

UPDATED CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Continued Discussion of 2008 Annual 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

On September 2, 2008 the Council last discussed the proposed amendments to the Comprehensive Plan and the Development Code to solidify the process for Master Planning. The discussion at this meeting focused on:

- The draft criteria for reviewing a Master Plan Area permit;
- Whether or not new uses can be considered as part of a Master Plan Area permit in addition to the existing uses; and
- Amendments proposed by the Hillwood Neighborhood Association and the Department of Health and Social Services (DSHS).

At the end of the meeting members of the Council requested staff to draft language that will safeguard areas surrounding areas designated Institution/Campus in the Comprehensive Plan from new uses that may be approved as part of a Master Plan Area permit that may be undesirable. Staff also considered the Council and public comments regarding the draft criteria and other proposed changes. The amendments have been updated in an attempt to reflect the Council's discussion.

RECOMMENDATION

No action is required. Please provide staff with feedback on the:

1. Proposed "new" Comprehensive Plan policies drafted to provide "safeguards" regarding new uses; and
2. Latest edits to proposed amendments following the 9/2/08 discussion.

Approved By: City Manager  City Attorney _____

DISCUSSION

Council Request for “Safeguards” on New Uses

Members of Council expressed concern that if a property with a land use designation of Institution/Campus were allowed to propose new uses as part of a Master Plan Area permit, a new use may be proposed that is undesirable. Staff stated that the review criteria for a Master Plan Area permit would give the Planning Commission and the Council the tools necessary to protect adjacent uses, areas and neighborhoods from undesirable new uses. Council requested that language be added to provide additional safeguards from undesirable uses.

In response, Staff proposes four new Comprehensive Plan policies to additionally safeguard areas that surround CRISTA, Fircrest Campus, Shoreline Community College and the Washington State Department of Health Public Health Laboratory. These policies broadly describe the existing uses and services found on each campus and broadly denote, where applicable, potential new uses an Institution/Campus may propose as part of a Master Plan Area permit. (Note: similar policies were reviewed by the Planning Commission and presented to the Council in the July 14, 2008 packet). These policies will limit Master Plan Area permit applications to uses that are consistent with these (as well as all other) Comprehensive Plan policies.

New Comprehensive Plan Policies Proposed to Broadly Identify Existing and Proposed Uses

LU 43.1: CRISTA Campus/Institution: CRISTA Ministries is a 55 acre campus that provides such services and uses as education, senior care and housing, broadcasting, humanitarian missions, relief and aid to those in need and specialized camps. 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). CRISTA has long-term plans for improving and updating facilities and expanding senior housing and educational programs.

LU 43.2: Fircrest Campus/Institution: The Fircrest Campus is an approximately 90 acre site. Existing uses include the Fircrest School, a state operated residential facility with supporting services that serves the needs of persons with developmental disabilities and two non-profit tenants who lease buildings on the Campus. Approximately 43 acres of the Campus is defined as excess to Fircrest School. A mix of new and expanded uses may be considered as part of a Master Plan Area permit. New and expanded uses may include: governmental offices and facilities; mixed use commercial/residential; civic and community services; open space, trails, tree preservation and enhancement of portions of Hamlin Creek; and a mix of housing types.

LU 43.3: The Health Laboratory provides as wide range of diagnostic and analytical services for the assessment and monitoring of infectious, communicable, genetic, chronic diseases and environmental health concerns for the State of Washington. A mix of new and expanded uses such as governmental offices and facilities; civic and community services; open space, trails and tree preservation.

LU 43.4: Shoreline Community College Campus/Institution: Shoreline Community College is an approximately 79 acre state operated community college. The College provides academic, professional, technical and workforce training programs, continuing education and community involvement programs to meet the lifelong learning needs of the community. The College also includes a mix of support uses and services for students and the community such as retail, restaurant, childcare, conference rooms, dental hygiene clinic, library, theater, bus stops and recreational facilities. In the future uses such as, though not limited to, student housing to support the changing or expanding needs of the institution may be considered as part of a Master Plan permit.

Delete the 09/02/08 version of LU 43.1 and replace with new LU 43.1, 43.2 & 43.4 above.

