 2006 and received an updated memo May 2007 when the habitat mapping was complete.

DISCUSSION:

Seattle Urban Nature is a nonprofit organization founded in 1998 to document natural resources on public lands, to inform civic decision-making and support improved stewardship of these lands. SUN is currently moving towards a focus on empowering people in Puget Sound to improve urban habitat through science-based information and methods.

A seven member board of directors, in concert with four staff experienced in performing botanical and biological surveys, developed a system to survey plant communities and wildlife habitats and store the information in geographic information system (GIS) data for mapping. Maps and data have been used by public agencies to help make better-informed decisions about how to manage invasive and native species on public lands and where to undertake restoration.

SUN conducted resource inventories for Hamlin (80 acres), South Woods (16 acres), Shoreview (48 acres) and Boeing Creek (40 acres) for a total of approximately 184 acres. These four parks comprise the largest forested tracts in the park system with a majority of our public parks' important stream corridors, upland forest and wetland natural areas.

The resource inventory performed by SUN has given the City information regarding existing forest habitat types and structure, and native and invasive species distributions. This information provides the City with tools to make planning and management decisions for both forest stewardship and recreational needs at each of these parks.

Based on data that was collected in the field, SUN produced a GIS layer that delineates existing habitat types throughout each of the four parks. A database with collected vegetation data was linked to the GIS files and management recommendations were developed for each of the four areas surveyed. Additional information in the final report includes:

- Identification of invasive plant species and a species list of appropriate plants to replant on each site.
- Recommendations on methods of removal for invasive species and suggested species to replace removed trees and shrubs
- Recommendations for preserving and increasing the number of large downed logs and woody debris
- Recommendations for erosion control and re-establishing understory vegetation that has been removed or disturbed by overuse.

This information is being used to implement the City's forest management strategy within these parks and provide a template for future survey efforts in the remaining forested public parks and open spaces.

FINANCIAL IMPACT:

The report is complete. Staff anticipates that there will be a need for future funding to implement recommendations identified in the report and/or to move forward with assessments of the remaining urban forest parklands in Shoreline.

RECOMMENDATION:

This staff report and presentation is for informational purposes. Staff will begin working on a strategy to implement the recommendations of Seattle Urban Nature.

Approved By: City Manager jm City Attorney ____

ATTACHMENTS:

Attachment A: Executive Summary

Attachment B: 15-year Plan for Implementation

Attachment C: Summary of Hamlin Park Trail Revegetation



City of Shoreline Parks Survey Summary

by Seattle Urban Nature

May 27, 2008

Overview

In fall 2006, the City of Shoreline hired Seattle Urban Nature (SUN) to provide an urban forest assessment including vegetation mapping and survey of four parks, totaling approximately 184 acres or nearly half of the city's public park open space. These parks are: South Woods (16 acres), Hamlin Park (80 acres), Boeing Creek Park (40 acres) and Shoreview Park (48 acres). Because Shoreview and Boeing Creek Parks are contiguous, they were surveyed as one parcel. SUN has now analyzed the data and written vegetation management plans for each park.

During the project, SUN surveyed 125 forested acres in the four parks. The forested areas of these parks offer a valuable cultural resource to the community of Shoreline and provide important habitat for a variety of plant and wildlife species. Shoreline's park urban forests' provide important recreational opportunities and vital ecosystem services to residents including improved air and water quality and storm water retention. However, the parks and open spaces are subject to intense pressures from the urban environment such as heavy recreational use, pollution and invasion by exotic species. As urban pressures continue to intensify, areas of natural habitat within the urban growth boundary are becoming increasingly vital. Population growth and expansion in the Puget Sound area has led to increased pressure from development on the remaining open spaces, resulting in fewer intact forests and greater habitat fragmentation. Active management will be required to maintain and improve the aesthetic and ecological values of these areas.

The majority of forests found in the four Shoreline parks surveyed are conifer dominated, a unique feature compared to the deciduous-dominated state of much of the forests found within the urban environment of neighboring Seattle. Prior to European settlement, the Puget Sound region was generally dominated by coniferous forests. However, wide-scale logging at the end of the 19th century and pressures from development have shifted urban forests towards a more deciduous state. SUN's 1999-2000 survey of public lands in Seattle showed that 70% of all forests are deciduous and only 12% are coniferous. In contrast, 60% of Shoreline's surveyed parks are dominated by coniferous forests. In total, seven different forest types were identified within the four parks. The abstracts below are a brief summary of findings from the vegetation management plans (VMPs) created for each park.

South Woods

South Woods, the smallest park surveyed, is also the newest addition to the Shoreline park system. This 16 acre park was purchased in 2007 and has an active group of stewards, the South Woods Preservation Group. Two forest types, conifer and conifer/madrone, were mapped in South Woods (Map 1). Madrone forests are a rare and important forest type in the Puget Sound region. These forests, which usually prefer dry bluffs, make up less than 5% of urban forests in Seattle. Almost four acres of conifer/madrone forest are present in South Woods.

Unfortunately, South Woods poses some of the largest management challenges in the city. Invasive species found in the park include English ivy (*Hedera helix*), English holly (*Ilex aquifolium*), cherry laurel (*Prunus laurocerasus*) and Himalayan blackberry (*Rubus armeniacus*). English ivy and Himalayan blackberry are present in patches throughout the park and cover approximately 3.5 acres of area. However the main culprits are English holly and cherry laurel which are ubiquitously present throughout the entire park in extremely high densities. Our surveys show an average of 3,646 stems/acre, compared to only 159 stems/acre of native regenerating trees. In particular, regeneration levels of Pacific madrone and native conifer trees are very low in South Woods. These are some of the highest densities of English holly that SUN has recorded in any park in the Puget Sound region. Removal of these trees from the park will require a dedicated and long-term effort, but is necessary to preserve the native forest structure of the park.

Hamlin Park

Hamlin Park is a heavily used park containing 80 acres of land, 62 acres of which are forested. The majority of forests in Hamlin Park are conifer, with smaller amounts of conifer/deciduous, conifer/madrone and deciduous/madrone forest types also present (Map 2). Four distinct areas covering more than 15 acres of conifer forests in the center of Hamlin Park have relatively no understory plant species. These areas are lacking any substantial amounts of groundcovers, shrubs or regenerating trees. Many theories have been developed over the years to explain the cause of the bare spots, including motorcycle use, human trampling, lack of light, and soil problems. To better understand the ecology of these areas, SUN is now working with the City of Shoreline to conduct soil tests and establish a scientific study looking at various soil amendments and species survival rates to plan a long-term strategy to re-vegetate these areas. The initial soil analysis suggests that the soils throughout much of Hamlin Park are highly acidic. This acidic property is limiting the number of understory species that are able to inhabit these areas. The study will determine which understory species are better able to tolerate the existing conditions and determine if soil amendments could help with plant establishment.

The presence of these bare areas indicates another management concern in Hamlin Park, the lack of a formal trail network and the presence of numerous social trails spanning the park area. This encourages trampling of bare areas and does not limit

human activity to well-defined trail corridors. The City of Shoreline recognizes this problem and is currently working on developing an official trail plan for the park.

Invasive species also pose a significant challenge in Hamlin Park. Although the central core area of the park is free of invasive species, mostly due to lack of any understory or shrubs, the edges of the park are invaded with English ivy, Himalayan blackberry, Scotch broom (*Cytisus scoparius*) and invasive trees such as English holly, sweet cherry (*Prunus avium*), Norway maple (*Acer platanoides*) and European mountain ash (*Sorbus aucuparia*). Although the density of invasive trees is not as high as in South Woods, SUN recorded an average of 1,083 non-native stems/acre compared to 184 native regenerating stems/acre. As these trees and shrubs have not yet penetrated into the center of the park, it is important to conduct control measures as soon as possible to contain these species.

Boeing Creek and Shoreview Parks

Boeing Creek and Shoreview Parks, which together span 88 acres, represent the gem of the Shoreline park system. These beautiful forests, which used to be the private hunting grounds of William Boeing (founder of The Boeing Company), contain 200 foot tall Douglas-fir (*Pseudotsuga menziesii*) and western white pine trees (*Pinus monticola*), streams, riparian forests and access to Hidden Lake. Five forest types are present in the two parks, of which conifer forests and conifer/deciduous forests are the most common (Map 3). These parks contain the highest plant diversity found during the survey, consisting of nearly 70 different native plant species. In the center of the park, riparian forests run along the stream corridor. These forests represent some of the most important habitat types for wildlife with high plant species and structural diversity due to high water availability. As a result, groundcover, shrubs and trees, provide a rich variety of habitats for wildlife, water sources and travel corridors for birds and animals.

Much of the parks consist of extremely steep slopes, which are prone to erosion. This issue is exacerbated in the riparian forests, which contain many unstable slopes that prevent trees from gaining a foothold. As in Hamlin Park, an official trail network does not exist and many social trails run along the steep slopes in the parks. The city of Shoreline is working on a master trail plan in the parks, which will be implemented in the next several years.

One of the most significant management issues lies in Shoreview Park, which contains 12 acres of shrubland resulting from prior clearing for construction of a school. Although the school was never built, the legacy of the disturbance is evident in the large expanse of Scotch broom, Himalayan blackberry and butterfly bush (*Buddleja davidii*) present today. These shrubs are encroaching on the intact natural areas that surround them, including five acres of adjacent conifer/madrone forests. Additional clearing in the northern end of Boeing Creek Park has resulted in areas dominated by Himalayan blackberry, Scotch broom and English ivy.

One of the most seriously degraded areas of the park is located in the open space parcel across the street from Northwest 175th Street in the northern part of the park. Most of the Boeing Creek Open Space area has been suffocated by ivy, which has

created a true "ivy desert", toppling trees and preventing native species from growing. In fact, only four native species were recorded in the herbaceous layer in this zone. To add to the problems, almost all regenerating trees in this parcel consist of English holly, which was recorded at a density of 1,080 stems, compared to 90 stems per acre of native regenerating trees. Fortunately, as this parcel is separated from the rest of the park, it is not immediately threatening the integrity of adjacent forested areas.

Although some areas of Boeing Creek and Shoreview Parks are facing invasive species problems, overall, these parks are in very good ecological shape. The forests contain many mature trees, a complex forest structure and regenerating native trees. They abound with native wildlife such as Douglas squirrels and pileated woodpeckers. And, they provide a refuge from the urban landscape that is so important to thousands of Shoreline residents.

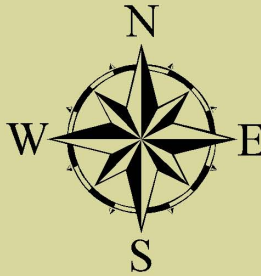
Note: See the 15 year management plans for specific recommendations for each park. More details about each park can be found in the vegetation management plans.

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South Woods

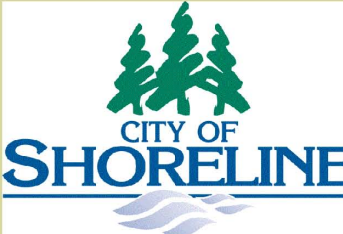
Habitat Delineations

- Legend**
- Park Boundaries (16.1 Acres)
 - Piped Water Course
 - Habitat Types (Acres)**
 - Conifer Forest (9.9)
 - Conifer-Madrone Forest (3.7)
 - Grassland (0.4)
 - Shrubland (1.5)
 - Developed (0.6)



Map produced by
Seattle Urban Nature
April, 2007. Park Boundaries,
water course data, and
orthomimagery provided by the
City of Shoreline, WA.





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





Boeing Creek and Shoreview Parks

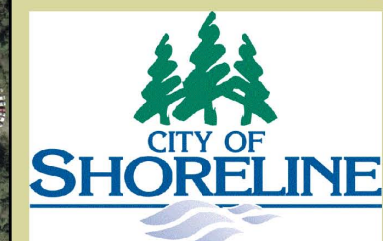
Habitat Delineations

Legend

-  Park Boundaries (87.9 Acres)
-  Open Water Course
-  Piped Water Course
-  Trails

Habitat Types (Acres)

-  Conifer Forest (17.3)
-  Conifer-Deciduous Forest (18.2)
-  Conifer-Madrone Forest (4.0)
-  Deciduous Forest (12.6)
-  Grassland (3.7)
-  Shrubland (12.0)
-  Palustrine Open Water (0.8)
-  Landscaped Forest (1.7)
-  Landscaped Grassland (6.6)
-  Developed (11.0)



Seattle
Urban
Nature



Map produced by
Seattle Urban Nature
April, 2007. Park Boundaries,
water course data, and
orthoimagery provided by the
City of Shoreline, WA.

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including accuracy,
fitness, or merchantability
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Boeing Creek Park

Shoreview Park

Hidden Lake

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



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Hamlin Park

Habitat Delineations

Legend

-  Park Boundaries (80.4 Acres)
-  Open Water Course
-  Piped Water Course

Habitat Types (Acres)

-  Conifer Forest (39.6)
-  Conifer-No Understory (14.6)
-  Conifer-Deciduous Forest (4.0)
-  Conifer-Madrone Forest (0.9)
-  Deciduous-Madrone Forest (0.4)
-  Trail Corridor (1.5)
-  Grassland (0.7)
-  Shrubland (2.5)
-  Landscaped Shrubland (0.3)
-  Landscaped Forest (1.3)
-  Landscaped Grassland (7.6)
-  Developed (7.1)



Map produced by
Seattle Urban Nature
April, 2007. Park Boundaries,
water course data, and
orthoimagery provided by the
City of Shoreline, WA.

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accompany this product.



South Woods 15 year plan

Short-term management priorities (Years 1-5)	
	These are actions that are of high importance and could be completed within the first five years
Year	Action
1	Conduct inventory of park assets and create Vegetation Management Plan (VMP) (complete)
2	Using information from VMP, create specific restoration action plans for each management zone. This type of information can include specific planting plans, specific invasive removal techniques to be used, specific maintenance activities that will be necessary, as well as a timeline for implementation, maintenance and monitoring
2-5	Implement specific goals identified as short-term priorities in the VMP
	1) Create survival rings around native trees in the park within areas covered by English ivy and continue removing English ivy from contiguous patches in Zone 2
	2) Remove invasive trees in Zone 4, beginning with moderately invaded areas and proceeding into heavily invaded areas and replant with native species
	3) Revegetate Zone 5 with native species and remove invasive trees that are encroaching on this area
	4) Decide the appropriate use for the fenced-off section in the north of the park
Yearly	Conduct monitoring and maintenance of areas in restoration
Medium-term priorities	
	These are actions that will take planning to complete and could be completed within five to ten years
Year	Action
6-10	1) Remove English ivy from Zone 2 and replant with native species
	2) Remove Himalayan blackberry from accessible areas of the park and replant with native species
	3) Remove invasive trees from moderately invaded sections of the park
	4) Begin removal of English holly from heavily invaded sections of the park
Yearly	Conduct monitoring and maintenance of areas in restoration
Long-term priorities	
	These are on-going activities that will take many years to accomplish and can be integrated into other restoration efforts
Year	Action
11-15	1) Underplant tall shrubs within the park
	2) Increase coarse woody debris component in the park by retaining existing logs and bringing in additional wood when possible and preserve large snags when possible
	3) Remove patches of herb Robert from Zone 5
	4) Remove invasive trees from heavily invaded sections of the park and replant with native species
	5) Maintain restored areas which have been replanted with native species
16	Conduct park inventory and reassess management strategies

Hamlin Park 15 year plan

Short-term management priorities (Years 1-5)	
	These are actions that are of high importance and could be completed within the first five years
Year	Action
1	Conduct inventory of park assets and create Vegetation Management Plan (VMP) (complete)
2	Using information from VMP, create specific restoration action plans for each management zone. This type of information can include specific planting plans, specific invasive removal techniques to be used, specific maintenance activities that will be necessary, as well as a timeline for implementation, maintenance and monitoring
2-5	Implement specific goals identified as short-term priorities in the VMP
	1) Remove all discrete patches of ivy in zones 1-A, 1-B, 1-D, 3-A, 3-C and 4-C and replant with native species
	2) Create survival rings in all large ivy-infested areas throughout the park where trees are being threatened
	3) Remove discrete areas of scotch-broom in Zones 1B and 1D and replant with native species
	4) Remove small infestation of yellow archangel in Zone 1 before it spreads further and replant with native species
	5) Remove small, isolated patches of Himalayan blackberry located in management zones 1-A and 1-B, along with the isolated patch in zone 3-B and replant with native species
	6) Remove isolated patches of English holly and cherry laurel infestations throughout the park. A priority area is the infestation spanning zones 3-B, 1-B and 4-B in the center of the park (see the management discussion for zone 4-B for more information)
	7) Remove sweet cherry infestation in zone 4-A and replant with native species.
	8) Establish a scientific study comparing different treatments to re-establish understory in the conifer forest without understory forest type
	9) Establish exclosures to reduce human traffic in restoration areas.
	10) Define a permanent trail network and close off unnecessary social trails.
Yearly	Conduct monitoring and maintenance of areas in restoration
Medium-term priorities	
	These are actions that will take planning to complete and could be completed within five to ten years
Year	Action
6-10	1) Remove English holly and cherry laurel in zones 1-A, 1-D, 3-A, 3-B, 3-C, 4-B, 4-C and 8 and replant with native species
	2) Remove larger Scotch broom infestations in Zones 1-A and 5 and replant with native species
	3) Remove large, contiguous areas of English ivy in zones 1-A, 1-D, 3-A, 3-B, 4-A and 6 and replant with native species
	4) Remove large, contiguous infestations of Himalayan blackberry in zones 1-A, 1-D, 3-C, 4-A, 4-C, 5 and 6
	5) Remove Norway maple from Zone 3-C and replant with native maple species
	6) Remove sweet cherry from Zone 4-C and replant with native bitter cherry
	7) Re-establish understory in the conifer forest without understory forest type using results from the scientific study (number 8 in short-term priorities)
Yearly	Conduct monitoring and maintenance of areas in restoration
Long-term priorities	
	These are on-going activities that will take many years to accomplish and can be integrated into other restoration efforts
Year	Action
2-15	1) Increase CWD component in the park by retaining existing logs and bringing in additional wood when possible
	2) Provide on-going maintenance of restored areas
	3) Underplant tall shrubs throughout the park
16	Conduct park inventory and reassess management strategies

Boeing Creek and Shoreview Parks 15 year plan

Short-term management priorities (Years 1-5)	
	These are actions that are of high importance and could be completed within the first five years
Year	Action
1	Conduct inventory of park assets and create Vegetation Management Plan (VMP) (complete)
2	Using information from VMP, create specific restoration action plans for each management zone. This type of information can include specific planting plans, specific invasive removal techniques to be used, specific maintenance activities that will be necessary, as well as a timeline for implementation, maintenance and monitoring
2-5	Implement specific goals identified as short-term priorities in the VMP
	1) Remove invasive trees in Zones 1, 2, 3, 6, 8 and 9 and replant with native species
	2) Remove discrete areas of Himalayan blackberry in Zones 1, 3, 6 and 8 and replant with native species, including conifers
	3) Remove discrete patches of English ivy from Zones 1, 2, 3, 6 and 9 and replant with native species
	4) Remove yellow archangel from Zone 9 and replant with native species
	5) Remove scattered infestations of herb Robert from interior forested areas including Zones 6 and 7 within the park complex
	6) Remove infestations of creeping buttercup and common periwinkle from Zones 6 and 8 and replant with native species
	7) Formalize trail junctions in Zone 7 and replant with native species to avoid further effects of trampling
	8) Create survival rings around trees in Zone 12 within areas covered by English ivy
Yearly	Conduct monitoring and maintenance of areas in restoration
Medium-term priorities	
	These are actions that will take planning to complete and could be completed within five to ten years
Year	Action
6-10	1) Monitor cherry regeneration in Zone 1
	2) Create and maintain a buffer zone along the eastern and western edges of Zone 2 and along the eastern edge of Zone 5 to maintain the integrity of the forested areas
	3) Remove Herb Robert from Zones 3, 8 and 10 and replant with native species
	4) Remove Himalayan blackberry from Zones 9, 10 and 11 and replant with native species
	5) Remove Scotch broom from Zones 10 and 11 and replant with native species
	6) Remove ivy from Zone 10 and replant with native species
	7) Remove invasive tree species from zone 10 and replant with native trees
	8) Create a master plan for a trail network and close off and re-vegetate unnecessary social trails, particularly in steep slope areas
	9) Conduct a study focusing on stabilizing and re-vegetating eroded slopes and trails in steep slope areas
Yearly	Conduct monitoring and maintenance of areas in restoration
Long-term priorities	
	These are on-going activities that will take many years to accomplish and can be integrated into other actions
Year	Action
11-15	1) Underplant shrubs and herbaceous species within the conifer/madrone mixed forests in Zones 2 and 3
	2) Augment the shrub layer by underplanting shrubs in Zones 6 and 7
	3) Increase tree and shrub cover in Zone 8
	4) Remove invasive tree species from Zone 12 and replant with native species
	5) Remove English ivy from Zone 12 and replant with native species
	6) Remove Scotch broom, Himalayan blackberry and butterfly bush from Zone 4 and replant with native species
	7) Remove Himalayan blackberry and Scotch broom from Zone 12 and replant with native species
	8) Maintain restored areas which have been replanted with native species
	9) Increase levels of CWD and preserve large snags throughout the park complex.
16	Conduct park inventory and reassess management strategies

Hamlin Park Revegetation Study

In 2007, SUN conducted an inventory of Hamlin Park for the City of Shoreline. During the survey we mapped 12 habitats within the park ranging from developed areas and shrublands to conifer and madrone forests (Map 1). One of our most interesting findings was that 15 acres of the park is covered by a forest type we called "conifer without understory". These forests, located within the central matrix of the park, have a dense overstory canopy mostly consisting of Western hemlock trees with smaller amounts of Douglas-fir, western red cedar and western white pine. However, aside from the trees, these areas are completely bare, containing no shrubs, regenerating trees or any type of understory vegetation.

