

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of the 2019 Comprehensive Plan Amendment Docket		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Steven Szafran, AICP, Senior Planner Paul Cohen, Planning Manager Rachael Markle, AICP, Director		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

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

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

This year's Preliminary 2019 Docket was presented to the Planning Commission on February 7, 2019 and contained two (2) City-initiated amendments and two (2) resident-initiated amendments. Ultimately the Planning Commission recommended that the 2019 Docket (**Attachment A**) include the two (2) resident-initiated amendments.

Since the time that the Planning Commission made their recommendation on the 2019 Docket, the City Council received a letter from the 32nd District Legislators (**Attachment B**) requesting that the City Council consider adding an amendment to the 2019 Docket regarding state-owned property that is considered not needed for the future operation of the Fircrest School. This request is for a comprehensive plan amendment and a concurrent rezone. As stated previously, the City Council is the only body that can add an amendment to the 2019 Docket, given that this request was received after the December 1, 2018 deadline.

RESOURCE/FINANCIAL IMPACT:

Amendment No. 1 (1517 and 1510 NE 170th Street Land Use and Zoning) - This is a privately initiated amendment; the applicant has paid the application fees to support the processing of this amendment by staff if the Council approves this item to be on the Docket.

Amendment No. 2 (Update Natural Environment Goal V) - If the work associated with this amendment aligns with Council's adopted Green House Gas Emission reduction targets, then it is likely that this amendment would not significantly change future workplans and resource demands.

New Requested Amendment (Fircrest Campus Excess Property Land Use and Zoning) - If added to the Docket by the Council, this amendment will require staff time from several departments: Planning and Community Development (PCD), Public Works (PW), Parks, Recreation and Cultural Services (PRCS), Administrative Services (ASD), and the City Manager's Office (CMO). Docketing this amendment would likely require adjustments to the City's 2019/2020 Workplan. Consultants are also needed to complete environmental and traffic studies (estimated \$110,000-\$130,000), and possibly assist with the development of planning and outreach materials for a robust community engagement process. The City anticipates resources to be provided by the State and King County to support this effort. The State has also indicated that they will transmit up to five (5) acres of property to the City for community recreation/open space needs.

RECOMMENDATION

No action is required by the Council tonight as this is a Discussion Item. The Planning Commission recommends that the Council approve the Preliminary 2019 Comprehensive Plan Amendment Docket. Staff recommends that the Council amend the Planning Commission's recommendation in response to 32nd District Legislator's request to include a Comprehensive Plan Amendment and Concurrent Rezone on the Docket. Council is scheduled to take final action on the 2019 Docket on April 15, 2019.

Approved By: City Manager City Attorney

BACKGROUND

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

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

Comprehensive Plan amendments usually take two forms: Privately-initiated amendments and City-initiated amendments. This year, the Planning Commission was presented with two City-initiated amendments, which include the two amendments carried over by Council from 2018 (see below) and two privately-initiated amendments.

The Planning Commission has recommended the Preliminary 2019 Docket (**Attachment A**) and the City Council is now tasked with establishing the Final 2019 Docket which will direct staff’s preparation of amendments that will be considered for adoption later this year.

Following the Planning Commission’s action on the Preliminary Docket, the City Council received a request from the 32nd District Legislative Delegation to add an amendment to the 2019 Docket. The 32nd District delegation (Senator Salomon and Representatives Ryu and Davis) submitted a letter dated February 22, 2019 (**Attachment B**). The letter requests the Council to consider adding to the 2019 Comprehensive Plan Docket an amendment related to a portion of the Fircrest Campus. As stated previously SMC 20.30.340(C)(2)(b) permits the City Council to submit an amendment at any time before the final docket is set.

DISCUSSION

The Planning Commission considered the Preliminary 2019 Comprehensive Plan Docket on February 7, 2019 and voted to forward the recommended Preliminary 2019 Docket to the City Council for its consideration in establishing the Final 2019 Docket. The staff report for this Planning Commission meeting can be reviewed at the following link: <http://www.shorelinewa.gov/home/showdocument?id=42358>.

The Planning Commission meeting minutes from the February 7, 2019 meeting are included as **Attachment C** to this staff report.

A description and the Planning Commission’s recommendation for each of the four (4) proposed Comprehensive Plan Amendments is shown below:

Amendment #1 (2018 Carry-Over)

Consider amendments to the Comprehensive Plan related to the annexation of 145th Street (SR523), including amendments for all applicable maps.

Analysis:

Prior to the adoption of the 2018 Docket via Ordinance No. 845 on December 10, 2018, which adopted some, but not all, of the 2018 docketed amendments, the Council carried over this amendment to the 2019 Docket. This amendment has been carried-over on every Docket since 2015 when it was originally proposed.

While the City is currently engaged in the design and environmental evaluation of the improvements to the 145th Street Corridor from Aurora Avenue to Interstate-5, as well as improvements as described in the 145th Street Multimodal Corridor Study (<http://www.shorelinewa.gov/home/showdocument?id=29525>), it is staff's understanding that the City is no longer in active discussions with the City of Seattle to annex the roadway.

Since the process of Seattle de-annexing the street and the City annexing the street could take years, there is no rush or reason to keep including the item on the Docket at this time. When and if the City enters annex negotiations with the City of Seattle for 145th Street, the City can consider adding this (or a similar) item to the docket in a future year.

Planning Commission Recommendation:

The Commission recommends that this amendment **not** be placed on the Final 2019 Comprehensive Plan Docket and therefore is not included on the Preliminary 2019 Comprehensive Plan Docket.

Amendment #2 (2018 Carry-Over)

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 Transportation 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.

Analysis:

Prior to the adoption of the 2018 Docket via Ordinance No. 845 on December 10, 2018, the Council carried over this amendment to the 2019 Docket. This amendment has been carried-over on every Docket since 2013 when it was originally proposed.

The City anticipated that the Richmond Beach Transportation Corridor Study (TCS), as described in Policy PW-12, mitigating adverse impacts from BSRE's proposed urban center development of Point Wells, would be completed in 2018. The TCS was

intended to inform mitigation that would be included in the Environmental Impact Statement for the development. However, the TCS has not been finalized as the City reached an impasse with BSRE's technical staff in determining an appropriate mitigation strategy to meet the City's Level of Service standards. In addition, the future of BSRE's urban center development applications are in question as the applications were terminated by the Snohomish County Hearing Examiner (affirmed by the Snohomish County Council) without further environmental review. As it currently stands, there are no active development permits under review in Snohomish County. Until this uncertainty is resolved, the TCS will not be finalized.

In addition, staff does not see a need to carry over this amendment because Council approved Ordinance No. 845 in 2018 which amended the Point Wells Subarea Plan that addresses some of the work outlined in the proposed carry over amendment. In 2018, Council amended the Point Wells Subarea Plan Policy PW-10 to reflect the rechannelization of Richmond Beach Road corridor from 24th Avenue NW to Dayton Avenue N from four (4) lanes to three (3) lanes. This rechannelization further reduced existing capacity along the corridor from what was available when the Point Wells Subarea Plan was originally adopted. Council added to PW-10 that future development at Point Wells shall not exceed the City's adopted volume to capacity v/c ratio standard of over 0.90. Policy PW-12 was also amended in 2018 to eliminate the option to use a Transportation Corridor Study with a funded mitigation plan to increase the maximum capacity of Richmond Beach Drive between NW 199th Street and NW 205th Street above 4,000 vehicle trips per day.

When and if the property owners prevail on an appeal of prior decisions related to the permits for BSREs proposed development of Point Wells or a new application is submitted to Snohomish County, the City can consider placement of this (or a similar) item on a future docket if necessary.

Planning Commission Recommendation:

The Commission recommends that this amendment **not** be placed on the Final 2019 Comprehensive Plan Docket and therefore is not included on the Preliminary 2019 Comprehensive Plan Docket.

Amendment #3 (Privately-Initiated)

Change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and Change the Zoning from Residential, 8 units/acre (R-8) to Community Business (CB) of Two Parcels at 1510 and 1517 NE 170th Street.

Analysis:

This is a privately-initiated amendment (**Attachment D**) that seeks to change the Land Use Designation (**Attachment E**) and zoning (**Attachment F**) of two parcels located at 1517 and 1510 NE 170th Street. This proposed amendment seeks to change the Land Use Designation from Medium Density Residential (MDR) to Mixed-Use 2 (MU2) and rezone the property from Residential, 8 units/acre (R-8) to Community Business (CB) consistent with the land use designation.

The applicant for this amendment, Iron Brothers Construction, has been operating a remodeling and construction services office at 1510 NE 170th Street since 2008. It is a violation of the Shoreline Municipal Code to operate this type of business at this location as the property is zoned R-8. The property owner has elected to request a Comprehensive Plan amendment and concurrent rezone to Community Business to correct this violation with the goal of allowing continued operation of the business at this location. The applicant has also purchased the property at 1517 NE 170th Street with the intent of using the site for residential dwellings and storage, including vehicles for Irons Brothers Construction. This site is also zoned R-8, and the applicant is including this property in their request. The site is located between existing commercial uses that front 15th Avenue NE and single-family neighborhoods to the east (**Attachment G**).

