

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Discussion of 2015 Comprehensive Plan Amendments
DEPARTMENT: Planning & Community Development
PRESENTED BY: Steven Szafran, AICP, Senior Planner
Rachael Markle, AICP, Director
ACTION: ☐ Ordinance ☐ Resolution ☐ Motion
 ☒ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

With a few exceptions, the City is limited to amending its Comprehensive Plan once a year by both state law (RCW 36.70A) and the City's own adopted procedures. Proposed amendments are collected throughout a given year with a deadline of the last business day in December for public submission of suggested amendments to be considered in the following year. The "Docket" establishes the amendments that will be reviewed and studied during the following year by staff and the Planning Commission prior to a Planning Commission recommendation to the City Council on the proposed amendments. This year's Docket (Attachment A) contains 10 amendments; nine of which are City-initiated and one is citizen-initiated.

RESOURCE/FINANCIAL IMPACT:

Proposed Comprehensive Plan amendments #6, #8, and #10 may pose financial impacts to the City. Amendment #6 has the potential to add a park impact fee for new development within the 185th Street Light Rail Station Subarea. Amendment #8 would include additional study that will be considered during the City's update to its Transportation Master Plan in 2016/2017. Amendment #10 would require a change to the Transportation Master Plan which would require expanded SEPA analysis, public outreach through mailings and meetings, infrastructure analysis, and traffic analysis. This amendment represents a substantial work item that would need to be included as part of the Transportation Master Plan update scheduled for late 2016/early 2017.

RECOMMENDATION

This meeting is a study session for the proposed 2015 Comprehensive Plan Amendments and no Council action is required at this time. Staff recommends that Council discuss proposed Ordinance No. 730. Council will consider adoption of proposed Ordinance No. 730 on December 14, 2015.

Approved By: City Manager **DT** City Attorney **MK**

INTRODUCTION

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

BACKGROUND

Comprehensive Plan amendments usually take two forms: Privately-initiated amendments and City [Staff or Council]-initiated amendments. Anyone can propose an amendment to the Comprehensive Plan, but amendments must be submitted by the last business day of the year to be considered in the following year. There is no fee for general text amendments (there are separate fees however for a site specific Comprehensive Plan Amendment request and a rezone application.) The process for accepting and reviewing Comprehensive Plan amendments for the annual docket is prescribed in Shoreline Municipal Code (SMC) 20.30.340(C).

This year, there was one privately-initiated amendment (Amendment #10) and nine City-initiated amendments. In addition, one of the City-initiated amendments was carried-over from 2014. Last year, Council carried over this amendment from the 2014 Comprehensive Plan Docket, which includes amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9. The Council was unable to complete the 2014 docket item due to delays in Snohomish County’s environmental review process and the ongoing evaluation of the applicant’s Traffic Corridor Study. Therefore, the same amendment proposal (which this year is Amendment #5) was proposed for the 2015 Comprehensive Plan Docket.

The City Council will review the proposed amendments as a package in order to consider the combined impacts of the proposals.

DISCUSSION

The Planning Commission held a public hearing on the proposed 2015 Comprehensive Plan Amendments on October 15, 2015. The Planning Commission meeting minutes are included as Attachment B. In regards to these amendments, the City received two public comment letters and one citizen testified at the public hearing. The comments provided had to do with public participation and how the City can help residents to better understand the process of legislative land use actions. The two public comment letters are included as Attachment C.

A description and the Planning Commission’s recommendation for each of the ten proposed Comprehensive Plan Amendments are as follows:

Amendment #1 – Public Participation Plan

Amendment #1 seeks to add language to the introduction section of the Comprehensive Plan that outlines a public participation process. Currently, the introduction section of

the Comprehensive Plan has a citizen participation element that contains one goal and eight policies. An audit by the Washington Cities Insurance Authority suggested that the City's Comprehensive Plan should develop a more specific public participation plan. RCW 36.70A.140 requires that each city "establish and broadly disseminate to the public a public participation program...for early and continuous public participation in the development and amendment" of the City's Comprehensive Plan and development regulations.

Staff has included a draft of the Public Participation Plan in Attachment D. The plan emphasizes the involvement of the broadest cross-section of the community, including the involvement of groups not previously involved. The proposed program contains a visioning process, Planning Commission involvement in facilitation and public meetings, citizen surveys, public hearings, public noticing, written comment, and a communication program.

Recommendation:

The Planning Commission recommended approval of the proposed Public Participation Plan language included as Attachment D.

Amendment #2 – Light Rail Station Land Use Designations

This amendment will add three new land use designations adopted in the 185th Street Station Subarea Plan to the Land Use Element. The three new designations are Station Area 1, Station Area 2, and Station Area 3. The 185th Street Light Rail Station Subarea Plan also includes three new corresponding zoning classifications: Mixed Use Residential-35', Mixed Use Residential-45', and Mixed Use Residential-70'.

This proposed Comprehensive Amendment simply adds the land use designations already adopted in the 185th Street Subarea Plan into the Land Use Element of the Comprehensive Plan.

Recommendation:

The Planning Commission recommended approval of this proposed amendment and the language is included in Attachment E.

Amendment #3 – Landscape Conservation and Local Infrastructure Program

This amendment will add language to the Comprehensive Plan identifying the Landscape Conservation and Local Infrastructure Program (LCLIP) as a potential funding source for public improvements.

The City began looking at the LCLIP program as a way to include Transfer of Development Rights (TDRs) into the light rail station subareas. In exchange for accepting development rights, the City will have access to financing for revitalizing designated districts. The City will also be able to bond against the future tax revenue generated by the development projects to make essential infrastructure improvements. In addition to looking at the two station areas, the consultant (ECONorthwest, Forterra, Heartland, and King County) also looked at getting more TDRs in Town Center, the Aurora Square Community Renewal Area (CRA), and the Aurora Corridor.

The 185th Street Light Rail Station Subarea Plan and implementing Development Code regulations include TDRs as a requirement for an applicant seeking a Development Agreement in the MUR-70' Zone and also as an alternative to providing affordable housing for the first 300 units developed within the Mixed-Use Residential zones. TDR implementation is necessary to take advantage of the LCLIP program. The City Council has not yet approved a TDR program. This amendment and the proposed language in the Development Code are contingent upon additional research and consideration by the City Council.

The City's current Comprehensive Plan policies are adequate to move forward with a TDR program if the Council chooses to do so. The Comprehensive Plan contains policies that address TDRs and infrastructure improvements:

Policy LU58 – Support regional and state Transfer of Development Rights (TDR) programs throughout the city where infrastructure improvements are needed, and where additional density, height, and bulk standards can be accommodated.

Policy ED4 – Use incentives and development flexibility to encourage quality development.

Policy NE1 – Promote infill and concurrent infrastructure improvement in areas that are already developed in order to preserve rural areas, open spaces, ecological functions, and agricultural lands in the region.

Policy CF5 – Identify, construct, and maintain infrastructure systems and capital facilities needed to promote the full use of the zoning potential in areas zoned for commercial and mixed-use.

Policy ED21 – Support public/private partnerships to facilitate or fund infrastructure improvements that will result in increased economic opportunity.

Policy CF10 – Consider all available funding and financial mechanisms, such as utility rates, bonds, impact fees, grants, and local improvement districts for funding capital facilities.

Recommendation:

The Planning Commission recommended that this proposed amendment be withdrawn since there are existing policies as noted above to support the Council's further exploration and potential approval of both a TDR program and utilization of LCLIP to fund infrastructure.

Amendment #4 – 145th Street Annexation

This amendment will amend Policy LU47 which states, "Consider annexation of 145th Street adjacent to the existing southern border of the City". The City is currently engaged in the 145th Street Corridor Study and is working towards annexation of 145th Street.

There are some maps contained in the Comprehensive Plan that do not include 145th Street. If the City annexes 145th Street, all of the maps in the Comprehensive must be amended to include 145th Street as a street within the City of Shoreline.

Consideration of annexation is not scheduled to occur until 2016 or later. The 145th Street Corridor Study is not expected be completed until the first quarter of 2016, and Council and staff will need the outcomes of this study to help formulate any potential recommendations or action on annexation of roadway into the City of Shoreline.

Recommendation:

The Planning Commission recommended that this proposed amendment be carried over to the 2016 Comprehensive Plan Docket.

Amendment #5 – Transportation Corridor Study

The City anticipated that the Transportation Corridor Study on mitigating adverse impacts from BSRE's proposed development of Point Wells would be completed in 2015. Therefore, staff recommended that the same Comprehensive Plan amendment docketed in 2014, that would amend the Point Wells Subarea Plan and the Capital Facilities and Transportation Elements of the Comprehensive Plan, remain on the docket for 2015. However, Staff does not now anticipate that the Richmond Beach Traffic Corridor Study will be completed in 2015 and therefore any recommendations coming out of the study will not be considered by the City Council until at least 2016.

Recommendation:

The Planning Commission recommended that this proposed amendment be carried over to the 2016 Comprehensive Plan Docket.

Amendment #6 – Park Facilities in 185th Street Station Subarea

This amendment will add goals and policies to the Parks, Recreation, and Open Space Element of the Comprehensive Plan based on policies identified in the 185th Street Light Rail Station Subarea Plan. The City, through analysis contained in the Environmental Impact Statement for the 185th Street Station, has identified the need for more parks, recreation, and open space.

The City will work with the Parks Board and the community to determine the process of locating new park space within the subarea, establishing a means to fund new park space such as a park impact fee, determining a ratio of park space per new resident in the subarea, and any other park issues that arise through the public process.

The 185th Street Light Rail Station Subarea Plan includes policies for parks, recreation, and open space. The policies are:

- Investigate potential funding and master planning efforts to reconfigure and consolidate existing City facilities at or adjacent to the Shoreline Center. Analyze potential sites and community needs, and opportunities to enhance existing partnerships, for a new aquatic and community center facility to combine the Shoreline Pool and Spartan Recreation Center services.

- Consider potential acquisition of sites that are ill-suited for redevelopment due to high water table or other site-specific challenge for new public open space or stormwater function.
- Explore a park impact fee or dedication program for acquisition and maintenance of new park or open space or additional improvements to existing parks.

Much of the analytical work for this amendment will occur as part of the Parks, Recreation, and Open Space Master Plan update that will occur in 2016. The City Manager's 2016 proposed budget includes one-time funding for professional service support to work on these items.

Recommendation:

The Planning Commission recommended that this proposed amendment be carried forward to 2016 Comprehensive Plan Docket.

Amendment #7 – Declassifying Westminster Way Truck Route

This amendment will remove a portion of Westminster Way between N 155th Street and Aurora Avenue from the City's designated truck route map in the Transportation Master Plan.

The Council adopted the Aurora Corridor Pre-Design Study in 1999 under Resolution No. 156. Part of that adoption included the "32 Points" which provided guidance on the design and implementation of the Aurora Corridor. Point #17 includes direction to pursue closure of Westminster north of 155th Street. Westminster Way is a Federally Classified truck route, and staff has worked with the Washington State Department of Transportation (WSDOT) and the Federal Highways Administration (FHWA) to declassify the truck route designation north of 155th. This has been approved by WSDOT and FHWA and is no longer classified by them. This amendment was also discussed with Council on May 11, 2015.

Recommendation:

The Planning Commission recommended approval of this proposed amendment with no further changes. The proposed amendment is attached as Attachment F.

Amendment #8 – Transportation Level of Service Standards

This amendment concerns transportation level of service (LOS) standards. This amendment will add language to the Comprehensive Plan Policy T-44 regarding LOS standards in anticipation of adopting LOS standards for pedestrian and bicycle modes later in 2015, and evaluation and potential new multi-modal LOS standards in the future. Current LOS standards only account for motor vehicle travel. Revision of the level of service standards to include pedestrian and bicycle facilities is needed to support Goals T II, T III, and T VI of the Comprehensive Plan.

Policy T44 would be amended to add: Adopt level of service standards for transit, walking and bicycling. Maintain the adopted level of service standards until a plan-based multi-modal concurrency approach is adopted that includes motor vehicles, transit, walking and bicycling transportation measures.

