

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Discussion of Ordinance No. 881 – 2019 Comprehensive Plan Annual Docket Amendments to the Shoreline Comprehensive Plan and Concurrent Rezone

DEPARTMENT: Planning & Community Development

PRESENTED BY: Steven Szafran, AICP, Senior Planner
Rachael Markle, AICP, Director

ACTION: ☐ Ordinance ☐ Resolution ☐ Motion
 ☒ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

The State Growth Management Act, chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to once a year with limited exceptions. Proposed amendments are collected throughout a given year with a deadline of December 1 for public submissions of suggested amendments to be considered in the following year. The “Docket” establishes the proposed amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to the Planning Commission providing a recommendation to the City Council for final approval through the adoption of an ordinance amending the Comprehensive Plan. The Council established the final 2019 Docket on June 3, 2019.

The 2019 Docket consists of two (2) privately-initiated amendments and one (1) city-initiated amendment along with a concurrent rezone related to one of those amendments. Proposed Ordinance No. 881 would amend the City’s Comprehensive Plan consistent with the Planning Commission’s recommendation on the 2019 Docket, which was provided on November 21, 2019. Tonight, the City Council is scheduled to discuss proposed Ordinance No. 881. Proposed Ordinance No. 881 is currently scheduled for adoption on December 9, 2019.

RESOURCE/FINANCIAL IMPACT:

Proposed Comprehensive Plan Amendment No. 1 is not anticipated to have a resource or financial impact. Proposed Amendment No. 2 has the potential to add additional work to staff work plans and consultant resources to update the Greenhouse Gas Emissions Inventory, the Carbon Wedge Analysis, the Climate Action Plan, and the 2023 Comprehensive Plan. Proposed Amendment No. 3 has the potential to add additional work to staff work plans to amend the Shoreline Development Code to allow professional offices in the R-8 and R-12 zones.

RECOMMENDATION

No action is required tonight; this is an informational meeting in preparation for the December 9, 2019 meeting where the City Council is scheduled to adopt the 2019 Docket amendments through proposed Ordinance No. 881. The Planning Commission has recommended that the City Council deny Comprehensive Plan Amendment Nos. 1 and 3 and adopt Amendment No. 2.

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

BACKGROUND

The State Growth Management Act, Chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to once a year with limited exceptions. To ensure that the public can view the proposals within a city-wide context, the Growth Management Act directs cities to create a docket that lists the CPAs to be considered in this “once a year” review process.

Comprehensive Plan amendments usually take two forms: Privately-initiated amendments and City-initiated amendments. Anyone can propose an amendment to the Comprehensive Plan. Comprehensive Plan amendments must be submitted by December 1 to be considered in the following year and there is no fee for general text amendments. The process for accepting and reviewing CPAs for the annual docket is prescribed in Shoreline Municipal Code (SMC) 20.30.340(C).

On June 3, 2019, the City Council established the final 2019 Comprehensive Plan Docket. The 2019 Docket, which is also included as **Attachment A** to this staff report, contains three (3) amendments, including a concurrent rezone related to Amendment No. 1:

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

The Planning Commission held multiple study sessions throughout 2019 to discuss the CPAs listed in the 2019 Docket. The study sessions are listed below and include a link to the agenda packets, minutes and public comments for these dates.

- The Planning Commission held its first discussion on the 2019 Comprehensive Plan Docket and concurrent rezone on August 1, 2019:
<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14008/182?toggle=allpast>.
- The Planning Commission held its second discussion on the 2019 Comprehensive Plan Docket and concurrent rezone on September 5, 2019:
<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14014/182?toggle=allpast>.

The Planning Commission held a public hearing on the proposed 2019 Comprehensive Plan Docket on October 17, 2019 and continued the public hearing until November 21, 2019 in order to allow for additional public comment and public participation. The agenda packets, minutes and public comments for the Public Hearings can be found at the following links:

- October 17, 2019:
<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14020/182?toggle=allpast>.
- November 21, 2019:
<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14024/182?toggle=allpast>.

A summary of the Planning Commission's recommendation, which is also attached in **Attachment B** to this staff report, is provided in the table below.

Comprehensive Plan Amendment	Planning Commission Recommendation
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 th Street.	<i>Deny</i>
2. Update Natural Environment Goal V to set local goals to reduce greenhouse gas (GHG) emissions in support of the Paris Climate Accord threshold to limit global warming to less than 1.5° C above pre-industrial levels.	<i>Approve</i>
3. Amend Comprehensive Plan Policy LU2 to allow for professional offices in the R-8 and R-12 zones.	<i>Deny</i>

Proposed Ordinance No. 881 (**Attachment C**) reflects the Planning Commission recommendation on the 2019 Comprehensive Plan Docket.

DISCUSSION

The following provides an analysis of the 2019 Comprehensive Plan Amendment Docket:

Amendment No. 1 (Comprehensive Plan Amendment and Concurrent Rezone)

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.

Amendment Description

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 170th Street 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) to be consistent with the requested change to the land use designation.