~~LU 43.1: It is recognized that areas designated as Institution/Campus may redevelop over time to include an expanded mix of public and private uses, including new residential, commercial and institutional development.~~

Finally, the Master Plan Area definition should be updated to reflect the new policies by adding the following:

Master Plan Area

A site specific zoning district that establishes permitted uses and development standards for an area designated Institution/Campus or Essential Public Facility in the Comprehensive Plan. Master Plan Areas incorporate proposed new development, redevelopment and expansion of existing uses or development of those new uses designated in the Comprehensive Plan.

Updates to Proposed Amendments Associated with the Master Planning

Expanded Public Notice

As suggested by the Hillwood Neighborhood Association, Staff incorporated some additional requirements for public notice into the draft Master Plan amendments as part of the 9/02/08 staff report. Following the Council discussion, staff ascertained that Council would like to further consider Hillwood's

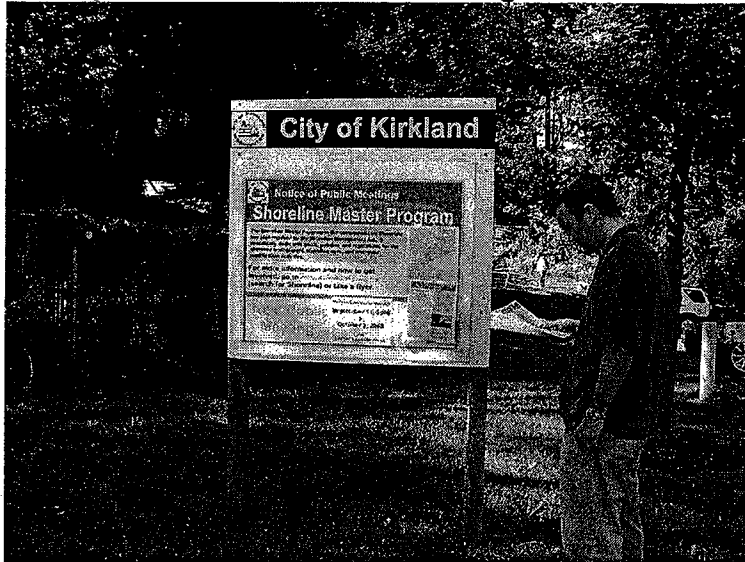
proposal to increase the mailed notice radius from 500 feet to 2640 feet (a ½ mile radius).

As previously stated, staff fully supports the idea of improving and increasing notice to the public regarding pending Master Plan Area permit applications. Staff sincerely believes increasing the mailing radius of the public notice is not an **effective** means of communication. Receiving too many notices that a recipient deems as not applicable could lead to apathy and a decline in the effectiveness of mailed notices as a tool. The point was made that less people will be dissatisfied with the City because they received a notice, but more people may actually feel overlooked should they inadvertently not receive the mailing. Increasing the mailing radius to a ½ mile will increase the amount of time and supplies currently expended by roughly five times.

A quick request for information from jurisdictions around the State has yielded 14 responses as of the drafting of this report. Of those jurisdictions reporting, most use a radius that is less than our 500 feet and only one goes to 600 feet. No jurisdiction reported using a ½ mile or greater radius.

Instead, Staff recommends increasing the size and number of posted notice boards, requiring the applicant to place an ad in the Enterprise in addition to the legal ads posted by the City, and requiring the City to post information regarding the Notice of Application and Public Hearing as a featured story on the City's website and cable access channel. Timely information regarding Master Plan Area permit applications will also be placed in the City's newsletter, Currents. Since Currents is not published monthly at this time, Staff does not recommend making notice in Currents a Code requirement. However, staff will make every effort to get Master Plan Area permit information in Currents whenever possible as a practice even if it is not codified.

Example of 4 ft. X 4 ft. Notice Sign



Proposed Revisions:

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 Area (8)	Mail, Post Site, Newspaper (7)	PC (3)	City Council	120 days	20.30.337

(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) a. Notice of application shall be mailed to residents and property owners within 500 feet the proposed site.

b. Enlarged Notice of application signs (a minimum of 4ft. X 4 ft.) shall be posted on all sides of the parcel(s) that front on a street. The Director may require additional signage on large or unusually shaped parcels.

c. Applicants shall place a display (non legal) advertisement approved by the City of Shoreline in the Enterprise announcing the Notice of Application and Notice of Public Hearing.