Recommendation:

The Planning Commission recommended approval of this proposed amendment by amending Policy T44. The proposed language is included as Attachment G.

Amendment #9 – Interlocal Agreements for Point Wells

The purpose of this amendment is to make it clear that when development occurs at Point Wells, the City will work toward adoption of interlocal agreements with not only the jurisdictions of Woodway, Edmonds, and Snohomish County, but all other service providers. This amendment will update the Point Wells Subarea Plan Policy PW13 and all other applicable policies to include all service providers as entities the City will work with when development occurs at Point Wells.

The Council added this amendment to the docket at their meeting on June 15, 2015.

Recommendation:

The Planning Commission recommended approval of this proposed amendment by amending Policy PW-13 to include “and all other service providers”. The proposed language is included in Attachment H.

Amendment #10 – Average Daily Trip Limits

This year there was one privately initiated amendment. The amendment asks to consider changes to the Transportation Element of the Comprehensive Plan that would set citywide average daily trip (ADT) limits for nonarterial streets and Collector Arterial streets.

The proposed ADT limits would apply even if the capacity of the subject street may be higher and/or if level of service (LOS) failures would not result if ADTs were higher than the proposed ADT limits.

Generally, the amendment would place a default limit of 1,500 ADTs for a nonarterial street and a default limit of 3,000 ADTs for Collector Arterial streets. The proposal would allow Council to raise the ADT limit to 3,000 on a nonarterial street and 7,000 ADTs on a Collector Arterial street. Council could only increase the ADT for an extraordinary circumstance on a case-by-case basis.

The Council changed the scope of this amendment on June 15, 2015. Instead of putting a default limit of ADTs on nonarterial and Collector Arterial streets, the Council wanted staff to study the requirement of adding a volume over capacity (V/C) ratio of .90 to all Collector Arterial Streets in the City. Any changes to the City's V/C ratio would be reflected in Policy T44 of the Comprehensive Plan.

Staff will not be able to complete the technical and analytical work, including coordination with consultant support, along with the other work plan items already scheduled, in 2015. Staff recommends that this docket item be carried forward to the 2016 Docket. The recommendation is that this work be included with the work done to update the City's Transportation Master Plan in the second half of 2016 and be considered as part of the 2016 Comprehensive Plan Amendment Docket.

The work anticipated in 2016 to evaluate the V/C Level of Service for Collector Arterials includes updating the Shoreline Transportation Model that was used during the last Transportation Master Plan update in 2011. This includes modeling for a Volume over Capacity Level of Service (V/C LOS) standard for Collector Arterials, even though the City does not currently have a V/C LOS for Collector Arterials. Based upon the V/C modeling, the City established the following criteria to determine future roadway improvement (growth) projects:

- The roadway is a Principal or Minor Arterial
- The roadway is not a state highway, as these roadways are exempt from concurrency standards
- The average V/C ratio along the project corridor is greater than 0.90
- The ability to mitigate the impacts of growth is entirely within the jurisdiction of the City (i.e. does not require improvements in neighboring jurisdictions)

Since the Transportation Model included a review of V/C ratios for City Collector Arterials, staff will not have to update the model which saves some amount of effort. However, the current model indicates that staff will need to incorporate a few new growth projects into the City's Traffic Impact Fee (TIF) structure if the V/C ratio is applied to Collector Arterials.

Also it should be noted that it is not only new development that must meet LOS standards, but the City itself for existing traffic volumes. In other words the analysis may find that existing traffic volumes may require capacity improvement projects to meet the V/C ratio on collector arterials and if this proves to be true, the City must pay for those projects.

A consultant would need to be utilized to develop capacity improvement projects and estimates for Fremont Ave N, Greenwood Ave N, and 8th Ave NW. Staff would then need to understand how this impacts the TIF rate study. This is the base information that staff believes is necessary for the Planning Commission to make a recommendation for Council's consideration on whether the City should adopt a V/C LOS for Collector Arterials. Engaging the consultants will take both financial resources and additional staff time to evaluate options presented by the consultants.

Recommendation:

The Planning Commission recommended studying the requirement of adding a volume over capacity ratio of .90 to all Collector Arterial Streets in the City.

RESOURCE/FINANCIAL IMPACT

Proposed Comprehensive Plan amendments #6, #8, and #10 may pose financial impacts to the City. Amendment #6 has the potential to add a park impact fee for new development within the 185th Street Light Rail Station Subarea. Amendment #8 would include additional study that will be considered during the City's update to its Transportation Master Plan in 2016/2017. Amendment #10 would require a change to the Transportation Master Plan which would require expanded SEPA analysis, public outreach through mailings and meetings, infrastructure analysis, and traffic analysis.

This amendment represents a substantial work item that would need to be included as part of the Transportation Master Plan update scheduled for late 2016/early 2017.

RECOMMENDATION

This meeting is a study session for the proposed 2015 Comprehensive Plan Amendments and no Council action is required at this time. Staff recommends that Council discuss proposed Ordinance No. 730. Council will consider adoption of proposed Ordinance No. 730 on December 14, 2015.

ATTACHMENTS

Attachment A – Proposed 2015 Docket
Attachment B – Planning Commission Meeting Minutes
Attachment C – Public Comment Letters
Attachment D – Public Participation Plan
Attachment E – Land Use Element Amendment (SA1, SA2, and SA3)
Attachment F – Truck Route Map
Attachment G – Transportation Policy T-44
Attachment H – Policy PW-13



2015 COMPREHENSIVE PLAN AMENDMENT DOCKET

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

1. Consider amendments to add a Public Participation Process into the Introduction section of the Comprehensive Plan.
2. Amend the Land Use Element to include Land Use Designations Station Area 1, 2, & 3 designations (SA1, SA2, and SA3).
3. Add Comprehensive Plan language identifying Landscape Conservation and Local Infrastructure Program as a potential funding source for public improvements.
4. Amend the Comprehensive Plan for 145th annexation and all applicable maps.
5. Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9. Based on the outcome of the corridor study, it is expected that proposed amendments would include text changes to the Subarea Plan discussing the study, increasing the vehicle trips per day from a 4,000 trip maximum as described in Policy PW-12 and adding identified mitigation projects and associated funding needed to raise the maximum daily trip count while maintaining adopted Levels of Service to the Capital Facilities Element. Also, consider amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.
6. Consider amendments to the Comprehensive Plan that address the location of new park space within the light-rail station subareas, explore the establishment of a city-wide park impact fee, and determine a ratio of park space per new resident in the light-rail station subareas, and any other park issues that arise through the light-rail station subarea public process.
7. Amend the Transportation Master Plan to remove a portion of Westminster Way as a designated truck route.
8. Adopt level of service standards for transit, walking and bicycling. Maintain the adopted level of service standards until a plan-based multi-modal concurrency approach is adopted that includes motor vehicles, transit, walking and bicycling transportation measures.

Attachment A

9. Amend the Point Wells Subarea Plan Policy PW13 and all other applicable policies to include all service providers as entities the City will work with when development occurs at Point Wells.
10. Study the requirement of adding a volume over capacity ratio of .90 to all Collector Arterial Streets in the City. Any changes to the City's V/C ratio would be reflected in Policy T44 of the Comprehensive Plan.

Estimated timeframe for Council review/adoption: December 2015.

DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

October 15, 2015
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Scully
Commissioner Malek
Commissioner Montero
Commissioner Mork
Commissioner Moss-Thomas

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

Commissioners Absent

Vice Chair Craft
Commissioner Maul

CALL TO ORDER

Chair Scully called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Scully and Commissioners Malek, Montero, Moss-Thomas and Mork. Vice Chair Craft and Commissioner Maul were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of September 17, 2015 were adopted as revised.

GENERAL PUBLIC COMMENT

There were no general public comments.

PUBLIC HEARING: 2015 COMPREHENSIVE PLAN AMENDMENTS

Chair Scully reviewed the procedures for the public hearing and then opened the hearing.

Mr. Szafran reviewed that the Growth Management Act (GMA) limits the review of proposed Comprehensive Plan amendments to no more than once per year. To ensure that the public can view the proposals within the citywide context, the GMA directs cities to create a docket (or list) of amendments that may be considered. The Planning Commission made a recommendation to the City Council on the docket on March 19th, and the Council set the actual docket at their June 15th meeting. This year's docket includes one privately-initiated amendment and nine City-initiated amendments. He reviewed each as follows:

Staff Presentation of Amendment 1

Mr. Szafran advised that **Amendment 1** would add language to the introduction section of the Comprehensive Plan that outlines a public participation process. Currently, this section contains a citizen-participation element that contains one goal and eight policies. An audit by the Washington Cities Insurance Authority revealed that the City's Comprehensive Plan should develop a more specific citizen participation plan. The language outlined in the proposed amendment emphasizes the involvement of the broadest cross section of the community when the City initiates a Comprehensive Plan update or other large planning projects. The proposed program includes a visioning process, public meetings (including at least one public hearing), Planning Commission involvement in the public forum, and a communication program (advertisements, contact with interest groups, community workshops, press releases, and outreach to agencies and groups).

Commissioner Montero noted that Item 4 of the proposed language talks about the Planning Commission being involved as the host at public meetings. He asked if these would be regular Planning Commission meetings or separate meetings. Mr. Szafran said it could be either, but the intent was to have separate meetings. There is not a one-size-fits-all approach to every project, so the process could be amended depending on the project. Large projects may need a separate meeting to solicit comments. Chair Scully said this would be similar to the Commission's approach for the 145th and 185th Station Subarea Planning processes, where Planning Commissioners were present, but the meetings were organized by staff.

Commissioner Mork requested clarification on the issue of "public standing." Chair Scully referred to letter from Wendy DiPeso regarding this issue and explained that "standing" is the legal doctrine that allows a person to sue. In the context of land use, there are different requirements, depending on what statute you are trying to bring a suit under. The GMA has a participation standing that says if you participate in the process by providing public comment, then you can sue if you do not like the result. The State Environmental Policy Act (SEPA) has different standards, as do other ordinances.

Public Testimony on Amendment 1

Janet Way, Shoreline, said she was present to represent the Shoreline Preservation Society. She referred to a letter she submitted prior to the meeting, which voiced concern that a 1998 Final

Environmental Impact Statement (FEIS) is referenced as a basis for the proposed amendments when the City, at a recent a process before the Growth Management Hearings Board, contended that the 1998 FIES was irrelevant. The City cannot say it was irrelevant pertaining to the planned action ordinance but relevant in this case. If the old FEIS is no longer relevant, the City needs to do a new one that is up to date before the Comprehensive Plan is updated. The Society also believes the City has failed to document the environmental conditions properly. The State Environmental Protection Act (SEPA) checklist that was done for the Draft Environmental Impact Statement (DEIS) repeatedly stated “this is a non-project action and does not apply.” In other words, the City is trying to get out of having to do the analysis by stating that it is a non-project action. She summarized that the society believes the FEIS was inaccurate, and the City needs to go back to the drawing board and comply with SEPA. Ms. Way noted that the City also failed to adopt some environmental documents into the process. According to SEPA, this needs to be done at the earliest point possible in the environmental process. Washington Administrative Code (WAC) 19711-055 states, “The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values to avoid delays later in the process and seek to resolve potential problems.” She said the society believes the City needs to be more thorough in this regard.

Ms. Way said the Society is glad that the City has decided to improve the public process, but the language needs to be more specific. Rather than just calling for public outreach, the language should identify specific ways of doing the outreach. She recalled that during the 185th Street Station Subarea planning process, the general public was not really aware of what was being proposed. There were so many versions and changes that it was difficult to follow the proposal. In an effort to better inform the public, the society suggests the City implement a citizens’ academy model. She recalled that in the early days of Shoreline, the planning academy was quite helpful in helping citizens understand the process. This model would result in a core of citizens who have a clear understanding of the processes.

Ms. Way noted that staff is proposing to postpone amendments to the Parks Element of the Comprehensive Plan until 2016. She pointed out that the whole rezone process and planned action ordinance has now allowed developers to vest, but there is no opportunity for them to pay impact fees to fund the new parks. That means there will be no funding for new parks to address the density that is going to come. She suggested the Comprehensive Plan needs to address how additional parks will be funded so the City can grow according to the plan.

