

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

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

**PROBLEM/ISSUE STATEMENT:**

The City may process 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 1<sup>st</sup> for public and staff submissions of amendments to be considered in the following year. The Comprehensive Plan 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.

The Preliminary 2019 Comprehensive Plan Docket, comprised of two (2) privately-initiated amendments and two (2) carry-over amendments, was presented to the Planning Commission on February 7, 2019. The Planning Commission voted to forward the 2019 Docket to the City Council for consideration, with a recommendation to exclude the two items carried over from the 2018 Docket related to the Point Wells Subarea Plan and Annexation of 145<sup>th</sup> Street.

On February 22, 2019, the City Council received a letter from the 32<sup>nd</sup> District Legislators requesting that the City Council consider adding an amendment to the 2019 Docket regarding state-owned property on the Fircrest Campus that the Department of Health and Human Services (DSHS) has determined is not needed for the future operation of the Fircrest School. The 32<sup>nd</sup> District Legislators' request is for a Comprehensive Plan amendment and a concurrent rezone. Additionally, Councilmember Roberts has requested an amendment to the Docket that is related to one of the privately-initiated amendments, which would include professional office uses in R-8 to R-12 zones as a Conditional Use. Given that these requests were received after the December 1, 2018 deadline, the City Council is the only body that can propose and add an amendment to the 2019 Docket.

The Council discussed the 2019 Docket, as recommended by the Planning Commission, on March 18, 2019. Tonight, Council is scheduled to adopt the Final 2019 Comprehensive Plan Docket. Prior to adoption of the Final 2019 Docket, Council may

also consider and move proposed amendments to the Docket. Staff has provided amendatory motions in this staff report for Council's use, if needed.

**RESOURCE/FINANCIAL IMPACT:**

**Amendment No. 1** (1517 and 1510 NE 170<sup>th</sup> 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 (GHG) Emission reduction targets, then it is likely that this amendment would not significantly change future work plans and resource demands. A more ambitious target to limit global warming to below 1.5 degrees Celsius may necessitate revising the GHG emission reduction targets in the City's Climate Action Plan. This should be analyzed through the next (unscheduled) update of the Climate Action Plan. The proposed, more aggressive targets would likely not change the types of activities that the City would implement, but they may call for a more proactive approach.

**New Requested Amendment No. 3** (Fircrest Campus Underutilized 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.

**New Requested Amendment No. 4** (Amend Policy LU2 to Allow for Professional Offices in the R-8 and R-12 Zones) – If added to the Docket by Council, the impact to resources would primarily be staff time. Staff time would include drafting policy and Code; GIS analysis to understand where the proposed change would apply throughout the City; environmental analysis; and fieldwork to understand the localized impacts of such as change.

**RECOMMENDATION**

The Planning Commission recommends that the Council approve the Preliminary 2019 Comprehensive Plan Amendment Docket to analyze the two privately-initiated amendments. Staff recommends that the Council amend the Planning Commission's recommendation in response to 32<sup>nd</sup> District Legislator's request to include a Comprehensive Plan Amendment and Concurrent Rezone for a portion of the Fircrest Campus on the 2019 Docket. The Final 2019 Docket would then be comprised of a total of three amendments.

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

## **BACKGROUND**

The State Growth Management Act, RCW 36.70A, 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 1<sup>st</sup> for public and staff submissions of suggested amendments to be considered in the following year. 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, and two privately-initiated amendments. The Planning Commission did not include the carry-over amendments from the 2018 Docket in its recommendation for inclusion on the Preliminary 2019 Docket.

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 32<sup>nd</sup> District Legislative Delegation (Senator Salomon and Representatives Ryu and Davis) to add an amendment to the 2019 Docket. The 32<sup>nd</sup> District Delegation submitted a letter dated February 22, 2019 requesting the Council to consider adding to the 2019 Comprehensive Plan Docket an amendment related to changing the land use and rezoning 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.

The Planning Commission considered the Preliminary 2019 Comprehensive Plan Docket on February 7, 2019 and voted to forward the Preliminary 2019 Docket to the City Council for consideration. The Council then discussed the Preliminary 2019 Docket on March 18, 2019. The staff report for this March 18<sup>th</sup> discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport031819-8a.pdf>.