The applicants for this amendment, Joseph and Melissa Irons, have been operating a remodeling and construction services office at 1510 NE 170th Street since 2008, however the use is not allowed in R-8 zoning. The applicants' goal is to allow continued

operation of the business at this location. The applicants have also purchased the property directly south, across the street 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 applicants are including this property in their request. The site is located between existing commercial uses that front 15th Avenue NE to the west, zoned CB, and a single-family neighborhood to the east with R-6 zoning (there are two more parcels directly the east of both 1517 and 1510 NE 170th Street that are zoned R-8, and then the zoning to the east of those parcels, all the way the City's boundary, is R-6).

The subject parcels at 1517 and 1510 NE 170th Street are currently zoned R-8 to implement Policy LU2, a Comprehensive Plan policy allowing medium density residential land uses that do not exceed 12 dwelling units per acre. The R-8 zone is a medium density residential zone that 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 applicants' current and proposed business use at 1517 and 1510 NE 170th Street.

The proposed land use and zoning for the two parcels in Amendment No. 1 are described below:

Land Use Policy 10 (LU10):

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.

Community Business zoning:

The purpose of the community business zone (CB) is to provide location for a wide variety of business activities, such as convenience stores, retail, personal services for the local community, and to allow for apartments and higher intensity mixed-use developments.

General retail trade/services or office uses are permitted in the CB zone.

Staff Analysis

As stated in SMC 20.30.340, a Comprehensive Plan Amendment is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, to respond to changing circumstances or needs of the City.

In addition to changing the land use designation, to accomplish the applicants' goal, a concurrent rezone has been requested. As stated in SMC 20.30.320, 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.

The applicants' responses to the decision criteria for both the Comprehensive Plan Amendment and Concurrent Rezone are included as **Attachment D and E** to this staff report. Staff has reviewed the applicants' responses and analyzed the request to change the land use and zoning of the properties at 1510 and 1517 NE 170th Street. Staff responses and analysis are presented below for each criterion.

- **Comprehensive Plan Amendment Criteria**

Pursuant to SMC 20.30.340(B), Amendment No. 1 may only be approved if:

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

- **Growth Management Act**

The applicants do not address consistency with the Growth Management Act. Staff does not find the proposed amendment to be wholly consistent or inconsistent with the thirteen (13) planning goals of the State's Growth Management Act (GMA). The proposed amendment is partially consistent with Goal 5 of the GMA:

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities [emphasis added].

The proposed Comprehensive Plan land use change would "promote the retention and expansion of existing businesses" though the subject business's location has not been consistent with the Comprehensive Plan land use designation of Medium Density Residential.

- **King County Countywide Planning Policies**

The applicants do not address consistency with the King County Countywide Planning Policies (CPPs). The staff review of the proposed amendment to change the Comprehensive Plan land use designation on two parcels from Medium Density Residential to Mixed-Use 2 found that

the amendment is partially supported by CPPs related to Urban Lands but also conflicts with other CPPs:

The CPPs along with staff commentary is provided below:

DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:

- *Directing concentrations of housing and employment growth to designated centers;*
- *Encouraging compact development with a mix of compatible residential, commercial, and community activities;*
- *Maximizing the use of the existing capacity for housing and employment; and*
- *Coordinating plans for land use, transportation, capital facilities and services [emphasis added].*

The proposed land use change of 1517 and 1510 NE 170th Street is largely inconsistent with this policy. While it would encourage compact development with a mix of residential and commercial activity, many neighbors have testified that the commercial development is incompatible. The current Medium Density Residential land use designation envisions a residential buffer between the commercial uses in the Community Business zone and the single family uses in the R-6 zone. The proposed land use for 1517 and 1510 NE 170th Street creates capacity instead of maximizing existing capacity since the properties are currently zoned R-8 and do not allow for the employment provided at the Irons Brothers Construction office.

EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs. [emphasis added]

DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.

The proposed change to 1517 and 1510 NE 170th Street is inconsistent with existing plans and design processes that envisioned these parcels to be used for Medium Density Residential land uses. Therefore, it is not appropriate to allow the existing non-conforming business to remain even though it would allow for the reuse of an existing building and promote the mix of uses in the neighborhood.

DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.

The City has not adopted design standards or guidelines for infill development and therefore changing the land use of 1517 and 1510 NE 170th Street is inconsistent with this policy. It is subjective as to whether infill development at this location would be compatible with the existing or desired urban character of the neighborhood. Mixed-Use 2 allows for a wide variety of residential, commercial, office and mixed uses. Some of these uses may not be compatible with existing or desired urban character. The current land use pattern envisions a gradual zoning buffer between the Community Business zoned properties to the west and the R-6 properties to the east, which abut the R-8 properties.

H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.

The proposed land use of 1517 and 1510 NE 170th Street is inconsistent with CPP Policy H-12. The proposal does not protect or promote the health and well-being of residents. The existing land use and zoning is more aligned with Policy H-12 by providing a buffer between the commercial uses in the Community Business zone and the low-density residential uses in the R-6 zone.

- **City of Shoreline Comprehensive Plan**

Staff agrees that the proposed Comprehensive Plan land use map change is consistent with the City's Comprehensive Plan goal and policies cited by the applicants as the proposal would allow existing employment and provide for services to the community through the applicants existing business. The following goals and policies are consistent with the applicant's request:

Goal LU1 Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Land Use Policy 7 promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and "third places"; and

Land Use Policy LU10: 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.