Land Use Policy 2 (LU2) in the Comprehensive Plan is as follows:

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.

The subject parcels at 1517 and 1510 NE 170th Street are zoned R-8 to implement Policy LU2. The R-8 zone allows for a mix of single-family homes, duplexes, triplexes, townhomes, and community facilities. The R-8 zone does not permit general retail trade/services or office uses, which best describe the current and proposed uses at 1517 and 1510 NE 170th Street.

In order to permit the continued operation of the business, the applicant is seeking to amend the land use designation from Medium Density Residential to Mixed-Use 2 (MU2) with a concurrent rezone to Community Business (CB). Land Use Policy10 (LU10) in the Comprehensive Plan is as follows:

The Mixed-Use 2 (MU2) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses. It does not 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. 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.

General retail trade/services or office uses are permitted in the CB zone. The subject properties also border CB zoned property to the west.

Amendment #3 dominated the discussion and comment portion of the Commission's February 7th meeting. Seventeen (17) people spoke at the public comment portion of the meeting and the Commission received over 50 comment letters. Comments from the public were mostly in opposition to the application and included concerns about commercial zoning and commercial land uses creeping into residential neighborhoods, the applicant's business being a violation in an R-8 zone, employee traffic and the parking of commercial vehicles in the neighborhood, and hours of operation and noise

in a residential zone. Some supportive comments about the application included the business owners as valued members of the community, the Iron Brothers being a reputable business to work for and appreciation for the quality of their remodeling work. Written comments can be reviewed at the following link:

<http://www.shorelinewa.gov/Home/Components/Calendar/Event/13986/182?toggle=allpast>.

Oral comments provided at the February 7, 2019 meeting are reflected in the Minutes of that meeting (Attachment C) and video of that meeting, which can be reviewed at the following link: <http://www.shorelinewa.gov/government/departments/planning-community-development/planning-commission/live-and-video-planning-commission-meetings>.

If Council elects to adopt the Planning Commission's recommendation to include this amendment on the Docket, staff will study the issue and provide the Planning Commission a recommendation later this year on whether the amendment and concurrent rezone should be approved. The Planning Commission will then make a recommendation to the City Council. As such, placing this amendment on the Docket does not approve a change in land use or zoning, but indicates that the Council would like staff to spend time analyzing the issue and develop a recommendation for the Planning Commission and Council's consideration later this year.

Planning Commission Recommendation:

The Commission recommends that this amendment be placed on the Final 2019 Comprehensive Plan Docket.

Amendment #4 (Privately-Initiated)

Update Natural Environment Goal V by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels.

Analysis:

This is a privately-initiated amendment to amend Natural Environment Goal V (**Attachment H**) which currently states:

Protect clean air and the climate for present and future generations through reduction of greenhouse gas emissions, and promotion of efficient and effective solutions for transportation, clean industries, and development.

The proposal will amend NE Goal V to read:

Protect clean air and the climate for present and future generations through reduction of by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels, and promotion of efficient and effective solutions for transportation, clean industries, and development.

The proposed amendment is in response to recent reports showing the dire consequences of allowing global warming to increase higher than 1.5° C above pre-industrial levels. The City of Shoreline signed a joint letter in 2014 committing to

greenhouse gas reduction goals contained in the King County Cities Climate Collaboration document. In addition, the City's Climate Action Plan has a goal of limiting greenhouse gas emissions to 2° C of global warming above pre-industrial levels. This amendment seeks to update and make consistent the City's emission goals with those adopted through the Paris Agreement. The Paris Agreement's long-term goal is to keep the increase in global average temperature to well below 2° C above pre-industrial levels; and to limit the increase to 1.5° C, since this would substantially reduce the risks and effects of climate change.

Planning Commission Recommendation:

The Commission recommends that this amendment be placed on the Final 2019 Comprehensive Plan Docket.

New Requested Amendment

Amend Comprehensive Plan Figure LU-1 Land Use Designations to change the portion of the Fircrest Campus that has been determined by the Department of Social and Health Services (DSHS) to be surplus to the operation and support of the Residential Habilitation Center (RHC) from "Campus" to "Mixed Use 2". Additionally, the City's Official Zoning Map would be amended to change the surplus Fircrest property from Fircrest Campus Zone (FCZ) to Neighborhood Business or Community Business to implement the proposed "Mixed Use 2" land use designation. References in the Comprehensive Plan and Development Code to the acreage of the Fircrest Campus and maps would also need to be amended to reflect the removal of the surplus property from the total acreage of the Campus.

Analysis:

DSHS has determined that portions of the Fircrest Campus are no longer needed to support the mission and services of the Fircrest RHC. This property is referred to by the State as "underutilized property". Representatives from the City, State legislators and representatives from DSHS and the Department of Natural Resources (DNR) have recently been discussing the future use of the underutilized property. Such uses as multi-family housing affordable to a mix of incomes; City recreation and open space; and commercial uses, specifically uses that would create living wage jobs, were discussed. The underutilized property is designated in the Comprehensive Plan as a Campus and zoned Fircrest Campus Zone which limits the future use of the underutilized property.

At the February 4, 2019 Council meeting, Council discussed how various land use options and processes could be used to redefine uses for the underutilized property at Fircrest. The February 4, 2019 Council staff report can be found at the following link: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport020419-9a.pdf>.

Council provided staff direction following that meeting to continue discussions with the State about the future use of underutilized property on the Fircrest Campus. Council also relayed to staff that Council was not yet interested in taking the lead to amend the land use and zoning for the underutilized property unless there was a public benefit to doing so, such as a property transfer to the City of land that could be used to meet the

community's park, recreation and open space needs. Council expressed that if the State requested a change in land use designation and zoning, that they would need to subdivide the underutilized property from the Fircrest Campus. Council indicated that if these uncertainties could be resolved Council may consider a role in changing the land use designation and zoning for the underutilized property.

Since the February 4th meeting, staff continued to work with staff supporting the State legislators, DSHS and DNR to address the concerns raised by Council. The City Council met with the 32nd District Legislators for a Dinner Meeting on February 15th to discuss the City's State Legislative Priorities. The City's Legislative Priorities includes "Monitor activity both in the legislature and executive branch relating to Fircrest operations and the potential for redevelopment of underutilized property on the campus." At that meeting, the 32nd District Legislators indicated that they would be requesting that the Council consider initiating a Comprehensive Plan Amendment and concurrent rezone to change land use designations and zoning on underutilized state owned property to provide for residential and commercial opportunities. The Legislators also indicated that they would stipulate that there should be a property transfer to the City, up to five (5) acres of land, to use for community recreational purposes.

The 32nd District delegation (Senator Salomon and Representatives Ryu and Davis) submitted a letter dated February 22, 2019 expressing the delegation's support for the underutilized state-owned lands on the Fircrest campus to be used for mixed income, mixed use development of affordable housing; open space, a community garden and a dog park; and as for a family-wage job center. The letter ends with a request for the Council to consider docketing an amendment to the Comprehensive Plan with a concurrent rezone for the underutilized property on the Fircrest Campus (**Attachment B**).

Planning Commission Recommendation:

This amendment was not presented to the Planning Commission and therefore, no recommendation has been provided.

Council Request:

Mayor Hall has requested staff to prepare a motion for Council to place an amendment on the Docket as requested by the 32nd District Legislators. This motion will be included in the April 15th Staff Report for Adoption of the 2019 Comprehensive Plan Docket.

Staff Recommendation:

The request by the 32nd District Legislators, in conjunction with their commitment to have up to five acres of land transferred to the City for recreation purposes, appears to meet the conditions discussed by the City Council on February 4th. As such, staff recommends that Council add the amendment requested by the 32nd District Legislators to the Docket as part of the April 15th Docket adoption process.

RESOURCE/FINANCIAL IMPACT

Amendment No. 1 (1517 and 1510 NE 170th Street Land Use and Zoning) - This is a privately initiated amendment; the applicant has paid the application fees to support the processing of this amendment by staff if the Council approves this item to be on the Docket.

Amendment No. 2 (Update Natural Environment Goal V) - If the work associated with this amendment aligns with Council's adopted Green House Gas Emission reduction targets, then it is likely that this amendment would not significantly change future workplans and resource demands.

New Requested Amendment (Fircrest Campus Excess Property Land Use and Zoning) - If added to the Docket by the Council, this amendment will require staff time from several departments: Planning and Community Development (PCD), Public Works (PW), Parks, Recreation and Cultural Services (PRCS), Administrative Services (ASD), and the City Manager's Office (CMO). Docketing this amendment would likely require adjustments to the City's 2019/2020 Workplan. Consultants are also needed to complete environmental and traffic studies (estimated \$110,000-\$130,000), and possibly assist with the development of planning and outreach materials for a robust community engagement process. The City anticipates resources to be provided by the State and King County to support this effort. The State has also indicated that they will transmit up to five (5) acres of property to the City for community recreation/open space needs.