Planning Commission Deliberation and Recommendation on Amendment 1

COMMISSIONER MOSS-THOMAS MOVED THAT THE COMMISSION FORWARD AMENDMENT 1 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Moss-Thomas commented that she supports the proposed amendment, but would recommend some grammatical changes to clarify its intent.

Chair Scully referred to a letter submitted prior to the meeting by Wendy DiPeso’s, which suggest some changes to “standing.” He explained that “standing” is established by the Revised Code of Washington (RCW) and has been interpreted by the courts over the years. It is a well-developed, legal doctrine.

While he does not disagree that it is a difficult concept for the public to understand, he cautioned against recommending a change to the doctrine as outlined in the RCW. Although it is not always perfect, the doctrine is predictable and people know what they need to do to get their comments on the record and bring a lawsuit. If the City creates its own definition, it would be subject to the interpretation of the courts anew. While he agreed with some of Ms. DiPeso's thoughts, he did not think it would be wise to recommend this change now.

Commissioner Montero clarified that Ms. DiPeso appears to be recommending a Comprehensive Plan amendment that would not be in order until next year. The amendments being considered in 2015 had to be submitted prior to the last day of 2014.

Commissioner Moss-Thomas suggested that perhaps the City could provide a printed description of public meetings and what is meant by "standing." This document could be available to citizens prior to public meetings and via the City's website and would provide greater clarity.

Chair Scully referred to Ms. DiPeso's request to amend the draft public participation plan to include a 30-day waiting period, after the City Council comes up with a final proposal with all the amendments, to allow the public to comment. He referred to the 185th Street Station Subarea planning process, noting that the hearing before the Council started with the public commenting on a Planning Commission recommendation and some alternatives. Following the hearing, the City Council made significant modifications, and the end product was much different than what the public had commented on in the hearing. A 30-day waiting period would allow the public an opportunity to comment on the final product, but it could also result in a "never-ending process." He said he has not come to a personal conclusion on what the right approach is.

Commissioner Moss-Thomas agreed with Chair Scully's concern that the end product is sometimes very different than the document the public was invited to comment on. While there is merit to having a 30-day waiting period, she felt it would need to be restricted to just one time. Commissioner Mork questioned if the Commission could make this change given that it was not advertised as part of **Amendment 1**. Chair Scully said that, as per direction from the City Attorney, the Commission could move to recommend an amendment to include Ms. DiPeso's proposal. However, he cautioned that the Commission has not had sufficient time to consider the proposed change, and staff has not offered policy language.

Commissioner Mork asked if staff has the ability to augment the requirements. For example, if there is a feeling that there may not be enough public knowledge of the changes the City Council is making, does staff have the ability to put more information on the website or take other steps that are not specifically spelled out in the Comprehensive Plan but might help in this circumstance. Chair Scully did not believe that Ms. DiPeso's recommendation could be addressed without a code change. Director Markle suggested that, rather than implementing a specific 30-day waiting period, the Commission could ask staff to write a policy to the affect that there should be a delay in between the time the Planning Commission puts forward their recommendation and when Council makes their final decision if substantial changes are proposed. If a requirement to delay for 30 days were desired, then the appropriate place for that would be in the process section of the Development Code. Commissioner

Moss-Thomas agreed that the concept would be better addressed in the Development Code rather than in the general public process outlined in the Comprehensive Plan.

Commissioner Montero expressed his belief that it would not be appropriate to attach a 30-day waiting period to every land use, zoning and Comprehensive Plan amendment that comes before the City Council. He suggested that, in their letter to the City Council at the end of 2015, the Commission could ask them to consider this issue in 2016. Commissioner Malek pointed out that the public already has a process for communicating with the City Council prior to their making a decision. It falls to the public to follow the agendas to ensure they are present to comment as appropriate. Commissioner Moss-Thomas observed that sometimes the City Council has discussions over several meetings following a hearing, and significant changes are made prior to adoption of a proposal. There is currently no process that allows the public an additional opportunity to comment on the changes. She felt the issue needs further thought and consideration, and agreed that a transmittal letter to the City Council would be appropriate to voice the Commission's concerns and ask that the issue be addressed in 2016.

COMMISSIONER MOSS-THOMAS MOVED THAT THE MOTION TO RECOMMEND APPROVAL OF AMENDMENT 1 BE AMENDED BY CHANGING THE THIRD SENTENCE IN ITEM 1 TO READ, "A DRAFT "VISION" WILL BE EVALUATED FOR CONSISTENCY DURING THE DEVELOPMENT OF THE PLAN AS THE COMMUNITY IDENTIFIES PRIORITIES AND SUGGESTS IMPLEMENTATION STRATEGIES, WHICH WILL BE UPDATED ACCORDINGLY. COMMISSIONER MORK SECONDED THE MOTION FOR DISCUSSION PURPOSES.

Commissioner Moss-Thomas voiced concern that the language, as written, is not clear on the community's role in identifying priorities and implementation strategies. Mr. Szafran said the intent is to work with the public to identify priorities and suggest some implementation strategies. He agreed that the proposed change would make the intent clearer.

THE MOTION TO AMEND CARRIED (3-2), WITH COMMISSIONERS MALEK AND MONTERO VOTING IN OPPOSITION

Commissioner Moss-Thomas requested clarification of the last sentence in Item 7. Mr. Szafran said this is consistent with the City's current process for logging in public comments.

COMMISSIONER MOSS-THOMAS MOVED THAT THE MOTION TO RECOMMEND APPROVAL OF AMENDMENT 1 BE FURTHER AMENDED BY CHANGING ITEM 8a TO READ, "COMPREHENSIVE PLAN AND CITY-INITIATED PROJECTS IN CITYWIDE NEWSLETTER (CURRENTS). UPDATE THE COMMUNITY ON PLANNED MEETINGS, WORKSHOPS OR OTHER SIGNIFICANT EVENTS THROUGH ARTICLES ON TOPICS RELATED TO THE PLAN AND A REQUEST FOR FEEDBACK FROM THE COMMUNITY." THE MOTION DIED FOR LACK OF A SECOND.

Chair Scully said he believes a citizen's academy is a great idea, but felt the concept needs further planning. Rather than building the concept into the Comprehensive Plan, perhaps the City could offer

the academy on a once-a-year basis. He recommended the Commission encourage staff to pursue the concept further.

THE MOTION, AS AMENDED, WAS UNANIMOUSLY APPROVED.

Staff Presentation of Amendment 2

Mr. Szafran advised that Amendment 2 would copy the three new land use designations adopted in the 185th Street Station Subarea Plan into the Land Use Element. He explained that the subarea plan included three land-use designations: SA-1, SA-2 and SA-3. The SA-1 designation encourages transit-oriented development in close proximity of the future light rail stations and is intended to support high-density residential, office and commercial uses; and the MUR-70' zone is considered conforming to this land use designation. The SA-2 designation is intended to provide a transition from the SA-1 designation and encourage higher densities along arterials and increased housing choices; and the MUR-45' zone is considered conforming to this land use designation. The SA-3 designation provides a transition between SA-1 and SA-2 to the lower single-family designations. It encourages medium-density housing with opportunities for commercial along arterial streets, and the MUR-35' zone is considered conforming to this land use designation.

Chair Scully summarized that staff is also proposing to alter the proposed amendment to remove the I-5 and 145th Street areas for the time being. Mr. Szafran explained that because the 145th Street Station Subarea Plan has not been adopted, there are no land-use designations to apply at this time.

Commissioner Malek asked if the Commission would be missing any opportunities to analyze cross traffic between the two perspective stations (145th and 185th Street Stations). Mr. Szafran confirmed that the proposed amendment would not impact the Commission's future ability to address this issue. Chair Scully clarified that the proposed amendment is housekeeping.

Public Testimony on Amendment 2

No one in the audience indicated a desire to speak regarding Amendment 2.

Planning Commission Deliberation and Recommendation on Amendment 2

COMMISSIONER MOSS-THOMAS MOVED THAT THE COMMISSION FORWARD AMENDMENT 2 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF, INCLUDING THE DELETION OF REFERENCES TO I-5 AND 145TH STREET. COMMISSIONER MALEK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Staff Report on Amendment 3

Mr. Szafran said Amendment 3 would add language to the Comprehensive Plan to identify the Landscape Conservation and Local Infrastructure Program (LCLIP) as a potential funding source for public improvements. He said staff is recommending that this amendment be withdrawn, as the current

Comprehensive Plan already contains goals and policies that are adequate to move forward with a Transfer of Development Rights (TDR) Program if the Council chooses to do so.

Public Testimony on Amendment 3

No one in the audience indicated a desire to comment on this item.

Planning Commission Deliberation and Recommendation on Amendment 1

COMMISSIONER MONTERO MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION TO THE CITY COUNCIL THAT AMENDMENT 3 BE WITHDRAWN. COMMISSIONER MOSS-THOMAS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Staff Report on Amendments 4, 5, 6 and 10

Mr. Szafran explained that Amendment 4 would amend Policy LU47, which states, “Consider annexation of 145th Street adjacent to the existing southern border of the City.” He reviewed that the City is currently engaged in the 145th Street Route Development Plan (corridor study) and is actively pursuing annexation of 145th Street. Based on the City’s work plan, actual annexation will not occur until 2016 or later, and the corridor study will not be completed until the first quarter of 2016. Because the outcome of the study will help formulate any potential recommendations, staff is recommending that this docket item be carried over to the 2016 docket.

Mr. Szafran advised that Amendment 5 is related to the Point Wells Subarea Plan. Staff anticipates that the Richmond Beach Traffic Corridor Study will be completed in 2015, but any recommendations coming out of the study will not be considered by the City Council until at least 2016. Staff is recommending that this amendment be carried over to the 2016 docket.

Mr. Szafran explained that Amendment 6 would add goals and policies to the Parks, Recreation and Open Space Element based on policies identified in the 185th Street Station Subarea Plan. Much of the work related to this amendment will occur as part of the Parks, Recreation and Open Space Master Plan update that will take place in 2016. Therefore, staff is recommending the amendment be carried forward to 2016.

Public Testimony on Amendments 4, 5, and 6

No one in the audience indicated a desire to speak regarding these amendments.

Planning Commission Deliberation and Recommendation on Amendments 4, 5 and 6

COMMISSIONER MONTERO MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION TO THE CITY COUNCIL TO DELAY AMENDMENTS 4, 5 AND 6 UNTIL 2016. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Mork asked the reasons for deferring Amendment 6. Mr. Szafran said the City will be working with the Parks Board and the community to determine the process of locating new park space, not only within the new 185th Street Station Subarea, but citywide. This discussion will include park impact fees, ratio of parks to people, etc. Most of the work will be completed when the Parks, Recreation and Open Space Master Plan is updated in 2016 or 2017. Commissioner Mork referred to Ms. Ways' earlier point that postponing the amendment would result in the City missing out on the ability to collect fees. Commissioner Moss-Thomas asked if a park impact fee program could be adopted by the City Council in 2016 if it is not addressed in the 2015 Comprehensive Plan update. Director Markle answered that the 185th Street Station Subarea Plan identifies park impact fees as a potential strategy, and there may be some generalized language elsewhere in the Comprehensive Plan about how to fund future parks and maintenance of existing parks.

Commissioner Malek asked if it is possible to implement a park impact fee program that is retroactive and requires previous developers who would have sustained an impact fee to be accountable if a park impact fee program is adopted in the future. Director Markle answered that the City cannot charge a latecomers fee for something that is not yet planned for. Commissioner Mork suggested the Commission forward a recommendation to the City Council that a park impact fee program be adopted in 2016. Mr. Szafran explained that the Parks, Recreation and Open Space Plan must be updated by 2017, so the work will be done in 2016. There is a budget line item to hire a consultant to assist in this project in 2016.