However, staff finds that there are other goals and policies that should be considered as part of the proposed land use change for 1517 and 1510 NE 170th Street. These goals and policies are denoted below following with staff commentary.

Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.

The proposed land use change for 1510 and 1517 NE 170th Street is inconsistent with this goal because it would not enhance the character, quality and function of the neighborhood at this time. There are only five parcels located parallel to 15th Avenue NE planned and zoned for commercial uses along a three block stretch from NE 172nd Street to NE 169th Street, not including the parcels adjacent to the intersection of 15th Avenue NE and NE 175th Street (location of Safeway and Postmark apartments). In the future, as the North City neighborhood grows, there may be more community interest in expanding and enhancing commercial uses on 15th Avenue NE. 1510 and 1517 NE 170th Street currently provide an additional 70 feet of medium density land use between the low-density land use neighborhood to the east and the commercial land use to the west.

Goal LU VII: Plan for commercial areas that serve the community, are attractive, and have long-term economic vitality.

Adding parcels to increase the depth of MU-2 designation in this area has the potential to aid in the redevelopment, expansion and increased economic vitality of commercial, mixed use and multifamily residential uses in this neighborhood. However, the full range of uses permitted in implementing zoning district does not guarantee the uses would serve the community.

LU15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.

The proposed land use change from Medium Density Residential to Mixed-Use 2 will not reduce impacts to the single-family neighborhood. The existing mixed-use, apartments and the construction office/showroom have generated only a few complaints related to spill over parking, traffic and lighting. However, the Mixed-Use 2 land use category would allow more intense redevelopment of the two parcels having the potential to increase traffic, noise and glare.

ED7: Enhance existing neighborhood shopping and community nodes to support increased commercial activity, neighborhood identity, and walkability.

The Comprehensive Plan speaks of enhancing existing neighborhoods, encouraging walkability, and reducing impacts to single-family neighborhoods. The City's economic development goals and policies focus on supporting local and home-based businesses and enhancing Shoreline's existing commercial areas. The Comprehensive Plan does not have goals directed to creating more commercial areas especially directly adjacent to existing single-family neighborhoods.

2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.*

The proposed amendment does not address changing circumstances, changing community values, or correct information contained in the Comprehensive Plan. The amendment is seeking to make an existing use that is not permitted in the zone a permitted use to allow an established business to continue operation and expand at that location. Based on public comment to date, the community has expressed value in having a buffer between the single-family neighborhood to the east of 15th Avenue NE. The community is also concerned about the level of redevelopment that could occur on the two parcels beyond the current uses should the property be rezoned to Community Business. The parcels in question are not within a subarea but are located a few blocks south of the North City Subarea.

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

When considering the community as a whole, this request to change the land use of two parcels to allow an existing non-conforming business to continue provides Shoreline residents with a modest benefit by providing local remodeling services and some local employment. The proposed amendment would not adversely affect community facilities, public health, safety or the general welfare of the community.

- **Rezone Criteria**

Pursuant to SMC 20.30.320(B), the concurrent rezone associated with Amendment No. 1 may be approved only if the land use designation has been changed and:

1. *The rezone is consistent with the Comprehensive Plan.*

The rezone to CB is not currently consistent with the Comprehensive Plan. The existing Land Use Designation is Medium Density Residential and the current zoning of R-8 is consistent with this designation. If the request to change the land Use Designation to Mixed-Use 2 is approved, the requested CB zoning will be consistent.

2. *The rezone will not adversely affect the public health, safety or general welfare.*

A rezone to CB has the potential to adversely affect the public health, safety, or general welfare of the surrounding neighborhood by intensifying land uses and activities occurring adjacent to low-density single-family zoning and uses. The CB zone allows several commercial uses that have the potential to affect the general welfare of the surrounding neighborhood. Commercial uses can increase traffic to and from the site by employees, contractors, clients, and deliveries. Outside storage may create unsightly conditions for surrounding neighbors. Increased lighting, especially for security, has the potential to impact the neighborhood. Parking has the potential to spill over onto neighborhood streets if the onsite parking spaces are at capacity.

3. *The rezone is warranted to achieve consistency with the Comprehensive Plan.*

This rezone is not warranted to achieve consistency with the Comprehensive Plan. The requested CB zoning is not consistent with the Comprehensive Plan Land Use designation of Medium Density Residential. If the request to change the land Use Designation to Mixed-Use 2 is approved, the requested CB zoning would be warranted.

4. *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.*

The rezone has the potential to be materially detrimental to uses or property in the immediate vicinity of the subject rezone. Most of staff's concerns are addressed under Rezone Criteria No. 2 above. However, the rezone has the potential to block sunlight and reduce privacy to the single-family homes to the east and to the north if the subject properties redevelop with higher structures. These impacts could be partially mitigated by SMC 20.50.021, which requires height step backs for new buildings adjacent to residential zones.

In addition, parking has the potential to spill-over onto neighborhood streets if the required parking spaces onsite are insufficient. Since the site includes both apartments and a contractor's office/showroom, the site will have to accommodate parking for tenants and their guests, employees, business clients, and construction vehicles. If construction equipment is stored on the site, the act of loading and unloading the equipment can create noise, especially in the morning that can negatively impact nearby residential neighbors.