RECOMMENDATION

No action is required by the Council tonight as this is a Discussion Item. The Planning Commission recommends that the Council approve the Preliminary 2019 Comprehensive Plan Amendment Docket. Staff recommends that the Council amend the Planning Commission's recommendation in response to 32nd District Legislator's request to include a Comprehensive Plan Amendment and Concurrent Rezone on the Docket. Council is scheduled to take final action on the 2019 Docket on April 15, 2019.

ATTACHMENTS

- Attachment A – Planning Commission Recommended 2019 Comprehensive Plan Amendment Docket
- Attachment B – February 22, 2019 letter from the 32nd District Delegation
- Attachment C – February 7, 2019 Planning Commission Meeting Minutes
- Attachment D – Amendment #3 Application Proposal
- Attachment E – Amendment #3 Comprehensive Plan Map
- Attachment F – Amendment #3 Zoning Map
- Attachment G – Amendment #3 Vicinity Map
- Attachment H – Amendment #4 Application Proposal



2019 COMPREHENSIVE PLAN AMENDMENT DOCKET AS RECOMMENDED BY THE PLANNING COMMISSION

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.

Proposed 2019 Comprehensive Plan Amendments

1. Change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and change the Zoning from Residential, 8 units/acre (R-8) to Community Business (CB) of Two Parcels at 1510 and 1517 NE 170th Street.
2. Update Natural Environment Goal V by limiting greenhouse gas emissions to 1.5° C of global warming above pre-industrial levels.

Estimated timeframe for Council review/adoption: September 2019.



Legislative Building

Washington State Legislature

Olympia, WA 98504-0600

February 22, 2019

The Honorable Will Hall
Shoreline Mayor
17500 Midvale Avenue N
Shoreline, WA 98133-4905

Re: The Fircrest Campus

Dear Mayor Hall and Members of the Shoreline City Council:

We are writing to discuss the uses of state property on the Fircrest campus in Shoreline. Under state law, designated state agencies must identify under-utilized state-owned land suitable for the development of affordable housing. The Department of Social and Health Services has determined that a portion of state-owned land on the Fircrest campus is no longer needed for operating the Fircrest School and that property has a strong potential as a site for affordable housing.

We are particularly interested in affordable housing and with the surplus property determination in mind, we would like to express our support for the following uses of underutilized state-owned lands on the Fircrest campus:

- Promote the mixed-income, mixed-use development of affordable housing on underutilized state property at Fircrest.
- Ensure community benefit with open space, a community garden, and a dog park.
- Create conditions for the development of a family-wage jobs center.

As the re-visualization of the Fircrest campus takes place, we reaffirm our support for the Fircrest School and maintaining, in perpetuity, the only campus-based residential community within the Seattle urban corridor providing medical care and support services for people with intellectual and developmental disabilities. As a community, we must continue care and services for our most vulnerable citizens, and the safety, health, and well-being of Fircrest residents remains a priority.

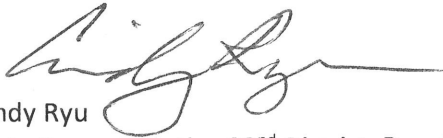
To begin the community engagement process, we respectfully request the Council direct a comprehensive plan amendment with a concurrent rezone be added to the 2019 docket.

Specifically, we ask that you amend the Comprehensive Plan Figure LU-1 Land Use Designations to change the portion of the Fircrest Campus that has been determined by the Department of Social and Health Services (DSHS) to be surplus to the operation and support of the Residential Habilitation Center (RHC) from "Campus" to "Mixed Use 2". Additionally, amend the City's Official Zoning Map to change the surplus Fircrest property from Fircrest Campus Zone (FCZ) to Neighborhood Business or Community Business to implement the proposed "Mixed Use 2" land use designation. Amend references in the Comprehensive Plan and Development Code to the acreage of the Fircrest Campus and maps to reflect the removal of the surplus property from the total acreage of the Campus.

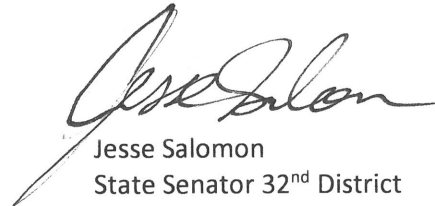
Comprehensive Plan and Development Code to the acreage of the Fircrest Campus and maps to reflect the removal of the surplus property from the total acreage of the Campus.

Finally, we would like to create a strong partnership with the city and community as we reimagine the future uses of under-utilized, state-owned property at Fircrest for affordable housing and community benefit. We stand ready to take legislative action to promote and support the development of mixed-income, mixed-use affordable housing with community benefit on under-utilized property at Fircrest. Please advise us regarding the Council's desired level participation in the planning process as we plan for the future uses at Fircrest.

Sincerely,



Cindy Ryu
State Representative 32nd District, Pos. 1



Jesse Salomon
State Senator 32nd District



Lauren Davis
State Representative 32nd District, Pos. 2

Cc:

Honorable Doris McConnell, Deputy Mayor
Honorable Susan Chang, Councilmember
Honorable Keith McGlashan, Councilmember
Honorable Chris Roberts, Councilmember
Honorable Betsy Robertson, Councilmember
Honorable Keith Scully, Councilmember
Debbie Tarry, City Manager
Nathan Daum Economic Development Program Manager
Jim Hamond Intergovernmental/CMO Program Manager

DRAFT

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

February 7, 2019
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Vice Chair Mork
Commissioner Craft
Commissioner Davis
Commissioner Maul
Commissioner Malek

Staff Present

Rachael Markle, Director, Planning and Community Development
Paul Cohen, Planning Manager, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Julie Ainsworth-Taylor, Assistant City Attorney
Carla Hoekzema, Planning Commission Clerk

Commissioners Absent

Chair Montero
Commissioner Lin

CALL TO ORDER

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

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Vice Chair Mork and Commissioners Craft, Davis, Maul and Malek. Chair Montero and Commissioner Lin were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of January 17, 2019 were approved as amended.

GENERAL PUBLIC COMMENT

Vice Chair Mork reviewed the rules and procedures for public comment and then invited comments from the audience. No one indicated a desire to participate during this portion of the meeting.

STUDY ITEM: DRAFT 2019 COMPREHENSIVE PLAN DOCKET

Mr. Szafran reviewed that the State Growth Management Act (GMA) limits review of proposed Comprehensive Plan Amendments to no more than once a year. To ensure the public can view the proposals within a Citywide context, the GMA directs cities to create a docket or list of the amendments that may be considered in the “once a year” review process. There are four proposed amendments on the 2019 docket (Attachment A). He explained that anyone can propose an amendment for the docket, which is simply a list of the proposed amendments collected during 2018. Items on the docket have not been analyzed or evaluated. The purpose of the study session is for staff to introduce the proposed amendments and for the Commission to forward a recommendation to the City Council on whether each of the amendments should be included on the docket for consideration in 2019. The City Council will ultimately decide which amendments will be included on the docket. Items on the final docket will be brought back to the Commission later in the year for discussion, a public hearing, and a recommendation to the City Council. The City Council will make the final decision. He reviewed each of the amendments as follows:

- **Proposed Amendment 1. *Consider amendments to the Comprehensive Plan related to the 145th Street annexation, including amendments for all applicable maps.*** This amendment has been carried over on every docket since 2015. The annexation of 145th Street is no longer an active discussion with the City. Since the process of Seattle de-annexing the street and the City of Shoreline annexing the Street could take years, there is no rush or reason to keep this amendment on the docket at this time. Staff recommends it not be placed on the 2019 Docket.
- **Proposed Amendment 2. *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.*** This amendment has to do with the Richmond Beach Transportation Corridor Study as described in Policy PW-9 in the Point Wells Subarea Plan. The amendment was first proposed in 2013 and has been carried over every year since. The City anticipated that the corridor study would be completed before now, but the future of BSRE’s Urban Center Development is in question, as the applications were terminated by the Snohomish County Hearing Examiner and affirmed by the Snohomish County Council without further environmental review. As it currently stands, there are no active development permits under review in Snohomish County, and staff believes it is unnecessary to include the amendment on the 2019 Docket. If any new applications were to come on line, the amendment could easily be added back on the docket. Staff is recommending it not be placed on the 2019 Docket.
- **Proposed Amendment 3. *Change the land use designation and zoning of two parcels at 1510 and 1517 NE 170th Street.*** This is a privately-initiated amendment that seeks to change the land use for the two parcels from Medium-Density Residential (MDR) to Mixed-Use 2 (MU-2) and the zoning from Residential 8 (R-8) to Community Business (CB). The applicant is seeking to align the land use designation and zoning with the existing use of the subject parcels. The current MDR land use designation allows both R-8 or R-12 zoning, but the current use on the subject parcels would not be allowed in either of those zoning types. Properties to the west of the subject parcels are designated as CB, and the properties to the east as MDR. Properties further east beyond the MDR designation, are designated as Low-Density Residential (LDR). The LDR properties are currently zoned R-8 and R-6. He shared photographs to illustrate the existing development on

surrounding properties. Staff recommends that the amendment be added to the 2019 Comprehensive Plan Docket.