Chair Scully summarized that, as discussed earlier by Director Markle, a Comprehensive Plan is not needed in order to impose park impact fee. He said he has never heard of a bar on a park impact fee because it is not specifically called out in the Comprehensive Plan. The Development Code must implement the Comprehensive Plan's general policies.

THE MOTION CARRIED AS PRESENTED.

Staff Report on Amendment 7

Mr. Szafran explained that Amendment 7 would remove a portion of Westminster Way from the City's designated truck route map in the Transportation Master Plan (TMP). He advised that the City Council adopted the Aurora Corridor Pre-design Study, which contained 32 points that provided guidance on the design of the Aurora Corridor. Point 17 included the direction to close Westminster Way north of 155th Street. Staff has worked with the State Department of Transportation (WSDOT) and the Federal Highway Administration to declassify this portion of Westminster Way, which was approved by both entities and is no longer considered a truck route by those agencies. Commissioner Moss-Thomas asked if the reference map in Attachment 4 illustrates the current baseline. Mr. Szafran said Attachment 4 identifies the current truck route, and not the recommended revision. As proposed, the red line between 155th Street and Aurora Avenue North would be deleted.

Public Testimony on Amendment 7

Janet Way, Shoreline, said she was present to represent the Shoreline Preservation Society. She understands that Amendment 7 has been through quite a bit of consideration and WSDOT and the

Federal Highway Administration has been consulted. However, she pointed out the City still hasn't worked out the details of the problems associated with implementation of the development that has already been proposed. In the meantime, she pointed out how difficult it already is for trucks to access the area. She questioned the rush to eliminate this truck route.

Planning Commission Deliberation and Recommendation on Amendment 7

COMMISSIONER MONTERO MOVED THAT THE COMMISSION FORWARD AMENDMENT 7 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF. COMMISSIONER MOSS-THOMAS SECONDED THE MOTION.

Chair Scully pointed out that right turns are permitted at 155th Street, and the City has studied whether or not trucks can safely make this turn. Mr. Szafran agreed and said it was analyzed again with the Community Renewal Area (CRA) Planned Action that was recently approved. Commissioner Moss-Thomas noted that, due to all of the construction on Aurora Avenue North, not a lot of trucks are choosing to use this route because there are a number of alternatives. Other than local deliveries, there will not be a substantial number of trucks that are impacted. The proposed amendment would bring the City's map into consistency with WSDOT and the Federal Highway Administration.

THE MOTION CARRIED UNANIMOUSLY.

Staff Report on Amendment 8

Mr. Szafran explained that Amendment 8 would adopt Level of Service (LOS) standards for transit, pedestrians and bicycle. It would amend Policy T-44 regarding LOS standards in anticipation of adopting LOS standards for pedestrian and bicycles in the Development Code and evaluation of and potential new multi-modal LOS standards in the future. He advised that the current LOS standards only account for motor vehicle travel, and amending the LOS standards to include pedestrian and bicycle facilities is also needed to support Goals T II, T III and T IV of the Comprehensive Plan.

Public Testimony on Amendment 8

No one in the public indicated a desire to speak regarding Amendment 8.

Planning Commission Deliberation and Recommendation on Amendment 8

COMMISSIONER MALEK MOVED THAT THE COMMISSION FORWARD AMENDMENT 8 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF. COMMISSIONER MOSS-THOMAS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Staff Report on Amendment 9

Mr. Szafran said the purpose of Amendment 9 is to make it clear that if and when development occurs at Point Wells, the City will work towards adoption of interlocal agreements, not only for the jurisdictions of Woodway, Edmonds and Snohomish County, but all other service providers that may serve the site in the future.

Public Testimony on Amendment 9

No one in the audience indicated a desire to speak regarding Amendment 9.

Planning Commission Deliberation and Recommendation on Amendment 9

COMMISSIONER MOSS-THOMAS MOVED THAT THE COMMISSION FORWARD AMENDMENT 9 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF. COMMISSIONER MORK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Staff Report on Amendment 10

Mr. Szafran reviewed that Amendment 10 calls for studying the requirement of adding a Volume/Capacity (V/C) ratio of .90 to all collector arterial streets in the City. The work anticipated to evaluate the V/C Ratio includes updating the Shoreline Transportation Model that was used during the last Transportation Master Plan (TMP) update in 2011. Staff recommends that this work be included in the work done to update the City's TMP in the second half of 2016 and be considered as part of the 2016 Comprehensive Plan Amendment Docket.

Chair Scully requested more details about the event that led up to staff's recommendation to continue Amendment 10 to the 2016 Docket. Mr. Szafran said there was a private amendment to cap the Average Daily Trip (ADT) limits on local streets to 1,500 and collector arterials to 3,000. Staff expressed concern about putting a hard cap on ADT limits, and they questioned if it would even be legal. The City Attorney recommended against the proposed amendment, as well. This discussion led to Amendment 10, which calls for a study of the concept.

Chair Scully said his understanding is that the citizen (Mr. McCormick) who presented the original amendment later amended his proposal on June 15th. The basis of the staff's recommendation is that there has been inadequate time to analyze the amended proposal. Mr. Szafran said that is accurate based on the City's work plan. Chair Scully asked if Mr. McCormick has commented on the staff's recommendation to continue the amendment to the 2016 docket. Mr. Szafran said he was notified of the staff's recommendation, but he has not commented to the Planning and Community Development department.

Public Testimony on Amendment 10

Janet Way, Shoreline, said she was present to speak on behalf of the Shoreline Preservation Society. She said the society previously spoke in favor of Amendment 10. She believes the issue has already been studied in detail, and the community near Point Wells needs to have some support from the City. The amendment needs to be adopted so there is a rule in the Comprehensive Plan that they can rely on with regard to potential development. Richmond Beach Road should not be inundated with an enormous number of cars each day. She would like the Planning Commission to stand up for the community and move the amendment forward in 2015. Imposing a reasonable level of traffic on this route would benefit the entire City.

Planning Commission Deliberation and Recommendation on Amendment 10

COMMISSIONER MONTERO MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION TO THE CITY COUNCIL THAT AMENDMENT 10 BE DELAYED UNTIL 2016. COMMISSIONER MOSS-THOMAS SECONDED THE MOTION.

Commissioner Montero said he believes the concept outlined in Amendment 10 is complex, and what the correct percentage should be will require the help of a consultant. The Commission is not qualified to make this decision now. Chair Scully pointed out that Amendment 10 calls for studying the concept, not necessarily adopting it.

Commissioner Mork asked why staff is recommending that the amendment be delayed if it simply calls for studying the concept. Director Markle said it has not been decided whether or not money should be spent to study the V/C Ratio at .90% for the entire City. . She further explained that the City uses the V/C Ratio for intersections, but the proposed amendment would apply the concept to non arterial and collector arterial streets citywide. This approach may have unintended consequences in that the City may find that some roads are at capacity, and development would be precluded where the City has already agreed it should occur. A good bit of analysis is recommended before the City Council makes a decision on whether the concept should perhaps even be studied.

Commissioner Malek said he supports the study and believes it is critical. Rather than simply using the standard ADT approach, the City should consider ways to analyze the traffic flow. The Point Wells property is being developed out of character with its initial intent. Regardless of the fact that they had prior vesting status, there is no other example of urban industrial, urban center, or even urban village in a place that is so remote from true multi-modal transportation. He expressed his belief that the traffic from Point Wells would impact the entire City.

Chair Scully said the proposal represents a significant change in how road capacity is evaluated. Director Markle is correct that the City must carefully study the issue and consider the unintended consequences. However, the City Council agreed that the concept should be studied. If Amendment 10 is passed on to 2016, it becomes an excuse not to start work until next year, 2017. He emphasized that it appears the Commission wants the study to start as soon as possible.

Chair Scully summarized that Amendment 10 does not fund a study or say what the study will entail. It simply establishes a broad policy saying that the City wants to do the study. If the amendment is delayed, the City won't have generalized direction to move forward with the study until the 2016

Comprehensive Plan Amendments are adopted a year from now, which means it would not take effect until 2017. Commissioner Montero pointed out that staff is recommending that the study move forward as part of the City's update to the TMP in the second half of 2016 and considered part of the 2016 Comprehensive Plan Docket. Commissioner Malek voiced concern that postponing the amendment would delay the study even further. Amendment 10 does not insist on a study or even proscribe a timeline for the study. It just says the City wants to do the study.

THE MOTION FAILED UNANIMOUSLY.

Chair Scully closed the public hearing on the 2015 Comprehensive Plan Amendments.

Commissioner Malek requested an update on the Point Wells Development. Director Markle said staff is still working with Blue Square Real Estate on the assumptions made for the transportation study, itself; and Snohomish County just released its comments on the transportation analysis done for the EIS. Staff will review Snohomish County's response to the study, but the City's progress is on hold until it receives answers to their questions about the information that was used in the study. Commissioner Malek suggested that the available information be forwarded to the Point Wells Subcommittee for review, and Director Markle agreed.

DIRECTOR'S REPORT

Director Markle reported that on October 12th, the City Council received an award from the Washington Chapter of the American Planning Association and the Planning Association of Washington in recognition of the 185th Street Station Subarea Plan. The project was cited as an outstanding example of good planning in Washington. The jurists specifically commented on the broad-based public improvement process, the phased zoning, the different housing options, and how the subarea plan will work with the City's overall Comprehensive Plan. Jurists also stated that the plan would be seen as an example to other jurisdictions across the State on how to tackle difficult decisions around growth over the next 20 years. She congratulated the Planning Commissioners, who played a tremendous role in the design of the 185th Street Station Subarea Plan.

Director Markle reminded the Commissioners of the joint City Council/Planning Commission dinner meeting that is scheduled for November 16th at 5:45 p.m. in Room 303.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

Commissioner Moss-Thomas asked if the City has funds for interested Commissioners to attend the American Planning Association's one-day event on Comprehensive Plan History and the Future, which is scheduled for November 13th in Tacoma. Director Markle indicated that the City could pay the registration fee for interested Commissioners to attend the event.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Montero announced a meeting on October 21st at 7:00 p.m. at the Innis Arden Club House to discuss the Point Wells Development. He said both he and Commissioner Malek plan to attend.

AGENDA FOR NEXT MEETING

Mr. Szafran said the November 5th agenda will include a study session on Development Code amendments that revolve around how the City will permit Sound Transit development.

Commissioner Moss-Thomas suggested the Commission also have a discussion on November 5th relative to the topics they want to bring forward at the joint City Council/Planning Commission meeting on November 16th. The remainder of the Commission concurred.

ADJOURNMENT

The meeting was adjourned at 8:28 p.m.

Keith Scully
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

October 14, 2015

To the Planning Commission:

Please include myself Wendy DiPeso as a party of record and accept the following statement for consideration as a Comprehensive Plan Amendment. Please Note that Shoreline Preservation Society will also be submitting a letter and would like the following to be included as part of their statement.

Background:

Currently, the general public has little or no understanding of what their rights and responsibilities are with regard to changes to land use, zoning or Comprehensive Plan Amendments. Nor is there information readily available on what a citizen must do to have legal standing for purposes of appealing a decision.

As mentioned in the Staff Report of the 2015 Comp Plan Amendments under 6a, "An audit by the Washington Cities Insurance Authority revealed that the City's Comprehensive Plan should develop a more specific citizen participation plan."

A clearly defined policy would inform City Staff on their responsibilities when planning for and conducting public meetings. The public would also be empowered to participate effectively in influencing those policy changes that impact their lives, which would reduce the necessity of lawsuits.

This comment points out examples of where the current policy fell well short of serving the public and provides suggestions for improvements to the current proposal.

Starting with the February 2014 "Scoping for Draft EIS Meeting," the public was invited to comment but it was never stated that this was the public's opportunity to establish standing in the EIS or what the meaning and significance of "standing" are.

People's questions and expressed concerns were recorded on

video. John Behrens, a member of the Shoreline Preservation Society Board, raised the issue of the need to study the watershed for the area due to the high water table. Despite his recorded comments in a subsequent lawsuit against the City, it was claimed that “no individual or named signer for the lawsuit” on the Shoreline Preservation Society board had commented on the DEIS.