For comparison, staff identified and studied areas within the City where single family residential zones abut commercial zones. The City has very few areas where CB is directly adjacent to R-8 zoning. This is mainly due to the City having very few areas of R-8 zoning, therefore staff included areas of R-6 adjacent to CB and Mixed-Business (MB) zones in these examples. Staff has provided a series of maps where R-6 or R-8 zoning is adjacent to CB and MB zones (**Attachment F**). It should be mentioned that most of the zoning was carried-over from King County and the City did zone these areas to create this development pattern.

Some field observations of these areas identified in **Attachment F** include large commercial structures adjacent to single-family homes with no landscaping buffer, especially between newer commercial structures (building mass is imposing on the SFR property), noise from adjacent commercial uses (especially those business fronting Aurora Avenue North), and mature landscaping (older homes and older commercial structures typically have bigger and more established landscape buffers and trees that block most of the view between uses).

Staff recognizes the potential issues when commercial uses are adjacent to single-family homes. The City has made efforts to transition and buffer residential uses from new commercial structures and uses through provisions in the Development Code such as SMC 20.50.021 – Transition areas, SMC 20.50.450 through 520 – Landscaping, and SMC 20.50.530 through 620 – Signs.

The City's Code Enforcement and Customer Response Team (CRT) fields calls from concerned residents when commercial uses and associated activities with those businesses spill-over into the adjacent residential neighborhoods. Most of the calls that CECRT responds to are about noise from adjacent businesses, security lighting that shines onto residential property, dumping of trash, and parking that spills onto residential streets from adjacent businesses. Staff has made field visits to the areas where single-family homes (R-6 and R-8) are adjacent to commercial zoning (primarily CB zones but also areas of MB).

5. *The rezone has merit and value for the community.*

The applicants have been operating a contractor's office at 1510 NE 170th Street for the past eight (8) years and the only avenue to bring this business "as is" into complete conformance with the Shoreline Development Code is to rezone the property at 1510 NE 170th Street to CB. 1517 NE 170th Street would also need to be rezoned to CB to allow the expansion of the existing office/showroom across the street. This rezone has the potential to add value to the community by retaining a small business within the City and allowing it to expand.

- **Pros and Cons for Rezoning 1510 and 1517 NE 170th to CB**

- **Pros:**

Rezoning the subject parcels to CB will allow the applicant to operate their contractors office/showroom, outside and indoor storage, and vehicle storage and expand their business into the future. The CB zone is one of two zones that will allow the applicant's business to continue without modification. The applicants will still be subject to zoning regulations in terms of required parking spaces, hardscape, landscaping, lighting, and signage. As demonstrated by **Attachment F**, there are many parcels of single-family residential homes (R-6 and R-8) that are adjacent to CB and MB zones. The City has had very few complaints filed with CECRT from issues stemming from established commercial uses adjacent to single-family neighborhoods. Most of the complaints taken by CECRT are for illegal dumping, light shining on residential homes, parking of commercial vehicles on neighborhood streets, and commercial traffic on

neighborhood streets. These issues are citywide and not specifically related to the subject parcels.

- **Cons:**

Rezoning the subject parcels to CB will allow the future development of more intense uses if the applicant has a change of plans for their business or sells the parcels in the future. The City does not provide conditional rezones and cannot guarantee that the applicant's business will continue as is in the future. The CB zone allows such uses as auto repair, brewpubs, restaurants, retail, medical offices, and nursing facilities, in addition to multifamily housing up to 60-feet in height and density between 100-140 units per acre. Even with the required setbacks, step backs and screening there is the potential for conflicts with the single-family neighborhood to the east regarding noise, off-site parking, outdoor lighting, traffic and litter when these types of commercial uses are located adjacent to single family homes. The City's CECRT has received complaints from the adjacent single-family neighborhood about business uses at 1510 and 1517 NE 170th Street related to parking spill over, lighting and traffic. The complaints regarding 1517 NE 170th Street were related to the auto repair and dance studio that were operated at this location by the previous property owner. These uses terminated with the sale of the property.

Planning Commission Recommendation

Based on the analysis of the Comprehensive Plan Amendment Criteria, the rezoning criteria, and the goals and policies of the Shoreline Comprehensive Plan, the Planning Commission recommended denial of Comprehensive Plan Amendment No. 1.

Amendment No. 2 (Comprehensive Plan Amendment)

Update Natural Environment Goal V to set local goals to reduce greenhouse gas (GHG) emissions in support of the Paris Climate Accord threshold to limit global warming to less than 1.5° C above pre-industrial levels.

Amendment Description

This is a privately-initiated amendment (**Attachment G**) 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 submitted by the applicant would 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.

Staff recommended to the Planning Commission to rephrase the language slightly to be clearer that greenhouse gas (GHG) emissions themselves are not to be limited to a number of degrees, but that reducing local GHG emissions is the most effective contribution to the attempt to limit catastrophic levels of global warming. The Planning Commission accepted staff's recommendation and therefore Amendment No. 2 now reads as follows:

Protect clean air and the climate for present and future generations through significant reduction of greenhouse gas emissions, to support Paris Climate Accord targets of limiting global warming to less than 1.5° C above pre-industrial levels. Local reduction targets will also and promote efficient and effective solutions for transportation, clean industries, and development.