- **Proposed Amendment 4. *Amend Natural Environment Goal NE-V.*** This privately-initiated amendment is in response to recent reports showing the consequences of allowing global warming to increase higher than 1.5°C above pre-industrial levels. The City signed a joint letter in 2014 committing to greenhouse gas reduction goals contained in the King County Cities Climate Collaboration Document. In addition, the City's Climate Action Plan has a goal of limiting greenhouse gas emissions to 2°C of global warming above pre-industrial levels. The proposed amendment seeks to update and make consistent the City's emission goals with those adopted through the Paris Agreement. Staff recommends that this amendment be added to the 2019 Docket.

Mr. Szafran summarized that staff does not recommend including Amendments 1 and 2 and recommends including Amendments 3 and 4 on the draft docket. Amendments 1 and 2 are no longer necessary as described in the Staff Report. Staff does recommend including Amendment 3. However, as a privately-initiated amendment, the applicant will be responsible for the cost of staff time, and the resolution of this code enforcement issue has already been identified as part of the staff's work load. Although staff hasn't completed analysis for Amendment 4, it does appear to align with the City's Climate Action Plan and Sustainability Goals. Staff does not anticipate the amendment will consume additional staff resources to process.

Mr. Szafran invited the Commission to make a recommendation to the City Council on which proposed amendments should be included on the 2019 Final Comprehensive Plan Amendment Docket. The City Council will discuss the Commission's recommendation on March 18th and establish the final docket on April 1st. He emphasized that the docketing process should not be construed as approval or denial of any of the amendments. The Commission is simply being asked to make a recommendation on which amendments should be studied in 2019. It is only after the final docket has been established that the amendments will be studied, analyzed and considered for potential adoption by the end of 2019.

Commissioner Craft asked staff to clarify the code enforcement component of Amendment 3. Mr. Cohen explained that the City issued a code enforcement violation to the property owners regarding the current use of the property, giving them three options for resolution. One option was to apply for a Comprehensive Plan amendment and rezone. The other options included removing the use from the property or reducing the use of the space to comply with the home occupancy standards.

Lee Keim, Shoreline, said she has lived in the Briercrest Neighborhood for 30 years and was present to comment on Proposed Amendment 4. As a college freshman in 1970 (the year of the very first Earth Day), she learned about ecosystems and the importance of protecting the environment. The things she learned have informed her activities since that time. There has been tremendous progress in environmental safeguards since 1970, but we have not prepared ourselves for the greatest threat our world faces today, which is global warming and climate change.

Ms. Keim pointed out that the Intergovernmental Panel on Climate Change Report to the United Nations, as required in the Paris Agreement, highlights the consequences of allowing global warming annual average temperatures to increase higher than 1.5°C above pre-industrial levels. The report warns that, at

the current rate of global warming, the earth is likely to reach this level in the next 12 to 30 years. The report also indicates that allowing global warming to rise 2°C will risk the health, livelihood, food security, water supply, and personal and economic security of generations to come. This possible scenario is so alarming to her that she feels compelled to speak out. It is unimaginable that leaders would not do everything they could to prevent these catastrophes.

Ms. Keim advised that the Natural Environment Element of the City's Comprehensive Plan contains *"goals and policies necessary to support the City's responsibility for protection of the natural environment."* Her proposal adds a specific and quantifiable limit to the greenhouse gas emissions in the City. She expressed her belief that this commitment will resonate with the residents of the City, and the City will be acknowledging the most current scientific facts and stating clearly that it will act to avoid the most devastating impacts of climate change for future generations. She asked that the Commission recommend Amendment 4 for the 2019 Comprehensive Plan Amendment Docket.

Justin Sakounthong, Shoreline, said he and his wife moved to their home on 15th Avenue NE in 2015 with the hopes of starting their family. They chose the neighborhood because of the convenient retail opportunities to the north. While he enjoys watching people walk to the businesses, he is concerned that the street is not designed to accommodate the higher level of traffic associated with the MU-2 land use designation and CB zoning. Currently, 15th Avenue NE feels like a neighborhood street, and rezoning the property would change that forever. If the current business on the subject parcels moves away, the proposed CB zoning would allow a variety of uses. He does not want to jeopardize the neighborhood's character and safety.

Mark Rettmann, Shoreline, said he was present to speak on behalf of the Save Shoreline Neighborhoods Group. He said he currently lives directly adjacent to the parcels that are the subject of Amendment 3. He asked the Commissioners how they would like to have residential properties next to their homes and for their neighborhoods to be permanently rezoned to allow any type of business. He asked how they would like all of the associated traffic, noise, odor, air quality, light, glare, toxic and hazardous chemical exposures, visual and other environmental impacts, increased risk of fire and explosion, social justice impacts, and many more dropped on their doorstep. He said that is what the residents on or near NE 170th Street face if Amendment 3 is approved.

Mr. Rettmann suggested that the Commission consider the proposed amendment from both a short and long-term perspective. According to the City's Comprehensive Plan, over 19% of the City's land area is available for commercial business. He said the Save Shoreline Neighborhoods Group is comprised of more than 60 neighbors, citizens and voters, as well as the North City Neighborhood Association. The group was able to identify many opposing residents by one morning's walk of a small area of the neighborhood. They will continue public outreach and anticipate many more opponents if the amendment goes forward to the City Council. Not everyone was able to attend the meeting for a variety of reasons, and he and his wife had to miss their son's music concert in order to attend the meeting and defend and save their neighborhood. He asked those in the audience who oppose the rezone to stand up or raise their hand. He summarized that he submitted written comments on behalf of the group, and the City received a number of additional comments that were not associated with the group. All of the comments demonstrate why Proposed Amendment 3 must be rejected. They need to keep the residential neighborhoods residential.

Mr. Rettmann summarized that there is absolutely no merit to the proposal, as it would only benefit one company that was caught violating laws continuously, as they have been illegally operating a business on one residential parcel for at least 11 years and recently started a commercial business on a second residential parcel. The neighbors did not know that the property was not zoned to allow commercial business uses. However, the applicant cannot claim ignorance or that they didn't know, as they should be well versed in codes and laws if they follow them for their construction projects. Furthermore, the applicant has the audacity to protest the rezone fee and ask that the City process the amendment application for free, at the taxpayer's expense. The amendment has been proposed to fix the position the applicants (Irons Brothers Construction) put themselves in by the illegal activities on residential properties.

Mr. Rettmann asked that the City enforce the existing zoning laws and hold violators accountable. He cautioned against setting a precedent of changing the rules for all future violators. All of the proposal materials thus far demonstrate misrepresentations and inaccuracies of what the applicant has done and is doing, what the community likes, and what they think will benefit the community. He questioned why the neighborhood should be impacted by the applicant's ongoing, willful, illegal actions. He urged the Commission to keep the neighborhood residential. Based on his information, there are only two options for code enforcement on the subject parcels, the proposed amendment and rezone or compliance with current zoning. The amendment would be a permanent change that adversely affects the neighborhood forever. It would allow any business, including marijuana shops, gas stations, utility yards, night clubs, motels, car rentals, repair shops and mega condominiums. All of these uses would have significant adverse impacts and residents do not want them. Don't hurt the good of the many law-abiding neighbors for the benefit of one business that seeks to continue their illegal operations. He asked that they reject the proposal.

Kristy Rettman, Shoreline, said she has lived on NE 170th Street since 2008 and is opposed to Amendment 3. The City recognizes that the applicants have been operating a business (Irons Brothers Construction) out of an office that was converted from two apartments since 2004, yet they have been allowed to continue to do so for 15 years. Regardless of what the applicants say, if Amendment 3 is approved, nothing would stop them from applying for a permit to develop the property for any use allowed in the CB zone. If the property is sold, a developer could aggregate lots and construct a large commercial building or large apartment building. She urged the Commission to think about all future development possibilities when making a decision on a permanent rezone of residential lots. She said she likes small community businesses, but they should not be allowed to encroach into peaceful residential neighborhoods simply because they have overgrown their current location and it is easier to ask for a rezone than to relocate. She believes, as do most of the residents she has recently talked to, that community businesses that grow as large as Irons Brothers Construction should move to an appropriate commercial zone and not take away residential lots. She concluded that the noise, congestion and environmental impacts of the growing business are incompatible with a peaceful street. She asked that the Commission reject the rezone application and propose another appropriate solution other than a permanent loss of residential property.