At the very first of several public meetings in which the public was asked to write comments on sticky notes, I wrote of my concerns about steep slopes, high water table, increased runoff, and lack of public acknowledgement of the physical limitations to development away from basic infrastructure such as a major street (Aurora Corridor). None of this could be attributed to any individual and the sticky notes were easily discarded. Despite raising these issues in subsequent 185th street Station committee meetings, none of my comments were taken seriously by City Staff. Instead I was assured that a “project level EIS” would have to take place prior to the rezone and would have to take those issues into account. A “Project Level EIS” was never prepared.

The City needs to keep a permanent record of all comments made at every public meeting. The use of sticky notes should be replaced by paper and pen to which people sign their names and addresses. Concerns raised by local citizens can help inform Staff to avoid not only lawsuits but help improve the ideas and plans that the City is proposing.

I have participated in many scoping meetings with the City of Shoreline staff. There are several flaws that have existed in every public process:

- 1) The public is never informed of what the underlying assumptions and goals that the City Staff and City Council members hope to achieve. Ideally, if this information were transparently provided, the local citizenry may be able to work collaboratively with staff and council, or if the goals are counter

to what would benefit current residents of the community, the Council and Staff could be redirected by the citizens they are supposed to represent.

2) The public is encouraged to dream big ... as if working with a blank page, not an already vibrant community. The public is not given any information that would inform them of the physical limitations or costs associated with those ideas, such as steep slopes, high water table, limits on water supply and utility expansion costs, increased traffic etc. Indeed, according to a document written by City Economic Development Director Dan Eernisse, the City seems intent on redeveloping every neighborhood of the City. Without any knowledge of the limitations already present to such redevelopment, the current 185th Street disaster will be a precursor for what's in store for the rest of Shoreline.

Staff needs to know what the physical conditions of an area are before even asking the question of whether redevelopment is advisable.

Lacking this information, instead of creating a "visioning" process, there needs to be a "discovery" phase that researches what the existing conditions are. The discovery phase must include speaking with property owners, utility providers, Shoreline School District, Police and Fire Districts in the areas involved to fully understand the baseline of existing capital facilities and service levels as well as utility services, traffic, water table and soil conditions and slope.

The City Public Participation Policy should:

1) Provide a clearly written policy on public participation that lists all the legal requirements and responsibilities held by the city and all the rights and responsibilities held by individual citizens. This document must further describe in lay terms what a citizen must do to have legal standing on any proposed change to land

use, zoning or Comprehensive Plan.

2) Require that the city post aforementioned document on the City website with a clearly marked link on the main page to that document. Every notice of a public hearing, whether in print or online must also contain a link to said document.

3) At the start of every public hearing the public official in charge shall read aloud to the public in attendance what the general public's rights and responsibilities are in order to have legal standing on said issue, including any deadlines for providing written or verbal testimony. A display of the link to aforementioned document with a description of what it is shall also be prominently displayed at the hearing.

4) To have standing: Any person who provides comment (included but not limited to written, verbal or electronic) in either a DEIS or SEPA process or testifies to the Planning Commission, Council or City Staff shall have legal standing and be a "party of record."

5) For every speaker, a complete word-for-word transcript of comments shall be recorded at every public hearing.

6) The following statement must be added to the bottom of all agendas containing public hearings and added to the bottom of the sign-up form for speaking:

"Any person who provides comment (included but not limited to written, verbal or electronic) in either a DEIS or SEPA process or testifies to the Planning Commission, Council or City Staff shall have legal standing and be a "party of record."

7) If a citizen is unable to attend a Public Hearing but wishes his or her comments from another meeting to be added to the Public Hearing Record, they can do so, so long as the Public Hearing has not already been closed. Such requests can be made using email or verbal request on the part of the citizen during a public

meeting.

8) After the close of the public hearing and prior to the final Council vote, the public has 30 days to review the City Staff's original goals (the end result they wanted to begin with), the Council's findings and final draft and compare that to the complete public testimony on the subject. No Council vote shall take place prior to the 30 day public review period.

SPS Comment Letter re: 2015 Comprehensive Plan
October 15, 2015
Page 1



c/o Janet Way
940 NE 147th St
Shoreline, WA 98155

October 15, 2015

City of Shoreline Planning Commission
17500 Midvale Ave N
Shoreline, WA 98133

RE: 2015 Comprehensive Plan Amendments

Dear Planning Commission Members:

Please accept the following comments on behalf of the Shoreline Preservation Society and Janet Way, a resident and homeowner in the City of Shoreline. Please ensure that both the Shoreline Preservation Society and Janet Way are listed as commenters and participants on the SEPA threshold determination comment period and the proposed amendments to the GMA comprehensive plan.

The Shoreline Preservation Society (SPS), founded in 2010, is a local, all-volunteer grassroots, nonprofit organization fostering the preservation of historical heritage, cultural and environmental assets throughout the City of Shoreline. The mission of SPS is threefold: 1) to educate Shoreline residents and neighborhoods by disseminating information about impacts proposed changes due to rezones and other city or developer actions, (2) to give residents the tools and opportunities to participate in the public process; and (3) to develop and provide alternatives as needed to preserve the character of our neighborhoods. Janet Way has resided in the City of

Shoreline (City) since its incorporation in 1995, and in the same home for 25 years. She is the President of Shoreline Preservation Society. Ms. Way is deeply committed to maintaining the character of the City of Shoreline and the surrounding areas, particularly in preserving the Thornton and McAleer Creek Watersheds, wildlife habitat, and the tree canopy within the City. Her commitment is evidenced by her activities with SPS, Thornton Creek Alliance, the Paramount Park Neighborhood Group, Lake Ballinger/McAleer Creek Watershed Forum and the Thornton Creek Legal Defense Fund. Ms. Way served on the Shoreline City Council from 2005-2009. Ms. Way is concerned with the host of societal ills associated with blighted neighborhoods which will likely result from the City's various attempts to bring high density to Shoreline's single family neighborhoods, the loss of sense of place in a City she has lived in most of her adult life, worsening traffic, drainage impacts, impacts to the Thornton Creek watershed which she has worked so hard to restore, and destruction of wildlife habitat and the tree canopy within the City of Shoreline. She enjoys the quiet neighborhood feel of the City of Shoreline, the many birds that live in the tree canopy, and the areas of wildlife habitat that are the hallmark of the present City of Shoreline.

SPS and the Janet Way provide their comments organized by topic, below.

Comments on SEPA DNS

1. Reliance on the 1998 FEIS. We find it interesting that the City relies heavily on the 1998 Environmental Impact Statement as a reference document, by stating: "Final Environmental Impact Statement for the City of Shoreline Comprehensive Plan was issued 11/2/98 for the main body of related environmental analysis." SEPA Checklist at 2.

City departments should get their stories straight. The City Attorney's Office recently fought inclusion of the 1998 FEIS into the record of a Growth Management Hearings Board appeal of the 185th Street Subarea Plan, characterizing it as "irrelevant." The City Attorney stated:

[T]he assertion that the Board should look to the environmental documentation of the City's "first" plan as the true litmus test to determine the "context" of the City's actions in relation to the 185th Street Subarea is nonsensical. . . . If the 1998 FEIS analysis actually related to the 185th Street Station Subarea Plan . . . it would have been expressly referenced in the FEIS. In fact, there is no reference to the 1998 FEIS anywhere in the 185th Street Station Subarea FEIS.

...

In conclusion, the 1998 FEIS is the environmental analysis performed by the City of its original comprehensive plan. **Much has changed since that time** and though its analysis may have been referenced in the 2012 periodic update of the existing Comprehensive Plan, its analysis was not referenced anywhere in the FEIS (or DEIS) for the 185th Street Subarea Plan.

➤ ...

Furthermore, **the Petitioners fail to explain how the analysis in the 17 year old document is relevant to the present planning effort.** . . . The Board should deny supplementation of the Record with the 1998 FEIS.

City of Shoreline's Response to Petitioner's Motion to Supplement (August 18, 2015), at 5-7 (*Shoreline Preservation Society, et al. v. City of Shoreline*, CPSGMHB Case No. 15-3-0002) (emphasis added).

2. A New Comprehensive Environmental Impact Statement Is Required. Given the City's apparent position that the 1998 EIS is "not relevant" and that its application to the present is "nonsensical", the City needs to re-do the baseline environmental analysis for the City in an entirely new EIS. Given its public position that the 1998 FEIS is out of date, the City cannot continue to piggy back new significant environmental impacts onto

documents it considers irrelevant. The City's numerous actions to upzone different areas of the City in recent memory have resulted in significant environmental impacts and cumulative effects that must be analyzed in a new comprehensive environmental impact statement before any further intensification can or should take place within the City.

3. The City Has Failed to Adequately Document Environmental Conditions and Potential Significant Environmental Impacts in the SEPA Checklist and Related Documents. The City failed to adequately disclose potential significant adverse environmental impacts and existing conditions in the SEPA Checklist, or to explain how existing environmental documents may have addressed them. Most of the questions on the checklist were answered by the City stating, "This is a nonproject action. Does not apply." These answers do not comport with the requirements of SEPA. SEPA needs to be done at the earliest point possible in the environmental process. WAC 197-11-055(1) states: "The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to seek to resolve potential problems."

In addition, just because the action is labeled "nonproject" does not mean that the impacts do not need to be analyzed. The SEPA Handbook at Section 4.1 states:

If the nonproject action is a comprehensive plan or similar proposal that will govern future project development, the probable impacts need to be considered of the future development that would be allowed. For example, environmental analysis of a zone designation should analyze the likely impacts of the development allowed within that zone. The more specific the analysis at this point, the less environmental review needed when a project permit application is submitted.

The amendments proposed by the City need to be reviewed through the procedure outlined in the SEPA Handbook. For example, as a part of Amendment #5 the City should be examining the environmental impacts of the new Policy PW 9 and PW 13 for the Point Wells Subarea Plan, which seems to suggest that the City will work with the developer to put together a corridor study to determine impacts of future development at Point Wells. The staff memo suggests that the City is considering amendments to the Transportation Element and Transportation Master Plan to reclassify Richmond Beach Road. The reclassification of a road will result in numerous environmental impacts which should be analyzed now, according to WAC 197-11-055. Otherwise, the SEPA analysis turns into a post hoc rationalization of a decision already made to allow the traffic from the Point Wells development to travel through the City on Richmond Road. The City needs to go back to the drawing board on these amendments and comply with SEPA.

4. The City Failed to Provide the Appropriate Environmental Document Adoption process and to comply with the SEPA statute for Amendment #2.

With respect to Amendment #2, the City has failed to recognize in its DNS what if any environmental review supports adding LU 11, LU12, and LU 13. The staff memo characterizes the amendment as “copying” land use designations in the 185th Street Station Area Plan into the Land Use Element. Yet in reviewing the changes, the three new policies speak to other areas aside from the 185th Street Area. The City failed to use adoption procedures or incorporation by reference procedures required by SEPA to utilize existing environmental documents. *See* WAC 197-11-600 et seq. There is no comparison of the subarea plan policies with the new land use element

policies in the staff memo, so citizens have no idea where these policies came from and whether there is some foundation in the subarea plan. In addition, the City is required to meet the requirements of RCW 43.21C.420 when it adopts an optional comprehensive plan element to accommodate a new major transit stop, which means it must adopt a nonproject EIS and provide the required notice as outlined by statute. In the case of the 185th Street Station Subarea Plan, the City purported to adopt a “Planned Action EIS” which by definition is a project level EIS. In this amendment cycle, the staff fails to even go through appropriate SEPA procedures in issuing its DNS to ensure that prior environmental documents are appropriately included. While the City tries to paint this as a procedural exercise, if that were the case it should have been accomplished as part of the subarea plan adoption process. The City cannot now simply cut corners, fail to do the appropriate SEPA analysis, and fail to meet the requirements of the SEPA WACs and statute. The planning commission should send this proposal back to city staff to comply with the requirements of SEPA.