The City of Shoreline is concerned about this unusual situation and has asked SUN to design a study to look at ways to revegetate these areas. Starting in March of this year, we will establish and install six plots throughout the park (one in each bare area), looking at three different soil treatments and a number of different plant species.

Many hypotheses abound for why these areas do not contain vegetation. One theory is that use of motorized vehicles was prevalent in the park several decades ago and negatively impacted understory plants in these areas. Another theory is that the lack of a formal trail system within the park is leading to trampling of vegetation by visitors. It is also possible that there are some problems within the soil itself. To address these questions, SUN will collect soil samples to test for a variety of factors. The plots will also serve as exclusion areas for human activity as they will be fenced off. This will allow us to see if vegetation will come in by itself into the fenced-off control plots and whether trampling is the root cause of the problem.

SUN will conduct baseline monitoring of each plot prior to treatment installation and will monitor the plots over the next two growing seasons. At the end of that time, we hope to get a good idea of what treatments work best and which plant species are the most successful. This information will allow the City of Shoreline to expand the planted areas and establish more "understory islands" throughout the park.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Study Session for the 2008 Annual Consideration of Amendments to the Comprehensive Plan and Associated Development Code Amendments
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP Director of Planning and Development Services; Rachael Markle, Project Manager Asst. Director of Planning and Development Services

PROBLEM/ISSUE STATEMENT:

The State Growth Management Act permits amendments to a city's Comprehensive Plan, but the review cannot occur more than once a year with a few exceptions such as the adoption of a subarea plan. The Planning Commission and Council can then look at the proposed amendments as a package, in order to consider the combined impacts of the proposal.

For the year 2007, the City received no public initiated amendments to the Comprehensive Plan. Staff have proposed several amendments to the Comprehensive Plan Land Use chapter for inclusion on the 2008 "docket" (the list of amendments considered by the Planning Commission and Council).

These amendments are proposed in order to:

- ⇒ Create a definition for Planned Areas;
- ⇒ Differentiate Planned Areas from Subareas;
- ⇒ Create a definition and complete the development of a process for Master Plan permits;
- ⇒ Streamline the Master Plan permitting process; and
- ⇒ Require Shoreline Community College to apply for a Master Plan permit.

Attachment A describes the amendments in at a glance. Attachments D and F refer to the specific language in the Comprehensive Plan and Development Code that includes the proposed amendments (with underlines and strikethroughs).

RECOMMENDATION

This staff report and presentation are for discussion and to provide the Council an opportunity to provide staff with direction prior to final adoption. The City Council is scheduled for action on this item on June 9, 2008.

Approved By: City Manager Jm City Attorney _____

INTRODUCTION

The proposed Comprehensive Plan amendments include:

- Amending the subarea plan definition;
- Adding a definition for Master plan permit;
- Amending land use Figure LU-1 (Comprehensive Plan Land Use Map) to designate future Planned Areas;
- Replacing the term Master Plan with Planned Area when Master Plan refers to information in the Comprehensive Plan and master plan permit when the term refers to specific development standards;
- Clarifying that if a parcel(s) is identified as a Planned Area or Essential Public Facility in the Comprehensive Plan then a master plan permit can be approved without amending the Comprehensive Plan;
- Adding a definition of Planned Area; and
- Deleting Land Use Policies 76 and 77 regarding the general requirements of a master plan and the process for permitting a master plan. Insert this type of information in the Development Code.

The proposed Development Code Amendments include:

- Adding a definition for Master Plan Permit in SMC Chapter 20.20;
- Amending Planned Area (PA) in SMC Chapter 20.40;
- Adding Planned Area as a type of Special District under 20.40.050;
- Adding Master Plan Permit as a Type C permit to Table 20.30.060;
- Creating a purpose statement, decision criteria, vesting rules and amendment language for Master Plan Permits in SMC Chapter 20.30;
- Adding criteria for amending the Comprehensive Plan to add a Planned Area in SMC Chapter 20.30.340;
- Renaming First Northeast Transfer Station to Shoreline Transfer Station Planned Area 1;
- Moving Ridgecrest Planned Area 2 from 20.91 to 20.100 Special Districts;
- Adding CRISTA as Planned Area 3 on the zoning map with a limited scope and permitted use section;
- Adding Fircrest Planned Area 4 on the zoning map with a limited scope and permitted use section; and
- Adding Shoreline Community College on the zoning map as Planned Area 5 with a limited scope and permitted uses section.

BACKGROUND

Comprehensive Plan amendments may be submitted by anyone at anytime. Applications for Comprehensive Plan amendments are available on the City's website and from the Planning and Development Services department. Amendments may also be proposed by the Council, Planning Commission and staff. Staff initiated amendments are often the result of issues raised at the Council or the Commission throughout the year.

All amendments that are submitted between January 1 and December 31st of a given year are forwarded to the Council the following year (ex. amendments collected between 1/1/07 and 12/31/07 will be processed in 2008). From this list, the Council sets the docket. The docket is the list of Comprehensive Plan amendments that Council forwards to the Planning Commission for study and public hearing. This year's docket was forwarded by Council to the Planning Commission as part of their 2008 Work Plan.

The City received no amendments from the public in 2007. Staff proposed several amendments related to Master Planning and Planned Areas. The amendments proposed by staff comprise the 2008 Docket. No new amendments may be added to the 2008 Docket. If new amendment ideas arise, they may be considered for the 2009 Docket. The main reasons new amendments may not be considered are: 1) The GMA requires City's to consider amendments to the Comprehensive Plan only once a year (with few exceptions); and 2) Amendments to the Comprehensive Plan often require extensive analysis. Therefore adding a new amendment once the Docket is set could severely impact the ability to act on those amendments that have been docketed, analyzed and advertised.

The Planning Commission conducted a study session on Thursday, April 17, 2008 to discuss the proposed amendments to the Comprehensive Plan and Development Code regarding Master Planning. A Public Hearing was held by the Planning Commission on May 1, 2008 with a continuation to May 15, 2008. **The Planning Commission recommended approval of the proposed amendments to the Comprehensive Plan and associated Development Code amendments at the May 15, 2008 meeting.**

The Planning Commission asked several clarifying questions, asked for additional information and offered editorial suggestions. Comments and questions were also received from two citizens. The minutes from the April 17 and May 1, 2008 meetings can be found in Attachment B (Note: the minutes for the May 15, 2008 meeting were not available at the printing of this report. These minutes will be available prior to planned Council action on June 9th). Two written comments have been submitted to date on the proposed amendments and SEPA. Staff prepared a response to these comments. (Attachment C).

Discussion of Proposed Comprehensive Plan Amendments

Please see Attachment D Proposed Comprehensive Plan Amendments for specific changes.

The main purposes for the amendments proposed to the Comprehensive Plan in this report are as follows:

- A. Define and differentiate subarea plans and planned areas;
- B. To streamline Master Planning for Essential Public facilities by eliminating the need to amend the Comprehensive Plan in order to adopt a Master Plan (Master Plan permit);
- C. Assign a new land use designation called Planned Area to replace Single Family Institution;
- D. To identify a public process for private property owners to prepare comprehensive long range site specific plans for the use of property ; and
- E. To relocate Master Plan (Master Plan permit) processes and standards from the Comprehensive Plan to the Development Code.

A. Define and differentiate subarea plans and planned areas.

The City has employed the use of subarea planning and planned areas to develop site specific policies and regulations for designated areas. Although subarea plans are defined in the Comprehensive Plan, planned areas are not. Amendments have been proposed in order to define and differentiate subarea plans from planned areas. The main differences as proposed are: subarea plans can only be initiated by the City and can occur at any time during the year; planned areas can be initiated by the City or private property owner(s) and can only be considered as part of an annual review of the Comprehensive Plan. Also, a planned area may be a subset of a subarea plan. Please see Attachment E: Planning Tools and Processes Table.

B. Streamlining Master Planning for Essential Public Facilities

The Comprehensive Plan encourages Single Family Institutions and Essential Public Facilities to develop Master Plans. However, the Comprehensive Plan states that the Comprehensive Plan needs to be amended to approve a Master Plan. This is problematic due to the fact that the GMA limits Comprehensive Plan amendments to once a year. The annual review may not coincide with desired timing of a Single Family Institution or Essential Public Facility to adopt a Master Plan.

Since the Comprehensive Plan encourages Master Planning for Essential Public Facilities, it is appropriate to facilitate changes to the Comprehensive Plan and Development Code to streamline the process. By streamlining the process, these sites may be encouraged to apply for Master Plan permits ending the piecemeal approach of allowing expansion, development and redevelopment through the Conditional Use and/or Special Use process. This practice does not

holistically address such facets of development as parking, traffic and environmental systems.

C. Assign a new land use designation called Planned Area to replace Single Family Institution

The Comprehensive Plan designates three sites as Single Family Institutions: Shoreline Community College, CRISTA and Fircrest. This designation does not accurately address the current and likely future uses for the sites. The vast majority of the property at all three locations is zoned low density residential (single family), but the existing and future uses are not single family. All of the sites are surrounded by or adjacent to single family uses. This warrants master planning as encouraged by the Comprehensive Plan to holistically address such issues as transition between the campuses and adjacent low density uses, traffic, critical areas and stormwater.

The proposed definition for planned area land use designation is designed to encompass the intent of the single family institution land use designation and the planned area concept. As proposed, planned areas are delineated geographic areas that are unique based on natural, economic or historic attributes; subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities. Planned Area designations may be initiated by property owner(s) or the City. Staff proposes the use of the planned area tool instead of creating a new process to streamline master planning for essential public facilities.

D. Identify a Public Process for Private Property Owners to Prepare Comprehensive Long Range Plans

The question has arisen on several occasions, "what if a private property owner (or owners) was interested in developing a master plan or development agreement with the City to facilitate development or redevelopment of a property in a way that is not specifically permitted?" One answer to this question is – NO, that proposal is not permitted. However, this answer could be short sighted. Sometimes the property owner(s) wants to do something that responds to important goals and policies in the Comprehensive Plan, but does not meet all of the standards in the Development Code. Staff would like the public to have the opportunity to hear about these proposals and the City Council to be able to determine if additional planning and perhaps a change in the regulations would be beneficial.

Staff recommends the planned area process to consider these requests. The planned area process would allow either the City or a private property owner to initiate a site specific Comprehensive Plan amendment during the annual review of the Comprehensive Plan. The Planning Commission would then, using the

proposed criteria, be able to review the merits of the proposal and make a recommendation to the City Council as to whether a Planned Area land use designation should be approved. If a Planned Area land use designation and zoning is approved, a private property owner(s) can apply for a Master Plan permit. The Master Plan permit is the tool the property owner(s) would use to seek Council approval of site specific development regulations.

E. Relocate Master Plan processes from Comprehensive Plan to Development Code

The Comprehensive Plan was adopted in 1998. By 1998, the City had not yet adopted its own Development Code. When the City incorporated it adopted King County's Development Code. As a result, the Comprehensive Plan includes some policies that are very specific perhaps in an effort to ensure that the future City of Shoreline development regulations reflected the citizens longer range vision for development and redevelopment.

The City adopted its locally drafted Development Code in 2000. Many of the policies in the Comprehensive Plan were then converted to development standards. A few of the policies, including those regarding master planning, have not yet been translated from the policy document to the Development Code.

The Development Code does not include any provisions for master planning. The only references to master planning are in the Comprehensive Plan. Comprehensive Plan Land Use policies LU 76 and LU 77 outline the basic content of a master plan application and general application processing procedures. It is more appropriate to have such standards in the Development Code. LU 76 and LU 77 are more akin to development standards than policy statements.

Discussion of Proposed Development Code Amendments

Please see Attachment F Proposed Development Code Amendments for specific changes.

1. Adding a definition for Master Plan Permit in SMC Chapter 20.20

Master Plan is not defined in the Comprehensive Plan or the Development Code. The proposed definition is: A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public facilities. Master Plan permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

2. Amending the description of a Planned Area (PA) zone in SMC Chapter 20.40

The current description for Planned Area was adopted with the amendments for the Ridgecrest Planned Area 2. Staff is proposing to change the description of a Planned Area zone to also apply to essential public facilities.

3. Adding Planned Area as a type of Special District under 20.40.050

In terms of organization, it seemed intuitive to locate Planned Areas in the Special District section of the Code.

4. Adding Master Plan Permit as a Type C permit to Table 20.30.060 and Creating a purpose statement, decision criteria, vesting rules and amendment language for Master Plan Permits in SMC Chapter 20.30

The Comprehensive Plan states that essential public facilities are encouraged to Master Plan. Comprehensive Plan Land Use Policies 76 and 77 outline what a Master Plan should address. The Development Code does not contain provisions for Master Planning.

The First Northeast Transfer Station is the only approved Master Plan in the City. This Master Plan was reviewed as a legislative item. There were no changes made to the Comprehensive Plan. The approval of this Master Plan only required changes to the Development Code. The City attorney advises that future Master Plan permits be processed as quasi-judicial actions.

The City has been working with CRISTA, Fircrest and Shoreline Community College on the development of Master Plans for many years. During this time we have identified the need to further define the process for Master Planning and develop more detailed review criteria.

Over the years there has been a lot of confusion as to whether a Master Plan should be a policy document or a regulatory document. Staff is proposing that a Master Plan as described in the Comprehensive Plan is more regulatory in nature. Therefore, Master Plans should take the form of a permit, as opposed to a policy document. Through the permitting process, specific development standards, mitigation and design can be established.

Staff is proposing seven criteria to be used in the review of Master Plan permit applications. If the applicant meets the criteria, then a Master Plan permit can be recommended by staff and the Planning Commission for approval by the City Council. (Remember, only those areas designated as Planned Areas during the annual review of the Comprehensive Plan can apply for Master Plan permits). The criteria is designed to ensure that the Master Plan permit identifies and addresses on and off site impacts. Note: currently there is no criteria by which to review a Master Plan permit. Master Plan permits would be reviewed using the Comprehensive Plan and/or Development Code Amendment criteria.

The proposed vesting language clarifies that the regulations that are in effect on the date the Master Plan permit is deemed complete apply. Subsequently adopted regulations may be substituted administratively if the result is an equal or greater control than that which is afforded with the Master Plan permit. This

This is an administrative change. The First Northeast Transfer Station is a the City's only approved Master Plan. It seemed appropriate to rename it to be located and associated with future Master Plan areas.

7. Moving Ridgecrest Planned Area 2 from 20.91 to 20.100 Special Districts

This is an administrative change. In terms of organizing information in the Development Code, it seemed intuitive to locate all Planned Areas in the Special Districts section of the Code.

8. Adding CRISTA, Fircrest and Shoreline Community College, as Planned Areas 3, 4 and 5 on the zoning map with a limited scope and permitted uses section;

The Development Code does not require Master Planning (Master Plan permitting) for development or redevelopment on any of the three areas designated as Single Family Institutions: Shoreline Community College, CRISTA and Fircrest. The sites all contain nonconforming uses and the code allows expansion through the Conditional Use permit process. The Comprehensive Plan Land Use Policy 43 states:

The Single Family Institution land use designation applies to a number of institutions within the community that serve a regional clientele on a large campus. It is anticipated that the underlying zoning for this designation shall remain the same unless a master plan is adopted as an amendment to the Comprehensive Plan creating a special district.

The proposed amendments are designed to facilitate master planning and end the piecemeal, incremental development at Shoreline Community College, CRISTA and Fircrest. The purpose of a Master Plan permit is to incorporate and illustrate all proposed new development, redevelopment and/or expansion of an existing institutional campus into a comprehensive long range site plan that identifies and addresses both onsite and offsite impacts. The Master Plan may also include narrative and timetables to guide and phase growth and development in a way that serves the facility and benefits the community.

This City- initiated action seeks to change CRISTA's land use and zoning designation to Planned Area 3: CRISTA; Fircrest's land use and zoning designation to Planned Area 4: Fircrest Shoreline Community; and College's land use and zoning to Planned Area 5: Shoreline Community College.

Also proposed is text for the new Planned Areas in SMC Chapter 20.100. The purpose of this new Section is to:

- define the permitted and prohibited uses in each Planned Area; and
- limit expansion or redevelopment of existing nonconforming uses and development of any uses that are not permitted in a Planned Area unless

the expansion, redevelopment or development is allowed through the nonconforming use process or a Master Plan permit process.

Note: CRISTA submitted a Master Plan application for City review in February 2008. This application was determined to be complete.

9. Specific to Planned Area 5: Shoreline Community College

Staff recommends that a Master Plan permit be obtained prior to any further expansion, development or redevelopment at Shoreline Community College. This is consistent with the Planning Commission's and City Council's expressed desires. In addition, since 2000 the City has been expecting the submission of a Master Plan permit to address expansion, development and redevelopment at Shoreline Community College.

Shoreline Community College has not yet applied for a Master Plan permit and has instead been using the Conditional Use and Special Use processes for expansion, development and redevelopment. Therefore, in the proposed text for Planned Area 5, Shoreline Community College is prohibited from expanding nonconforming uses under 20.30.80(d) whereas the same restriction is not proposed for CRISTA and Fircrest.

Shoreline Community College has been kept informed about the proposed changes.

RECOMMENDATION

This staff report and presentation are for discussion and to provide the Council an opportunity to provide staff with direction prior to final adoption. The City Council is scheduled for action on this item on June 9, 2008.

ATTACHMENTS

Attachment A	Proposal at a Glance
Attachment B	Planning Commission Minutes: 4/17/08 & 5/1/08 (5/15/08 minutes are not yet available)
Attachment C	Written Comments & Staff Responses
Attachment D	Proposed Comprehensive Plan Amendments
Attachment E	Planning Tools Process Table
Attachment F	Proposed Development Code Amendments

allows Master Plan permit holders to easily employ more innovative techniques that may provide even greater benefits to the environment and neighborhood than what was approved with the Master Plan permit.

The Planning Commission worked with staff to draft provisions on how to amend a Master Plan permit. The sentiment is that as the Master Plan permit holder begins to implement the Master Plan permit, there could be a need to make adjustments to the permit. Some adjustments would be minor and could be processed administratively. Other adjustments would be major and would require additional analysis and public review.

The language recommended by the Planning Commission and staff recognizes the two types of amendments. The language stops short of defining minor amendments and instead states that the procedures and criteria for minor amendments will be approved with the Master Plan permit. This process is recommended because each Master Plan will be unique. What is a minor detail for one Master Plan permit site may not be minor for another. Major amendments are defined as those requests that were not analyzed as part of an approved Master Plan permit.

5. Adding Amendment Criteria for Planned Area Land Use changes

Currently the criteria for amending the Comprehensive Plan is:

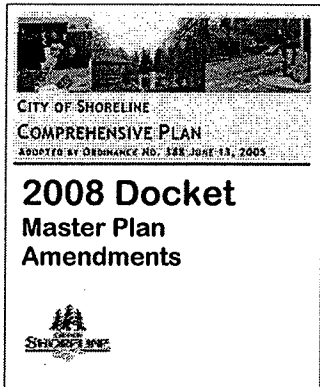
1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or
2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or
3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare. (Ord. 238 Ch. III § 7(f), 2000).

The Planning Commission was concerned that the general Comprehensive Plan amendment criteria would be too broad to use in making a decision on a proposed Planned Area Land Use designation request. Therefore, additional criteria was developed for the Commission and Council to use when considering Planned Area Land Use designation requests.

6. Renaming First Northeast Transfer Station to Planned Area 1: Shoreline Transfer Station

PROPOSED 2008 COMPREHENSIVE PLAN AMENDMENTS FOR MASTER PLANNING

Why are we proposing these amendments?



The Comprehensive Plan encourages master planning for Fircrest, CRISTA and Shoreline Community College. However, the Comprehensive Plan only allows the consideration of master plans once a year (during the annual review of the Comprehensive Plan), while at the same time its description of master planning does not necessitate adding or amending Comprehensive Plan policies. Instead, it describes master planning as the type of information usually found in the Development Code such as allowed uses and development standards.

Therefore, staff is recommending moving master planning from the Comprehensive Plan to the Development Code to allow for the permitting of master plans outside of the annual review cycle. The Comprehensive Plan will identify which properties can apply for a master plan permit and why; and the Development Code will regulate the preparation, review, adoption and implementation of the Master Plan permit.

Main Purpose of Amendments

- Streamline Master Plan permitting for Single Family Institutions & Essential Public Facilities;
- Create a definition for Planned Areas;
- Differentiate Planned Areas from Subareas;
- Create a definition and complete the development of a process for Master Plan permits; and
- Require Shoreline Community College to apply for a Master Plan permit.

How Master Planning would work

Land Use Designation

Change to "Planned Area"



Zoning

Apply for a "Master Plan" permit

Establishes site specific permitted uses and development standards for planned areas.

Benefits of Adopting Proposed Amendments

The community benefits by encouraging Master Plan permitting for the following reasons:

- ☒ Master Plan permitting requires the applicant to prepare detailed professional studies to identify, analyze and address the effects of their long term proposed development on:

Traffic, Stormwater, Critical areas, Adjacent properties, Neighborhoods, Parking & Safety

Currently development at Fircrest, Shoreline Community College and CRISTA does not trigger this level of review and analysis. Through this level of analysis and public process, on and off site impacts can be avoided, minimized or mitigated to allow these essential public facilities to co exist within Shoreline neighborhoods.

- ☒ Master Plan permitting as proposed specifies a public process that includes mailing notification to property owners within 500 feet of the site. The current process does not require mailed notification.