## **DISCUSSION**

As noted during the March 18<sup>th</sup> Council discussion, the two proposed amendments recommended by the Planning Commission for inclusion on the Final 2019 Comprehensive Plan Docket are as follows:

### **Amendment #1 (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 that seeks to change the Land Use Designation and zoning of two parcels located at 1517 and 1510 NE 170<sup>th</sup> 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 170<sup>th</sup> 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 170<sup>th</sup> 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 15<sup>th</sup> Avenue NE and single-family neighborhoods to the east.

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 170<sup>th</sup> 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 170<sup>th</sup> Street.

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.

This amendment dominated the discussion and comment portion of the Planning Commission's February 7<sup>th</sup> 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 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>.

This amendment also produced substantial public comment, both written and oral, for and against, at the March 18<sup>th</sup> discussion session before the City Council. Oral comments provided at this meeting can be viewed at the following link: <http://www.shorelinewa.gov/government/council-meetings>.

If Council elects to adopt the Planning Commission's recommendation to include this amendment on the Docket, this action does not approve a change in land use or zoning, but only 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 recommended that this amendment be placed on the Final 2019 Comprehensive Plan Docket.

**Amendatory Motion to Exclude this Amendment:**

Some Councilmembers suggested at the March 18<sup>th</sup> Council discussion that they may not want to include this amendment on the Final 2019 Docket. If Council would like to exclude this amendment from the Final 2019 Docket, a Councilmember would need to move to modify the Planning Commission's recommendation as follows:

***I move to modify the Planning Commission's recommendation to exclude Amendment #1 from the Final 2019 Docket.***

**Amendment #2 (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, 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 Natural Environment 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 Planning Commission recommended that this amendment be placed on the Final 2019 Comprehensive Plan Docket.

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**New Requested Amendment No. 3**

*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 4, 2019 Council 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 32<sup>nd</sup> District Legislators (Senator Salomon and Representatives Ryu and Davis) for a Dinner Meeting on February 15, 2019 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 32<sup>nd</sup> 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 32<sup>nd</sup> District Legislators submitted a letter dated February 22, 2019 (**Attachment B**) 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.

If this amendment is added to the 2019 Docket, it may take longer than one year to complete the analysis, outreach and other steps to be undertaken by the State. For example, the State will likely need to subdivide the portion which is the subject of this proposed amendment from the main Fircrest Campus to determine the specific area under consideration. Should this amendment be added to the 2019 Docket and not completed in 2019 it could be added to the 2020 Docket. Council's decision on the amendment would then be tied to the timeline for the 2020 Docket which will likely be completed in December 2020.

**Planning Commission Recommendation:**

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

**Amendatory Motion to Include this Amendment:**

Mayor Hall requested to include this amendment on the Final 2019 Docket. If Council would like to include this amendment on the Final 2019 Docket, a Councilmember would need to move to modify the Planning Commission's Recommendation as follows:

***I move to modify the Planning Commission's recommendation to include Amendment #3 on the Final 2019 Docket.***

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**New Requested Amendment No. 4**

*Amend Comprehensive Plan Policy LU2 to allow for professional offices in the R-8 and R-12 zones.*

**Analysis:**

This amendment is related to Amendment #1. Initially, the applicant of Amendment #1 was given two options that potentially could allow for the permitting an existing office, showroom, and remodeling and construction business at their current location. The City issued a letter to the applicant on October 25, 2018 to outline these options (**Attachment C**).

Option 2 provided to the applicant suggests applying for a General Comprehensive Plan Amendment to change LU2, a Residential Land Use Policy in the Land Use Element of the City's Comprehensive Plan to allow for professional office uses. The Policy could be amended as follows:

*LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

SMC 20.20.040 defines a "Professional Office" as: An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.



A concurrent amendment to SMC Table 20.40.130 Nonresidential Uses to permit a professional office in the R-8 and R-12 zoning districts subject to approval of a Conditional Use permit would also be needed. Allowing a professional office in the R-8 and R-12 zone would match the permitting requirements for the same use in the R-18 to R-48 zones.

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
RETAIL/SERVICE									
	<b>Professional Office</b>		<b>C</b>	C	C	P	P	P	P

If the Comprehensive Plan and Development Code amendments are approved by the City Council in 2019, the adopted process will include a requirement to obtain a Conditional Use permit to allow a professional office in the R-8 zone. If the Conditional Use Permit is approved and the use conforms to the conditions established through the Conditional Use Permit process and all other applicable sections of the Shoreline Municipal Code, then a professional office use could be allowed at 1510 and 1517 NE 170<sup>th</sup> Street.