Staff Analysis

The proposed amendment is in response to recent Intergovernmental Panel on Climate Change (IPCC) reports showing the dire consequences of allowing global warming to increase higher than 1.5° C (2.7° F) above pre-industrial levels, as opposed to the previous target of limiting warming to 2° C (3.6° F).

Through adoption of the Climate Action Plan (CAP) in 2013, the City committed to reducing GHG emissions 25% by 2020, 50% by 2030, and 80% by 2050 (80 x 50), which is a target shared by King County and many of the cities in the King County-Cities Climate Collaboration (K4C). These targets were intended to support the goal of keeping global warming below 2° C. The 2016 Paris Climate Accord revised the target to 1.5° C based on updated scientific analysis that the lower threshold was necessary to prevent the most catastrophic impacts of the climate crisis.

A more ambitious target to limit global warming to below 1.5° C may necessitate revising the GHG emission reduction targets in the City's Climate Action Plan. This could be analyzed through the next update of the Climate Action Plan (CAP). This update is not currently programmed but should take place following a GHG inventory in 2021 to assess how the City performed on its 2020 emission reduction target. More aggressive emission reduction targets would likely not change the types of activities that the City would pursue, but they may require a more proactive approach to implementing recommendations in the City's CAP.

Pursuant to SMC 20.30.340(B), Amendment No. 2 may be approved only if:

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

- **Growth Management Act (GMA)**

Proposed Amendment No. 2 is consistent with the goals of the Growth Management Act. Amendment No. 2 is directly aligned with GMA Planning Goal No. 10 Environment – “Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.” Implementation of many of the GMA

Planning Goals, such as reducing urban sprawl, promoting growth in urban areas, retaining open space and encouraging multi modal transportation support the achievement of the proposed amendment to Comprehensive Plan Goal Natural Environment Goal V, which would set a more ambitious target to limit global warming to below 1.5° C.

- **King County Countywide Planning Policies**

Proposed Amendment No. 2 is consistent with the King County Countywide Planning Policies and specifically aligns with the following policies:

EN-17 Establish a countywide greenhouse gas reduction target that meets or exceeds the statewide reduction requirement that is stated as the 2050 goal of a 50 percent reduction below 1990 levels.

EN-18 Reduce countywide sources of greenhouse gas emissions, compared to a 2007 baseline, by 25% by 2020, 50% by 2030, and 80% by 2050. Assuming 1% annual population growth, these targets translate to per capita emissions of approximately 8.5 metric tons of carbon dioxide equivalent (MTCO₂e) by 2020, 5 MTCO₂e, and 1.5 MTCO₂e by 2050.

- **City of Shoreline Comprehensive Plan**

Proposed Amendment No. 2 is consistent with the City's Comprehensive Plan and specifically aligns with the following policies:

LU59: Initiate public/private partnerships between utilities, and support research, development, and innovation for energy efficiency and renewable energy technology.

Goal NE V. 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.

NE5. Support, promote, and lead public education and involvement programs to raise awareness about environmental issues; motivate individuals, businesses, and community organizations to protect the environment; and provide opportunities for the community and visitors to practice stewardship, and enjoy Shoreline's unique environmental features.

NE39. Support and implement the Mayor's Climate Protection Agreement, climate pledges and commitments undertaken by the City, and other multi-jurisdictional efforts to reduce greenhouse gases, address climate change, sea-level rise, ocean acidification, and other impacts of changing of global conditions.

NE40. Establish policy decisions and priorities considering long-term impacts on natural and human environments.

NE41. Lead by example and encourage other community stakeholders to commit to sustainability. Design our programs, policies, facilities, and practices as models to be emulated.

Staff cannot point to any specific goals or policies that Amendment No. 2 would be inconsistent with. However, there is the reality that to achieve the current Natural Environment Goal V or as proposed for amendment will require substantial changes in energy use, the transportation methods chosen, and the construction methods/materials allowed. This will likely necessitate policy adjustments and prioritization in the Land Use, Housing, Economic Development, Utilities and Transportation elements of the Comprehensive Plan to fully align. For example, motorized transportation is one of the major contributors to GHG emissions in the City. The Comprehensive Plan Transportation Element aims to balance the needs of motorized transportation with the needs for non-motorized transportation. However, adoption of the proposed amendment to Comprehensive Plan Goal Natural Environment Goal V may necessitate changes to Transportation Goals and Policies to even further prioritize non-motorized over motorized (pollution generating) options.

2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.*

Amendment No. 2 addresses changing circumstances. As noted above, through adoption of the CAP in 2013, the City committed to reducing GHG emissions 25% by 2020, 50% by 2030, and 80% by 2050 (80 x 50), which is a target shared by King County and many of the cities in the King County-Cities Climate Collaboration (K4C). These targets were intended to support the goal of keeping global warming below 2 °C. The 2016 Paris Climate Accord revised the target to 1.5 °C based on updated scientific analysis that the lower threshold was necessary to prevent the most catastrophic impacts of the climate crisis. This amendment seeks to align the City's goal with the more recent Paris Climate Accord scientific analysis.