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

April 17, 2008
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Kuboi
Vice Chair Hall
Commissioner Behrens
Commissioner Broili (arrived at 7:09 p.m.)
Commissioner Kaje
Commissioner Perkowski
Commissioner Pyle
Commissioner Wagner

Staff Present

Rachel Markle, Assistant Director, Planning & Development Services
Flannary Collins, Assistant City Attorney
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Commissioner Piro

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Kuboi, Vice Chair Hall, and Commissioners Behrens, Kaje, Perkowski, Pyle and Wagner. Commissioner Broili arrived at 7:09 p.m. and Commissioner Piro was excused.

APPROVAL OF AGENDA

The Commission accepted the agenda as proposed.

DIRECTOR'S REPORT

Ms. Markle reported that the City Council approved the application to rezone properties located at 16520 through 16538 Linden Avenue North from R-8 to R-24. The vote was 6-1. Council Member Way expressed concern about the lack of sidewalks on the west side of the street adjacent to the park, particularly given the potential increase in traffic and that children would cross in this location

frequently. Ms. Markle further reported that the City Council also unanimously approved the application to rezone property located at 17562 – 12th Avenue North from R-12 to R-24.

Mr. Markle announced that the City Council started their review of the proposed Development Code amendments regarding CB zones, but the issue was tabled to their May 12th meeting. The City Council also heard about the Shoreline Sustainability Strategy, and all comments were positive and constructive.

Ms. Markle reported that staff is unclear about the direction that was given at the joint Planning Commission/City Council Meeting regarding the Commission's earlier recommendation that most quasi-judicial matters be referred to the Hearing Examiner for the next 12 months. Chair Kuboi recalled that some City Council Members were not enthusiastic about the Commission's proposal, and they asked the Commission to consider the issue further and address the concerns that were raised. The Commission agreed to discuss this issue at a future meeting and provide further direction. Vice Chair Hall suggested that when this issue comes up again, it would be helpful for staff to provide excerpts from meetings where the proposal was previously discussed. Ms. Simulcik Smith noted that the proposal was mainly discussed at the Commission's dinner meetings, and there is no tape or written recording. Commissioner Behrens asked staff to also provide a synopsis of the discussion from the City Council's perspective, including the handout that was provided by Council Member Way. Commissioner Pyle observed that the City Council was not so much opposed to the proposal, but they were concerned about appearance of fairness, the costs that would be passed on to the applicant, and how the program would be managed. He suggested these are all important issues to address before forwarding an updated recommendation to the City Council.

Ms. Markle announced that the City Council would hold their retreat on April 25th and 26th. The agenda would include a discussion about the vision for the City of Shoreline. The Planning Commission's role would likely be part of that discussion.

Ms. Markle mentioned that Forward Shoreline held a meeting on April 16th. Staff members who attended indicated the discussion was hopeful. A few Commissioners indicated they attended the meeting, as well. She also reported she met with Fircrest Representatives, who are starting Phase 2 of their master plan. The plan should come before the Commission for review within the next year.

APPROVAL OF MINUTES

The minutes of April 3, 2008, were approved as amended.

GENERAL PUBLIC COMMENT

Dennis Lee, Shoreline, said the dialogue that took place at the joint City Council/Planning Commission meeting was very good. Regarding the proposal to send quasi-judicial items to the hearing examiner for 12-months, Mr. Lee suggested that perhaps the Commission could make this decision on a case-by-case basis. The Commission could retain their ability to review the important applications as time permits.

Les Nelson, Shoreline, recalled a comment made by Commissioner Pyle about small properties along Aurora that could probably not accommodate any other type of zone than R-48. He questioned what process would be used to accomplish these site-specific rezones. Commissioner Pyle explained that his comment was based on a range of options that one could pursue for a specific piece of property under a specific Comprehensive Plan land use designation. For example, oftentimes, a land use designation of R-12 to R-48, can give property owners a false idea that they can rezone to a higher density. Perhaps in circumstances where it is not possible to get a particular zoning designation, the Comprehensive Plan should be changed or the land use designation redefined so it doesn't include a density that would not be allowed. Mr. Nelson agreed and asked what process would be used to make these changes. Commissioner Pyle answered that this would require a Comprehensive Plan amendment to change the definition and/or land use designation to allow for a different range of options for underlying zoning. Mr. Nelson suggested this could potentially be done through the subarea planning process as an amendment to the Comprehensive Plan.

REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Perkowski indicated he attended the Forward Shoreline Meeting on April 16th and was impressed with the level of discourse. King County Councilmember Bob Ferguson provided some very useful insight and advice on how to deal with conflict in a public process. Commissioner Broili added that he found Mr. Ferguson's remarks to be right on target and well appreciated. He said he was encouraged by the direction Forward Shoreline is taking and the process they are putting forward to work toward a strategy for bringing a vision to the City that is outside the realm of the political arena. He noted they have a consultant from outside of Shoreline to help them work through the process. He pointed out their goal is to ensure that everyone has a voice in the vision that would be produced through the process.

STAFF REPORTS

Study Session on Master Plan Amendments

Ms. Markle explained that the Growth Management Act (GMA) states that comprehensive plans can be amended annually, with a few exceptions such as subarea plans that are being adopted for the first time. The state's intent is to require cities to collect amendments over a year and then review all of the amendments at the same time in order to have a holistic picture of what the impacts would be. She introduced the proposed 2008 amendments to the Comprehensive Plan and associated Development Code amendments and noted there were no public initiated amendments.

Commissioner Wagner noted that at recent meetings, the public has voiced more interest in the Comprehensive Plan. She suggested that *CURRENTS* would be an appropriate place to inform the public of the on-going Comprehensive Plan amendment process and how they can participate. Ms. Markle advised that Comprehensive Plan amendments are collected up until December 31st of each year. Ms. Markle suggested they advertise the process sometime in January or February of each year. She noted that the opportunity is advertised year round on the City's website.

Ms. Markle advised that Comprehensive Plan amendments are reviewed via a legislative process. Notice was sent to CTED on March 26th and SEPA comments are due on April 18th. The public comment period would be open until adoption. A public hearing has been scheduled before the Planning Commission on May 1st. The City Council is scheduled to conduct a study session on the Commission's recommendation on May 19th, with anticipated adoption at their meeting of June 9th. Ms. Markle reviewed the main purposes for the proposed Comprehensive Plan amendments as follows:

- **Streamline master planning for essential public facilities.** Ms. Markle pointed out that the Comprehensive Plan encourages master planning for single-family institutions and essential public facilities. However, because the Plan states that an amendment would be required in order to adopt a master plan, this discourages master planning due to a lack of predictability for the applicant. Applicants may have to wait nearly a year to have a master plan permit application processed. If the City truly wants to encourage private entities to prepare master plans, it is critical they are allowed to apply and have their master plan applications processed more than once a year.

Ms. Markle said the Comprehensive Plan encourages master planning because it allows the City to cumulatively address impacts such as traffic, stormwater, environmental protection, design and use compatibility, parking and safety. Through this process specific development regulations and controls can be put in place to address the impacts. Without a master plan, these sites would be allowed to develop on a piecemeal basis using either conditional use permits, an administrative process, or using special use permits, a quasi-judicial process.

Ms. Markle advised that the 1st Northeast Transfer Station is the only approved Master Plan in the City. It was reviewed as a legislative item, and no changes were made to the Comprehensive Plan. While this site is small and used for only one purpose, it could be used as an example of what a master plan would look like. A master plan would include specific development regulations for height, setbacks, bulk and density. It would also identify specific landscaping, parking, design and circulation standards. In addition, the standard sections of the City's code could be applied. A master plan would also include a long-range site plan, phased mitigation plans, and phased infrastructure improvements.

- **Assign a new land use designation called "planned area" to replace single-family institutions.** Ms. Markle recalled that the City recently employed a new development tool called "planned area" for the Ridgecrest Commercial Neighborhood. The tool has been used by other cities to identify and responsibly plan for those areas within a city that represent unique challenges and opportunities such as colleges, airports, hospitals, neighborhood commercial centers, etc. She pointed out that what the Comprehensive Plan talks about single-family institutions and essential public facilities and the need to master plan, and it became clear to staff that the "planned area" tool could be used for a variety of defined planning scenarios.

Ms. Markle said staff is proposing that the "planned area" land use designation be defined as follows: *"pertains to a defined geographic area that is uniquely based on natural, economic or historic attributes subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems and*

opportunities. Planned area designations may be initiated by property owner(s) or the City during the annual review of amendments to the Comprehensive Plan.” Ms. Markle said the proposed amendments would also firm up the process. In order to receive planned area zoning, the area must be defined as a planned area on the future land use map.

- **Define and differentiate “subarea plans” and “planned areas”.** Ms. Markle advised that the proposed amendments also seek to amend the current definition of “subarea plan” to better reflect how the tool has been used by the City over the past 12 years. She explained that the current definition seems to indicate that development regulations would always be a part of a subarea plan, but it is possible to adopt a subarea plan and then come back later with development regulations. She reviewed the differences between “subarea plans” and “planned areas.” She noted that only the City can apply for subarea plans, and they can occur at any time. Subarea plans may or may not include development regulations, and the definition is broader in terms of what geographic areas they can be used for. Either the City or a private applicant can apply for a planned area, but they can only occur as part of the annual review process. In addition, planned areas may be a subset of a subarea. Planned areas are also defined more narrowly.
- **Identify a public process for private property owners to prepare comprehensive long range plans.** Ms. Markle said she is often asked if a private property owner can apply for a master plan, and the current answer is no. She explained that the question stems from a desire to develop in a way that doesn’t fit within any of the existing zoning designations. Often there is a belief that the developer could provide, through design or conditioning, community benefits related to such things as affordable housing, preservation of open space and trees, jobs, public infrastructure, upgrades, etc. in exchange for deviations from the blanket development standards. She advised that under the proposed amendment, a private property owner could apply for a site-specific Comprehensive Plan amendment and associated rezone to planned area, and this would be a legislative process. However, in order to get zoning specific to the site, a property owner would have to apply for a master plan permit, which would be a quasi-judicial process.
- **Relocate Master Plan processes from the Comprehensive Plan to the Development Code.** Ms. Markle explained that the master plan concept is not mentioned at all in the Development Code. At this time, everything that governs a master plan is in the Comprehensive Plan (Land Use Policies 76 and 77). While this information is great, it is time to move it into the Development Code so that applicants and the public can see exactly what is required. In addition, she suggested the list in the Comprehensive Plan is incomplete, and the proposed amendment defines the process and provides review criteria. A checklist for submittal has already been prepared, as well.

Next, Ms. Markle reviewed the proposed Development Code Amendments as follows:

- **Add a definition for Master Plan Permit in SMC Chapter 20.20.** Ms. Markle noted, again, that there is currently no definition for “master plan” in either the Development Code or Comprehensive Plan. Staff is proposing the following definition: *“A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public*

facilities.” She added that the permit would be limited to those properties identified in the Comprehensive Plan.

- **Add Master Plan Permit as a Type C permit to Table 20.30.060 and create a purpose statement, decision criteria and vesting rules for Master Plan Permits in SMC 20.30.** Ms. Markle said this amendment would actually outline the quasi-judicial process and criteria for master plan permits in the Development Code. She explained that, currently, staff’s review of master plan applications is based only on the criteria for a Development Code amendment, which is very broad. The proposed new criteria would balance citywide goals and objectives for critical areas, design, transportation, public service, parking, transition between uses, stormwater, etc. She summarized that the amendments seek to provide clear understanding for the public and the applicant.
- **Add Shoreline Community College, CRISTA, and Fircrest as Planned Areas 1, 3 and 4 on the zoning map with a limited scope and permitted uses section.** She said this amendment is intended to equal no change. She explained that the underlying zoning would remain in place and would not change until a master plan permit is approved through a quasi-judicial process. She said the intent of the proposed amendment is to set the stage so the Development Code and Comprehensive Plan would not need to be amended for the purposes of approving a master plan permit. She further said staff believes this change would be more transparent to property owners.
- **Specific to Planned Area 1 – Shoreline Community College.** Ms. Markle said staff is proposing to not allow Shoreline Community College to continue to expand using the non-conforming use provisions. She explained that non-conforming uses such as Shoreline Community College, CRISTA and Fircrest are allowed to expand with a conditional use permit, which is an administrative process, or a special use permit, which is a quasi-judicial process. This allows the properties to be redeveloped and developed piecemeal. She noted that, oftentimes, a single-proposal does not trigger frontage improvements and/or major upgrades to stormwater, etc. Staff believes they have reached a point with Shoreline Community College where they are no longer confident impacts can be mitigated. She advised that the college has been contacted about the proposed change that would require them to master plan. She noted that staff does not believe the same issues exist with the CRISTA and Fircrest sites.

Ms. Markle emphasized that the proposed amendments would not change the development controls currently in place for Shoreline Community College, CRISTA or Fircrest. However, the proposed amendments would identify and define a process for master plan permits, specifying who can apply for a master plan permit and create specific review criteria.

Commissioner Pyle asked a clarifying question about the amendment that would identify a public process for private property owners to prepare comprehensive long range plans. He asked if this amendment would be similar to what could be achieved through a contract rezone, a binding site plan, etc. Could the amendment be used to achieve a difference in use, or is it merely something that could be used to achieve a deviation from the standard application of the zoning controls. Ms. Markle said an applicant would be able to use this concept to change the permitted uses and the development standards. However, it is important to keep in mind that a property must meet certain criteria to be a planned area.

Commissioner Pyle asked if there would be a property size limitation. Ms. Markle said that has not been proposed. She said she originally thought that planned areas would be smaller than subareas, but this did not work.

Commissioner Pyle asked if the master plan permit concept could be applied to allow a private property owner to construct a business use in a residential zone if they could prove they meet certain circumstances. Ms. Markle said that, technically, this could happen. However, it is important to keep in mind that a property owner would have to go through the Comprehensive Plan amendment process and meet all of the specific criteria related to public benefit. She said the concept is similar to a contract rezone. However, in a contract rezone, a property would still be beholden to the underlying zone, but with conditions. A master plan permit would be used for properties that are not able to meet all of the use requirements or development standards.

Ms. Markle advised that the City does not have provisions for contract rezones anymore; however, they do have provisions for binding site plans. Commissioner Pyle noted that a property owner who could not achieve his/her objective through a binding site plan could pursue a public process for preparing a master plan, if the circumstances were right. Ms. Markle agreed, as long as they can get through the legislative portion of the program.

Commissioner Kaje pointed out that staff's proposed amendments to Land Use Policies 9, 12, 14, 15, 16, 17, 18 and 19 would apply the same provisions for all types of areas, and the same set of criteria would be used. He suggested there should be more guidance and restriction on what could be allowed in a low-density residential area as opposed to a community business area. He suggested that this gap should be filled by adding language to both the Development Code and the Comprehensive Plan that takes into account the context that a particular master plan is being proposed for.

Ms. Markle pointed out that the Planning Commission would recommend and the City Council approve the location of planned areas through the legislative process. If a planned area is determined inappropriate for a particular zone because it cannot meet the criteria, the proposal would be denied. If a land use change is not approved, a property owner would not be able to apply for a master plan permit. She pointed out that Shoreline Community College and Fircrest are located in R-6 zones. Because they are essential public facilities, the City cannot preclude their continued use or expansion. She suggested it would be difficult to not offer the subarea or master plan concepts as an option to change the land use in an R-4 or R-6 zone.

Commissioner Kaje suggested that if a property owner in any zone wants to do something different than the Development Code would allow, the language should provide specific guidance about what the Commission and City Council should consider if the properties are surrounded by low-density residential. Ms. Markle agreed this would be appropriate. However, rather than addressing this issue by adding additional language to the master plan criteria, it would be more appropriate to consider this issue when reviewing the Comprehensive Plan criteria.

Commissioner Wagner asked how many sites could potentially be impacted by the proposed amendments, other than the three identified by staff (CRISTA, Shoreline Community College, and

Fircrest). Ms. Markle said she has received four inquiries about the potential for master planning, and she does not anticipate the master plan permit being a tool that is used frequently. It could be used to create individual planned areas after a subarea plan has been adopted. This would be done through a legislative process.

Vice Chair Hall asked if all conditional use and special use permits require a legislative process. He recalled that one permit for a building at Shoreline Community College came through the Commission for review and a recommendation. Ms. Markle explained that Shoreline Community College is a non-conforming use in a residential zone. As per recent direction from the City Attorney, most development permits for this property would require a conditional use permit not a special use permit. Conditional use permits are administrative decisions that do not come before the Planning Commission for review. She advised that the use table found in the Development Code indicates whether a conditional use or a special use permit would be required in order for a non-conforming use to be expanded. Special use permits do come before the Commission for review and a recommendation to the City Council.

Vice Chair Hall said the staff report points out that the 1st Avenue Northeast Transfer Station is the only facility currently operating under a master plan in the City. However, staff has not proposed to designate this property as a planned area. Ms. Markle advised that they could make this designation. Commissioner Hall pointed out the City's intent of limiting the master plan concept to those areas designated "planned area" in the Comprehensive Plan. He noted that if a new master plan were proposed for the transfer station, a lengthy legislative process would be required to designate the property as a planned area. He suggested it would be more appropriate to designate this area as a planned area now. Ms. Markle agreed this would be a good idea.

Vice Chair Hall expressed surprise that the criteria for rezones was not touched on in the proposed new language. He recalled that over the past year, the Planning staff has suggested the criteria overlaps and does not work well. He questioned if it would also be appropriate for the Commission to revisit the current rezone criteria. He noted the Commission also discussed this issue in the context of whether or not they felt comfortable transferring the responsibility for doing quasi-judicial rezones to the Hearing Examiner. There was some concern in that discussion about whether the criteria are sufficiently explicit. He asked staff to respond to this issue prior to the public hearing.

Commissioner Perkowski referred to the proposed amendment related to streamlining master planning for essential public facilities. As proposed, master plan permits could be amended using the same process as approving the master plan. He asked staff to share their thoughts about whether this would truly end the piecemeal approach or if the amendment process would make the situation almost analogous to the current conditional use permit process. He questioned if the language should tighten the threshold for what constitutes an amendment. Ms. Markle pointed out that property owners have to spend a lot of money and time to come up with sufficient analysis to create an initial master plan. She felt it would be a pretty major situation for a property owner to want to go back through the expensive (about \$10,000 per application) and time consuming master planning process. Commissioner Perkowski suggested the opposite could also be true. Again, he suggested the thresholds for the amendment process should be carefully considered. Ms. Markle agreed to review the language and try to come up with something different to address the concern.

Commissioner Wagner inquired if the City has heard any feedback from Shoreline Community College regarding the proposed amendments. Ms. Markle advised that she has regular contact with the Vice President of Administration at the college to discuss the proposed amendments. He stated the college doesn't have plans to do any development for the next few years, and they currently have one active building permit. He does not foresee the proposed amendments would cause trouble for their future plans. She pointed out that the college has prepared a master plan permit application, but it is not a complete application.

At the request of Chair Kuboi, Ms. Markle reviewed the three review criteria for Comprehensive Plan amendments. They are as follows:

- The amendment is consistent with the Growth Management Act and not inconsistent with the countywide planning policies or other provisions of the Comprehensive Plan and City policies.
- The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision, or corrects information contained in the Comprehensive Plan.
- The amendment will benefit the community as a whole and will not adversely affect the community facilities and/or the public health, safety or general welfare.

Vice Chair Hall asked if the master plan already submitted by CRISTA would be processed as a legislative action or if it would be processed under the new provisions as a quasi-judicial application. Ms. Markle said CRISTA's application would be vested under the existing criteria, since the project manager anticipates issuing a completeness letter by the end of the week. If the amendments pass it will be processed as a quasi-judicial item, if they are not passed it will be processed legislatively.

Vice Chair Hall pointed out that the proposed language for Land Use Policy 12 is structured differently than the other amendments. Ms. Markle agreed to review the language to make it clear that density could exceed 12 dwelling units and the R-8 or R-12 zoning designation if a subarea plan, neighborhood plan or special overlay plan has been approved.

Vice Chair Hall referred to Figure LU-1 and asked if the planned area designation is a designation or an overlay on top of some other designation. Similarly, he asked if the planned area zone would be a zoning district or an overlay on top of another district. Ms. Markle explained that the underlying zoning must remain in place on the zoning map until a master plan permit has been approved. She said she could write simple language for Fircrest and Shoreline Community College because the entire sites are zoned the same. However, because the CRISTA property consists of two different zones, it would be difficult to describe in writing and easier to illustrate on the map. That's why she used an overlay. She said she would consider further whether or not it would be appropriate to identify the underlying land use on the Comprehensive Plan land use map.

Vice Chair Hall recalled that in the Shoreline community, tremendous concern has been voiced about the distinction between land use designations and zoning designations. As he reviewed the staff report, he noted that a number of terms have been used. He suggested this makes it complicated for the general

public to clearly understand. He asked staff to share their ideas for making the Comprehensive Plan and Development Code more accessible to the general public. Ms. Markle said she originally took out terms such as "neighborhood plan" and "special overlay" in an effort to focus on getting a tight master plan permit process and definitions in place for Shoreline Community College, CRISTA, and Fircrest. However, she was nervous about proposing too many changes to the existing plan. She said she would support removing some of the terms. This would be easy to do and would make the plan more transparent.

Commissioner Broili asked if it would be possible to provide illustrations to lay out the flow of how the pieces all relate to each other. He noted that some people respond better to visual information as opposed to verbal information. Ms. Markle referred to the chart labeled Attachment D, which represents her attempt to visually lay out the concepts contained in the proposed amendments. She asked Commissioner Broili to review Attachment D and provide comments for how it could be improved. Commissioner Broili suggested they use a flowchart approach to illustrate the concepts. Ms. Markle agreed to attempt to create a flowchart. Vice Chair Hall suggested that simplifying the relationship between the different planning tools would help reduce the public's confusion at the public hearing.