Comments on GMA Amendments to the Comprehensive Plan

1. GMA Public Participation Program (Amendment #1). We are very happy to see that the City seems to be getting serious about complying with GMA’s public participation requirements. See RCW 36.70A.140. We do think there can be some big improvements in the proposal, however. Here are our recommendations:

A. The program should provide more specifics on each of the eight points in the program. For example, the language regarding the Visioning process is vague, in that it doesn’t provide any specifics regarding how the process will be administered. Will there be notice? Will there be an opportunity to comment? How will priorities be established? Without these

types of details, the language is somewhat meaningless. The same could be said for all eight elements of the program. In particular, Number 6, public notice requirements need to be explicitly spelled out, not just that the notice will comply with .020 and .035 of the GMA. There needs to be notice of each meeting or hearing in which changes could be made to a planning proposal. The requirements need to be clearly spelled out in the CODE so that implementation of the public participation program is clear and understandable by citizens.

B. We would respectfully like to suggest a Citizens Academy be started for the Citizens of Shoreline to allow them the opportunity to understand the variety of public process utilized by the City such as Comprehensive Plan Amendments, Rezones, Planned Action Ordinances, Critical Areas Ordinances, SEPA process and major Transportation Corridor studies. Then when these types of projects are undertaken, citizens would not be caught off guard and the City would not be reprimanded by the WA Cities Insurance Agency. This could be an extremely positive possibility. In the past, the City undertook these efforts in a collaborative way. There were Planning Academy's and the CPAC processes which sought public participation. We recommend that the Planning Commission consider putting forward this idea.

C. The program is missing an enhanced public participation process to address plans and development regulations that utilize the planned action provisions of SEPA and the GMA. Because the City is ostensibly loading up environmental review so that developers do not have to complete SEPA review at the project level, the public should be given enhanced opportunities to review the proposal at the planning level. The 185th Street Subarea Plan

process is a clear recent example of why the public participation program should have enhanced procedures for Planned Action subarea plans and development regulations. In the 185th Street process, the Preferred Alternative did not appear until the FEIS was issued. The only notice for the adoption of the package was published the day before Thanksgiving in 2014, and ultimately covered “the public notice requirement” all the way until March 16, 2015. This process was a disservice to the citizens of Shoreline. Only those who were able to watch the process through the busy Christmas holiday season, and then continue following it for months afterward without renoticing by the City were able to participate. What should have happened is 1) the planning department should have gone back to the drawing board and issued a draft SEIS (*see* GMHB Order on Motions, dated September 10, 2015); 2) there should have been public hearing on the DSEIS so that citizens had the opportunity to effectively comment on the new Preferred Alternative, and each of the Planning Commission and City Council Hearings should have been noticed.

Citizens should not have to spend money to appeal their City government because the City failed to provide an adequate public participation program. The steps of the public process need to be clearly delineated in the code, so that everyone knows the rules of the process. Otherwise, the City creates chaos and confusion, which results in poor decisions being made by elected officials because they have not appropriately engaged the public. We believe that the planning commission should hold an additional workshop to allow serious discussion of how to create a process that encourages early and meaningful public participation.

2. Amendment #6. We agree that parks are extremely important in the 185th Street Subarea. However, parks planning should have been done as

a part of the planning process, not as an afterthought. If the City did not have the resources to do appropriate planning during the subarea planning process, it should have waited to adopt the subarea plan and implementing zoning until the capital facilities planning was complete. *See* RCW 36.70A.070 (3). The subarea plan was required to include the capital facilities planning required under GMA. As a result of this poor and noncompliant process, developers may now vest to building permits without paying any park impacts fees or other mitigation requirement, since the City has not yet “explored” that possibility. *See* Staff Memo at p. 6. This is the type of planning that happened prior to adoption of the GMA in 1990, and was the motivation for its adoption. As citizens, we are appalled that the City of Shoreline for not adhering to the most basic requirements of GMA planning.

We suggest the City do the right thing and repeal the 185th Street Subarea Plan until such time as capital facilities planning is completed. Completion of the planning process should be accompanied by additional environmental review. That is how the GMA envisions that planning should be done, especially in an area where an expensive land use plan will require expensive infrastructure improvements to support development. Those costs will not be recouped entirely from developers. The citizens of the City of Shoreline deserve “truth in planning,” which is what the GMA’s capital facilities requirements are all about.

We also wish to reference the recent letter sent by Wendy Dipeso to Planning Commission as a part of our comment on these amendments.

We reserve the right to provide further comments on these proposals.

SPS Comment Letter re: 2015 Comprehensive Plan

October 15, 2015

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Sincerely,

Janet Way

as an individual

and as

President of Shoreline

Preservation Society

DRAFT PUBLIC PARTICIPATION PLAN – COMPREHENSIVE PLAN

Framework Goals

The original framework goals for the City were developed through a series of more than 300 activities held in 1996-1998. They were updated through another series of community visioning meetings and open houses in 2008-2009. These Framework Goals provide the overall policy foundation for the Comprehensive Plan and support the City Council's vision. When implemented, the Framework Goals are intended to preserve the best qualities of Shoreline's neighborhoods today and protect the city's future. To achieve balance in the city's development, Framework Goals must be viewed as a whole, without one being pursued to the exclusion of others. Shoreline is committed to being a sustainable city in all respects.

- FG1:** Continue to support exceptional schools and opportunities for lifelong learning.
- FG2:** Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.
- FG3:** Support the provision of human services to meet community needs.
- FG4:** Provide a variety of gathering places, parks, and recreational opportunities for all ages and expand them to be consistent with population changes.
- FG5:** Encourage an emphasis on arts, culture, and history throughout the community.
- FG6:** Make decisions that value Shoreline's social, economic, and cultural diversity.
- FG7:** Conserve and protect our environment and natural resources, and encourage restoration, environmental education, and stewardship.
- FG8:** Apply innovative and environmentally sensitive development practices.
- FG9:** Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.
- FG10:** Respect neighborhood character and engage the community in decisions that affect them.
- FG11:** Make timely and transparent decisions that respect community input.
- FG12:** Support diverse and affordable housing choices that provide for Shoreline's population growth, including options accessible for older adults and people with disabilities.
- FG13:** Encourage a variety of transportation options that provide better connectivity within Shoreline and throughout the region.
- FG14:** Designate specific areas for high-density development, especially along major transportation corridors.
- FG15:** Create a business-friendly environment that supports small and local businesses, attracts large businesses to serve the community, expands our jobs and tax base, and encourages innovation and creative partnerships.
- FG16:** Encourage local neighborhood retail and services distributed throughout the city.
- FG17:** Strengthen partnerships with schools, non-governmental organizations, volunteers, public agencies, and the business community.
- FG18:** Encourage Master Planning at Fircrest School that protects residents and encourages energy and design innovation for sustainable future development.

Citizen Participation

RCW 36.70A.140 of the Washington Growth Management Act requires that each city “establish and broadly disseminate to the public a public participation program...for early and continuous public participation in the development” of the city’s Comprehensive Plan.

Consistent with the recommendations of the GMA which emphasize the involvement of the broadest cross-section of the community, including the involvement of groups not previously involved, the City of Shoreline adopts the following program for citizen participation for future Comprehensive Plan Major Updates and other City initiated projects:

1. Visioning Process – This process provides Shoreline citizens an opportunity to establish a framework and context upon which the Comprehensive Plan major update will be based. Planning Commission meetings will provide the forum for the initial community visioning process. A draft “Vision” will be evaluated for consistency during the development of the Plan as the community identifies priorities and suggest implementation strategies, which will be updated accordingly. The ultimate “Vision” will be established at the conclusion of the planning process by the City Council as a result of community participation.

2. Planning Commission. The Planning Commission will play a key role in establishing the City’s dialogue with community members, hosting meetings and workshops during the development of the Comprehensive plan and other city-initiated projects such as subarea plans, master plans, and development agreements. The Planning Commission will evaluate information provided by the community and develop recommendations for submission to the City Council.

3. Citizen Survey – The City will use the Citizen Satisfaction survey, if available, to inform future Comprehensive Plan amendments.

4. Public Meetings. Public meetings will be hosted by the Planning Commission on draft Comprehensive Plan amendments and other city-initiated projects. This ensures that the City will meet the requirement for “early and continuous” public participation in the comprehensive planning process.

5. Public Hearing. At least one public hearing will be held before the Planning Commission to discuss proposed plan amendments.

6. Public Notice. The City will provide notice of all meetings and hearings pursuant to the requirements of RCW 36.70A.020 and .035.

7. Written Comment. The public will be invited to submit written comments. Comments will be specifically solicited from residents, special interest organizations and business interests. Comments may be in the form of letters, emails and other correspondence to

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

8. Communications Programs & Informational Services – As staff and budgetary resources allow, the activities will be undertaken to ensure broad-based citizen participation:

a. Comprehensive Plan and city-initiated projects news in Citywide Newsletter (Currents)– updating the community on planned meetings, workshops or other significant events. Articles on topics related to the plan and a request for feedback from the community on topics related to the Plan or projects. The newsletter article will be disseminated via the City's website, emailed to a mailing list and/or provided in paper copy as appropriate.

b. Interest Groups – Contact local interest groups (i.e. Chamber of Commerce, home builders, environmental, neighborhoods, etc.) and arrange to meet and discuss relevant Comprehensive Plan, Development Code amendments and other city project issues.

c. Community Workshops – Conduct community workshops hosted by the Planning Commission to encourage neighborhood participation in the development of the Comprehensive Plan or subarea related plans. These meetings may be held at city hall, neighborhood schools, churches or other community facilities.

d. Press Release & Public Service Announcements – Work with the local newspapers, blogs, and social media to advertise and promote significant events related to city issues including the Comprehensive Plan, Development Code amendments and other city issues.

e. Develop a database of interested citizens and provide regular correspondence concerning the status of amendments.

f. Identify key resource personnel representing agencies and groups whose plans will be integrated into the Comprehensive Plan, including but not limited to fire districts, utilities, libraries and school district.

g. Maintain a log of all public participation meetings, events and actions that the City engages in to provide documentation on the City's effort to meet the requirements of the GMA.

GOALS

Goal CP I: To maintain and improve the quality of life in the community by offering a variety of opportunities for public involvement in community planning decisions.

POLICIES

- CP1:** Encourage and facilitate public participation in appropriate planning processes, and make those processes user-friendly.
- CP2:** Consider the interests of the entire community, and the goals and policies of this Plan before making planning decisions. Proponents of change in planning guidelines should demonstrate that the proposed change responds to the interests and changing needs of the entire city, balanced with the interests of the neighborhoods most directly impacted by the project.
- CP3:** Ensure that the process that identifies new, or expands existing, planning goals and policies considers the effects of potential changes on the community, and results in decisions that are consistent with other policies in the Comprehensive Plan.
- CP4:** Consider community interests and needs when developing modifications to zoning or development regulations.
- CP5:** Encourage and emphasize open communication between developers and neighbors about compatibility issues.
- CP6:** Utilize a variety of approaches, encouraging a broad spectrum of public viewpoints, wherever reasonable, to oversee major revisions to the general elements and subareas of the Comprehensive Plan.
- CP7:** Educate residents about various planning and development processes, how they interrelate, and when community input will be most influential and effective.
- CP8:** Consider the interests of present and future residents over the length of the planning period when developing new goals, policies, and implementing regulations.

Community Profile

The City of Shoreline is located in the northwestern corner of King County along the shores of Puget Sound. Shoreline is generally bounded by the City of Lake Forest Park to the east, the City of Seattle to the south, Puget Sound to the west, and Snohomish County to the north (specifically, the Cities of Mountlake Terrace and Edmonds, the Town of Woodway, and the unincorporated area of Point Wells).

Land Use Element Goals and Policies

INTRODUCTION

Land use describes the human use of land, and involves modification of the natural environment into the built environment, and management of these interrelated systems. Land use designations delineate a range of potentially appropriate zoning categories, and more broadly define standards for allowable uses and intensity of development. The combination and location of residential neighborhoods, commercial centers, schools, churches, natural areas, regional facilities, and other uses is important in determining the character of Shoreline. The pattern of how property is designated in different parts of the city directly affects quality of life in regard to recreation, employment opportunities, environmental health, physical health, property values, safety, and other important factors.