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

Amendment No. 2 is proposed to set a more ambitious goal to keep global warming below 1.5° C by significantly reducing local GHG emissions. The intent of this goal is to protect public health, safety and general welfare from the catastrophic impacts of global warming such as flood, famine, contamination of air and water, and habitat and species loss. Global warming also can impact community facilities negatively by fueling more frequent and severe natural disasters that can damage and destroy community facilities. Therefore, a goal to more dramatically reduce GHG emissions will benefit the community. Achieving this goal will require individuals, families and business owners/operators in the

City to make changes in how we live and work largely related to transportation and energy.

Planning Commission Recommendation

The City does not currently have an analysis of what local actions or costs would be associated with implementation of Amendment No. 2. However, the City is planning to complete a GHG emissions inventory in 2021 (using 2020 data), followed by an update to the [2015 Carbon Wedge Analysis](#) and the [2013 Climate Action Plan](#) for the City (both to be completed in 2021/2022). Staff anticipates that they will have a good sense of actions and potential costs at the conclusion of that work.

The carbon emissions reduction goals and policies have been a priority for the City for several years and have been in the Comprehensive Plan since 1998. The update and implementation of the CAP, GHG emission inventory, Carbon Wedge Analysis, and Comprehensive Plan are currently in the City's work plan and will further the City's goals of carbon reduction. For these reasons, the Planning Commission recommends approval of Comprehensive Plan Amendment No. 2.

If the City Council concurs with the Planning Commission's recommendation and adopts this policy, here is how implementation may occur:

- Because the City Council adopted a GHG reduction target of 25% by 2020 through the 2013 CAP, staff will perform an analysis in 2021 to determine how the City is doing on meeting current targets. The City is not currently on track to meet the 2020 target, but by 2030, some of the initiatives of recent years, including green building mandates and incentives and light rail service, will start to move the needle significantly.
 - Following the 2021 GHG emissions inventory, the City will update the CAP. Updating the CAP will include an analysis of how conditions have changed since 2013, incorporating the latest science and relevant (supportive and unsupportive) federal and state initiatives. Recommendations will focus on how to best evolve and meet the targets.
 - The 2021 CAP update is the primary mechanism through which the new Comprehensive Plan policy would be analyzed and recommendations for implementation would be developed, prioritized, and adopted. Staff has just begun working on the update to the City's Comprehensive Plan with the completion of the Buildable Lands Analysis and review of the Puget Sound Regional Council's Draft VISION 2050. The City is on track for updating the Comprehensive Plan by June 2023.
 - While the CAP offers recommendations, the City worked with Climate Solutions in 2015 to develop a Carbon Wedge Analysis, which provided a more in-depth understanding of exactly how to meet the targets. It is possible that the City will update the Carbon Wedge Analysis following the update of the CAP.
-

Amendment No. 3 (Comprehensive Plan Amendment)

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

Amendment Description

This amendment is related to Amendment No. 1. Initially, the applicants of Amendment No. 1 were given two options that potentially could allow for permitting an existing office, showroom, and remodeling and construction business at their current location, in addition to an option to discontinue the use of their property as a professional office (**Attachment H**). One of those options suggested applying for a General Comprehensive Plan Amendment to change LU2, described above in the analysis of Amendment No. 1, to allow for professional office uses.

To accomplish this, the Policy would 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.

If Comprehensive Plan Amendment No. 3 is approved, a development code amendment would subsequently be required to implement this amendment as the code currently prohibits professional offices. This future development code amendment could address restrictions on siting and conditions by which such uses may be permitted within the R-8 and R-12 zoning districts, including such things as arterial access, proximity to commercial zones, and transitional setbacks. For instance, indexed criteria could be used to limit the number of parcels that could accommodate professional offices in R-8 and R-12 zones throughout the City.

Staff Analysis

As stated in SMC 20.30.340, a Comprehensive Plan Amendment is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, to respond to changing circumstances or needs of the City.

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

- **Growth Management Act**

The proposed amendment is partially consistent with Growth Management Act Planning Goal 5:

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The proposed Comprehensive Plan amendment would encourage more opportunities for economic development in the city.

The proposed amendment is inconsistent with GMA Planning Goal 4:

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

The proposed amendment will allow existing housing stock to be converted into professional offices, reducing the available stock of homes for housing.

- **King County Countywide Planning Policies**

The staff review of the proposed amendment to change Land Use Policy LU2 found that the amendment is partially supported by CPPs related to Urban Lands but also conflicts with other CPPs:

DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:

- *Directing concentrations of housing and employment growth to designated centers;*
- *Encouraging compact development with a mix of compatible residential, commercial, and community activities;*
- *Maximizing the use of the existing capacity for housing and employment; and*
- *Coordinating plans for land use, transportation, capital facilities and services. [emphasis added]*

The proposed amendment would encourage compact development with a mix of residential and commercial activity, however it is subjective as to whether the development is compatible. The City has capacity for professional offices on land already zoned for that use.

EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs.

DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.

Allowing professional offices in the Medium Density Residential designation would allow for the reuse of existing buildings and promote the mix of uses allowed in neighborhoods around the city.

DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.

Allowing professional offices would foster infill development by allowing office uses within residential neighborhoods. It is subjective as to whether infill development would be compatible with the existing or desired urban character of the neighborhood.

H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.

The proposed amendment could protect or promote the health and wellbeing of residents. The professional office use is typically lower impact to adjacent neighbors since the uses are conducted indoors and outdoor storage and activities are prohibited.