**Planning Commission Recommendation:**

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

**Amendatory Motion to Include this Amendment:**

Councilmember Roberts requested that this amendment be included on the Final 2019 Docket. If Council would like to include this amendment on the Final 2019 Docket, a Councilmember would need to move to modify the Planning Commission’s Recommendation as follows:

***I move to modify the Planning Commission’s recommendation to include Amendment #4 on the Final 2019 Docket.***

**RESOURCE/FINANCIAL IMPACT**

**Amendment No. 1** (1517 and 1510 NE 170<sup>th</sup> 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 (GHG) Emission reduction targets, then it is likely that this amendment would not significantly change future work plans and resource demands. A more ambitious target to limit global warming to below 1.5 degrees Celsius may necessitate revising the GHG emission reduction targets in the City’s Climate Action Plan. This should be analyzed through the

next (unscheduled) update of the Climate Action Plan. The proposed, more aggressive targets would likely not change the types of activities that the City would implement, but they may call for a more proactive approach.

**New Requested Amendment No. 3** (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.

**New Requested Amendment No. 4** (Amend Policy LU2 to Allow for Professional Offices in the R-8 and R-12 Zones) – If added to the Docket by Council, the impact to resources would primarily be staff time. Staff time would include drafting policy and Code; GIS analysis to understand where the proposed change would apply throughout the City; environmental analysis; and fieldwork to understand the localized impacts of such as change.

### **RECOMMENDATION**

The Planning Commission recommends that the Council approve the Preliminary 2019 Comprehensive Plan Amendment Docket to analyze the two privately-initiated amendments. Staff recommends that the Council amend the Planning Commission's recommendation in response to 32<sup>nd</sup> District Legislator's request to include a Comprehensive Plan Amendment and Concurrent Rezone for a portion of the Fircrest Campus on the 2019 Docket. The Final 2019 Docket would then be comprised of a total of three amendments.

### **ATTACHMENTS**

Attachment A – Preliminary 2019 Comprehensive Plan Amendment Docket  
Attachment B – February 22, 2019 Letter from the 32<sup>nd</sup> District Delegation  
Attachment C – October 25, 2018 Letter to Irons Brothers Construction



## **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 170<sup>th</sup> 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.*

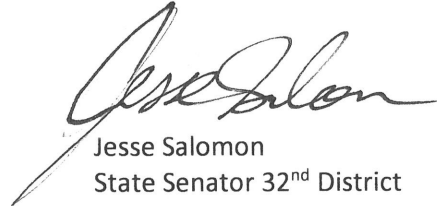
*Comprehensive Plan and Development Code to the acreage of the Fircrest Campus and maps to reflect the removal of the surplus property from the total acreage of the Campus.*

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 32<sup>nd</sup> District, Pos. 1



Jesse Salomon  
State Senator 32<sup>nd</sup> District



Lauren Davis  
State Representative 32<sup>nd</sup> 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



*Planning and Community Development*

17500 Midvale Avenue North  
Shoreline, WA 98133-4905  
(206) 801-2500 ♦ Fax (206) 801-2788

October 25, 2018

Joseph and Melissa Irons  
1510 NE 170<sup>th</sup> Street  
Shoreline, WA 98155

RE: Office Use in a Residential (R-8) zone at 1510 NE 170<sup>th</sup> Street

Dear Mr. and Mrs. Irons:

As discussed when we met in August, the Irons Brothers Construction Design + Build Center (“Design + Build Center”) at 1510 NE 170<sup>th</sup> Street is in a Residential (R-8) zone. The Shoreline Municipal Code (SMC) Chapter 20.40 Zoning and Use Provisions states that the purpose of the R-8 zone “is to provide for a mix of single family homes, duplexes, triplexes, townhouses, and community facilities...” You have described the Design + Build Center as the office and showroom for your remodeling and construction services. SMC Table 20.40.130 Nonresidential Uses includes the use “professional office” but denotes that this use is not permitted in the R-8 zone. This means that your Design + Build Center is in violation of the SMC and requires corrective action.