Commissioner Kaje referred to the proposed decision criteria found in Section 20.30.337.B, and asked if the term "mitigate" is specifically defined in the code. Ms. Markle reviewed the code's current definition for the term "mitigation." Commissioner Kaje inquired if this definition would apply to all sections of the code, and Ms. Markle answered affirmatively.

Commissioner Kaje pointed out that a few of the criteria talk about mitigating impacts. He suggested that the proposed language be changed to capture the hierarchy of the mitigation concept: avoid, reduce, and then mitigate impacts if they cannot be avoided or reduced. Commissioner Kaje also referred to Criteria 6 in Section 20.30.337.B, and suggested the word "limit" be changed to "minimize." If the intent is to minimize conflicts between the master plan property and adjacent uses, the language should make this clear. The remainder of the Commission concurred.

Commissioner Behrens referred to Criteria 4 of Section 20.30.337.B and asked how staff proposes to project what type of public transportation system would be available at a particular time in the future. Ms. Markle clarified that the intent of the language is to require an applicant to implement traffic mitigation measures to address the anticipated impacts associated with each phase of their development. In addition, she noted the City does model into the future for transportation, so they do have information on what they perceive the traffic impacts would be in the future. She emphasized that the proposed language is not intended to allow an applicant to rely solely on public transportation as a way to mitigate the impacts.

PUBLIC COMMENT

The Commission discussed whether it would be appropriate to accept public testimony as opinions, since this item was not scheduled as a public hearing. City Attorney Collins noted that a public hearing on the proposed amendments has been scheduled for May 1st. She suggested that those who speak

tonight be asked to limit their comments at the public hearing to issues they have not yet raised. She noted that the item is legislative, so it is important to get as many comments as possible.

Les Nelson, Shoreline, expressed confusion that subarea plans are defined in the Comprehensive Plan, but not in the Growth Management Act (GMA). He suggested that doing planned areas through a quasi-judicial process would take some of the large facilities out of the realm of public comment. He noted that GMA requires that all proposed amendments to the Comprehensive Plan be considered by a government body concurrently so the cumulative affect of the various proposals could be ascertained. He suggested it would defy the intent of GMA if the City were to consider Comprehensive Plan changes associated with master plans, subarea plans and planned areas outside of the yearly cycle. He said his interpretation of GMA is that cities are allowed to create subarea plans at any point, but the final adoption must be done on a yearly cycle where all changes are considered at the same time.

Mr. Nelson said he also appreciates the Commission's discussion about disseminating information to the public by means other than the City's website. He suggested that this change would meet the requirements of the GMA to widely and broadly disseminate to the public a process for creating comprehensive plan amendments.

Dennis Lee, Shoreline, said he looks at the proposed concepts in a hierarchal manner. Master plans are the most complex and difficult. He said he was involved in the process for establishing the 1st Avenue Northeast Transfer Station Master Plan. While the process was difficult, it addressed most of the concerns raised by the public. He recalled that the proposal went through a legislative process, which allowed the citizens to lobby the City Council to address problems. He requested the City Attorney provide justification for making applications for master plans, subarea plans and planned areas quasi-judicial matters. He suggested the City consider making the process for changing from a planned area to a master plan legislative rather than quasi-judicial. In addition, he suggested that the "subarea plan" designation be renamed to "neighborhood subarea plan." He said neighborhood subarea plans should be the lowest on the hierarchy of concepts proposed, and using the word "neighborhood" would clearly define who the stakeholders are.

Commissioner Behrens said his understanding is that the planned area process would be legislative. That means an applicant would go through a formal legislative process to start with. An application would be presented to the Planning Commission, and they would make a recommendation to the City Council. If adopted by the City Council, an applicant would be allowed to apply for a master plan permit, which would be reviewed via a quasi-judicial process. He summarized that the proposed process would actually provide for a legislative process on the front and a quasi-judicial process on the end. Ms. Markle agreed. However, she pointed out that the exciting details are done as part of the master plan process.

Chair Kuboi inquired what type of detail would be envisioned at the Comprehensive Plan amendment stage for a proposed planned area. Ms. Markle said the proposed amendments were intended to focus on Shoreline Community College, Fircrest and CRISTA, which do not require a lot of detail because the Comprehensive Plan already identifies the need to master plan for these areas. There are no requirements in place to identify what a private applicant would have to provide in order to convince the

Commission and City Council that they deserve a Comprehensive Plan land use change. She said staff would advise an applicant to provide as much detail as possible about what they want to do, but the level of detail has not been spelled out in the proposed amendments.

Commissioner Wagner noted that none of the information required for the Comprehensive Plan amendment would be binding on the final master plan that is approved through the quasi-judicial process. The master plan process would actually define the details of the proposal. Ms. Markle agreed and added that if an applicant comes forward with a master plan proposal that is inconsistent with what was considered for the planned area, the current zoning would remain in place until they come back with something that meets the intent of the Comprehensive Plan.

Commissioner Broili said he anticipates that, over the course of time, other applications for planned areas would come before the Commission. Therefore, it would seem reasonable to provide some definition as to the level of detailed information that is expected. Ms. Markle pointed out that not a lot of detail would be required at the time the concept is first presented so it may be difficult to create a set of criteria. Commissioner Pyle pointed out that staff has the authority to govern the submittal requirements for planned area applications. He suggested that rather than adjusting the criteria for evaluation, the City could adjust the required submittal items, depending on the type of application. In order to deem an application substantially complete, a certain level of detail would have to be provided.

Commissioner Behrens suggested that many of the public concerns could be most thoroughly vetted during the legislative planned area portion of the master plan process. He questioned how the legislative review would be conducted. Ms. Markle described that, as part of the legislative review process, the City could mitigate impacts associated with the planned area land use designation by imposing conditions. Commissioner Behrens asked if staff believes the legislative review process would enable the City to address the more controversial issues. Ms. Markle said the legislative process would be where the broad use and density issues are vetted out. She suggested staff review the process that was used by Fircrest to consider the broader issues. Perhaps they could mirror their efforts when reviewing future proposals.

Chair Kuboi summarized the Commission's direction to staff as follows:

- Consider identifying the 1st Avenue Northeast Transfer Station site as a planned area.
- Revisit the issue of revising the rezone criteria.
- Provide more clarity regarding the amendment process.
- Rework Land Use Policy 12 to make the language more clear.
- Review the map and possibly make revisions.
- Review the language in an attempt to simplify terms.
- Provide a type of 'cheat sheet' for the public hearing that is written for the benefit of the public to explain the master plan concept as clearly as possible. The public benefits of master plan should be clearly outlined.

- Add verbiage that captures the hierarchy of the mitigation process to make it clear that an applicant should first attempt to avoid impacts, and mitigation should be the last resort. This could be done by including an explicit reference to the code section where the mitigation concept is defined.
- Change the word “limit to “minimize in Criteria 6 of Section 20.30.337.B.

UNFINISHED BUSINESS

Economic Development Committee

Chair Kuboi recalled a recent request that the Commission provide a volunteer to serve on the Economic Development Committee. The Commission agreed to table the issue until staff could provide more information about the level of commitment that would be required for participants. Ms. Simulcik Smith agreed to email more details to each Commissioner.

Subcommittee to Evaluate the Concept of Design Review

Chair Kuboi recalled that at the joint meeting with the City Council, there was some mention about Commissioners participating on a subcommittee to evaluate the concept of design review. He invited the Commissioners to notify him of their interest.

NEW BUSINESS

Subcommittees in General

Chair Kuboi recalled that when the Surface Water and Transportation Master Plans were updated previously, the Commission utilized subcommittees as a way to cover additional task areas that the Commission, as a whole, was unable to do. He questioned if the Commission wants to consider using the subcommittee process to accomplish their significant 2008 work plan. The Commission agreed to discuss this concept more at a future meeting.

Discussion on Proposal Related to Quasi-Judicial Items

Vice Chair Hall reminded the Commission that the City Council asked them to reconsider their recommendation to move quasi-judicial items from the Planning Commission to the Hearing Examiner for 12 months. The Commission agreed to discuss this issue further at a future meeting.

AGENDA FOR NEXT MEETING

Chair Kuboi announced that a public hearing on the proposed master plan amendments has been scheduled for May 1st.

ADJOURNMENT

**COMMISSIONER BROILI MOVED THE MEETING BE ADJOURNED AT 9:07 P.M.
COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED
UNANIMOUSLY.**

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

May 1, 2008
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Kuboi
Commissioner Behrens
Commissioner Broili
Commissioner Kaje
Commissioner Perkowski
Commissioner Pyle
Commissioner Wagner

Staff Present

Rachael Markle, Assistant Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk
Renee Blough, Technical Assistant

Commissioners Absent

Vice Chair Hall
Commissioner Piro

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Kuboi, and Commissioners Behrens, Broili, Kaje, Perkowski, Pyle and Wagner. Vice Chair Hall and Commissioner Piro were excused.

APPROVAL OF AGENDA

Mr. Cohn said the City Attorney has advised that the Commission could close a public hearing prior to their deliberations and still be allowed to ask questions of each other and staff. They would not be allowed, however, to ask questions of the public. The Commission agreed they wanted to leave the public hearing open until after they have completed their deliberations. Ms. Simulcik Smith cautioned that only one motion could be on the table at any time. If a main motion is on the table, the Commission cannot move to close the hearing until they have voted on the main motion. Staff agreed to seek further feedback from the City Attorney prior to future public hearings.

The Commission agreed to place Item e of the public hearing after Item g. The remainder of the agenda was accepted as proposed.

DIRECTOR'S REPORT

Ms. Markle reminded the Commissioners of the volunteer breakfast that is scheduled for May 2nd at 7:30 a.m. She also reminded the Commission that outgoing Planning Commissioners would be recognized by the City Council at their meeting on May 5th.

APPROVAL OF MINUTES

The minutes of April 17, 2008, were accepted as amended.

GENERAL PUBLIC COMMENT

Les Nelson, Shoreline, recalled that at an earlier presentation, Paul Cohen used a computer program from Google Earth called Sketch Up. Mr. Nelson commented at the time that everything looked too far in the distance when compared to a photograph he submitted. He distributed a handout of several photographs, one of which provides a clearer picture of what a structure would look like from the street level. The photograph suggests that the building would be even more looming than shown in the pictures he submitted earlier. As the Commission considers the issue of neighborhood views, he invited them to visit sites with a 50 millimeter camera lens in order to get an accurate picture of what the view would look like.

Commissioner Wagner noted that one of the pictures provided by Mr. Nelson removes one of the very large trees that are pointed out in other pictures. Mr. Nelson said these trees are on the subject property, but he didn't want to make his issue about just one property. Commissioner Wagner asked the height of the trees, and Mr. Nelson said they are about 65 to 80 feet high. He noted that the dotted line illustrates the proposed height of the building at 80 feet.

Commissioner Behrens pointed out that because of the physical terrain of the street, the view impact would change depending on where a person stands. He noted that the further you stand away from the building, the larger it would appear.

PUBLIC HEARING ON MASTER PLAN AMENDMENTS

Chair Kuboi reviewed the rules and procedures for the legislative public hearing and then opened the hearing.

Staff Overview and Presentation of Preliminary Staff Recommendation

Ms. Markle referred to the proposed annual 2007 Comprehensive Plan amendments. She noted that the City did not receive any public initiated amendment proposals in 2007; all of the amendments were

initiated by staff. She emphasized that the public comment period would remain open until action has been taken on the amendments by the City Council. She announced that the City Council would hold a study session regarding the proposed amendments on May 27, and they are tentatively scheduled to take action on June 9th. A SEPA determination was issued today.

Ms. Markle reminded the Commission that the main purpose of the amendments is to streamline Master Planning for essential public facilities, create a definition for Planned Areas, differentiate Planned Areas from subareas, create a definition and complete the development process for Master Plan permits, and require Shoreline Community College to apply for a Master Plan permit. She reviewed each of the amendments as follows:

- **Streamline Master Planning for essential public facilities.** Ms. Markle noted that the Comprehensive Plan encourages Master Planning for single-family institutions and essential public facilities. However, the Comprehensive Plan states that an amendment to the Comprehensive Plan would be required to adopt a Master Plan. This requirement has had the effect of discouraging Master Planning because, in some cases, an applicant would have to wait almost a year to have their application reviewed. In many cases, applicants have instead utilized the special use and conditional use permit process on a piecemeal basis. Ms. Markle said staff does not believe adoption of a Master Plan would include any information that would necessitate amending the Comprehensive Plan.

Ms. Markle explained that there are numerous benefits associated with Master Planning, and that's why the Comprehensive Plan encourages it. It's a way to cumulatively address traffic, stormwater, critical areas, parking, safety, etc. in a holistic way. She advised that individual building permit applications with a conditional use or special use permit do not trigger the extensive studies that would be required for a Master Plan permit. Master Planning provides an excellent opportunity to holistically look at design, use, and compatibility issues. She said the Master Plan process would allow the City to develop site-specific development standards to address the impacts based on extensive analysis that would occur. Because Master Plan permits would not be considered policy documents, a Comprehensive Plan change would not be necessary. A Master Plan permit would result in a long-range site plan, with phased mitigation to address the impacts. In addition, phased infrastructure improvements would be identified.

- **Define and differentiate Subarea Plans and Planned Areas.** Ms. Markle recalled that the City recently employed the Planned Area tool with Ridgecrest. The product of this effort was a set of specific development regulations that apply to a delineated area, and that is what staff envisions a Master Plan permit would be, as well. Therefore, staff is recommending that the terms and processes be consolidated and renamed "Planned Area." She briefly reviewed the differences between Subarea Plans and Planned Areas. She explained that Subarea Plans can only be initiated by the City, and they can occur at any time and are not restricted by the once-a-year annual review cycle. In addition Subarea Plans may or may not include development regulations, and they allow for broader uses. Planned Areas can be initiated by the City or a private entity, and they can only occur as part of the annual review. Planned Areas can also be subsets of a Subarea Plan, and they are defined more narrowly.

- **Identify a public process for private property owners to prepare comprehensive long-range plans.** Ms. Markle advised that this issue has come up, and staff believes it is important to decide whether or not this would be an appropriate tool to offer property owners. She advised that the proposed amendment would allow a private property owner to apply for a site-specific Comprehensive Plan amendment and rezone to Planned Area during the annual review of the Comprehensive Plan, and this would be a quasi-judicial action. In order to change the zoning and development standards, an applicant would be required to apply for a Master Plan permit, which would be a quasi-judicial action, as well.

Ms. Markle explained that the quasi-judicial process is highly recommended by the Association of Washington Cities as a process to use when there is a specific property owner or entity that stands to be affected by the change. They also recommend the quasi-judicial process be used whenever there is doubt. In addition, staff recommends the quasi-judicial process because the legislative process doesn't have the same noticing requirements. The quasi-judicial process requires a neighborhood meeting, posting on the site, mailed notice to property owners within 500 feet, and a public hearing by the Planning Commission. The legislative process does not have all of these requirements.

- **Relocate Master Plan processes from Comprehensive Plan to the Development Code.** Ms. Markle pointed out that while Comprehensive Plan Land Use Policies 76 and 77 provide great information, they contain information that is similar to a development checklist the City uses for permits. Staff suggests this information really belongs in the Development Code, and the proposed amendments would accomplish this goal.

Ms. Markle reviewed the proposed Development Code amendments as follows:

- **Add a definition for Master Plan permit.** Ms. Markle advised that the proposed definition would read, a permit that establishes site-specific permitted uses and standards for Planned Areas or essential public facilities.
- **Add Master Plan permit as a Type C permit.** Ms. Markle explained that this change would define the process as quasi-judicial. It explains the purpose for the Master Plan permit and outlines the criteria for adoption. The existing Development Code does not contain this type of information.
- **Rename and add 1st Northeast Transfer Station, CRISTA, Fircrest and Shoreline Community College as Planned Areas 1, 3, 4, and 5.** Ms. Markle recalled that Commissioners pointed out during the study session that the City's first Master Plan was the 1st Northeast Transfer Station. It was recommended that this be added to the proposed language. Ms. Markle said this amendment is intended to equal no change. She explained that, with the exception of Shoreline Community College, the zoning in place for each of the Planned Areas is exactly the same as what currently exists, but it is depicted in writing versus a symbol on the zoning map. She said the purpose of this change is to set the stage to apply for a Master Plan permit.

Ms. Markle reminded the Commission that Shoreline Community College would be defined differently than the other Master Plan areas. The proposed language would require them to apply for a Master Plan permit in order to do anything other than what's allowed by the underlying zoning. She explained that staff believes the college has reached critical mass in terms of being able to assess, mitigate and address the impacts. Staff believes the Master Plan process would be the best way to accomplish this goal.

Ms. Markle emphasized that the proposed amendments would not change the development controls currently in place for Shoreline Community College, CRISTA, 1st Northeast Transfer Station or Fircrest. However, they would identify and define a process for applying for a Master Plan permit, specify who can apply for a Master Plan permit, and create specific criteria to review the Master Plan permit.

Ms. Markle reminded the Commission that, as they make their decision, they must consider both the Comprehensive Plan decision criteria and the criteria for Development Code amendments. She advised that while the proposed amendments would meet all three of the Comprehensive Plan review decision criteria, they are most consistent with the following two:

- **The amendments are consistent with the Growth Management Act (GMA) and not inconsistent with Countywide Planning Policies and the Comprehensive Plan.** Ms. Markle noted that GMA encourages predictability and timely permitting processes and supports ensuring that adequate public facilities and services are present for development. In addition, GMA supports protecting the environment and enhancing the state's quality of life, as well as reducing urban sprawl and encouraging affordable housing to all economic segments of the population. She summarized that, in one way or another, each of the Master Plans would address some or all of these goals. She pointed out that the overarching goals of the Countywide policies would be supported by the smooth siting of public capital facilities and the promotion of orderly development. Regarding the City's own Comprehensive Plan, Ms. Markle noted that Land Use Policy 76, which would be joined with Policy 75, encourages Master Planning for essential public facilities.
- **The amendments will benefit the community as a whole and will not adversely affect community facilities or the public health, safety or general welfare.** Ms. Markle explained that the very purpose for Master Planning is to holistically plan for traffic, transition, open space, protection of critical areas, reducing impacts from drainage, etc. All of these would provide a benefit to the community. In addition, supporting the maintenance and development of essential facilities would have a benefit to Shoreline residents and the region as a whole.

Next, Ms. Markle referred to the criteria that must be considered when reviewing amendments to the Development Code and noted that an amendment is required to meet all three criteria. Staff recommends that the proposed amendments are in accordance with the Comprehensive Plan and that they would not adversely affect the public health, safety or general welfare. In addition, the amendments would not be contrary to the best interest of the citizens and property owners of the City of Shoreline.

Ms. Markle reported that the City received three written comment letters regarding the proposed amendments over the past several days. She suggested the Commission could recess the meeting for a

short time in order to review the new document that was submitted. In addition, she proposed the Commission and staff carefully review the comment letter submitted by the Washington Department of Social and Health Services (DSHS) regarding the Fircrest Campus. She noted that the first two pages provide a support letter related to the general process, but the remainder of the document provides suggestions for specific amendments to the proposed language. She said that after further deliberation the Commission could recommend approval of the amendments, recommend approval as amended, recommend denial, or they could request more time or information to formulate a recommendation. The Commissioners indicated they already had an opportunity to review the new written comments that were submitted. Therefore, they decided there was no need to recess the meeting.

Questions by the Commission to Staff

Commissioner Pyle noted that the proposed amendments would require a quasi-judicial process, which is a process that is likely to be used when the action would affect one specific group or area. The legislative process would be used to review applications that apply more broadly throughout the City. He questioned why the quasi-judicial process was not used by the Commission when they reviewed the proposed zoning for the Ridgecrest Commercial Neighborhood. He said that he can understand using a quasi-judicial action process for Master Plans that apply to very specific locations, but he questioned if a quasi-judicial process would be used when considering Planned Area zoning designation changes in the future. Ms. Markle advised that if the applicant were a private entity, the quasi-judicial review process would be applicable. If the City is the applicant, it may not be necessary.

Commissioner Pyle advised that an applicant would not be able to obtain a Master Plan permit unless they already have Planned Area land use designation and zoning. Commissioner Pyle pointed out the Planned Area zoning would likely be unique to the site or geographic area. He further pointed out that a Master Plan is designed to mitigate for impacts to communities related to critical areas, traffic, etc. If there are already zoning controls in place under the Planned Area zoning designation for that specific geographic area, he questioned if the Master Plan would supplement or override the Planned Area zoning. Ms. Markle answered that the Master Plan permit would override the Planned Area zoning. She noted that, as currently proposed, Fircrest would be required to meet the underlying zoning requirements until a Master Plan permit has been obtained, and then the Master Plan permit would prevail. DSHS recommends an additional bullet to make it very clear that the underlying zoning would no longer apply after a Master Plan permit has been adopted.

Commissioner Pyle invited staff to explain the impetus for doing a Master Plan when everything that could be achieved through the Master Plan process could also be achieved through the Planned Area zoning designation. Ms. Markle replied that the Planned Area zoning designation would not provide any advantage to private applicants. It's merely a way to designate the property on the map. A property owner would not be granted anything more than the underlying zoning would allow until a Master Plan permit has been obtained.

At the request of Chair Kuboi, Ms. Markle clarified that the term "private property owner" means someone other than the City. This could include the State, the County, the City and/or private commercially held properties. Chair Kuboi clarified that the process that was used incident to the

Ridgecrest Commercial Neighborhood Planned Area Action has no direct bearing on what the Commission may or may not propose tonight. The Commission's recommendation does not necessarily have to conform with the process that was used for Ridgecrest. Ms. Markle agreed that the Commission's proposal could deviate from the process that was used previously.