- **City of Shoreline Comprehensive Plan**

The following Comprehensive Plan Goals and Policies are consistent with the proposed amendment as the proposal would allow existing employment and provide for services to the community through an existing business. The following goals and policies are consistent with the proposed amendment:

Goal LU1 - Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Land Use Policy 7 - promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and “third places”; and

Goal LU V - Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.

Land Use Policy 5 - Review and update infill standards and procedures that promote quality development and consider the existing neighborhood.

Goal ED VI: Support employers and new businesses that create more and better jobs.

Goal ED VIII: Promote and support vibrant activities and businesses that grow the local economy.

ED13: Support and retain small businesses and create an environment where new businesses can flourish.

The proposed amendment is not consistent with the following goals and policies:

Policy CD4 – Buffer the visual impact on residential areas of commercial, office, industrial, and institutional development.

The proposed amendment will allow office uses throughout residential neighborhoods increasing the impact between single-family homes and commercial uses.

LU15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.

Allowing professional offices in the MDR designation will increase commercial traffic, parking, noise, lighting, and general activity in single-family neighborhoods.

2. The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.

The proposed amendment does not address changing circumstances, changing community values, or correct information contained in the Comprehensive Plan. The amendment will allow professional offices in single-family neighborhoods. Staff is not aware of any demand for professional offices in residential neighborhoods. Alternatively, the City allows home-based businesses in single-family neighborhoods if the homeowner meets the criteria in SMC 20.40.400.

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

The proposed amendment would not adversely affect community facilities, public health, safety or the general welfare of the community. Allowing Professional Offices in the MDR designation may cause additional traffic, parking, and general activity throughout a neighborhood but those factors can be mitigated through requirements in the Shoreline Development Code.

SMC 20.40.030(B) states the purpose of medium density residential, R-8 and R-12 zones, is to provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities in a manner that provides for additional density at a modest scale. Professional Offices as well as all other commercial uses are not currently permitted in the R-8. The intent of the R-8 zone is primarily for higher density single family homes (5,000 sq. ft. minimum lot sizes), churches, schools, and daycares under certain conditions.

The City does not have a large area devoted to R-8 zoning. Only 44 acres of the City is zoned R-8, which is 0.6% of the City's total land area. The R-8 zone mostly provides a buffer between commercial zoning and single-family zoning or provides a buffer between Arterial Streets and single-family neighborhoods.

Even though professional offices are not allowed in the R-8 and R-6 zones, residents of the R-8 and R-6 zones can conduct business if they comply with the size and operational limitations in the indexed criteria of a Home Occupation. While a home occupation may not work for every type of business, they do provide an option if a homeowner wants to conduct a smaller scale business that can integrate into the neighborhood setting.

Planning Commission Recommendation

Based on the Comprehensive Plan Amendment Criteria and review of the proposed Development Code Amendment to add Professional Offices as a Conditional Use to the R-8 and R-12 zones, the Planning Commission recommended denial of Comprehensive Plan Amendment No. 3.

The Planning Commission recommended denial because it believed this amendment was unwarranted as it does not solve the need of the applicant and will cause disruption throughout Shoreline's neighborhoods. The Planning Commission further believed that the City currently allows home-based businesses and that home occupations allow residents the flexibility to run offices with less impact to the surrounding neighborhood than a traditional office will. The Commission also expressed concern that land intended for residential use will be converted to office use since it is often less expensive to buy residential land.

Alternatives Considered by the Planning Commission for Amendment Nos. 1 & 3

At the August 1, 2019 Planning Commission meeting, staff presented the Planning Commission with alternatives to Comprehensive Plan Amendment Nos. 1 and 3. One of those options was to consider a Comprehensive Plan Amendment to High-Density Residential and a concurrent rezone to R-18. Staff explained that a rezone to R-18 meets the goals and policies of the Comprehensive Plan and is a logical transition from

the Community Business zoning to the west and the single-family uses to the east. This item had not been placed on the 2019 Docket, but staff saw it as an alternative for consideration.

At the September 5, 2019 meeting, the Planning Commission commented that a rezone to R-18 would not accommodate the applicants' business without significant changes and the request is not something the Commission would recommend to Council.

Tonight's Council Discussion

As noted earlier, proposed Ordinance No. 881 would amend the City's Comprehensive Plan consistent with the Planning Commission's recommendation on the 2019 Docket, which was provided on November 21, 2019. Tonight, the City Council is scheduled to discuss proposed Ordinance No. 881. Proposed Ordinance No. 881 is currently scheduled for adoption on December 9, 2019.

RESOURCE/FINANCIAL IMPACT

Proposed Comprehensive Plan Amendment No. 1 is not anticipated to have a resource or financial impact. Proposed Amendment No. 2 has the potential to add additional work to staff work plans and consultant resources to update the Greenhouse Gas Emissions Inventory, the Carbon Wedge Analysis, the Climate Action Plan, and the 2023 Comprehensive Plan. Proposed Amendment No. 3 has the potential to add additional work to staff work plans to amend the Shoreline Development Code to allow offices in the R-8 and R-12 zones.