Kimberly Steele, Shoreline, said she has been a resident of Shoreline for over 20 years and currently operates an in-home childcare business. She has been involved in the community as she raised her own children and as she serves the children in her care. She voiced concern that if Amendment 3 is approved,

future use of the property could greatly affect the neighborhood families and children in various ways. She voiced opposition to Amendment 3.

Brian Ellsworth, Shoreline, said he has lived in the neighborhood near NE 170th Street since 1997 and owns the first R-6 zoned lot east of the buffer zone (R-8). He commented that regardless of the intentions of the current landowners, he is concerned about the finality of rezoning the properties to CB. Given what is already taking place in the area, the proposed rezone would open the potential to create a huge parcel (57,000 square feet) for sale and redevelopment. He pointed out that a 240-unit apartment complex is currently being developed across from Safeway, and the neighborhood is already nervous about impacts associated with parking, speeding, and traffic in general. If approved, the rezone would allow the current owners to sell the properties so they can be aggregated with others and redeveloped.

Synth Hoffman, Shoreline, said he is a resident of Seattle and operated a small business on NE 170th Street until 2012 when he was told he would no longer be able to operate a commercial use on the site. At the time, he was given numerous reasons why, including environmental impacts and traffic congestion. Allowing Irons Brothers Construction to change the zoning brings up the question of what will become of 15th Avenue NE and how commercial it will become. The residential property owners want to keep their small community intact. If the current wastewater site changes, there will be a variety of new possibilities. If the rezone proposed in Amendment 3 is approved it will take away from what Shoreline has been able to hold onto for so long.

Allison Sakounthong, Shoreline, said she and her husband previously lived in Seattle, but decided to move to Shoreline because it was more affordable and they liked the small community feel and less traffic. She is worried that Amendment 3 would end up creating the same craziness they moved away from in Seattle. She suggested that rather than rezoning the subject parcels to allow Irons Brothers Construction to expand, a better option would be for them to relocate to somewhere more appropriate. She said she is opposed to proposed Amendment 3.

Kelly Martinez, Shoreline, read a letter into the record on behalf of her neighbor, Ramona Curtis, who has lived on NE 170th Street for 30 years. Ms. Curtis' letter voiced opposition to the proposed rezone on NE 170th Street (Amendment 3). She has good neighbors who talk, share, work and play together. She would like the neighborhood to stay as it is. She understands that growth is necessary, but not in the residential neighborhoods. In some of the applicants' information, they talk about what good neighbors are. However, it is important to understand that they are not neighbors and do not live in the neighborhood. They run a business from a lot that is zoned R-8. When the applicants purchased the property in 2005, it was not zoned for business. However, the City issued a variance that allowed the business to continue. This was the first step in changing the neighborhood. Now the applicants have purchased property across the street, also zoned R-8 and started to expand their business. They are out of compliance and behaving like they can break the rules and then have the City change the zoning so their use is in compliance. If the applicants' business is so successful, perhaps they need to find another location that is currently zoned for the purposes of their business. The zoning should not be changed to correct the City's map to be consistent with a use that was illegal to begin with.

Julia Boyd, Shoreline, said Iron Brothers Construction did the remodel of her home in the Briercrest Neighborhood before she moved in six years ago. Since that time, they have done a number of smaller

projects for her, as well, and she has found their workmanship, integrity and communication skills to be outstanding. They do a lot of volunteer work in the community, too. She wishes other businesses would follow their model. She is in favor of Amendment 3 so the applicant's business can remain on the site and continue to be an asset to the community.

Cody Ross, Lake Forest Park, said he is an employee of Irons Brothers Construction and grew up in Shoreline before serving 10 years in the Marine Corps. One of the main reasons he works for Irons Brothers Construction is because of their continued community service (Rampathon, Painting a Better Tomorrow, Shoreline Earth Day, etc.). He would like the business to continue to operate in its current location. While he understands the neighbors' concerns, the impacts will not be as grave as they make it sound.

Matt Behring, Shoreline, said he lives in Shoreline and has worked at Irons Brothers Construction for three years. He has not worked for anyone more principled or honest than the Irons Brothers Family. They frequently give back to the community, and one example is the bird houses they help kids build at the arts festival. Their service enriches the community in wonderful ways. A decision to not even study Amendment 3 would be a disservice to a company that is trying to do all the right things.

Yoshiko Saheki, Shoreline, expressed very strong opposition to Amendment 3. She recalled that the City recently upzoned her Parkwood Neighborhood saying that it would benefit the future of Shoreline. The Planning Commission and City Council paid little or no attention to the compromises she proposed to the MUR-45' zone so that she could keep her forever home. In the end, in order to live in a more traditional neighborhood, she was forced to relocate to another home. She studied the zoning map prior to purchasing her current home in North City, which is about two blocks away from the subject parcel of Amendment 3. She voiced concern that the proposed amendment could be the start of "upzoning creep," and owners of adjacent parcels will ask for the same.

Ms. Saheki explained that the current R-8 zoning serves as a transition between the businesses along 15th Avenue NE and the R-6 homes to the east, and that is how zoning should work. She vehemently disagrees with the Staff Report that states that the proposed rezone would not be materially detrimental. To the contrary, reducing the transition would be most detrimental and the rezone has absolutely no merit or value to the surrounding R-6 neighborhood. If the applicants are such good neighbors, they would not ignore City code and run a business in a residential neighborhood. In fact, if they can ignore City code, she is wondering if she should have just ignored the MUR-45' rezone and done as she pleased to her home in Parkwood. If the amendment goes through, the best she can hope for is that she can sell what was to be her new forever home for what it cost her to move and remodel. In that case, she will never buy another home in Shoreline because the zoning maps cannot be trusted.

Michelle Chiu, Shoreline, said she was present to discuss Amendment 3 from both a legal and urban planning perspective. According to a Washington State case in 1983, the proposed amendment can potentially be considered "spot zoning," which refers to singling out a larger area or district surrounded by zoning of other kinds of land uses that are inconsistent with the classification of the area. In addition, the proposed amendment is the antithesis of urban planning because it is not consistent with the Comprehensive Plan. According to the Comprehensive Plan that was adopted in 2001, all the commercial activities were planned to the north of NE 172nd Street. The subject parcels are located south on NE 170th

Street. She expressed opposition to proposed Amendment 3 and encouraged the Planning Commission to consider the legality of the amendment, together with its potential impacts to long-term urban planning.

Joseph Irons, Shoreline, said he lives in the Parkwood Neighborhood and also considers himself a resident of North City. He commented that not all of the information provided by previous speakers is true. He said Irons Brothers Construction is a proud member of the community and works hard to do philanthropy to benefit the local citizens. For example, they provide the materials and labor to bring birdhouses to kids at the arts festival and build ramps for Shoreline families at no cost. They have worked hard to give back to the community. A lot of people have voiced concern about what could potentially happen if the property is rezoned, but that is not his intent. They never operated with the intention of not following the rules, and when they learned they were not allowed to operate the business in its current location, they requested a waiver because the \$26,000 application fee is a huge hardship for his business and family. Consulting fees would result in additional costs. Regarding the comment that, as a construction company, he should have known the rules, he noted that Irons Brothers Construction does remodeling, which doesn't involve zoning issues.

Mr. Irons pointed out that a dance studio was operating on the subject parcel until the night before he closed on the purchase. The property has been operating as a business as long as he has owned it, and he thought they were getting all of the necessary permits and operating according to code. The only complaint he knew about was related to parking, and it was resolved quickly. He said he doesn't want to change anything with his business. He applied for Amendment 3 after learning from the City that his business simply outgrew what is allowed in the current zone. They were advised that the next step would be to either relocate the business or request an amendment to the Comprehensive Plan and zoning. They don't want to move the business out of Shoreline. They want to be good neighbors and community members.

Venetia Irons, Shoreline, said her parents do not want to move their business because they love Shoreline. They are very happy with the business and it is part of their family and life. They also contribute to the Shoreline Arts Festival, Painting a Better Tomorrow, Rampathon, Earth Day and more. They are very nice to their customers and they love the neighbors.

Mark Rettmann, Shoreline, noted that according to the Comprehensive Plan, over 19% of Shoreline is already available for commercial business uses, and a good community member would move into appropriate zoning to run their business. A lot of community events are good tax write-offs. He said he purchased his home next to the subject parcels to raise his family, and he has been working hard with his neighbors to protect and save their neighborhood. They want to live in a neighborhood and not in a commercial business zone. His family and neighborhood should not be impacted to fix the applicants' legality problems and violations that they created themselves. Other businesses have to follow the rules, and the applicant should not get special treatment for not following the rules. He emphasized that the change proposed in Amendment 3 would be permanent and allow many different business uses that are incompatible with residential neighborhoods. All these businesses bring impacts to neighborhoods, including traffic, noise, odor, air quality, light glare, invasion of privacy by existing security cameras filming his back yard and children without consent, increased risk of fire explosion, social justice issues, decreased property values and demand, etc.