Commissioner Wagner asked staff to walk the Commission through a full example, from start to finish, of how the proposed language would be applied to a subject property. Ms. Markle used the example of a private property such as the Sears site. If all of the property owners joined together to do something special and unique that none of the City's zoning districts would allow, their only option would be to submit an application for a site-specific Comprehensive Plan amendment and associated rezone during the City's annual review process. The City would process the amendments together sometime during the next year, and the application would be reviewed by the Planning Commission in a quasi-judicial hearing process. She clarified that although Comprehensive Plan amendments are typically legislative actions, rezone applications unless they are citywide rezones are always quasi-judicial actions. Therefore, the higher form of review would be required, which in this case would be quasi-judicial. An applicant would be required to make their case before the Commission and Council as to why they deserve or need the Planned Area designation. The Commission would make a recommendation to the City Council, who would make the final decision. Commissioner Wagner summarized that if the application were approved, the property would be identified in the Comprehensive Plan as a Planned Area and the zoning map would identify it as a Planned Area with the underlying zoning in place until an actual Master Plan permit application has been approved. The Master Plan permit would require a quasi-judicial process, as well.

Commissioner Wagner asked what benefits the community would receive from requiring a property owner to go through the Master Plan process after the Comprehensive Plan has been updated to identify the property as "Master Plan" and the zoning map and development code have been amended to identify the property as Planned Area. Ms. Markle answered that a greater level of detail and analysis, as well as additional public involvement, would be required at the Master Plan permit stage. Commissioner Wagner asked if an approved Master Plan permit would be similar to a binding site plan, which identifies what future development would really look like. Ms. Markle said the level of detail required could vary. Commissioner Wagner inquired if future development permits would become administrative actions once a Master Plan permit has been approved. Ms. Markle answered affirmatively, with one exception. SEPA would still be required for any building that goes over the threshold, and this would allow the City an opportunity make improvements to the Master Plan, if necessary.

Commissioner Behrens asked staff to identify the differences between the type of information an applicant would be required to submit in order to get a Planned Area designation and what would be required to obtain a Master Plan permit. Ms. Markle said that the proposed language does not specify the information that would be required to obtain a Comprehensive Plan amendment, but the proposal would be required to meet the review criteria. However, as a planner advising an applicant, she would tell them that a certain level of investment would likely be required in order for them to sell their proposal to both the Planning Commission and the City Council. It would be up to the applicant to

decide how much money and time they want to spend to provide the necessary data for the Commission and City Council to make a decision.

Commissioner Behrens said he can understand how a major agency such as Fircrest and/or Shoreline Community College would have the wherewithal and the assets to put together an adequate presentation for the Commission and City Council to consider their request. However, private applicants may be at a disadvantage in knowing exactly what they need to submit to get their plans approved. He suggested they consider splitting the two types of applicants and treating private parties differently than public entities. The language could provide a checklist of items a private entity would have to supply as part of their application. This would also make it clear to the Commission as to how much and what information they should give merit to when considering Comprehensive Plan amendments.

Ms. Markle said she is not as concerned about the level of detailed information provided at the Planned Area level because the Commission and City Council would not be approving anything at the Planned Area stage other than allowing a property owner the opportunity to apply for a Master Plan permit that may or may not get approved. An applicant would be required to provide a full range of data at the Master Plan permit stage. Commissioner Behrens said the quicker and more thorough a decision can be made about whether an applicant would be able to move forward, the better it would be for everyone. Once an applicant has obtained approval for a Planned Area, he/she would move forward more aggressively. The costs would also increase, resulting in both the City and the applicant having a vested interest in getting the Master Plan permit completed. In the end, a proposed Master Plan to implement a Planned Area may be found unacceptable. He suggested the proposed language require a decision earlier in the process so the applicant and City doesn't end up wasting their time and resources. Ms. Markle agreed it would be better to provide a checklist of information that should be provided early in the process, but she has not been able to define the exact information that should be required at the Planned Area amendment stage. Finding this balance usually takes place as City staff works with individual property owners.

Commissioner Broili said that while he partially agrees with Commissioner Behren's concern, he reminded the Commission that one of the goals of the proposed amendments is to maintain flexibility in the process. As an applicant goes through the Comprehensive Plan amendment process, it is important to allow some flexibility because it is typically not yet clear what the end product would be. Secondly, he suggested the information required for each Comprehensive Plan amendment application should be based on the potential impacts of the change. For example, more significant information should be required for the Sears site since it could potentially have huge impacts down stream because it is the headwater of Boeing Creek. Another site may have significantly less impact so the City could be looser about what information an applicant submits at the Comprehensive Plan amendment stage. While a checklist would be important, there must be some flexibility during the earlier level to allow the City to move through the process more quickly, depending on the potential impacts. Ms. Markle agreed and said that this type of advisement would take place when staff meets with a potential applicant.

Commissioner Kaje shared concern about how the Commission would make a recommendation on a potential Comprehensive Plan amendment application. He referred to the three criteria the Commission must consider when reviewing Comprehensive Plan amendment. Instead of providing a list of the

information an applicant must provide, perhaps it would be more appropriate to identify separate criteria the Commission and City Council would use when reviewing Planned Area applications. He suggested it is important for an applicant to clearly understand the criteria the decision makers would use to evaluate a proposal. Ms. Markle said this would be one option, but she suggested that perhaps the rezone criteria would address Commissioner Kaje's recommendation. If not, she could foresee site-specific Comprehensive Plan change criteria that could be specifically applied to Planned Area applications.

Commissioner Wagner pointed out that proposed Planned Areas 1, 3, 4 and 5 are not currently zoned as Planned Areas. She asked Ms. Markle to describe the process these entities would utilize to obtain a Master Plan permit. She also asked for clarification of how the proposed amendments would apply to the 1st Northeast Transfer Station, which already has an approved Master Plan. Ms. Markle explained that Shoreline Community College could begin their Master Plan process at any time, but they would not be allowed to do anything other than what's allowed by the underlying zoning until a Master Plan permit has been approved. There would be no change for the 1st Northeast Transfer Station site. They are consistent with their current zoning, but the proposed amendments would set forth a process for amending their Master Plan. The same would be true for Ridgecrest, Fircrest, Shoreline Community College and CRISTA would be required to obtain a Master Plan permit to change the underlying zoning controls. If the City adopts the proposed Planned Area zoning, these three sites would be consistent with zoning map. An adopted Master Plan would be consistent, as well, because the proposed language identifies the zoning that would be applied until a Master Plan permit is approved. Commissioner Wagner summarized that zoning would be adopted concurrently with the Comprehensive Plan amendment for these areas.

Steve Cohn reviewed the City's current rezone criteria as follows:

- The rezone is consistent with the Comprehensive Plan.
- The rezone will not adversely affect the public health, safety or general welfare.
- The rezone is warranted in order to achieve consistency with the Comprehensive Plan.
- The rezone will not be materially detrimental to uses or properties in the immediate vicinity of the subject rezone.
- The rezone has merit and value for the community.

Commissioner Kaje voiced his opinion that the rezone criteria would not sufficiently address the concern he raised earlier about providing additional guidance to the applicant. While the proposed language for the Planned Area zoning designation provides a definition and identifies the types of things it is designed to address, it is fairly broad. The properties where this concept would be applied have different locations, uses, etc. While he understands that additional details would be required during the Master Plan permit stage and the City would have the ability to reject a Master Plan permit proposal, he felt it would be useful for both the City and the applicant to provide some criteria to address this special case.

Ms. Markle noted that the definition of a Planned Area has a narrower scope, and she suggested perhaps it would be appropriate to develop the additional criteria discussed by Commissioner Kaje as part of that

definition. Commissioner Kaje said his recommendation would be to either develop additional criteria or create a more specific definition of when a Planned Area might be appropriate. It shouldn't be left to the staff's judgment to determine if a site is unique or not. Ms. Markle remarked that it would be up to the Commission and City Council to make this judgment decision, but she agreed it would be helpful to have criteria to aid them in their decision making process.

Chair Kuboi inquired if creating a checklist or further amplifying the criteria associated with Planned Areas would have to be captured as part of a Comprehensive Plan amendment, or could the concept be implemented outside of the amendment process. Ms. Markle answered that a checklist could be created at any time, but any additional criteria would require a Development Code amendment that should logically occur as part of the proposed amendments. However, it could occur later, as well. Chair Kuboi summarized that the Commission's underlying concern is that they don't want to lead an applicant down the road, expending a fair amount of time and money, only to be disappointed when they get to the actual Master Plan permit step. Commissioner Berhens said it is also important to make sure the plans presented as part of the Comprehensive Plan amendment for a Planned Area designation and the plans submitted as part of the Development Code Master Plan permit amendment are consistent.

Chair Kuboi pointed out the process would give staff a lot of discretion in the guidance they provide to an applicant. He suggested the Commission must decide to what extent they want the process to be laid out more definitively in writing and to what extent they feel comfortable with a process that is very heavily dependent on staff's discretion and their interpretation of the Comprehensive Plan criteria and the definitions for Planned Areas and Master Plans.

Commissioner Pyle said he fails to see a benefit from the proposed three-tiered process (Comprehensive Plan amendment, rezone, Master Plan). He questioned the need for a Master Plan at all. Instead, they could move the Master Plan criteria to a new section called Planned Area rezone criteria. It seems the City could provide a process for doing a concurrent Comprehensive Plan amendment and rezone that would effectively rezone a specific piece of property like a Master Plan. All the zoning controls for that specific property would be put in place through the Planned Area zoning designation, which would have its unique controls exactly the same as a Master Plan. The same criterion that has been proposed for a Master Plan permit could be used for a Planned Area rezone. Ms. Markle cautioned that a developer may not want to spend a significant amount of money applying for a Master Plan permit until they have some assurance the City would support the Planned Area concept for their property.

Again, Ms. Markle said her main concern is to get Shoreline Community College, Fircrest, and CRISTA to the point where they have the ability to apply for a Master Plan permit outside of the annual review process. The proposed two-step process would allow this to occur. At this time, the City has not identified any other properties where the concept would be applied. Commissioner Pyle pointed out that a quasi-judicial or legislative process would be required for the land use designation amendment and Planned Area designation rezone and a separate quasi-judicial process for the Master Plan. Ms. Markle clarified that the Comprehensive Plan amendment and rezone applications would be combined into one action. Therefore, a Master Plan permit would require a two-step process for private property owners, and a one-step process for the three entities listed above. While the Commissioners could recommend a

less cumbersome process for private property owners, as well, she felt the Commission would be more comfortable with more process and opportunity for review.

Commissioner Pyle inquired if a private property owner would be required to go through the SEPA process three times in order to obtain a Master Plan permit. Ms. Markle said the SEPA process would be required at varying levels, throughout all three stages.

Commissioner Behrens asked if it would be helpful to look at the proposal as one way of dealing with CRISTA, Fircrest and Shoreline Community College and then creating a separate process that would apply to private developments. He said his concerns are more focused on private properties since the City is more apt to get good information and a professional presentation from an agency. However, he is not sure a private developer should be penalized or rewarded based on their ability to make a presentation.

Public Testimony or Comment

Dennis Lee, Shoreline, used the Sears property as an example of how the proposed process would be applied. He explained that a developer could try to justify very dense multi-family development on the site because he has worked with businesses in the area and they've agreed to freeze their zoning to community business and not residential. Because the proposal for a Planned Area designation would be a legislative action, the applicant would be required to develop his/her own criteria sufficient to sell the proposal to the City. He summarized that it appears the Master Plan permit process would be the time when the City would address the nuts and bolts of the proposed change. He suggested the proposed process would be a way of creating a Planned Area in a quasi-judicial setting, which did not occur for the Ridgecrest area. He said he supports the intent of the proposed language, but suggested its success would depend on how well the public process functions.

Les Nelson, Shoreline, pointed out that the basic intent of the Growth Management Act process for changing comprehensive plans is to do it concurrently. While the proposed amendments are being considered as part of the annual cycle, it appears they would allow future Comprehensive Plan amendments to be adopted out of the cycle. He questioned why this would be allowed in some situations and not in others. He also questioned the difference between subareas and Planned Areas. He noted that the Puget Sound Hearings Board has issued a decision that "whatever the name (neighborhood plan, community plan, business district plan, specific plan, Master Plan, etc.), any land use policy plan, in general, that purports to guide land use and decision making in a portion of a city or a county is a Subarea Plan. While a city or county has discretion whether or not to adopt a Subarea Plan, the Subarea Plan would be subject to the goals and requirements of the act and must be consistent with the comprehensive plan." He summarized that whatever the plan is called, it's still to be considered a Subarea Plan. Therefore, he questioned how the City could have different definitions or descriptions for Planned Areas versus subareas. He summarized that the GMA has removed the discretion of cities and counties to undertake new localized land use policy exercises that are disconnected from the citywide, regional, and statewide objectives embodied in the Comprehensive Plan. This may also pertain to how the City deals with Master Plans.

Final Questions by the Commission

The Commission discussed the schedule for completing their review of the proposal and making a recommendation to the City Council in preparation for their May 27th study session. It was noted that the Commission could postpone their recommendation until the May 15th meeting. Staff agreed to provide draft criteria for the Commission to consider at their May 15th meeting. The checklist could be considered at a later date. It was suggested the Commissioners forward their recommendations for language changes to staff via email as soon as possible.

Commissioner Broili suggested the draft criteria address the following: maintenance and restoration of the environmental function within the site, mitigation of economic impacts, enhancement of the social impacts, and enhancement of neighborhood character.

Commissioner Kaje said the criteria he envisions would be more related to the level of information provided by an applicant. The information must provide a reasonable understanding of what is being proposed. Perhaps the criteria could be tied to the definition and purpose of a Planned Area. The intent of the criteria would be to coax an applicant to commit to a certain path, without requiring all the details mentioned earlier by Commissioner Broili. The information must be adequate enough to convince the Commission of the need to support the Planned Area proposal. Ms. Markle suggested that procedural requirements are typically provided in the form of a checklist, which could be provided later. However, she agreed it would be appropriate for the Commission to consider additional Comprehensive Plan review criteria as part of the proposed amendments.

Commissioner Pyle said he could support the proposed concept, with criteria added for the rezone component. He summarized that during the Comprehensive Plan amendment process, an applicant would be required to identify how a use would be consistent with a Comprehensive Plan. The rezone application would require an applicant to identify the vision for how the use would actually be built out on the site. The Master Plan permit review process would address all of the nuts and bolts associated with development of the property.

Commissioner Perkowski agreed with previous concerns that the proposed language could result in situations where the City leads an applicant to believe a Master Plan permit would be approved. However, if additional criterion is added, this should not be a significant problem. The two-step process would allow for an initial analysis and a lot of feedback. Approval of a Comprehensive Plan change would not guarantee that a Master Plan permit would later be approved. Issues of concern could be identified during the first phase, and an applicant could be prepared to address them as part of the final Master Plan phase.

Chair Kuboi summarized that the Commission generally supports the idea of coming up with criteria. Ms. Markle agreed to prepare draft criteria based on the Commission's direction. She could forward the draft language to each of the Commissioners, inviting them to provide feedback as soon as possible. The

language could be further refined based on the additional feedback, and the final proposal could be presented to the Commission for review and action at their May 15th meeting. Chair Kuboi pointed out that the Commission would allow citizens to provide comments related to the proposed revisions at their May 15th meeting. Staff agreed to make the updated draft language available to the public via the City's website by May 12th.

Commissioner Pyle asked how a property owner would go about amending a Master Plan. Ms. Markle answered that the proposed language outlines this process. She noted that the comment letter from DSHS provided more ideas for amending a Master Plan. She suggested the Commission review these suggestions, as well.

Commissioner Pyle asked if the proposed language places requirement on property ownership. Ms. Markle said there is no limit on the number of property owners. Commissioner Pyle asked if the underlying zoning could be modified during a rezone to Planned Area to limit or otherwise control a property's potential to develop under the Master Plan. Could identified issues be addressed as part of the Planned Area? Ms. Markle replied that the City could create zoning provisions that lessen the development potential.

Commissioner Pyle asked how other regulations such as transition area requirements would be applied to a Planned Area zone. Ms. Markle said the Master Plan permit would have to specifically call out anything that's different from what current exists or add it back in. If the Commission wants transition area requirements to apply to a Planned Area, they must specify that in the language. Commissioner Pyle summarized that the Master Plan permit would become a license to deviate from the standards that would typically apply to the property if it were not a Planned Area.

Commissioner Wagner asked staff to explain the differences between a Subarea Plan and a Planned Area. Ms. Markle said a Planned Area land use designation would be similar to other land use designations. It's a designation on the map versus a specific plan. Commissioner Wagner summarized that a Planned Area land use designation would be identified in the Comprehensive Plan, and the zoning map would also identify the property as Planned Area. However, the Subarea Plan concept refers to a process that is not defined on any map. Ms. Markle agreed that subareas are not designations on the map; they are something that is directed by policy statement from the Comprehensive Plan. A Subarea Plan would be policy based and provide guidance for future development. The Planned Area concept would identify the property as such on a map and provide policies for what could and could not occur on the property. The Master Plan permit process would further define the zone. Commissioner Wagner summarized that a Subarea Plan provides guidance for where the City would like to go, but it is not prescriptive. Mr. Cohn added that a subarea is a subset of the Comprehensive Plan, so the policies would be implemented by zoning or capital facilities decisions.

Commissioner Kaje referred to the proposed changes to Comprehensive Plan Land Use Goal 3 on Page 37 of the Staff Report. He summarized that the point of the proposed change is to say that incentives could be provided in these situations in order to preserve open space. He questioned what incentives could be provided in a City initiated Subarea space. Commissioner Broili pointed out that Subarea Plans

can only be initiated by the City. Therefore, there is no need to include the term "City-initiated." Ms. Markle agreed to come back with new language for the Commission to consider.

Ms. Markle reviewed the DSHS policies as follows:

- **Land Use Policy 34.** Ms. Markle explained that the proposed language would add a description explaining why the Fircrest Campus should be a Planned Area. She noted that DSHS has recommended changes to correct inaccurate data such as the acreage. They also clarified the uses on the site and pointed out that 36 acres of the site are considered excess. Something may be going on that is not related to the not-for-profit agency. She said she would support all of the proposed changes to this policy, and she invited the Commissioners to review the DSHS proposal and forward their responses to her via email.
- **Land Use Policy 74.** Ms. Markle advised that staff does not support this proposed change. She explained that this policy is about siting new essential public facilities, and the City doesn't currently have a process for this. She said she is not eager to circumvent the siting process in anyway. She did not recommend the Commission accept this change.
- **Ordinance 292.** Ms. Markle advised that DSHS has asked staff to clarify the language describing amendments in Ordinance 292. She agreed the language is useless since the map is what actually amends Ordinance 292. She agreed to change the description.
- **Section 20.30.337.B.2.** Ms. Markle advised that DSHS is suggesting a revision to this section, which addresses decision criteria related to mitigation impacts. She said staff does not support DSHS's proposal to add the word "significant" before "impacts." The impacts should not have to be significant to be considered.
- **Sections 20.30.337.B.4 and 30.30.337.B.5.** Ms. Markle said staff believes the additional language proposed by DSHS would be redundant and unnecessary.
- **Section 20.30.337.B.6.** Ms. Markle said staff supports the recommendations from DSHS for this section. DSHS is recommending the addition of "significant" in this situation. While a property owner would not be able to eliminate all conflicts, they should definitely eliminate the significant ones.
- **Section 20.30.337.B.** Ms. Markle advised that this recommendation would correct an error in numbering, which has already been done in the most current version of the document.
- **20.30.337.C.3.** Ms. Markle said DSHS has recommended some criteria for differentiating major and minor amendments to a Master Plan. Staff supports this change, and the last draft of the proposal indicated the City would develop procedures and criteria that would allow for amendments to the Master Plan permit. Some amendments may not be considered minor, but many of them may be perfectly okay. This would be decided during the permitting process. The DSHS is suggesting a few

amendments that would be considered minor upfront. She said if the Commission wants to head in this direction, they should make sure the list includes all of the amendments that would be considered minor upfront.

- **Section 20.100.310.** Ms. Markle explained that DSHS suggests that this section be changed to include a subsection stating that once a Master Plan is adopted, it would replace the uses and standards of the R-6 zone. She said this addresses the comment raised earlier about whether the zoning would be replaced by the Master Plan. She indicated her support of this proposed change.
- **Section 200.100.310.D.** Ms. Markle said that DSHS is proposing that the language in this section be changed to provide an exception for situations where specific regulations are adopted through a Master Plan. She said she supports this proposed change.

Ms. Markle invited the Commissioners to provide feedback via email regarding staff's analysis of the proposed changes submitted by DSHS. That would allow her to incorporate the changes into the next draft that is presented to the Commission for review on May 15th.

Commissioner Kaje referred to DSHS's proposed change to Section 20.30.337.B.6 and noted that the Commission already agreed to change the word "limit" to "minimize." Therefore, there may be no need to add the word "significant."

Chair Kuboi referred to Section 20.30.337.C.3 and inquired if the word "vesting" includes deviations. Ms. Markle suggested a new Subsection D called amendment, be added to this section. She summarized there are three ways to change a Master Plan permit. One would be a major change which would trigger a redo of the public process. Minor changes are those that fall within the Master Plan terms and conditions and would not require a new public process. Changes that are intended to apply more current Development Code regulations would subject the entire Master Plan to the current Development Code regulations across the board. While these amendments would not trigger a new public process, they would be considered more significant than minor amendments. Ms. Markle said the intent of the latter option is to allow developers, for example to amend their Master Plans in order to meet the newer, more stringent stormwater management standards. She further explained that it would be impossible for the City to require a developer to comply with all land use regulations enacted after the application was vested since the Master Plan would be considered a special zone. This would apply only to requirements in the general section of the Development Code such as landscaping, stormwater, parking, etc.