8. Information regarding Master Plan Area permits will be posted on the City's website and cable access channel regarding the Notice of Application and Public Hearing.

Updates to Proposed Criteria

Version of criteria	Proposed Criteria Language
Criterion #5:	
09/02/08 Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity <u>and infrastructure (i.e. sidewalks, curbs, gutters, bike lanes)</u> in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity <u>and infrastructure</u> by the time each phase of development is completed. <u>If capacity must be increased to support the proposed Master Plan Area, then funding sources for improvements must be identified as part of the plan.</u>
09/08/08 Revised Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity and infrastructure (i.e. sidewalks, curbs, gutters, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. <u>If capacity or infrastructure must be increased to support the proposed Master Plan Area, then the applicant must identify a plan for funding their proportionate share of the improvements. funding sources for improvements must be identified as part of the plan.</u>
Discussion	The intent of this criteria is to have the applicant identify any motorized and nonmotorized deficiencies created by the implementation of the Master Plan Area permit; present mitigation to address deficiencies that are identified; and identify who will fund the improvements. These changes are intended to clarify that the funding does not have to be procured at Master Plan Area permit approval, but a basic plan for how the funds will be procured needs to be determined. Ex. DSHS will request funding from the State Legislature to construct a new State Office building and sidewalks on 15 th Avenue NE as part of the 2020 budget cycle.

Version of criteria	Proposed Criteria Language
Criterion #6:	
09/02/08 Version	The Master Plan Area applicant 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. <u>If capacity must be increased to support the proposed Master Plan Area, then funding sources for improvements must be identified as part of the plan.</u>
09/08/08 Updated Version	The Master Plan Area applicant 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. If capacity must be increased to support the proposed Master Plan Area, then <u>the applicant must identify a plan for funding their proportionate share of the improvements. funding sources for improvements must be identified as part of the plan.</u>
Discussion	<p>The intent of this criteria is to have the applicant identify any deficiencies to the water, sewer or storm systems created by the implementation of the Master Plan Area permit; present mitigation to address deficiencies that are identified; and identify who will fund the improvements. These changes are intended to clarify that the funding does not have to be procured at Master Plan Area permit approval, but a basic plan for how the funds will be procured needs to be determined.</p> <p>Staff originally drafted this criterion to include police and fire. However, there currently is no mechanism an applicant could use to fund increased capacity for these services. As part of the application process the applicant will have to coordinate with police and fire. This allows these entities to plan for future service levels.</p>

Discussion on Other Comments Received at the 9/02/08 Meeting

Comment from 9/02/08 Meeting: It was not clear to all what the process would be if a Master Plan Area permit modification or revision exceeded the triggers for a minor amendment.

Proposed Revisions. Minor amendments to an approved Master Plan Area may be approved by the Director using criteria developed as part of the Master Plan Area. Minor amendments include any revision or modification of the previously approved Master Plan Area that would result in any one or more of the following:

1. An increase in 10 percent or more of the approved total building(s) square footage; or
2. An increase in 15 percent or more parking stalls by either creating new parking areas, re-striping of existing parking areas; and/or a combination of both; or
3. Removal of 5 or more Significant Trees; or
4. A change in the original phasing timeline of the Master Plan Area.

Major amendments are changes that exceed the thresholds for a minor amendment or were not analyzed as part of an approved Master Plan Area. Major amendments to an approved Master Plan Area shall be processed as a new Master Plan Area.

Staff Response: The added language clarifies that if the change does not meet the definition of a minor amendment, then it is a major amendment.

Comment from 9/02/08 Meeting and Staff Response: Staff made a recommendation to use the word “areas” instead of neighborhoods in Criterion #7. Staff looked at the Comprehensive Housing Strategy as suggested and is neutral on this requested change. Criterion #7 would read:

The Master Plan Area proposal contains architectural and site design, landscaping, parking/traffic management and multi modal transportation elements that minimize conflicts between the Master Plan Area and adjacent uses neighborhoods.

RECOMMENDATION

No action is required. Please provide staff with feedback on the:

1. Proposed “new” Comprehensive Plan policies drafted to provide “safeguards” regarding new uses; and
2. Latest edits to proposed amendments following the 9/2/08 discussion.