Ramona Curtis, Shoreline, said she has lived on NE 170th Street for 30 years. She suggested the issue is not whether or not Irons Brothers Construction is a good company. They do wonderful work. But the Commission must consider that the properties are part of a neighborhood that is zoned R-8. They want to keep it that way.

Vice Chair Mork explained that, at this time, the Commission is not being asked to make a recommendation to either approve or deny the amendments. The Commission's recommendation should be whether or not to include the amendments on the 2019 Docket for further study.

Commissioner Davis thanked those who attended the meeting and provided testimony. It shows the Commission that the residents of Shoreline are active, good citizens who care about where they live. Vice Chair Mork concurred.

COMMISSIONER MAUL MOVED THAT COMMISSION FORWARD A RECOMMENDATION TO THE CITY COUNCIL THAT AMENDMENTS 3 AND 4 BE INCLUDED ON THE 2019 COMPREHENSIVE PLAN AMENDMENT DOCKET FOR FURTHER CONSIDERATION. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Maul pointed out that the City Council will make the final decision about which amendments are included on the final docket. He said he has some reservations about Amendment 3, but it is worth a greater discussion. Commissioner Malek agreed. He believes the testimony that Irons Brothers Construction is a great company, but if the zoning is changed, the company could move and another business could locate there. He is concerned about how a future business could impact the neighborhood. He is also concerned about "spot zoning." He thanked all those who provided heartfelt and well-thought-out comments both in favor and in opposition to Amendment 3. He agreed that Amendment 3 should be included on the docket for further discussion.

Commissioner Davis said she is unsure whether Amendment 3 should be included on the 2019 Docket. The main convincing arguments favor the opposing side, and she is not sure it is worth including the amendment on the docket. Zoning is usually addressed on a much bigger scale, and it doesn't seem right to consider such a small-scale rezone.

Vice Chair Mork also thanked Ms. Keim for proposing and speaking in favor of Amendment 4, which would amend Natural Environment Goal NE-V.

Commissioner Malek asked what would happen to Amendment 3 if the Commission votes to not include it on the 2019 Docket. Assistant City Attorney Ainsworth-Taylor clarified that the Commission is simply making a recommendation to the City Council. The City Council will consider their recommendation when making the final decision about which items to include on the 2019 Docket.

THE MOTION CARRIED 3-1, WITH COMMISSIONERS MALEK, MAUL AND MORK VOTING IN FAVOR AND COMMISSIONER DAVIS VOTING IN OPPOSITION. (COMMISSIONER CRAFT WAS NOT PRESENT FOR THE VOTE.)

Assistant City Attorney Ainsworth-Taylor advised that the Commission's recommendation regarding the 2019 Comprehensive Plan Amendment Docket will go before the City Council for discussion on March 18th. At that time, the Council will set the final docket. Each of the amendments on the docket will come back to the Planning Commission for review and study, a public hearing and a recommendation to the City Council by about September. The Commission's recommendation will be presented to the City Council, who will also study the issue and conduct a public hearing prior to making a final decision in December. Mr. Szafran reminded the public that they could sign up on the City's website to receive notification of future meetings.

DIRECTOR'S REPORT

There was no Director's Report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Vice Chair Mork reported that the subcommittee met to review the Commission's By-Laws, and they are working to draft some minor changes.

AGENDA FOR NEXT MEETING

Mr. Cohen advised that staff will present the proposed Shoreline Master Program (SMP) amendments on February 21st. Mr. Szafran said the agenda will also include a public hearing on a proposed code amendment related to plat alterations.

ADJOURNMENT

The meeting was adjourned at 8:02 p.m.

Laura Mork
Vice Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

DRAFT



City of Shoreline

Planning & Community Development

17500 Midvale Avenue North Shoreline, WA 98133-4905

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

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

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

PERMIT APPLICATION

8/6/18

PARCEL INFORMATION (Include all parcel(s) information. Attach additional sheets, if necessary.)Project Address 1510 NE 170th Shoreline, WA 98155 ; 1517 NE 170th St. Shoreline, WA 98155
(Leave blank if address is not assigned)

Parcel Number (Property Tax Account Number) 5589300185; 558900145

Legal Description LOT 6, BLOCK 2, MONTE VISTA PLAT; LOT 29, BLOCK 1, MONTE VISTA #2
Attach separate sheet for Legal Description**PROPERTY OWNER INFORMATION**Name Joseph & Melissa Irons Email joseph@ironsbc.com, melissa@ironsbc.comCompany Name _____ Phone 206-795-4111; 206-948-4111Address 15304 Ashworth Ave N. City Shoreline State WA Zip 98133**OWNER'S AUTHORIZED AGENT**Name Craig Krueger Email cjkrueger@live.comCompany Name Community Land Planning Phone (425) 478-3267Address 16340 NE 83rd Street, #F-138 City Redmond State WA Zip 98052**PROJECT INFORMATION**

Type of Application: ☐ Single Family ☐ Multi-Family ☒ Non-Residential ☐ Legislative

Building/Construction: ☐ New Construction ☐ Change of Use ☐ Mechanical ☐ Fire Sprinkler
☐ Addition/Remodel ☐ Demolition ☐ Plumbing ☐ Fire Alarm
☐ Clearing & Grading ☐ Site Development ☐ Investigation Inspection ☐ Other

Land Use: ☐ Subdivision ☐ Zoning Variance ☐ Use - Home Occupation ☐ Conditional Use
☐ Short Plat ☐ Engineering Deviation ☐ Use - Bed & Breakfast ☐ Code Interpretation
☐ Floodplain ☐ Use - Temporary Use ☒ Rezone ☐ Administrative Design Review

PROJECT DESCRIPTION

Long-time Shoreline resident and business owner is applying as requested by the City to comply with current City zoning for existing business use at the properties listed on this application. We are proposing a comprehensive plan amendment to change from Medium Density Residential to Mixed Use 2 and to rezone from R-8 to Community Business (CB) zone.

FEE PAID UNDER PROTEST WE REQUEST

Construction Value _____

CONTRACTOR INFORMATION

CONSIDERATION OF A FEE WAIVER

Company Name N/A Email _____

Contact Person _____ Phone _____

Address _____ City _____ State WA Zip _____L&I Contractor's License # _____ Expiration Date PCD

I am the property owner or authorized agent of the property owner. I certify to that, to the best of my knowledge, the information submitted in support of this permit application is true and correct. I certify that I will comply with all applicable City of Shoreline regulations pertaining to the work authorized by the issuance of a permit. I understand that issuance of this permit does not remove the owner's responsibility for compliance with state or federal laws regulating construction or environmental laws. I grant permission for City staff and agents to enter areas covered by this permit for the sole purpose of inspecting these areas in order to process this application and to enforce code provisions related to the issued permit(s).

Signature of **PROPERTY OWNER**

OR

Signature of **AUTHORIZED AGENT**Date 12/3/18Print Name Joseph IronsPrint Name Melissa Irons
8a-24

9/2018

PLN 180194

CRITICAL AREAS WORKSHEET

- ☐ Yes ☒ No Is there any standing or running water on the surface of the property or on any adjacent property at any time during the year?
- ☐ Yes ☒ No Does the site have steep slopes with little to no vegetation?
- ☐ Yes ☒ No Has any portion of the property or any adjacent property ever been identified as a wetland or swamp?
- ☐ Yes ☒ No Does the site contain high percentages of silt and/or very fine sand?
- ☐ Yes ☒ No Are any willows, skunk cabbage, alders, cottonwoods, or cattails present on your property or adjacent properties?
- ☐ Yes ☒ No Does the site contain ground water seepage or springs near the surface of the ground?
- ☐ Yes ☒ No Are there any indications on any portion of the property or on any adjacent property of rockslides, earthflows, mudflows, landslides, or other slope failure?
- ☐ Yes ☒ No Is the property within or adjacent to a floodplain?

Please indicate which line best represents the steepest slope found on your property.

☐ 0%-5% ☐ 5%-10% ☐ 10%-15% ☐ 15%-20% ☒ 20%-25% ☐ 25%+

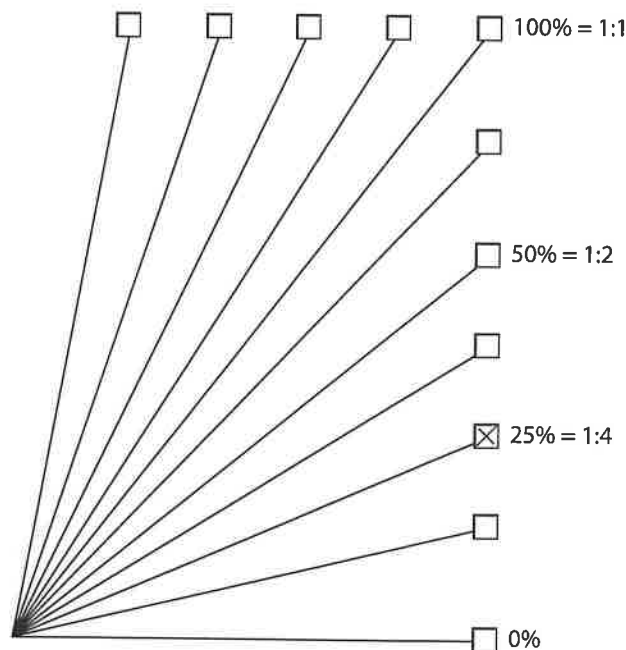
Please describe the site conditions for any "yes" answer:

Who prepared this information? Joseph & Melissa Irons

How to Determine the Slope of a Hillside

The slope is considered the vertical measure as it relates to the horizontal measure. For example if a slope has a rise of one foot over a four foot horizontal distance the slope would be 1:4 or a 25% slope.