The following are options staff have identified that may accomplish compliance with the SMC:

**Option 1 – Site Specific Comprehensive Map Amendment and Concurrent Rezone.**

Apply for a Comprehensive Plan Amendment to change the Land Use Designation for 1510 NE 170<sup>th</sup> Street from Medium Density Residential to Mixed Use 2 (MU 2) and a concurrent Rezone of the property to Community Business (CB). The MU 2 Land Use Designation and the Community Business (CB) zone permit office uses. This option would require the submittal of a complete Comprehensive Plan Site Specific Map Amendment and Concurrent Rezone application no later than **December 1, 2018**. In order to resolve the Code violation, this request would need to be approved by City Council. The base fee for the Comprehensive Plan Site Specific Map Amendment and Concurrent Rezone is currently \$25,233.00 (including public hearing and SEPA Checklist review).

## Option 2 – Comprehensive Plan and Development Code Amendment

Apply for a General Comprehensive Plan Amendment to change LU2, a Residential Land Use Policy in the Land Use Element of the City’s Comprehensive Plan to allow for professional office uses. The Policy could be amended as follows:

LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.

SMC 20.20.040 defines a “Professional Office” as: An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.

A concurrent amendment to SMC Table 20.40.130 Nonresidential Uses to permit a professional office in the R-8 zone subject to approval of a Conditional Use permit would also be needed. Allowing a professional office in the R-8 zone would match the permitting requirements for the same use in the R-18 to R-48 zones. This option would require the submittal of a complete Comprehensive Plan General Amendment and a complete Development Code Amendment application no later than **December 1, 2018**. There is currently no fee for either of these applications.

These requests would then need to be approved by the City Council and a Conditional Use Permit subsequently issued in order to resolve the Code violation.

If the Comprehensive Plan and Development Code amendments are approved by the City Council in 2019, the adopted process will likely include a requirement to obtain a Conditional Use permit to allow a professional office in the R-8 zone. The fee for a Conditional Use Permit is currently \$7,209.00. Therefore, you would be required to submit a complete Conditional Use Permit application within one month of the City Council’s approval of the proposed Comprehensive Plan and Development Code amendments to permit a professional office in an R-8 zone to avoid code enforcement action. If the Conditional Use Permit is approved and the use conforms to the conditions established through the Conditional Use Permit process and all other applicable sections of the Shoreline Municipal Code, then the professional office use at 1510 NE 170<sup>th</sup> Street would be in compliance with the SMC.

**Note:** Both Option 1 and Option 2 would follow the City’s annual 2109 Comprehensive Plan Docket and development code amendment process. There is no requirement that the City Council place a proposed amendment on the Docket or, if placed on the Docket, that it will be approved. If the City Council determines to approve such amendments, this generally would not occur until December 2019.

Senior Planner, Steve Szafran processes the Comprehensive Plan and Development Code amendments if you have any questions related to those applications. He can be reached at (206) 801-2512 or [sszafran@shorelinewa.gov](mailto:sszafran@shorelinewa.gov).

**Option 3. Discontinue using the property at 1510 NE 170<sup>th</sup> Street as a professional office.**

If you choose not to submit complete applications as described in Options 1 and 2 by **December 1, 2018**, or the City Council does place your proposed Comprehensive Plan amendment on the Docket, then a Notice and Order to Correct will be issued setting a deadline to discontinue the professional office use at this address. Please contact Ryan Odegaard, Code Enforcement Officer at 206-801-226 if you choose this option.

**1517 NE 170<sup>th</sup> Street**

You also asked about the possibility of using the property you own across the street at 1517 NE 170<sup>th</sup> Street in conjunction with the Irons Brothers Design + Build center at 1510 NE 170<sup>th</sup> Street. You described possibly using the property at 1517 NE 170<sup>th</sup> Street for outside parking of vehicles and equipment; and indoor storage of equipment, materials, etc. associated with Irons Brothers Construction in the large detached garage. 1517 NE 170<sup>th</sup> is zoned R-8 and therefore subject to the same restrictions as described above for 1510 NE 170<sup>th</sup> Street. Option 1 could be used to request a land use change and rezone for both 1510 and 1517 NE 170<sup>th</sup> Street to MU-2 and Community Business to allow “General Retail Trade/Services”.

The use as described for 1517 NE 170<sup>th</sup> Street does not meet the definition of a professional office. Therefore, Option 2 does not provide a regulatory path to use this site for storing construction vehicles, equipment and materials.

Sincerely,

Rachael Markle  
Planning and Community Development, Director  
(206) 801-2531