Ms. Markle advised that if an applicant decided to apply the new stormwater standards, staff would also have to consider other general standards that would be applied. She said she only sees this change as a positive benefit to the community, so no public process would be necessary. Chair Kuboi expressed concern that an applicant might try to keep only those standards that are in his/her favor. She noted the City Attorney recommended the proposed language to prohibit picking only those new regulations that benefit the project.

Commissioner Behrens summarized that the proposed language would exclude Master Plan developments from having to meet the existing Development Code standards. A special set of

regulations would be created to apply to these specific areas. Therefore, he expressed his belief that the City should not allow a developer to change the Master Plan to include some new regulations but not others. He suggested that the Planned Area language should be written in such a way to allow specific changes that don't presently exist in the code to be implemented in the future. He suggested staff seek direction from the City Attorney about how this could be accomplished. Ms. Markle indicated she would support a process that allows staff to administratively approve changes to Master Plans that are clearly beneficial to the environment. She agreed the process could be made part of the amendment criteria that is developed as part of a Master Plan permit.

Commissioner Broili said he doesn't mind allowing a property owner to pick and choose which new standards they use, so long as whatever they choose is more stringent than what is called for as part of the approved Master Plan permit. It is important to allow flexibility for developers to be innovative in addressing issues such as the environment. Commissioner Perkowski said he, too, would support this concept since it would allow a developer more flexibility to incorporate innovative concepts. He said he also agreed with DSHS that there should be some separation between what are considered major and minor conflicts between the Master Plan property and adjacent uses.

Ms. Markle advised that she would either re-write this section or propose that it be eliminated entirely and that criteria be developed individually for each Master Plan permit.

Commissioners Perkowski and Wagner indicated they may not be present at the May 15th meeting when the hearing would be continued. They inquired how they should go about providing their comments for consideration during the hearing. Mr. Cohn noted that the hearing was a legislative process, so Commissioners Perkowski and Wagner would be able to submit written comments for the Commission's consideration on May 15th.

Closure of the Public Hearing

COMMISSIONER WAGNER MOVED THE COMMISSION CONTINUE THE PUBLIC HEARING ON MASTER PLAN AMENDMENTS TO THURSDAY, MAY 15, 2008. COMMISSIONER KAJE SECONDED THE MOTION. THE MOTION CARRIED 7-0.

COMMISSIONER WAGNER MOVED TO EXTEND THE MEETING 15 MINUTES, TO 9:45 P.M. COMMISSIONER BEHRENS SECONDED THE MOTION. THE MOTION CARRIED 6-1.

REPORTS OF COMMITTEES AND COMMISSIONERS

There were no reports from Commissioners

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

Review Planning Commission Hearing Rules and Bylaws

Mr. Cohn advised that staff is in the process of updating the Planning Commission Bylaws to reflect current practices of the Commission. For example, the Bylaws would no longer identify an ending time for Commission meetings.

Chair Kuboi referred to Resolution 182 and noted that some items on the list were of particular interest to him in terms of how the Commission has procedurally conducted their meetings. He suggested the Commission take action on the revisions to the bylaws, but that they revisit Resolution 182 for further discussion. Mr. Cohn emphasized that any revisions to Resolution 182 would have to come from the City Attorney or the City Manager's Office since the resolution applies citywide and not just to the Planning Commission. Chair Kuboi agreed that while the Commission is not being asked to take action on the resolution, he would like an opportunity to obtain greater clarity from the City Attorney at some point in the future. Ms. Simulcik Smith referred to a document prepared by the Assistant City Attorney, which summarizes Resolution 182 into eight bullet points on how quasi-judicial hearings are supposed to be conducted.

COMMISSIONER BROILI MOVED TO APPROVE THE STAFF'S RECOMMENDED CHANGES TO THE BYLAWS. COMMISSIONER BEHREN'S SECONDED THE MOTION.

Les Nelson expressed concern about moving the "Director's Report" to the end of a meeting agenda since members of the public have often left the meeting by that time and would not have an opportunity to provide comments. He recommended they leave it at the beginning of the meeting.

Commissioner Behrens requested clarification between the terms "Director's Comments" and "Director's Report." Mr. Cohn explained that "Director's Comments" would allow the Director an opportunity to provide brief comments at the beginning of the meeting. However, the Director's intent is to let the Commission and public get on with the public business of the meeting, and that's why he saves his general "Director's Report" until the end in most cases. He noted the Commission has been operating in this manner for the past year.

Commissioner Kaje referred to the proposed amendment that would reduce the maximum time of the "General Public Comment" period from 20 minutes to 15 minutes. He questioned why staff is proposing this change and cautioned that the public may interpret this change to mean the Commission doesn't want to hear from the public as much. Mr. Cohn noted that in many other jurisdictions, most public comments are submitted in writing and public comments at the beginning of the meeting tend to be brief in order to get to the public business that is scheduled on the agenda.

Commissioner Broili said that when there are controversial issues, there have been numerous occasions when the "General Public Comment" period has ended up taking a huge amount of the meeting time. However, he reminded the Commission that part of their responsibility is to hear comments from the public. Therefore, limiting the opportunity for the public to comment may be counterproductive. Mr.

Cohn noted the Commission had a choice: to hear about items that are not on the agenda at every meeting, or to encourage the public to talk about the issue during the public hearing process. If the latter course is chosen, they could invite the public to submit written comments, but not allow them to take up time at the meeting when other agenda items have been scheduled for discussion. Commissioner Wagner pointed out that in the two years she has been on the Commission, she could not recall a time when the "General Public Comment" period extended beyond 20 minutes. She suggested the time limit remain at 20 minutes.

Chair Kuboi pointed out that the next paragraph would allow the Chair discretion to limit or extend the time limitations and number of people permitted to speak. However, this would apply to public comment that follows a staff report. He suggested the bylaws be changed to allow the Chair discretion over public comment, in general. In order to acknowledge the business scheduled on the agenda and the need to manage the meeting time, he suggested the language be changed to indicate that "General Public Comments" would generally be limited 20 minutes. The language could also be changed so that the Chair's ability to limit or extend the public comment time could be applied to all public comment periods scheduled on the agenda.

Commissioner Behrens pointed out that Roberts Rules of Order allow an opportunity for the Commission to suspend the public comment rules if a significant number of citizens want to speak regarding a matter. However, this would be a special circumstance.

COMMISSIONER BROILI AMENDED HIS MOTION TO MOVE THE COMMISSION APPROVE STAFF'S RECOMMENDED CHANGES TO THE BYLAWS, WITH TWO CHANGES TO SECTION 4: PUBLIC COMMENT. INSTEAD OF STRIKING OUT "TWENTY" [MINUTES] AND INSERTING "FIFTEEN," REVERT BACK TO ORIGINAL LANGUAGE AND REARRANGE THE STRUCTURE OF OTHER EXISTING LANGUAGE. COMMISSIONER BEHRENS SECONDED THE AMENDMENT. THE MOTION CARRIED 7-0.

Update on the Comprehensive Housing Strategy

The Commission postponed this discussion to a future meeting.

ANNOUNCEMENTS

There were no additional announcements.

AGENDA FOR NEXT MEETING

The Commissioners had no comments to make regarding the agenda for the next meeting.

ADJOURNMENT

COMMISSIONER WAGNER MOVED TO ADJOURN THE MEETING AT 9:50 P.M. COMMISSIONER PERKOWSKI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

Attachment C

Sepa comments due April 18 on Complan and Code Amendments for 2008

Rachael,

I am submitting the following comments for your consideration:

Complan amendments:

Glossary; Subarea plans: These are for “defined geographic areas” and since this amendment is proposed to clarify the difference between Subareas and Planned areas which are later defined as “Specific geographic areas”, perhaps we need to define the difference between “defined” and “specific”, or better yet, re-write and make this all less confusing.

Second sentence (under Subarea plans) seems to be more related to a policy, or description of how a Subarea plan operates, not a definition and thus would not belong here. Suggest deleting “Development Regulations.....using legislative review process”. Also similar comment for last sentence.

Suggest adding the following: Planned areas, Subareas, and Master Planned areas must all be coordinated with the overall vision of the Comprehensive plan and must have final adoption concurrently with all Comprehensive Plan amendments so any changes can be considered in whole as required to be in compliance with GMA, 36.70A...also refer to land use Policy LU-6 in the Complan

LU-9: define meaning of “certain circumstances”, and define what range of zoning could be acceptable under a subarea plan...could R4 become 20 units per acre? If not defined then in the future someone is likely to misinterpret the meaning of this, and in fact it is not clear today what is meant!

LU-12: Why was the wording regarding ‘unless.... Subarea... or special district... has been approved’ removed from this section and left in LU-9?

LU-18 and LU-19: At our Dec 17 2007 meeting Joe Tovar mentioned that the wording currently in these two policy statements was vague and needed to be improved to clarify intent, specifically mentioning the use of the phrase “might be allowed” as an issue, and yet these are not being revised.

Why/How are we changing areas like Shoreline CC, CRISTA, Fircrest from Master Plan designation to Plannes Area designation, and what is the intent of this? Does this not violate the EIS done for the Complan where master Plans are defined/required?

Development Code amendments:

In table 20.30.060 under 2. Rezone, add CTED under column regarding review authority as this would be required where rezone amends the Complan...

Also, Subarea Plans are not mentioned in the Development Code amendments, are there no revisions needed?

SEPA document:

(Following comments refer to appropriate section of SEPA document by letter, number)

- A. 7. Subarea plans are not mentioned,think we currently have several in the works such as Town center, Ballinger, South of Bridge,
- A. 8. Define SEPA required for "future"....Proposals...does that mean any that are currently in the works such as Ridgcrest have no further SEPA requirement??
- A. 10. Add to list:, Approval of Complan amendments, Public Hearings, and Public participation as called out in GMA
- A. 11. Allowing master plans to be approved outside of the annual review cycle conflicts with requirements of GMA that require all amendments for the year to be considered and approved as a **whole so the cumulative effects can be considered together**..... and, under Comprehensive plan amendments, the fourth bullet regarding Replacing the term master plan with Planned area, could not be more confusing as to intent. Please clarify what this means.
Fifth bullet item defies GMA "without amending the Comprehensive plan"
Eighth bullet, "Deleting land use policies 76 and 77....." what about the revisions to LU17-18-19, 40,42,43?A. Under Development code amendments, 6th bullet, First NE transfer station "or out of code" needs to be decided or clarified.
- A, 12: First line says "could" be applied city wide, but only 4 locations specified, so is that the intent, to do this citywide as it is listed as a non project action, it is not clear what the intent is...please clarify
- B 1.a. Are there no steep slopes at Fircrest? At Shoreline Community college I would add streams/creeks I assume are present
- B 1. c. Again confused how this can be a non project action, yet describe four sites....which to me implies throughout this document that this only applies to these four sites, and does not include the rest of the city, otherwise the remainder of the City should be noted. As such, these proposed revisions are limited to the four sites listed, and I don't believe that is the intent. **This comment applies throughout the document**
- B1.g. Add "likely to increase pervious surface as development becomes more intense, until sustainability is applied to development proposals
- B1.h Define "future" is that intended to not include the 4 listed projects?
- B.2.a. add increased fuel consumption to attend meetings to discuss this proposal....
- B. 4.a. heck marks as you have indicated likely all these are on the four sites.
- B.5. Clarify which version of the Comprehensive Plan, 1998, 2005?
- B.5.d Add the phrase"are intended to" after "These regulations" 2nd sentence
- B7.b.1. (noise) added traffic likely to result from all development proposals
- B.8. 1. (To ensure compatibility of land uses) It appears that this proposal is a major change in how the approval and permitting process for these type sites will be

accomplished. Part of "ensuring compatibility" is to provide thorough public participation as required by RCW 36.70A, (Growth management act).. This proposal takes part of this process away from public review, especially of the final details as is indicated by mentioning use of a quasi-judicial process, and thus the ability to "ensure compatability" with neighborhoods is lessened. How will this change be mitigated?

B.10.a Ridgecrest has already approved for 80'+ tall structures so the height mentioned is incorrect or misleading.

B.10.b Ridgecrest proposes to construct a structure that will block views/sunlight from/to several single family homes, especially those to the North and west for morning sun and opposite fro evening sun. This is already a known fact and must be accounted for here.

B.11.a.b. Look at Ridgecrest proposal when answering this question, answer will not be "no"

B.14, Transportation. General comment. The need to ensure that the cumulative effects of traffic on this proposed change to Complan and code processes seems to indicate that concurrent review of these proposals as required in 36.70A.130 for revisions to the Comprehensive plan will not occur concurrently, rather out of the normal cycle. I disagree with the premise that this restricts ability to approve permits due to the need to include in annual review cycle. Most of these Master Planned areas are large, well thought out, well planned sites and planning reasonably extends much farther into the future than for other permit reviews. As such, the hindrance to wait for an annual review cycle could be easily planned around for these type permit applications. This comment applies to other aspects of review of plans covered by these amendments

Thanks for the opportunity to comment on this document

Submitted April 18, 2008, approx.4pm

Les Nelson

15340 Stone ave N

Shoreline, WA, 98133

FAX**Date** 5/1/08**Number of pages including
cover sheet** 6**TO:** **Rachael Markle,
Assistant Director**

City of Shoreline

Phone**Fax Phone** (206) 546-8761**FROM:** **Elizabeth McNagny**DSHS Lands and
Buildings Division

PO Box 45848

Olympia, WA 90504-5848

Phone (360) 902-8164**Fax Phone** (360) 902-7889**REMARKS:** ☒ Urgent ☒ For your review ☐ Reply ASAP ☐ Please Comment

Attached please find comments from the Department of Social and Health Services on the proposed amendments to the City of Shoreline Comprehensive Plan and Code for Planned Areas and Master Plan permits. We request that our comments be included in the record for the Planning Commission consideration.

Thank you!

The information in this message is privileged and confidential. It is intended only for the use of the recipient named above (or the employee or agent responsible for delivering it to the intended recipient.) If you receive this transmission in error, please do not distribute or copy it. Instead, please notify us by telephone immediately and mail the transmitted copy to us at the above address.



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

LANDS AND BUILDINGS DIVISION

1115 Washington St., PO Box 45848 • Olympia WA 98504-5848

May 1, 2008

Rachael Markle
Assistant Director, Planning and Development Services
City of Shoreline
17544 Midvale Avenue N.
Shoreline, Washington 98133-4921

**Re: Proposed Amendments to the City Comprehensive Plan and Code
for Planned Areas**

Dear Ms. Markle:

The Department of Social and Health Services (DSHS) appreciates the opportunity to comment on the City of Shoreline's proposed amendments to the Comprehensive Plan and regulations regarding the City adoption of master plans for Planned Areas. Our comments specifically address the Fircrest Campus, identified as Planned Area 4 in the proposed amendments. We commend the City for taking steps to clarify the policies and regulations for Planned Areas and master plan permits.

As you may be aware, DSHS has completed Phase 1 of a master planning process for re-use of the excess property on the Fircrest Campus, and is currently beginning Phase 2. Phase 1 identified the excess property and defined future land uses. Throughout this planning process, DSHS consulted with the City of Shoreline. Phase 2 will include preparing a master plan to the level of detail needed for adoption by the City of Shoreline. As directed by the 2008 State Legislature in ESHB 2765 Section 2004 (Chapter 328, Laws of 2008), the DSHS application for a master plan permit will be based on the Hybrid Option for land uses defined in Phase 1, which includes a mix of uses that benefit the community and governmental entities.

DSHS supports the proposed amendment to change the process for master plan adoption from a comprehensive plan amendment to a permit application. Since comprehensive plan amendments are limited to an annual amendment cycle, the proposed change to a permit application process creates greater flexibility in the adoption time frame. This added flexibility allows the site owner and the City time for greater coordination with interested parties. This will facilitate preparation

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and adoption of a master plan that meets City, community and State expectations.

The proposed amendments provide clear decision criteria in the Shoreline Municipal Code for master plan adoption. We particularly liked the criterion for "innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design." That criterion will help the City to realize these qualities on major sites and it is in keeping with goals and guiding principles DSHS established for the Fircrest Campus master plan during Phase 1 of our process.

Further, removing the more detailed master plan requirements from the Comprehensive Plan and putting these in the code and submittal checklists is appropriate because it allows greater flexibility. Each of the proposed planned areas has unique attributes that call for a different level of detail when master planned.

In addition to the above general comments, DSHS has the following specific comments on proposed Comprehensive Plan language:

- DSHS suggests that Policy LU 43.4 description of Planned Area 4 – Fircrest be modified to:
 - o Clarify that the area is the Fircrest Campus as a whole;
 - o Reflect unique opportunities on the Campus for new uses;
 - o Clarify that only a portion of the site is used for essential public facilities;
 - o Clarify that a master plan *is* the additional planning needed for essential public facilities.

The City's proposed language with DSHS' suggested changes shown in underline/strikethrough format is shown below. DSHS's suggested changes are also highlighted in yellow.

LU 43.4: Planned Area 4 – Fircrest Campus: The Fircrest Campus is an approximately 9290-acre site with unique natural features. Existing uses currently include the Fircrest School, a state-operated residential facility that serves the needs of persons with developmental disabilities. In addition, the Fircrest Campus is home to the Food Lifeline warehouse, the a Washington State Department of Health Labs Public Health Laboratory; and a Sheltered Workshop which employs persons with disabilities two non-profit tenants who lease buildings on the Campus. Approximately 36 acres of the Campus is defined as excess to Fircrest School, including the leased buildings. Along

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with the continuation of the Fircrest School, the State Legislature has recognized unique opportunities for the Fircrest Campus, including smart growth, affordable housing, sustainable development and a variety of uses to benefit the public. Due to the mix of uses and facilities the Campus supports, more than one planned area may apply to the Campus. The Campus is surrounded by a mix of uses: single-family residential development, multi-family residential, office, commercial and City parks. The Fircrest School and State Department of Health Laboratory both currently meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning, such as through a planned area or master plan process, and to develop site specific standards in order to holistically address future development and redevelopment. Uses contemplated for the excess property located on the Fircrest Campus are typical urban uses that do not meet the definition of essential public facilities. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

- We suggest that the Policy LU 74 regarding essential public facilities be modified to clarify and emphasize that the exception for approved master plans applies to all of the listed essential public facility siting criteria. DSHS suggests adding language to the last paragraph in Policy LU 74. The City's proposed language with DSHS's suggested changes is shown below:

The siting process for Essential Public Facilities shall be coordinated with neighboring jurisdictions and with King and Snohomish counties by participating in the interjurisdictional process developed by the King County Growth Management Planning Council and the process adopted by Snohomish County (where appropriate). Specific siting processes will be established in Comprehensive Plan implementing regulations, provided that where site-specific standards such as a planned area with an approved master plan permit or subarea plan are in place for the proposed Essential Public Facilities, those specific standards will apply to development.

DSHS also has the following specific suggestions and comments regarding the proposed Development Code amendments:

- In the language describing amendments to Ordinance 292: Official Zoning Map, we suggest that the statement regarding changing the parcel(s) associated with Fircrest from R-6 to Planned Area 4 be modified so it clearly shows the change will apply to the entire Fircrest Campus.
- DSHS suggests proposed Section 20.30.337 (B)(2), which addresses Decision Criteria related to mitigation of impacts, be revised to read, "Requested modifications to standards are limited to those which will mitigate

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significant impacts in a manner equal or greater than the standards of all applicable codes;"

- DSHS suggests proposed Section 20.30.337 (B)(4), which addresses Decision Criteria related to the transportation system, be modified to read, "The Master Plan Permit demonstrates that there is either sufficient capacity in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed when considering improvements planned by the city and any additional mitigation included in or required as a result of the master plan."
- DSHS suggests a similar modification to proposed Section 20.30.337 (B)(5), as follows: "The Master Plan Permit demonstrates that there is either sufficient capacity within public services such as water, police, fire, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed when considering improvements planned by the city and any additional mitigation included in or required as a result of the master plan."
- DSHS suggests proposed Section 20.30.337 (B)(6), which addresses Decision Criteria related to potential conflict with adjacent uses, be revised to read, "The Master Plan Permit contains design, landscaping, parking/traffic management and multi modal transportation element that limit significant conflicts between the Master Plan property and adjacent uses."
- An error within Section 20.30.337 shows both Decision Criteria and Vesting numbered as (B). The following comment assumes Vesting should be (C).
- For Section 20.30.337(C)(3) regarding amending a master plan permit, we suggest that there be two categories of master plan amendments. One would be a major amendment triggering the same process as initial master plan adoption. The second category would be a minor amendment that could be approved by the Planning Director. Possible criteria for a change to be considered a minor amendment might be:
 - The amendment would not increase the total number of dwelling units or non-residential floor area, or would not increase it by more than a specified percent;
 - The amendment would not decrease the amount of open space, or would not decrease it by more than a specified percent; and
 - The amendment would not result in any probably significant adverse environmental impacts.

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- We suggest that proposed Section 20.100.310 Planned Area Zones and Permitted/Prohibited Uses include a subsection stating that, once a master plan is adopted, it replaces the uses and standards of the R-6 zone.
- We suggest that proposed section 200.100.310(D) regarding Planned Area Zones and Permitted/Prohibited Uses for the Fircrest Campus be revised to read, "Expansion of a nonconforming use shall be regulated per 20.30.280(D) unless more specific regulations are adopted through the master plan."

Thank you for the opportunity to share our comments with you. If you have any questions concerning these comments, please contact me at (360) 902-8154.