(Check appropriate slope percentage box and mark correct box on diagram below.)





AMENDMENT OF THE COMPREHENSIVE PLAN CRITERIA

Planning & Community Development

1. **Purpose:** A Comprehensive Plan amendment or review is a mechanism by which the City may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City, and to review the Comprehensive Plan on a regular basis.
2. **Decision Criteria:** The Planning Commission may recommend and the City Council may approve, or approve with modifications an amendment to the Comprehensive Plan if:

- a. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or

The proposed Comprehensive Plan Amendment is consistent with the Countywide and City policies since it is a small shift in the boundary of the Mixed Use 2 designation. The specific City goals and policies include the following:

Goal LU I: *Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

LU7: *Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and “third places”.*

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.*

- b. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or

- c. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.

The proposed Comprehensive Plan Amendment will benefit the community as a whole since it will slightly expand the CB-Community Business area which will allow commercial/office uses to provide services, goods, and jobs to be accessible to the residents of the City.

Since purchasing the property, we have only improved our properties to make our City and our neighborhood a more desirable place to call home. The current use of the site at 1510 NE 170th St. will continue as a mixed-use four-plex, with a business on the main floor and two residential apartment units above.

Over the last decade and prior to our purchase of the property in 2018, the site at 1517 NE 170th Street included a mix of uses including a dance studio, an auto mechanic, and rental units. It is currently being used as a garage with an ADU-Accessory Dwelling Unit and studio above the garage, along with a single-family residence which we currently have under construction and plan to use as a garage, storage building, and rental units.

The proposal will not affect current land uses on nearby or adjacent properties, nor do we have any intention of further development at the sites after the parcel is rezoned to CB-Community Business.



REZONE OF PROPERTY CRITERIA

Planning & Community Development

1. **Purpose:** A rezone is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.
2. **Decision Criteria:** The City may approve or approve with modifications an application for a rezone of property if:

- a. The rezone is consistent with the Comprehensive Plan;

With the approval of the proposed Comprehensive Plan Amendment designating the parcels as Mixed Use 2, the proposed rezone to CB-Community Business will be consistent with the Comprehensive Plan.

- b. The rezone will not adversely affect the public health, safety or general welfare;

The proposed rezone will allow the existing uses to continue operating with no change to the current uses. The current uses do not adversely affect the public health, safety, or general welfare. The rezone simply expands the CB zoning from the west side of the relatively small parcels to the east side of the parcels.

- c. The rezone is warranted in order to achieve consistency with the Comprehensive Plan;

With the approval of the proposed Comprehensive Plan Amendment designating the parcels as Mixed Use 2, the proposed rezone to CB-Community Business will be consistent with the Comprehensive Plan.

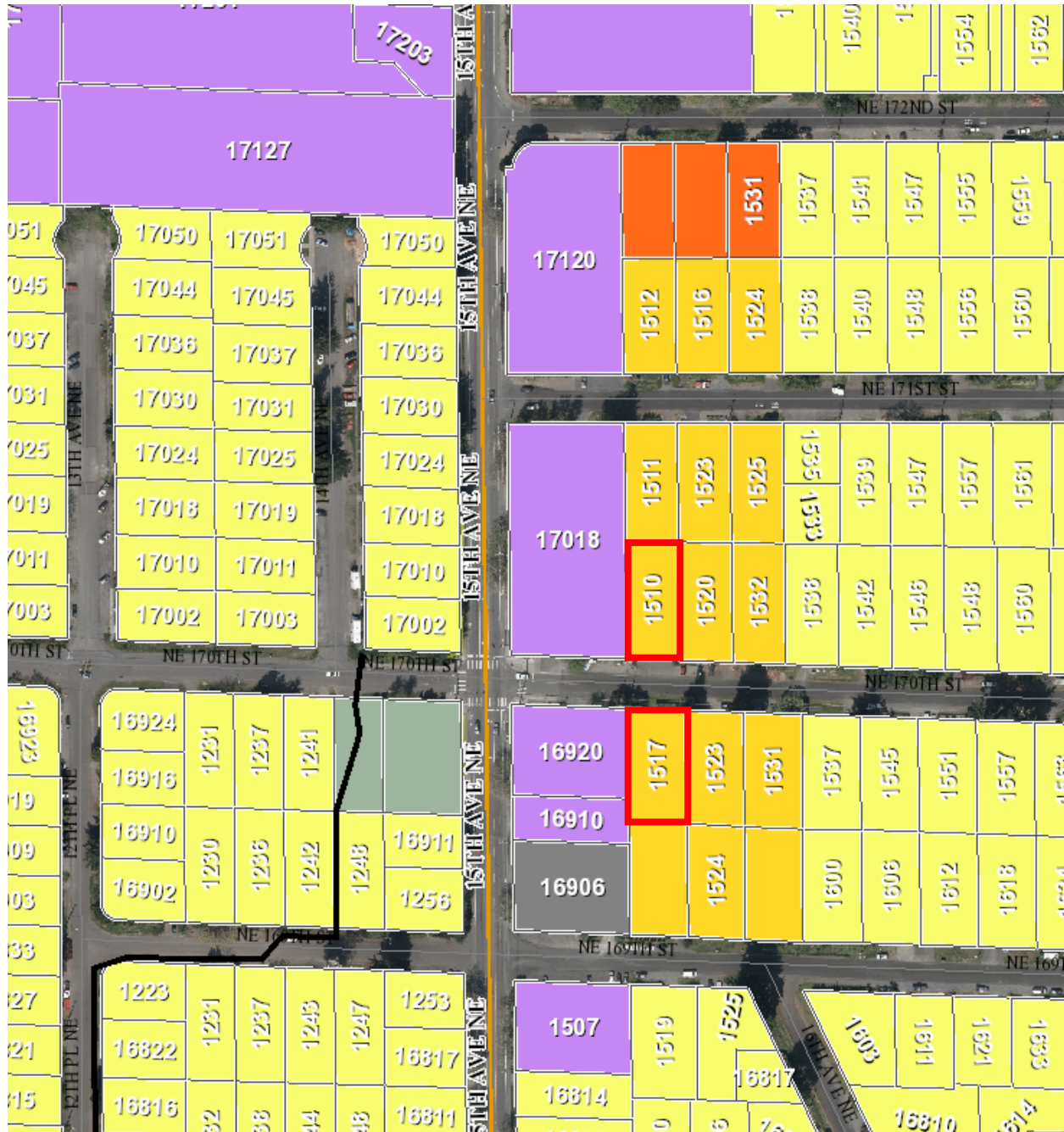
- d. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and

The rezone will not be detrimental to the uses in the vicinity and allows the existing uses to continue as they do today. Future development of the parcels will be required to adhere to the transition requirements between commercial and residential zones.