This Element contains the goals and policies necessary to support the City's responsibility for managing land uses and to implement regulations, guidelines, and programs. The Land Use policies contained in this element, along with the Comprehensive Plan Map (Figure LU-1), identify the intensity of development and density recommended for each area of the city. These designations help to achieve the City's vision by providing for sustainable growth that encourages housing choice; locates population centers adjacent to transit and services; provides areas within the city to grow businesses, services, jobs and entertainment; respects existing neighborhoods; provides for appropriate transitions between uses with differing intensities; safeguards the environment; and maintains Shoreline's sense of community. The goals and policies of this element also address identifying Essential Public Facilities.

The Land Use Element Supporting Analysis section of this Plan contains the background data and analysis that describe the physical characteristics of the city, and provides the foundation for the following goals and policies.

GOALS

- Goal LU I.** Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.
- Goal LU II.** Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.
- Goal LU III.** Create plans and strategies that implement the City's Vision 2029 and Light Rail Station Area Planning Framework Goals for transit supportive development to occur within a ½ mile radius of future light rail stations.
- Goal LU IV.** Work with regional transportation providers to develop a system that includes two light rail stations in Shoreline, and connects all areas of the city to high capacity transit using a multi-modal approach.

- Goal LU V.** Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.
- Goal LU VI.** Encourage pedestrian-scale design in commercial and mixed use areas.
- Goal LU VII.** Plan for commercial areas that serve the community, are attractive, and have long-term economic vitality.
- Goal LU VIII.** Encourage redevelopment of the Aurora corridor from a commercial strip to distinct centers with variety, activity, and interest.
- Goal LU IX.** Minimize or mitigate potential health impacts of industrial activities on residential communities, schools, open space, and other public facilities.
- Goal LU X.** Nominate Shoreline as a Regional Growth Center as defined by the Puget Sound Regional Council.
- Goal LU XI.** Maintain regulations and procedures that allow for siting of essential public facilities.
- Goal LU XII.** Increase access to healthy food by encouraging the location of healthy food purveyors, such as grocery stores, farmers markets, and community food gardens in proximity to residential uses and transit facilities.

POLICIES

Residential Land Use

- LU1.** The Low Density Residential land use designation allows single-family detached dwelling units. Other dwelling types, such as duplexes, single-family attached, cottage housing, and accessory dwellings may be allowed under certain conditions. The permitted base density for this designation may not exceed 6 dwelling units per acre.
- LU2.** The Medium Density Residential land use designation allows single family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.
- LU3.** The High Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre.
- LU4.** Allow clustering of residential units to preserve open space and reduce surface water run-off.
- LU5.** Review and update infill standards and procedures that promote quality development, and consider the existing neighborhood.
- LU6.** Protect trees and vegetation, and encourage additional plantings that serve as buffers. Allow flexibility in regulations to protect existing stands of trees.
- LU7.** Promote small-scale commercial activity areas within neighborhoods that encourage *walkability*, and provide opportunities for employment and “*third places*”.

- LU8. Provide, through land use regulation, the potential for a broad range of housing choices and levels of affordability to meet the changing needs of a diverse community.

Mixed Use and Commercial Land Use

- LU9. The Mixed-Use 1 (MU1) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses, along with form-based maximum density residential uses. Transition to adjacent single-family neighborhoods may be accomplished through appropriate design solutions. Limited manufacturing uses may be permitted under certain conditions.
- LU10. The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.
- LU11. The Station Area 1 (SA1) designation encourages Transit Oriented Development (TOD) in close proximity of the future light rail stations at I-5 and 185th Street and I-5 and 145th Street. The SA1 designation is intended to support high density residential, a mix of uses, reduced parking standards, public amenities, commercial and office uses that support the stations and residents of the light rail station areas. The MUR-70' Zone is considered conforming to this designation.
- LU12. The Station Area 2 (SA2) designation encourages Transit Oriented Development (TOD) in areas surrounding the future light rail stations at I-5 and 185th Street and I-5 and 145th Street. The SA2 designation is intended to provide a transition from the SA1 designation and encourages the development of higher density residential along arterials in the subarea, neighborhood commercial uses, reduced parking standards, increased housing choices, and transitions to lower density single family homes. The MUR-45' Zone is considered conforming to this designation.
- LU13. The Station Area 3 (SA3) designation encourages Transit Oriented Development (TOD) in area surrounding the future light rail stations at I-5 and 185th and I-5 and 145th. The SA3 designation is intended to provide a transition from the SA1 and SA2 designation and transitions to lower density designations and encourages the development of medium density residential uses, some neighborhood commercial uses, increased housing choices, and transitions to low-density single-family homes. The MUR-35' Zone is considered conforming to this designation.
- LU14. The Town Center designation applies to the area along the Aurora corridor between N 170th Street and N 188th Street and between Stone Avenue N and

Linden Avenue N, and provides for a mix of uses, including retail, service, office, and residential with greater densities.

- LU15. Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses with regard to traffic, noise, and glare through design standards and other development criteria.
- LU16. Encourage the assembly and redevelopment of key, underdeveloped parcels through incentives and public/private partnerships.
- LU17. Designate areas within the city where clean, green industry may be located, and develop standards for use and transitions.

Other Land Uses

- LU18. The Public Facilities land use designation applies to a number of current or proposed facilities within the community. If the use becomes discontinued, underlying zoning shall remain unless adjusted by a formal amendment.
- LU19. The Public Open Space land use designation applies to all publicly owned open space and to some privately owned property that might be appropriate for public acquisition. The underlying zoning for this designation shall remain until the City studies and approves the creation of a complementary zone for this designation.
- LU20. The Private Open Space land use designation applies to all privately owned open space. It is anticipated that the underlying zoning for this designation shall remain.
- LU21. The *Campus* land use designation applies to four institutions within the community that serve a regional clientele on a large campus. All development within the Campus land use designation shall be governed by a Master Development Plan Permit. Existing uses in these areas constitute allowed uses in the City's Development Code. A new use or uses may be approved as part of a Master Development Plan Permit.
- LU22. *Land Use and Mobility Study Areas* designate areas to be studied with regard to subarea planning for light rail stations. The underlying zoning for this designation remains unless it is changed through an amendment to the Comprehensive Plan Land Use Map and Development Code.

Light Rail Station Areas

- LU23. Collaborate with regional transit providers to design transit stations and facilities that further the City's vision by employing superior design techniques, such as use of sustainable materials; inclusion of public amenities, open space, and art; and substantial landscaping and retention of significant trees.
- LU24. Work with Metro Transit, Sound Transit, and Community Transit to develop a transit service plan for the light rail stations. The plan should focus on connecting residents from all neighborhoods in Shoreline to the stations in a reliable, convenient, and efficient manner.
- LU25. Encourage regional transit providers to work closely with affected neighborhoods in the design of any light rail transit facilities.

- LU26. Work with neighborhood groups, business owners, regional transit providers, public entities, and other stakeholders to identify and fund additional improvements that can be efficiently constructed in conjunction with light rail and other transit facilities.
- LU27. Maintain and enhance the safety of Shoreline's streets when incorporating light rail, through the use of street design features, materials, street signage, and lane markings that provide clear, unambiguous direction to drivers, pedestrians, and bicyclists.
- LU28. Evaluate property within a ½ mile radius of a light rail station for multi-family residential choices (R-18 or greater) that support light rail transit service, non-residential uses, non-motorized transportation improvements, and traffic and parking mitigation.
- LU29. Evaluate property within a ¼ mile radius of a light rail station for multi-family residential housing choices (R-48 or greater) that support light rail transit service, non-residential uses, non-motorized transportation improvements, and traffic and parking mitigation.
- LU30. Evaluate property along transportation corridors that connects light rail stations and other commercial nodes in the city, including Town Center, North City, Fircrest, and Ridgecrest for multi-family, mixed-use, and non-residential uses.
- LU31. Implement a robust community involvement process that develops tools and plans to create vibrant, livable, and sustainable light rail station areas.
- LU32. Create and apply innovative methods and tools to address land use transitions in order to manage impacts on residents and businesses in a way that respects individual property rights. Develop mechanisms to provide timely information so residents can plan for and respond to changes.
- LU33. Encourage and solicit the input of stakeholders, including residents; property and business owners; non-motorized transportation advocates; environmental preservation organizations; and transit, affordable housing, and public health agencies.
- LU34. Create a strategy in partnership with the adjoining neighborhoods for phasing redevelopment of current land uses to those suited for *Transit-Oriented Communities (TOCs)*, taking into account when the city's development needs and market demands are ready for change.
- LU35. Allow and encourage uses in station areas that will foster the creation of communities that are socially, environmentally, and economically sustainable.
- LU36. Regulate design of station areas to serve the greatest number of people traveling to and from Shoreline. Combine appropriate residential densities with a mix of commercial and office uses, and multi-modal transportation facilities.
- LU37. Pursue market studies to determine the feasibility of developing any of Shoreline's station areas as destinations (example: regional job, shopping, or entertainment centers).
- LU38. Identify the market and potential for redevelopment of public properties located in station and study areas.
- LU39. Encourage development of station areas as inclusive neighborhoods in Shoreline with connections to other transit systems, commercial nodes, and neighborhoods.

- LU40.** Regulate station area design to provide transition from high-density multi-family residential and commercial development to single-family residential development.
- LU41.** Through redevelopment opportunities in station areas, promote restoration of adjacent streams, creeks, and other environmentally sensitive areas; improve public access to these areas; and provide public education about the functions and values of adjacent natural areas.
- LU42.** Use the investment in light rail as a foundation for other community enhancements.
- LU43.** Explore and promote a reduced dependence upon automobiles by developing transportation alternatives and determining the appropriate number of parking stalls required for TOCs. These alternatives may include: ride-sharing or vanpooling, car-sharing (i.e. Zipcar), bike-sharing, and walking and bicycle safety programs.
- LU44.** Consider a flexible approach in design of parking facilities that serve light rail stations, which could be converted to other uses if demands for parking are reduced over time.
- LU45.** Transit Oriented Communities should include non-motorized corridors, including undeveloped rights-of-way, which are accessible to the public, and provide shortcuts for bicyclists and pedestrians to destinations and transit. These corridors should be connected with the surrounding bicycle and sidewalk networks.
- LU46.** Employ design techniques and effective technologies that deter crime and protect the safety of transit users and neighbors.

Future Service Annexation Area

- LU44.** Support annexations that are in the best interest of the long-term general welfare of the residents of the annexation area, the existing Shoreline community, and the City because they:
 - share a community identity;
 - are logical additions, and contiguous with the city;
 - complete the geographical areas of interest as indicated in pre-incorporation boundaries;
 - offer benefits and opportunities consistent with the City's Vision 2029 and Framework Goals;
 - would benefit from consistent regulations and coordinated land use and impact mitigation;
 - balance the short-term costs of annexation with long-term gains to the fiscal health of the annexation areas and the City;
 - could access public safety, emergency, and urban services at a level equal to or better than services in existence at the time of annexation, without affecting level of service for existing
 - residents; and/or
 - could provide improved local governance for the City and the
 - annexation areas.

- LU45. Assure that adequate funding is in place, or will be available within a reasonable time, to support required public facilities and services.
- LU46. Assign an equitable share of the City's bonded indebtedness to newly annexed areas.
- LU47. Consider annexation of 145th Street adjacent to the existing southern border of the City. Boundaries would be as follows: (western) west side of 3rd Avenue NW; (eastern) up to, but not including, the Bothell Way NE (SR 522) right-of-way; and (southern) all of the 145th Street right-of-way.
- LU48. Pursue annexation of Point Wells, and implement the City of Shoreline Subarea Plan for this area.

Transit & Parking

- LU49. Consider the addition of compatible mixed-uses and shared (joint-use) parking at park and ride facilities.
- LU50. Work with transit providers to site and develop park and rides with adequate capacity and in close proximity to transit service.
- LU51. Encourage large commercial or residential projects to include transit stop improvements when appropriate.
- LU52. Parking requirements should be designed for average need, not full capacity. Include regulatory provisions to reduce parking standards, especially for those uses located within ¼ mile of high-capacity transit, or serving a population characterized by low rates of car ownership. Other parking reductions may be based on results of the King County Right-Sized Parking Initiative.
- LU53. Examine the creation of residential parking zones or other strategies to protect neighborhoods from spillover by major parking generators.