Sincerely,

Robert J. Hubenthal
Chris Olsen, Director *for C.O.*
Lands and Buildings Division

c: Kathleen Brockman, CAO, MSA
Kathy Leitch, Assistant Secretary, ADSA
Linda Rolfe, Director, DDD
Asha Singh, Superintendent, Fircrest School

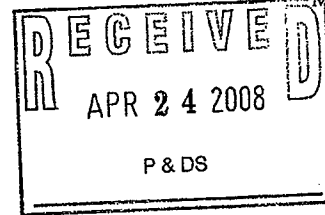


Ronald Wastewater District
17505 Linden Avenue North • P.O. Box 33490
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(206) 546-2494 • Fax (206) 546-8110
www.ronaldwastewater.org
April 22, 2008

COMMISSIONERS
Arnold H. "Arnie" Lind
Arthur L. Wadekamper
Brian T. Carroll

GENERAL MANAGER
Michael U. Derrick

Rachael Markle, AICP
City of Shoreline
17544 Midvale Avenue North
Shoreline, WA 98133-4921



RE: SEPA checklist for 2008 Annual Review of Amendments to the Comprehensive Plan and Development Code Amendments

Dear Rachael:

Thank you for allowing Ronald Wastewater District to offer comments on the above identified project. The following comments are specific to the SEPA we received.

We have two concerns: 1) It appears that Ronald Wastewater District is not being considered during land use changes proposed by the City. Under Part B, Environmental Elements; Section 16, Utilities; subsection a, it is stated that "All utilities are available in the City of Shoreline." We concur that water and sewer utilities are available in the City. However, decisions to change the land use, such as from an R-12 to an R-48, also substantially increase the demand on our systems. Our systems have been modeled to the current land uses, and our capital improvement projects have been scheduled to meet the needs of development and system repair based on the current land use.

2) Under Part D, Supplemental Sheet; Section 6, it is stated that there will be "no increased demands on the utilities." Increased population density could result in increased flow which is a substantial impact on our system.

Ronald Wastewater District would like to be included in discussions for the planning of Crista Ministries, Fircrest, Shoreline Community College, Ridgecrest and other "Planned Area as a type of Special District." Under Part B; Section 9.a. Housing; several of these areas will be adding additional units. We would like the City to consider adding a representative from Ronald Wastewater District to the Master Planning process for each of these projects and future projects so that we might be able to offer regular and ongoing input during the redevelopment discussions. If you have any questions regarding these comments or require additional information, please contact us.

Sincerely,

Michael U. Derrick
General Manager

Working for Environmental Protection
A special purpose district formed pursuant to RCW title 57



Memorandum

DATE: April 30, 2008

TO: Planning Commission, Les Nelson and Michael Derrick

FROM: Rachael Markle

RE: Response to Written Comments Received from Les Nelson and Michael Derrick

CC: Steve Cohn and Jessica Simulcik Smith

Although it is not the Planning and Development Services general practice to respond to all comments received directly, I have responded since there were not a substantial number of comments. Thank you to Mr. Nelson and Mr. Derrick for taking the time to comment. Below are comments to the letters received. The answers are brief and I apologize for any typos in advance, but this is all that time permits.

Staff responses to Les Nelson Comments received 4/18/08 shown in bold italics.

Complan amendments:

1. Glossary; Subarea plans: These are for "defined geographic areas" and since this amendment is proposed to clarify the difference between Subareas and Planned areas which are later defined as "Specific geographic areas", perhaps we need to define the difference between "defined" and "specific", or better yet, re-write and make this all less confusing.

Agree. The language has been changed from defined and specific to delineated geographic areas. The intent of this part of the definition was to direct the reader to the future land use map which delineates the subarea or planned area.

Second sentence (under Subarea plans) seems to be more related to a policy, or description of how a Subarea plan operates, not a definition and thus would not belong here. Suggest deleting "Development Regulations.....using legislative review process". Also similar comment for last sentence.

Agree in theory. However, the way the Comprehensive Plan is written there didn't seem to be a better place to include this information.

Suggest adding the following: Planned areas, Subareas, and Master Planned areas must all be coordinated with the overall vision of the Comprehensive plan;

The Development Code specifies the decision criteria for Comprehensive Plan Amendments in 20.30.340. I believe this suggestion is covered in this language.

and must have final adoption concurrently with all Comprehensive Plan amendments so any changes can be considered in whole as required to be in compliance with GMA, 36.70A...also refer to land use Policy LU-6 in the Complan

This is the proposed process for Planned Areas. Master Plan permits as proposed will not require changes to the Comprehensive Plan. Subarea Plans may be adopted outside of the annual review and still be in accordance with GMA. Staff recommends not making this proposed change to maintain the City's flexibility to schedule subarea plans for review when they are completed.

LU-9: define meaning of "certain circumstances", and define what range of zoning could be acceptable under a subarea plan...could R4 become 20 units per acre? If not defined then in the future someone is likely to misinterpret the meaning of this, and in fact it is not clear today what is meant!

"Certain circumstances" are specified in the Development Code under the Supplemental Index Criteria found in 20.40.

LU-12: Why was the wording regarding 'unless.... Subarea... or special district... has been approved' removed from this section and left in LU-9?

This change was not necessary. To be more consistent and to make less changes staff reinserted the removed wording.

LU-18 and LU-19: At our Dec 17 2007 meeting Joe Tovar mentioned that the wording currently in these two policy statements was vague and needed to be improved to clarify intent, specifically mentioning the use of the phrase "might be allowed" as an issue, and yet these are not being revised.

This is a different topic. The proposed amendments were drafted to address Master Planning and Planned Areas. I have heard discussions about the issue you raise, but I do not know what the plan is regarding revisiting these policies.

Why/How are we changing areas like Shoreline CC, CRISTA, Fircrest from Master Plan designation to Planned Area designation, and what is the intent of this? Does this not violate the EIS done for the Complan where master Plans are defined/required?

The reasons for proposing to call SCC, CRISTA and Fircrest Planned Areas verses Single Family Institution are as follows:

- *Single Family Institution does not provide any detail about the particular long range use of the site. The Planned Area 1-5 add a specific description of the general current and proposed future use of the site.*
- *The word institution does not seem sensitive to the populations that may be living in these areas. Institution can have a negative connotation.*
- *Staff wanted to consolidate terms and procedures where the "products" would be similar. The City used a tool called the Planned Area for Ridgecrest. The product for Ridgecrest was long range site specific development regulations. The product staff envisions for a Master Plan is a long range site specific*

permit that takes the form of development regulations. Therefore, staff proposed to call all such areas Planned Areas. The City could easily call areas that are encouraged to Master Plan – Master Plan Areas or something else, but staff believes fewer terms and processes is better.

Development Code amendments:

In table 20.30.060 under 2. Rezone, add CTED under column regarding review authority as this would be required where rezone amends the Complan...

Although CTED does review all proposed amendments to the Comprehensive Plan and Development Code, I believe this column is referring to the entity that holds the public hearing if one is required. Also, the proposed amendments to the Development Code are not intended to change regulations related to anything other than Master Plan Permitting.

Also, Subarea Plans are not mentioned in the Development Code amendments, are there no revisions needed?

Subarea Plans are reviewed as Legislative Decisions under 20.30.070, amendments to the Comprehensive Plan and/or Development Code.

SEPA document:

(Following comments refer to appropriate section of SEPA document by letter, number)

- A. 7. Subarea plans are not mentioned, ...think we currently have several in the works such as Town center, Ballinger, South of Bridge,

The staff response to this question focused on Master Plans and Planned Areas, not subareas.

- A. 8. Define SEPA required for “future”....Proposals...does that mean any that are currently in the works such as Ridgecrest have no further SEPA requirement??

No.

- A. 10. Add to list:, Approval of Complan amendments, Public Hearings, and Public participation as called out in GMA

No change recommended.

- A. 11. Allowing master plans to be approved outside of the annual review cycle conflicts with requirements of GMA that require all amendments for the year to be considered and approved as a whole so the cumulative effects can be considered together.....

No change recommended. Master Plan Permits as proposed would not contain any information that would necessitate amending the Comprehensive Plan. The amendment to the Comprehensive Plan is occurring now as part of the Annual review. Future Planned Areas would also be considered during the Annual review.

and, under Comprehensive plan amendments, the fourth bullet regarding Replacing the term master plan with Planned area, could not be more confusing as to intent. Please clarify what this means.

Consolidation of terms and procedures is the intent.

Fifth bullet item defies GMA "without amending the Comprehensive plan"

Staff disagrees. The Comprehensive Plan is being amended during the annual review to delineate and describe those areas that are encouraged to apply for Master Plan permits. The Master Plan permit will not propose any amendments to the Comprehensive Plan.

Eighth bullet, "Deleting land use policies 76 and 77....." what about the revisions to LU17-18-19, 40,42,43?

Question #11 asks for a brief description. Staff highlighted the major changes.

A. Under Development code amendments, 6th bullet, First NE transfer station "or out of code" needs to be decided or clarified.

At the time the SEPA Checklist was prepared it was not decided. SEPA is done early in the process. It has been decided. First NE Transfer Station (now called Shoreline Transfer Station) is proposed to be renamed Planned Area 1: Shoreline Transfer Station to be consistent with the terms and procedures as proposed.

A, 12: First line says "could" be applied city wide, but only 4 locations specified, so is that the intent, to do this citywide as it is listed as a non project action, it is not clear what the intent is...please clarify

The "Citywide" reference is that the City Council through the annual review process could amend the Future Land Use Map to include additional Planned Areas.

B 1.a. Are there no steep slopes at Fircrest?

Not that I am aware of.

At Shoreline Community college I would add streams/creeks I assume are present

This is addressed later in the SEPA Checklist under B(3) Water.

B 1. c. Again confused how this can be a non project action, yet describe four sites....which to me implies throughout this document that this only applies to these four sites, and does not include the rest of the city, otherwise the remainder of the City should be noted. As such, these proposed revisions are limited to the four sites listed, and I don't believe that is the intent. This comment applies throughout the document

The statement "this is a non project action" that appears throughout the document is included to indicate that for this question since the proposal does not apply to any particular area in the City – I am unable to accurately answer that question. The specifics that are included for the four sites are included for information since we do know these sites are already designated as a Planned Area or Essential Public Facility.

B1.g. Add "likely to increase pervious surface as development becomes more intense, until sustainability is applied to development proposals

Staff will add a comment to the SEPA Checklist.

B1.h Define "future" is that intended to not include the 4 listed projects?

Future projects is referring to Master Plan permits and subsequent building or site development permits.

B.2.a. add increased fuel consumption to attend meetings to discuss this proposal....

☺

B. 4.a. heck marks as you have indicated likely all these are on the four sites.

Staff will add check marks.

B.5. Clarify which version of the Comprehensive Plan, 1998, 2005?

Staff will verify it is the 1998 version of the Comprehensive Plan.

B.5.d Add the phrase "are intended to" after "These regulations" 2nd sentence

Staff will add a comment to the SEPA checklist.

B7.b.1. (noise) added traffic likely to result from all development proposals

Staff does not know of any particular traffic noise that exists currently that will impact the four proposed Planned Area sites. Traffic created by future development of these sites is covered in B7.b.2.

B.8. 1. (To ensure compatibility of land uses) It appears that this proposal is a major change in how the approval and permitting process for these type sites will be accomplished. Part of "ensuring compatibility" is to provide thorough public participation as required by RCW 36.70A, (Growth management act).. This proposal takes part of this process away from public review, especially of the final details as is indicated by mentioning use of a quasi-judicial process, and thus the ability to "ensure compatability" with neighborhoods is lessened. How will this change be mitigated?

The intent is not at all to lessen the about of public process. The idea is actually to increase the amount of public process by at least requiring mailed notice to property owners within 500 feet, a notice sign on the property, a neighborhood meeting and public hearing. If it were processed Legislatively none of this public process is required.

B.10.a Ridgecrest has already approved for 80'+ tall structures so the height mentioned is incorrect or misleading.

My mistake. I will add a comment in the SEPA Checklist.

B.10.b Ridgecrest proposes to construct a structure that will block views/sunlight from/to several single family homes, especially those to the North and west for morning sun and opposite fro evening sun. This is already a known fact and must be accounted for here.

Staff interprets this section to deal with light and glare not shadowing. In addition, this proposal seeks to change the terminology in regards to Ridgecrest. A separate more detailed checklist was prepared for Ridgecrest.

B.11.a.b. Look at Ridgecrest proposal when answering this question, answer will not be "no"

Not aware of any lights or glares that will impede views or produce dangerous glares in Ridgecrest.

B.14, Transportation. General comment. The need to ensure that the cumulative effects of traffic on this proposed change to Complan and code processes seems to indicate that concurrent review of these proposals as required in 36.70A.130 for revisions to the Comprehensive plan will not

occur concurrently, rather out of the normal cycle. I disagree with the premise that this restricts ability to approve permits due to the need to include in annual review cycle. Most of these Master Planned areas are large, well thought out, well planned sites and planning reasonably extends much farther into the future than for other permit reviews. As such, the hindrance to wait for an annual review cycle could be easily planned around for these type permit applications. This comment applies to other aspects of review of plans covered by these amendments

Staff responses to Michael Derrick's Comments received 4/24/08 shown in bold italics.

- 1) It appears that Ronald Wastewater District is not being considered during land use changes proposed by the City. Decisions to change the land use (i.e. R-12 to R-48) substantially increase the demand on our systems. Our systems have been modeled to the current land uses, and our capital improvement projects have been scheduled to meet the needs of development and system repair based on the current land use.

The land use changes under this proposal do not actually change the zoning. The zoning designation changes to Planned Areas 1-5, but the development regulations for these Planned Areas remain the same for their current zone until a Master Plan Permit is approved. The Utilities will definitely need to be involved in the development and review of Master Plan permits.

- 2) Under Part D, Supplemental Sheet, Section 6, it is stated that there will be "no increased demands on the utilities." Increased population density could result in increased flow which is a substantial impact on our system.

This statement only applies to the proposed action. The proposed action does not increase density. A Master Plan permit will likely result in increased density and will require working with the utilities to address these impacts on the City's infrastructure.

Ronald Wastewater District would like to be included in discussions for the planning of Christa Ministries, Fircrest, Shoreline Community College, Ridgecrest and other "Planned Area as a type of Special District". Since several of these areas will be adding additional units. We would like the City to consider adding a representative from Ronald Wastewater District to the Master Planning process for each of the abovementioned and future projects so that we might be able to offer input during the redevelopment discussions. ***Definitely.***

**PROPOSED
AMENDMENTS TO
THE
COMPREHENSIVE
PLAN
2008**

GLOSSARY

Subarea Plans – Subarea plans are meant to provide detailed land use plans for delineated geographic areas. Development regulations may be adopted as part of the subarea plan or after the adoption of a subarea plan using a legislative review process. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Subarea planning may only be initiated by the City.

Deleted: and development regulations

Deleted: local

Deleted: This level of planning brings the policy direction of the Comprehensive Plan

Deleted: to a smaller geographic area. These plans are meant to implement the Comprehensive Plan and be consistent with the Comprehensive Plan's policies, development regulations, and Land Use Map, when adopted.

Master Plan Permit - A permit issued by the City that establishes site specific permitted uses and development standards for planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

Planned Area Land Use Designation – pertains to delineated geographic areas that are: unique based on natural, economic or historic attributes; subject to challenges from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Planned Area designations may be initiated by property owner(s) or the City during the annual review of amendments to the Comprehensive Plan.

Planned Area Zoning Designation: Planned Area zoning is meant to provide detailed land use regulations and development standards to implement the Planned Area Land Use designations.

DRAFT Comprehensive Plan Amendments to Streamline Master Planning Process

Amend Figure LU-1: Comprehensive Plan Land Use

- o Add Planned Area to Legend
- o Change parcel(s) associated with Shoreline Transfer Station from Public Facility to Planned Area 1
- o Change parcel(s) associated with Ridgecrest Study Area from Mixed Use to Planned Area 2
- o Change parcel(s) associated with the Crista Campus from Single Family Institution to Planned Area 3
- o Change parcel(s) associated with the Fircrest Campus from Single Family Institution to Planned Area 4
- o Change Shoreline Community College parcel(s) from Single Family Institution to Planned Area 5

LU3: Provide incentives for land uses that enhance the City's vitality through a variety of regulatory and financial strategies including, but not limited to:

- Priority permit review
- Road system reclassification
- Property valuation based on current use
- Reduced impact fees
- Tax abatement
- Methods similar to tax increment financing
- Provision of infrastructure through a private-public partnership
- Transfer of development rights
- ~~Subarea planning or planned area planning for sites with clustering~~ of development to preserve open space
- Flexibility of site and building design if performance standards are met which give equal or better design and protection than the zone

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LU 9: The Low Density Residential land use designation is intended for areas currently developed with predominantly single family detached dwellings. Single family dwelling units will be allowed and other dwelling types, such as duplexes, single family attached, cottage housing and accessory dwellings, may be allowed under certain circumstances.

Appropriate zoning for this designation is R-4 or R-6 Residential, unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.

LU 12: The Medium Density Residential land use designation is intended for areas currently developed with medium density residential dwelling uses; and to areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned medium density residential. Single family dwelling units, duplexes, triplexes, zero lot line houses, townhouses and cottage housing will be permitted. Apartments will be allowed under certain conditions.

The permitted base density for this designation may not exceed 12 dwelling units per acre unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved. Appropriate zoning for this designation is R-8 or R-12 Residential.

LU14: The High Density Residential designation is intended for areas near employment

and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted.

The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, subarea plan, or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24, R-48 Residential unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: ¶
or

LU 17: The Mixed Use designation applies to a number of stable or developing areas and to the potential annexation area at Point Wells. This designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential uses.

Appropriate zoning designations for the area include, Neighborhood Business, Community Business, Office, Regional Business, Industrial, R-8, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: and/or

LU18: The Community Business designation applies to areas within the Aurora Corridor, North City and along Ballinger Road. This designation provides for retail, office and service uses and high density residential uses. Significant pedestrian connection and amenities are anticipated. Some limited industrial uses might be allowed under certain circumstances. Appropriate zoning designations for this area might include the Neighborhood Business, Community Business, Regional Business, Office, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: or

LU19: the Regional Business designation applies to an area within the Aurora Corridor north of 185th St. and south of N 192nd St. This designation provides for retail, office, service, high density residential and some industrial uses. Significant pedestrian connection and amenities are anticipated. Appropriate zoning designations for this area include Community Business, Office, Regional Business, Industrial, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: or

LU40: Create subarea plans or planned areas for the Aurora Corridor to include smaller city blocks, a park/plaza in the Seattle City Light Right-of-Way, a transit center, and large public areas for a mix of city activities.

Deleted: Master Plan areas

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LU42: The Public Facilities land use designation applies to a number of current or proposed facilities within the community. It is anticipated that the underlying zoning for public facilities shall remain unless adjusted by a formal amendment to this plan.

LU43: Planned Areas designate distinctive geographic areas that are unique based on natural, economic or historic attributes; subject to challenges from transition in land uses; or contain essential public facilities for additional planning. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply

existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Planned Area designations may be initiated by property owner(s) or the City during the annual review of the Comprehensive Plan. The appropriate zoning for this designation is a Planned Area zone.

LU 43.1: Planned Area 1 - Shoreline Transfer Station: The Shoreline Recycling and Transfer station formerly called the First Avenue NE Transfer station is located at 2300 N. 165th Street. This King County operated solid waste transfer station is surrounded by single family residential development, King County Bus Barn, Seattle City Light Utility Substation, a City park and Interstate 5. The Transfer Station meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

A Master Plan was approved for the Shoreline Transfer Station in 2003. The Master Plan included:

- a. An expanded recycling collection area where customers can bring materials for recycling, composting and reuse, including a separate yard waste area;
- b. An enclosed transfer building which will have larger, easier-to-use waste unloading areas, which will reduce customer wait times;
- c. Thornton Creek buffer reforestation that will improve wildlife habitat and the quality of the Creek;
- d. A new site layout that will reduce neighborhood impacts and improve on-site traffic flow;
- e. A pre-load compactor to improve the efficiency of waste handling and lessen the number of transfer trailer trips required to and from the station;
- f. A roof that contains solar panels that will help reduce energy costs and can accommodate today's larger solid waste collection vehicles;
- g. Sustainable building design features that will improve energy efficiency and result in lower operating costs than conventional building design; and
- h. Environmental enhancements, particularly with storm and waste water systems, to protect Thornton Creek and public health.

LU 43.2: Planned Area 2 – Ridgecrest: Ridgecrest Planned Area 2 comprises approximately 6.6 acres located within the neighborhood's commercial center, east of Interstate 5, at the corner of NE 165th and 5th Avenue NE. The unique economic opportunity and the need to address the transition from commercial development to adjacent single family residential development was the impetus for this Planned Area.

LU 43.3: Planned Area 3 – CRISTA: CRISTA Ministries is a 55 acre campus devoted to education, senior care and housing, broadcasting, humanitarian missions, relief and aid to those in need and specialized camps.

CRISTA Ministries is a unique site within the City. Although the services that are provided are not public, the campus provides housing for nearly 700 senior citizens, education for 1,200 Pre-K to High School students and employment for nearly 900 people (based on 2007 estimates). There is a need to look inward to plan for all aspects of the on campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on campus activities. Although the City is interested in the planning and development of on-campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

LU 43.4: Planned Area 4 – Fircrest Campus: The Fircrest Campus is an approximately 90 acre site with unique natural features. Existing uses currently include the Fircrest School, a state operated residential facility that serves the needs of persons with developmental disabilities; a Washington State Department of Health Public Health Laboratory; and two non-profit tenants who lease buildings on the Campus. Approximately 36 acres of the Campus is defined as excess to Fircrest School, including the leased buildings. Along with the continuation of the Fircrest School, the State Legislature has recognized unique opportunities for the Fircrest Campus, including smart growth, affordable housing, sustainable development and a variety of uses to benefit the public. Due to the mix of uses and facilities the Campus supports, more than one planned area may apply to the Campus. The campus is surrounded by a mix of uses: single family residential development, multi family residential, office, commercial and City parks. Fircrest meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning, such as through the Planned Area and Master Plan Permit process, and to develop site-specific standards in order to holistically address future development and redevelopment. Uses contemplated for the excess property located on the Fircrest Campus do not all meet the definition of essential public facilities.