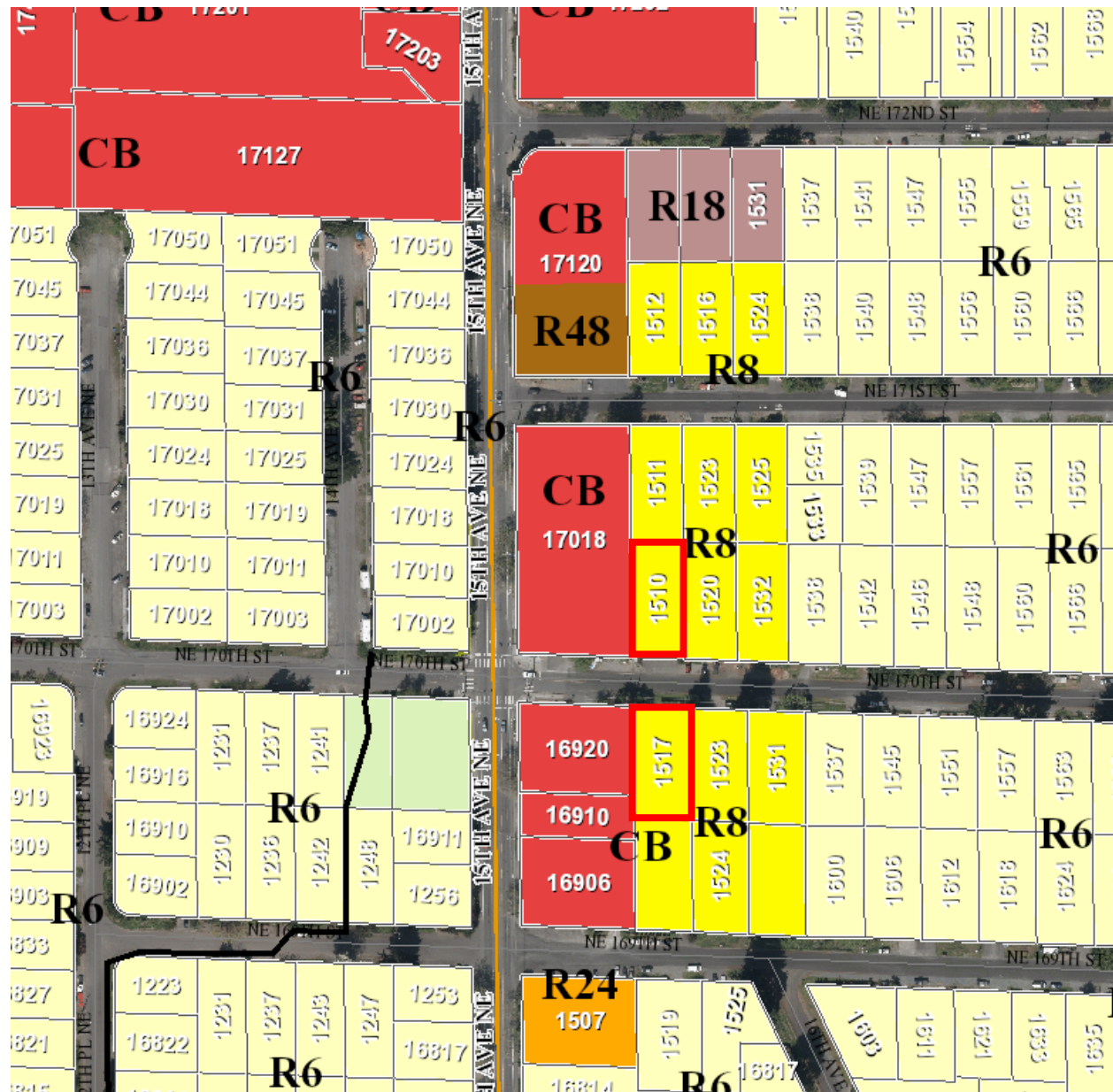
- e. The rezone has merit and value for the community.

The rezone allows the existing business to operate as it has over the last 20 years. The owners, Melissa and Joseph Irons, are very involved and connected with the Shoreline Community, both personally and professionally. They have taken efforts to be good neighbors with the nearby properties.

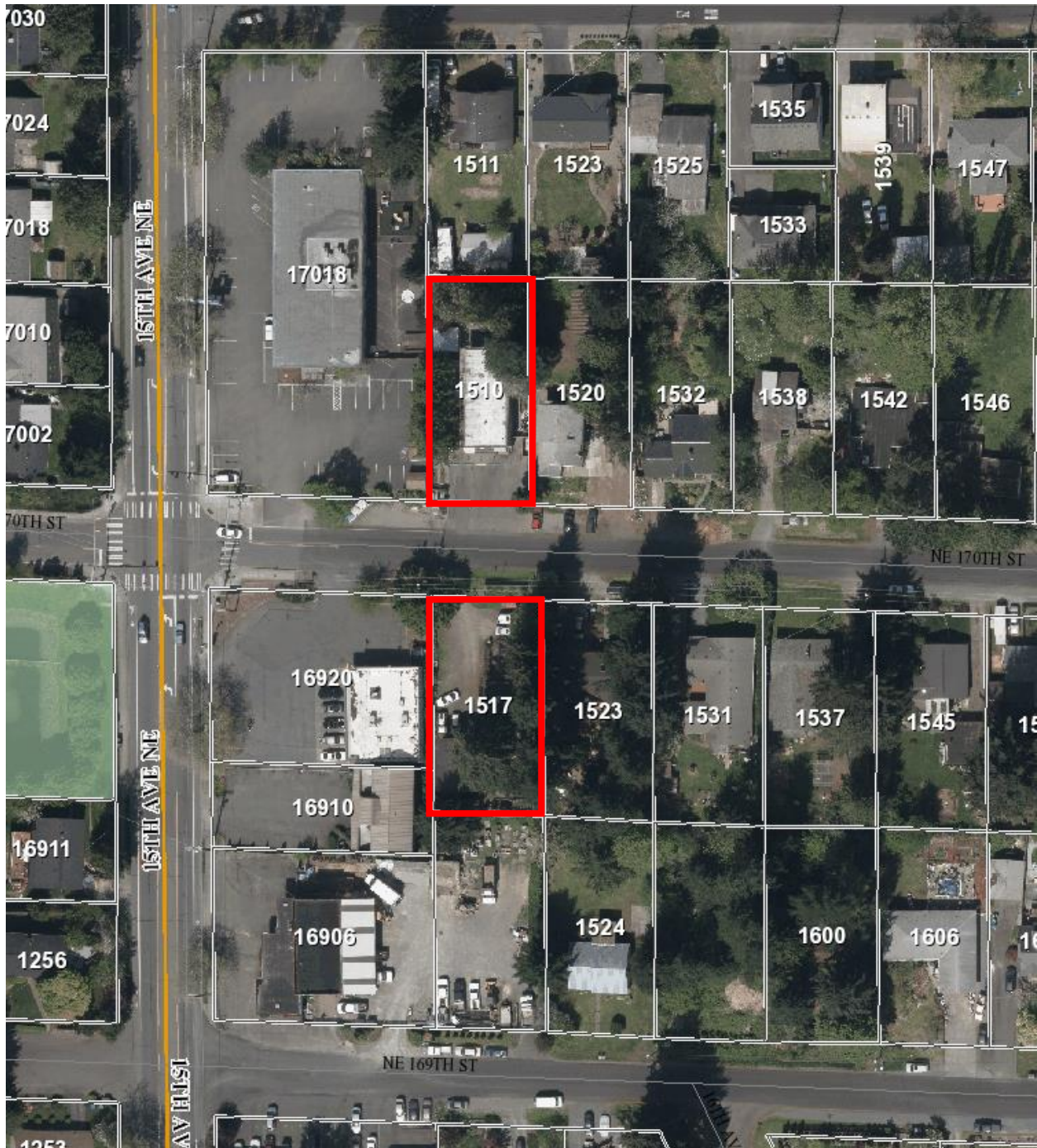
Comprehensive Plan land Use Designation Change – Medium Density Residential to Mixed-Use 2



Zoning Map Amendment – Residential, 8 units/acres (R-8) to Community Business (CB)



Aerial Map of the Iron Brothers Comprehensive Plan Land Use Designation Change
and Concurrent Rezone





City of Shoreline

Planning & Community Development

17500 Midvale Avenue North Shoreline, WA 98133-4905

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

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

Permit Hours: M - F * 8:00 a.m. to 4:00 p.m.

COMPREHENSIVE PLAN GENERAL AMENDMENT APPLICATION

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

Please attach additional pages to this form, as needed.

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

Applicant Name Debra Lee Keim

Address 16017 26th Ave NE City Shoreline State WA Zip 98155

Phone 206-902-6926 Fax _____ Email billandlee@mac.com

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

Goal NE V. Protect clean air and the climate for present and future generations ~~through reduction of~~ by limiting greenhouse gas emissions to 1.5 degree C of global warming above pre-industrial levels and promotion of efficient and effective solutions for transportation, clean industries, and development.

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

Element 6 Natural Environment Page 62

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

This amendment is being proposed as a result of reading the recently published Special Report on Impacts of Global Warming of 1.5 degree C above pre-industrial levels and related global greenhouse gas emission pathways in the context of strengthening the global response to the threat of climate change, sustainable development and efforts to eradicate poverty by the Intergovernmental Panel on Climate Change SR15. This report provides a thorough scientific analysis of the dire consequences of allowing global warming to increase higher than 1.5 degree C above pre-industrial levels. The report states that global warming is likely to reach 1.5 degree C between 2030-2050 if warming continues to increase at the current rate.

The City of Shoreline has signed a joint letter committing to greenhouse gas reduction goals contained in the King County - Cities Climate Collaboration document. These greenhouse gas reduction goals were developed in 2014 and are based on reduction of 2007 level of greenhouse gas by: 25% by 2020, 50% by 2030, 80% by 2050. In light of the up to date scientific studies of climate change, it would seem imperative to revise these reduction goals to achieve the limit of 1.5 degree C. This will lead to deeper emission reductions a more rapid transition to a clean energy economy.

The citizens of Shoreline already experience the effects of climate change in longer summer drought, unhealthy smoke filled skies from increasing forest fires, decreased snow pack and associated effect on water levels and electricity rates. This amendment will show the citizens of Shoreline that their government will step up to be a leader in addressing the greatest threat of our time: global warming

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

Application Signature Debra Lee Klein Date November 29, 2018

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