Sustainable Land Use

- LU54. Educate the community about sustainable neighborhood development concepts as part of the subarea planning processes to build support for future policy and regulatory changes.
- LU55. Explore whether "*Ecodistricts*" could be an appropriate means of neighborhood empowerment, and a mechanism to implement *triple bottom line sustainability* goals by having local leaders commit to ambitious targets for green building, smart infrastructure, and behavioral change at individual, household, and community levels.
- LU56. Initiate public/private partnerships between utilities, and support research, development, and innovation for energy efficiency and renewable energy technology.
- LU57. Explore providing incentives to residents and businesses that improve building energy performance and/or incorporate onsite renewable energy.
- LU58. Support regional and state *Transfer of Development Rights (TDR)* programs throughout the city where infrastructure improvements are needed, and where additional density, height and bulk standards can be accommodated.

- LU59.** Consider social equity and health issues in siting uses, such as manufacturing and essential public facilities, to provide protection from exposure to harmful substances and environments.

Essential Public Facilities (EPF)

- LU60.** Require land use decisions on essential public facilities meeting the following criteria to be made consistent with the process and criteria set forth in LU62:
- a. The facility meets the Growth Management Act definition of an essential public facility, ref. RCW 36.70A.200(1) now and as amended; or
 - b. The facility is on the statewide list maintained by the Office of Financial Management, ref. RCW 36.70A.200(4) or on the countywide list of essential public facilities; and
 - c. The facility is not otherwise regulated by the Shoreline Municipal Code (SMC).
- LU61.** Participate in efforts to create an interjurisdictional approach to the siting of countywide or statewide essential public facilities with neighboring jurisdictions as encouraged by Countywide Planning Policies FW-32 (establish a countywide process for siting essential public facilities) and S-1 (consideration of alternative siting strategies). Through participation in this process, seek agreements among jurisdictions to mitigate against the disproportionate financial burden, which may fall on the jurisdiction that becomes the site of a facility of a state-wide, regional, or countywide nature.

The essential public facility siting process set forth in LU62 is an interim process. If the CPP FW-32 siting process is adopted through the Growth Management Planning Council (GMPC), the City may modify this process to be consistent with the GMPC recommendations.

- LU62.** Use this interim Siting Process to site the essential public facilities described in LU60 in Shoreline. Implement this process through appropriate procedures incorporated into the SMC.

Interim EPF Siting Process

1. Use policies LU60 and LU61 to determine if a proposed essential public facility serves local, countywide, or statewide public needs.
2. Site EPF through a separate multi-jurisdictional process, if one is available, when the City determines that a proposed essential public facility serves a countywide or statewide need.
3. Require an agency, special district, or organization proposing an essential public facility to provide information about the difficulty of siting the essential public facility, and about the alternative sites considered for location of the proposed essential public facility.
4. Process applications for siting essential public facilities through SMC Section 20.30.330 — Special Use Permit.
5. Address the following criteria in addition to the Special Use Permit decision criteria:

- a. Consistency with the plan under which the proposing agency, special district or organization operates, if any such plan exists;
 - b. Include conditions or mitigation measures on approval that may be imposed within the scope of the City's authority to mitigate against any environmental, compatibility, public safety or other impacts of the EPF, its location, design, use or operation; and
 - c. The EPF and its location, design, use, and operation must be in compliance with any guidelines, regulations, rules, or statutes governing the EPF as adopted by state law, or by any other agency or jurisdiction with authority over the EPF.
- LU63.** After a final siting decision has been made on an essential public facility according to the process described in LU62, pursue any amenities or incentives offered by the operating agency, or by state law, other rule, or regulation to jurisdictions within which such EPF is located.
- LU64.** For EPF having public safety impacts that cannot be mitigated through the process described in LU61, the City should participate in any process available to provide comments and suggested conditions to mitigate those public safety impacts to the agency, special district or organization proposing the EPF. If no such process exists, the City should encourage consideration of such comments and conditions through coordination with the agency, special district, or organization proposing the EPF. A mediation process may be the appropriate means of resolving any disagreement about the appropriateness of any mitigating condition requested by the City as a result of the public safety impacts of a proposal.
- LU65.** Locate essential public facilities equitably throughout the city, county, and state. No jurisdiction or area of the city should have a disproportionate share of essential public facilities. This policy shall not be interpreted to require the preclusion of an essential public facility from any specific locations in the city.

Water Quality and Drainage


- LU66.** Design, locate, and construct surface water facilities to:
- promote water quality;
 - enhance public safety;
 - preserve and enhance natural habitat;
 - protect critical areas; and
 - reasonably minimize significant, individual, and cumulative adverse impacts to the environment.
- LU67.** Pursue state and federal grants to improve surface water management and water quality.
- LU68.** Protect water quality through the continuation and possible expansion of City programs, regulations, and pilot projects.
- LU69.** Protect water quality by educating citizens about proper waste disposal and eliminating pollutants that enter the stormwater system.
- LU70.** Maintain and enhance natural drainage systems to protect water quality, reduce public costs, protect property, and prevent environmental degradation.

- LU71.** Collaborate with the State Department of Ecology and neighboring jurisdictions, including participation in regional forums and committees, to improve regional surface water management, enhance water quality, and resolve related inter-jurisdictional concerns.
- LU72.** Where feasible, stormwater facilities, such as retention and detention ponds, should be designed to provide supplemental benefits, such as wildlife habitat, water quality treatment, and passive recreation.
- LU73.** Pursue obtaining access rights, such as easements or ownership, to lands needed to maintain, repair, or improve portions of the public drainage system that are located on private property, and for which the City does not currently have legal access.

Figure G

Truck Routes

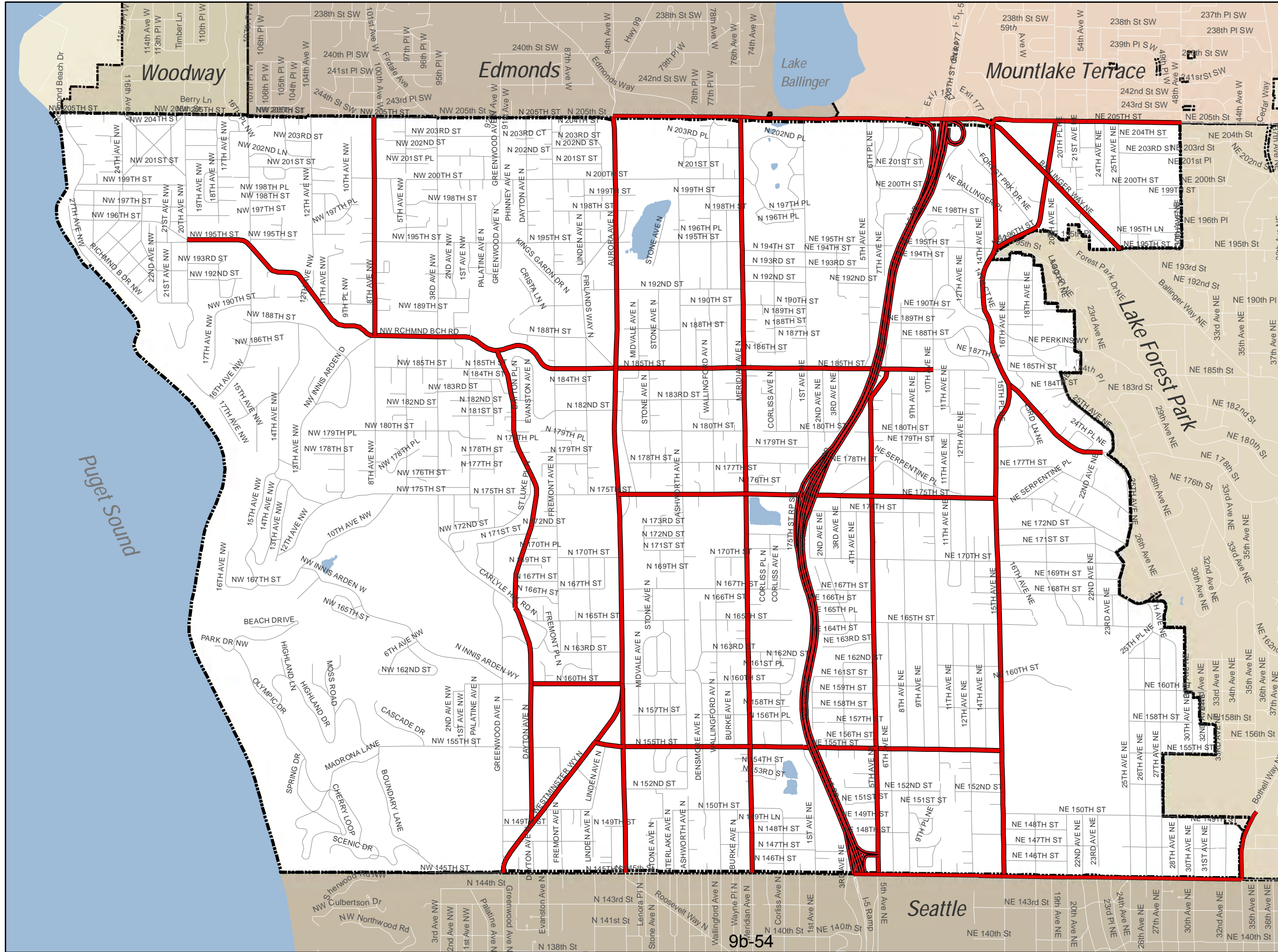
Legend

 Truck Route

0 500 1,000 2,000 3,000

 Feet

1 inch = 1,916 feet



T44. Adopt Level of Service (LOS) D at the signalized intersections on arterials and unsignalized intersecting arterials within the city as the level of service standard for evaluating planning level concurrency and reviewing traffic impacts of developments, excluding the Highways of Statewide Significance and Regionally Significant State Highways (I-5, Aurora Avenue N, and Ballinger Way). Intersections that operate worse than LOS D will not meet the City's established concurrency threshold. The level of service shall be calculated with the delay method described in the Transportation Research Board's Highway Capacity Manual 2010 or its updated versions. Adopt a supplemental level of service for Principal Arterials and Minor Arterials that limits the volume to capacity (V/C) ratio to 0.90 or lower, provided the V/C ratio on any leg of a Principal or Minor Arterial intersection may be greater than 0.90 if the intersection operates at LOS D or better. These Level of Service standards apply throughout the city unless an alternative LOS standard is identified in the Transportation Element for intersections or road segments, where an alternate level of service has been adopted in a subarea plan, or for Principal or Minor Arterial segments where:

- Widening the roadway cross-section is not feasible, due to significant topographic constraints; or
- Rechannelization and safety improvements result in acceptable levels of increased congestion in light of the improved operational safety of the roadway.

Arterial segments meeting at least one of these criteria are:

- Dayton Avenue N from N 175th Street – N 185th Street: V/C may not exceed 1.10
- 15th Ave NE from N 150th Street – N 175th Street: V/C may not exceed 1.10

Adopt level of service standards for transit, walking and bicycling. Maintain the adopted level of service standards until a plan-based multi-modal concurrency approach is adopted that includes motor vehicles, transit, walking and bicycling transportation measures.

Policy PW-13 The City should work with the Town of Woodway, City of Edmonds, and Snohomish County and all other service providers toward adoption of interlocal agreements to address the issues of land use, construction management of, urban service delivery to, and local governance of Point Wells. A joint SEPA lead-agency or other interlocal agreement with the County could assign to the City the responsibility for determining the scope, parameters, and technical review for the transportation component of the County's Environmental Impact Statement prepared for a future project at Point Wells. Under such agreement, this environmental analysis, funded by the permit applicant, could satisfy the policy objectives of the Transportation Corridor Study and Implementation Plan referenced at PW-10.