Fircrest is a unique site within the City. There is a need to look inward to plan for all aspects of the on-campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on-campus activities. Although the City is interested in the planning and development of on-campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

LU 43.5: Planned Area 5- Shoreline Community College: Shoreline Community College is an approximately 79 acre state operated community college surrounded by single family residential development and City parks. The College meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

Shoreline Community College is a unique site within the City. There is a need to look inward to plan for all aspects of the on-campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on-campus activities. Although the City is interested in the planning and development of on campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

LU74: All new Essential Public Facilities and substantial modifications to existing Essential Public Facilities shall be required to undergo a siting process by the City of Shoreline except that where site-specific standards such as a planned area with an approved master plan permit or subarea plan are in place for the proposed Essential Public Facilities, those specific standards will apply to development. Facility siting shall consider:

- consistency with locations identified as appropriate for public purposes on the Land Use Element Map;
- compatibility with adjacent land uses;
- fair distribution of public facilities throughout the City;
- reduction of sprawl development;
- promotion of economic development and employment opportunities;
- protection of the environment;
- positive fiscal impact and on-going benefit to the host jurisdiction;
- consistency with City of Shoreline Comprehensive Plan (e.g. Capital Facilities, Utilities, Transportation, Housing, Economic Development, the Environment and Community Design);
- ability to meet zoning criteria for Special Use Permits as defined in the Shoreline Municipal Code;
- public health and safety;
- forecasted regional or state-wide need;
- ability of existing facilities to meet that need;
- compatibility with this Comprehensive Plan;
- evaluation in context of agency or district plan (and consistency with this agency or district plan);
- analysis of alternative sites; and
- provide a public review process that includes, at a minimum, public notice and a public comment period. Special use permits and master plan permits may require public meetings and/or a public hearing process.

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The siting process for Essential Public Facilities shall be coordinated with neighboring jurisdictions and with King and Snohomish counties by participating in the interjurisdictional process developed by the King County Growth Management Planning Council and the process adopted by Snohomish County (where appropriate). Specific siting processes will be established in Comprehensive Plan implementing regulations.

LU 75: All new Essential Public Facilities and redevelopment, expansion of a use and/or change of a use of an existing Essential Public Facility shall be required to undergo development review by the City of Shoreline. A master plan permit is encouraged for Essential Public Facilities. Development standards and review criteria shall consider:

- the types of facility uses and operations and their impacts;

- compatibility of the proposed development, expansion or change of use, with the development site, with neighboring properties and with the community as a whole;
- environmental review pursuant to State Environmental Policy Act (SEPA Rules WAC 197-11); and
- development standards to mitigate aesthetic and functional impacts to the development site and to neighboring properties.

H10: Provide opportunities and incentives through the Planned Unit Development (PUD) or master plan permit process for a variety of housing types and site plan concepts that can achieve the maximum housing potential of a large site.

Comment: Remove LU 76 & 77 from Comp Plan and include as a regulation in the Development Code.

Deleted: LU 76: A Master Plan is encouraged for Essential Public Facilities. The purpose of the Master Plan is to incorporate all proposed new development, redevelopment and/or expansion of an existing development. A Master Plan is a comprehensive long-range plan for the use of the property. Its purpose is to guide the growth and development of the facility so that they serve their users and benefit the community.¶

¶
A Master Plan shall include:¶
<#>a Statement of Justification for the proposed development;¶
<#>a narrative description and drawings of uses existing on the site (including historic sites and environmentally critical areas);¶
<#>uses to be developed on site;¶
<#>location of existing/proposed uses;¶
<#>bulk and scale of existing/proposed uses;¶
<#>conceptual architectural design of proposed structures/integration of new and existing uses OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;¶
<#>existing/conceptual proposed landscaping (native vegetation and decorative plantings) OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;¶
<#>existing/conceptual proposed access, parking plans;¶
<#>buffers, as appropriate, between on-site uses;¶
<#>buffers between the site and surrounding properties; and ¶
<#>an environmental analysis including impacts and proposed mitigation for noise, light, glare, and any other environmental impacts to be expected from the use.¶

¶
A Master Plan may be revised for proposed new development subject to Master Plan regulations. Master Plan amendments should occur concurrently with the City's process for amending the Comprehensive Plan, and should include a public participation process. ¶

¶
LU77: When a Master Plan is accepted by the City, an overlay designation will be placed upon the property, indicating that the Master Plan is the governing document. ... [1]

Deleted: Master Plan

LU 76: A Master Plan is encouraged for Essential Public Facilities. The purpose of the Master Plan is to incorporate all proposed new development, redevelopment and/or expansion of an existing development. A Master Plan is a comprehensive long-range plan for the use of the property. Its purpose is to guide the growth and development of the facility so that they serve their users and benefit the community.

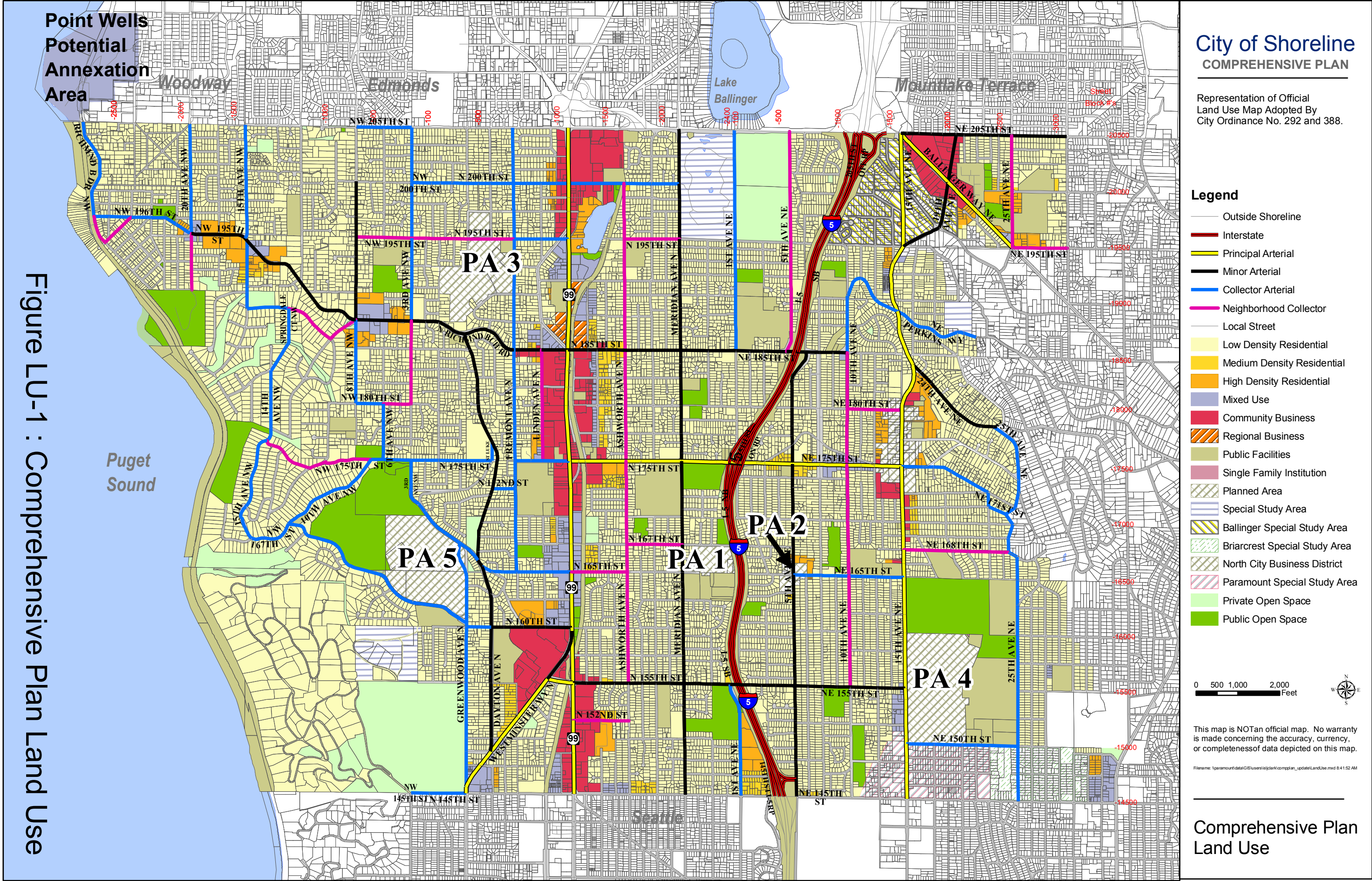
A Master Plan shall include:

- a Statement of Justification for the proposed development;
- a narrative description and drawings of uses existing on the site (including historic sites and environmentally critical areas);
- uses to be developed on site;
- location of existing/proposed uses;
- bulk and scale of existing/proposed uses;
- conceptual architectural design of proposed structures/integration of new and existing uses OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;
- existing/conceptual proposed landscaping (native vegetation and decorative plantings) OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;
- existing/conceptual proposed access, parking plans;
- buffers, as appropriate, between on-site uses;
- buffers between the site and surrounding properties; and
- an environmental analysis including impacts and proposed mitigation for noise, light, glare, and any other environmental impacts to be expected from the use.

A Master Plan may be revised for proposed new development subject to Master Plan regulations. Master Plan amendments should occur concurrently with the City's process for amending the Comprehensive Plan, and should include a public participation process.

LU77: When a Master Plan is accepted by the City, an overlay designation will be placed upon the property, indicating that the Master Plan is the governing document for new development or redevelopment. Specific project applications under an approved conceptual Master Plan may require site plan review. This review would ensure that the specific projects are consistent with the Master Plan and conform to applicable implementation regulations. Building permits will be required for all new construction. Any proposed development that is not in the approved Master Plan will be considered under a Development Permit Application or a Special Use Permit and will be reviewed through the underlying Land Use Designation/Zoning regulations.

Figure LU-1 : Comprehensive Plan Land Use



Initiating and Processing Subarea Planning, Planned Areas and Master Plan Permits

Planning Tools	Who can use the tool?	How is this tool implemented?	When can the tool be used?	What process is used to review the plans or permit?
<p>Subarea Plan: provides detailed land use plans for defined geographic areas. Development regulations may be adopted as part of the subarea plan or after the adoption of a subarea plan. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities.</p>	City	Council provides direction such as Council Goal setting; budgeting; approval of Planning Commission or Department Work Plan	Anytime	Legislative
<p>Planned Area Land Use Designation: pertains to specific geographic areas that are unique based on natural, economic or historic attributes; subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities.</p>	City or Property owner(s)	Staff or property owner(s) submit a site specific Comprehensive Plan Amendment (amends the Future Land Use map & the Zoning map) application to the City	Once a year in conjunction with the Annual Review of proposed amendments to the Comprehensive Plan (applications are accepted year round)	Legislative for City/Quasi Judicial for Property Owner(s)

Planning Tools	Who can use the tool?	How is this tool implemented?	When can the tool be used?	What process is used to review the plans or permit?
Planned Area Zoning Designation: Planned Area zoning is meant to provide detailed land use regulations and development standards to implement the Planned Area Land Use designations.	City or Property owner(s)	Staff or property owner(s) submit a site specific Comprehensive Plan Amendment (amends the Future Land Use map & the Zoning map) application to the City	Once a year in conjunction with the Annual Review of proposed amendments to the Comprehensive Plan (applications are accepted year round)	Legislative for City/Quasi Judicial for Property Owner(s)
Master Plan Permit: A permit issued by the City that establishes site specific permitted uses and development standards for planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.	Property owners of parcels designated as Planned Areas in the Comprehensive Plan and on the Zoning Map	Applicable property Owner(s) submit a Master Plan Permit Application to the City for review	Anytime	Quasi Judicial

**PROPOSED
DEVELOPMENT CODE
AMENDMENTS
ASSOCIATED WITH
PROPOSED 2008
AMENDMENTS TO THE
COMPREHENSIVE PLAN**

Amend Ordinance 292: Official Zoning Map

- o Change Shoreline Recycling and Transfer Station from R-6 to Planned Area 1
- o Add overlay of Planned Area 3 over parcel(s) associated with the CRISTA underlying zoning remains the same
- o Change parcel(s) associated with the Fircrest Campus from R-6 to Planned Area 4
- o Change Shoreline Community College parcel(s) from R-4 and R-6 zones to Planned Area 5

20.20 Definitions

20.20.036

Master Plan Permit

A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision (5), (6)	Review Authority, Open Record Public Hearing (1)	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
Type C:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.410
2. Rezone of Property(2) and Zoning Map Change	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.330
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.336
6. Final Formal Plat	None	Review by the Director – no hearing	City Council	30 days	20.30.450
7. SCTF – Special Use Permit	Mail, Post Site, Newspaper (7)	PC (3)	City Council	120 days	20.40.505
8. Street Vacation	PC (3)	PC (3)	City Council	120 days	Chapter 12.17 SMC

9. Master Plan Permit	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.337
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- (1) Including consolidated SEPA threshold determination appeal.
 - (2) The rezone must be consistent with the adopted Comprehensive Plan.
 - (3) PC = Planning Commission
 - (4) HE = Hearing Examiner
 - (5) Notice of application requirements are specified in SMC 20.30.120.
 - (6) Notice of decision requirements are specified in SMC 20.30.150.
 - (7) Notice of application shall be mailed to residents and property owners within one-half mile of the proposed site.
- (Ord. 406 § 1, 2006; Ord. 324 § 1, 2003; Ord. 309 § 3, 2002; Ord. 299 § 1, 2002; Ord. 238 Ch. III § 3(c), 2000).

20.30.337 Master Plan Permit

A. Purpose. The purpose of a Master Plan Permit is to address concerns unique to an area through a public process when other zoning mechanisms cannot achieve the desired results. An area may be unique based on natural, economic or historic attributes; be subject to challenges from transition in land uses; or contain essential public facilities that require specific land use regulations for their efficient operation. Master Plan Permits provide a means to modify zoning regulations for specific areas defined in the Comprehensive Plan.

B. Decision Criteria. A Master Plan Permit shall be granted by the City, only if the applicant demonstrates that:

1. The Master Plan meets or exceeds the current regulations for Critical Areas if critical areas are present.
2. Requested modifications to standards are limited to those which will avoid, reduce and then mitigate impacts if they cannot be avoided or reduced in a manner equal or greater than the standards of all applicable codes;
3. The proposed development demonstrates the use of innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design;
4. The Master Plan Permit demonstrates that there is either sufficient capacity in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will

be adequate capacity by the time each phase of development is completed;

5. The Master Plan Permit demonstrates that there is either sufficient capacity within public services such as water, police, fire, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed;
6. The Master Plan Permit contains design, landscaping, parking/traffic management and multi-modal transportation elements that minimize conflicts between the Master Plan property and adjacent uses; and
7. All significant offsite impacts associated with the implementation of the Master Plan Permit including but not limited to noise, shading, glare, surface water and traffic, will be identified and avoided, reduced and then mitigated if they cannot be avoided or reduced by the applicant.

C. Vesting.

Applicability. A Master Plan Permit shall be reviewed under this Chapter and all other local, state and Federal land use regulations in effect on the date the Master Plan Permit application has been deemed complete by the City.

D. Amendments.

Minor amendments to an approved Master Plan permit may be approved by the Director using procedures and criteria developed as part of the Master Plan Permit. Major amendments are changes that were not analyzed as part an approved Master Plan Permit unless specifically classified. Major amendments to an approved Master Plan Permit shall be processed as a new Master Plan Permit.

20.30.340 Amendment and review of the Comprehensive Plan (legislative action).

A. Purpose. A Comprehensive Plan amendment or review is a mechanism by which the City may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City, and to review the Comprehensive Plan on a regular basis.

B. Decision Criteria. The Planning Commission may recommend and the City Council may approve, or approve with modifications an amendment to the Comprehensive Plan if:

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or
2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or

3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare. (Ord. 238 Ch. III § 7(f), 2000).

C. Planned Area Land Use Designation Decision Criteria. In addition to the Decision Criteria in Subsection(B), the Planning Commission and the City Council may approve, or approve with modifications a request to amend the Comprehensive Plan to designate a Planned Area if the applicant demonstrates that:

1. The subject area is unique or represents a unique opportunity based on natural, economic or historic attributes that warrants additional analysis and planning; or
2. The subject area is subject to challenges from transition in land uses that warrants additional analysis and planning; or
3. The subject area meets the Comprehensive Plan's definition of an essential public facility.

The applicant must also demonstrate that:

4. The proposed Planned Area Land Use designation will employ the City's strategies for Sustainable Development or Comprehensive Housing or Economic Development.

20.40.050 Special districts.

A. Special Overlay District. The purpose of the special overlay (SO) district is to apply supplemental regulations as specified in this Code to a development of any site, which is in whole or in part located in a special overlay district (Chapter 20.100 SMC, Special Districts). Any such development must comply with both the supplemental SO and the underlying zone regulations.

B. North City Business District (NCBD). The purpose of the NCBD is to implement the vision contained in the North City Subarea Plan. Any development in the NCBD must comply with the standards specified in Chapter 20.90 SMC. (Ord. 338 § 3, 2003; Ord. 281 § 5, 2001; Ord. 238 Ch. IV § 1(E), 2000).

C. Planned Area (PA) zone. The purpose of the PA zone is to develop allow unique zones with regulations tailored to the specific circumstances, public priorities, or opportunities of a particular area that may not be appropriate in a city-wide land use district-site-specific use and development standards for areas designated in the Comprehensive Plan as planned areas or essential public facilities.

20.91.Ridgecrest Commercial Planned Area-2 (move to 20.100.100)

Chapter 20.100
Special Overlay Districts and Planned Area Zones

Sections

Subchapter 1. Planned Area 1: First-Northeast Shoreline Recycling and Transfer Station Master Plan.

20.100.010

A. This chapter establishes the long range development plans for the Shoreline Recycling and Transfer Station formerly referred to as the First Northeast Transfer Station Master Plan.

B. The development standards that apply to this Planned Area were adopted by Ordinance 338 on September 9, 2003. A copy of the standards is filed in the City Clerk's office under Receiving Number 2346.

Subchapter 2. Planned Area 2: Ridgecrest (move 20.91 here)

20.100.100

Subchapter 3. Planned Area 3: CRISTA

20.100.200

A. The purpose of this chapter is to define the permitted and prohibited uses in CRISTA Planned Area 3.

B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the underlying zoning.

20.100.210 Planned Area Zones and Permitted/Prohibited Uses

A. All uses provided for under SMC Chapter 20.40 that are permitted by the underlying zoning for CRISTA: Planned Area 3 shall be allowed pursuant to compliance with all applicable codes and regulations.

B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process by the underlying zoning in CRISTA: Planned Area 3 may be allowed upon obtaining the required use permit.

C. Expansion of a nonconforming use shall be regulated per 20.30.280 (D) unless more specific regulations are adopted through a Master Plan Permit.

D. An approved Master Plan Permit replaces the uses and standards for the underlying zoning in Planned Area 3.

Subchapter 4. Planned Area 4: Fircrest

20.100.300 Purpose and Scope

- A. The purpose of this chapter is to define the permitted and prohibited uses in Fircrest Planned Area 4.**
- B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the R-6 zone.**

20.100.310 Planned Area Zones and Permitted/Prohibited Uses

- A. All uses provided for under SMC Chapter 20.40 that are permitted in the R6 zone shall be allowed in Fircrest: Planned Area 4 pursuant to compliance with all applicable codes and regulations.**
- B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process in the R6 zones may be allowed in Fircrest: Planned Area 4 upon obtaining the required use permit.**
- C. Expansion of a nonconforming use shall be regulated per 20.30.280 (D) unless more specific regulations are adopted through a Master Plan Permit.**
- D. An approved Master Plan Permit replaces the uses and standards of the R-6 zone in Planned Area 4.**

Subchapter 5. Planned Area 5: Shoreline Community College

20.100.400 Purpose and Scope

- A. The purpose of this chapter is to define the permitted and prohibited uses in Shoreline Community College Planned Area 1.**
- B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the R-4-R-6 zones.**

20.100.410 Planned Area Zones and Permitted/Prohibited Uses

- A. All uses provided for under SMC Chapter 20.40 that are permitted in the R4-R6 zones shall be allowed in Shoreline Community College: Planned Area 1 pursuant to compliance with all applicable codes and regulations.**
- B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process in the R4-R6 zones may be allowed in Shoreline Community College: Planned Area 1 upon obtaining the required use permit.**
- C. Expansion of a nonconforming use is prohibited unless it is approved as part of a Master Plan permit.**
- D. An approved Master Plan Permit replaces the uses and standards of the R-4 and R-6 zone in Planned Area 5.**

**Point Wells
Potential
Annexation
Area**

Woodway

















Edmonds

Mountlake Terrace

City of Shoreline
COMPREHENSIVE PLAN

Representation of Official
Zoning Map Adopted By
City Ordinance No. 292.

Shows amendments through
February 18, 2003.

-  R-4; Residential, 4 units/acre
-  R-6; Residential, 6 units/acre
-  R-8; Residential, 8 units/acre
-  R-12; Residential, 12 units/acre
-  R-18; Residential, 18 units/acre
-  R-24; Residential, 24 units/acre
-  R-48; Residential, 48 units/acre
-  Planned Area
-  O; Office
-  NB; Neighborhood Business
-  CB; Community Business
-  NCBD: North City Business District
-  RB; Regional Business
-  I; Industrial
-  CZ; Contract Zone
-  Unclassified Right of Way

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

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Zoning

Figure LU-__ : Zoning