RECOMMENDATION

No action is required tonight; this is an informational meeting in preparation for the December 9, 2019 meeting where the City Council is scheduled to adopt the 2019 Docket amendments through proposed Ordinance No. 881. The Planning Commission has recommended that the City Council deny Comprehensive Plan Amendment Nos. 1 and 3 and adopt Amendment No. 2.

ATTACHMENTS

Attachment A – 2019 Comprehensive Plan Docket
Attachment B – Planning Commission Recommendation
Attachment C – Proposed Ordinance No. 881
Attachment D – Irons Rezone Criteria
Attachment E – Irons Comprehensive Plan Amendment Criteria
Attachment F – Maps Showing R-6 and R-8 Zoning Adjacent to CB and MB Zoning
Attachment G – Keim Application
Attachment H – Irons Zoning Options Letter



2019 COMPREHENSIVE PLAN AMENDMENT DOCKET

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

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

Estimated timeframe for Council review/adoption: November 2019.



TO: Honorable Members of the Shoreline City Council

FROM: Laura Mork, Chair *Pro Tem*
Shoreline Planning Commission

DATE: November 21, 2019

RE: 2019 Comprehensive Plan Amendments

The Shoreline Planning Commission has completed its review of the 2019 Comprehensive Plan Amendments that the City Council placed on the Final Docket in April 2019. After the Final Docket was established, the Planning Commission held two (2) study sessions on the proposed amendments and a public hearing which was held on two (2) separate days.

In consideration of the Planning Staff's recommendations, written and oral public testimony, and the decision criteria set forth in SMC 20.30.340 for comprehensive plan amendments and SMC 20.30.320 for the concurrent rezone, the Planning Commission respectfully recommends:

- Proposed Amendment No. 1 - DENY

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.

- Proposed Amendment No. 2 – APPROVE

Update Natural Environment Goal V to set local goals to reduce greenhouse gas (GHG) emissions in support of the Paris Climate Accord threshold to limit global warming to less than 1.5° C above pre-industrial levels.

- Proposed Amendment No. 3 – DENY

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

ORDINANCE NO. 881

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
ADOPTING THE 2019 COMPREHENSIVE PLAN ANNUAL DOCKET
AMENDMENTS TO THE SHORELINE COMPREHENSIVE PLAN AND
CONCURRENT REZONE.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, in conformance with the Growth Management Act, the City has adopted a Comprehensive Land Use Plan; and

WHEREAS, the Growth Management Act provides for the opportunity to amend the Comprehensive Plan once a year and the City has developed an annual docketing review process for continuing review and evaluation of its Comprehensive Plan; and

WHEREAS, at its April 15, 2019 regular meeting, the City Council established the 2019 Comprehensive Plan Annual Docket containing four (4) proposed amendments with a concurrent rezone accompanying one of those amendments; and

WHEREAS, at its June 3, 2019 regular meeting, the City Council reconsidered the 2019 Comprehensive Plan Annual Docket and determined to remove a proposed amendment related to the Fircrest Campus site leaving three (3) proposed amendments and the concurrent rezone; and

WHEREAS, on August 1, 2019 and September 5, 2019, the City of Shoreline Planning Commission held study sessions on the docketed amendments and concurrent rezone; and

WHEREAS, the environmental impacts of the 2019 Comprehensive Plan Annual Docket and concurrent rezone resulted in the issuance of a Determination of Non-Significance (DNS) on September 10, 2019, pursuant to the State Environmental Policy Act (SEPA); and

WHEREAS, to ensure procedural compliance with SEPA, an amended and revised DNS was issued on October 1, 2019; and

WHEREAS, on October 17, 2019, the City of Shoreline Planning Commission held a properly noticed public hearing on the 2019 Comprehensive Plan Annual Docket and concurrent rezone so as to receive public testimony and continued the public hearing to November 21, 2019; and

WHEREAS, at the conclusion of public hearing on November 21, 2019, the City of Shoreline Planning Commission recommended approval only of Docket Amendment No. 2 limiting greenhouse gas emissions; and

WHEREAS, on December 2, 2019, the City Council considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City Council has accepted the Planning Commission's recommendation; and

WHEREAS, the City Council has determined that Docket Amendment No. 2 as recommended by the Planning Commission is consistent with the Growth Management Act and the other provisions of the Comprehensive Plan, and meets the criteria set forth in SMC 20.30.320 and SMC 20.30.340 and;

WHEREAS, the City provided public notice of the amendments and the public meetings and hearing as provided in SMC 20.30.070; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights when considering the 2019 Comprehensive Plan Annual Docket and concurrent rezone; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent pertaining to the 2019 Comprehensive Plan Annual Docket and concurrent rezone; and

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

Section 1. Amendment to Comprehensive Plan. The City of Shoreline Comprehensive Plan, Element 6 Natural Environment, Goal NE V, is amended as follows:

Goal NE V. Protect clean air and the climate for present and future generations through significant reduction of greenhouse gas emissions, to support Paris Climate Accord targets of limiting global warming to less than 1.5° C above pre-industrial levels. Local reduction targets will also ~~and promotion of~~ efficient and effective solutions for transportation, clean industries, and development.

Section 2. Transmittal of Amendment to Washington State Department of Commerce.

A. Pursuant to RCW 36.70A.106, the Director of Planning and Community Development or designee shall transmit a complete and accurate copy of this

Ordinance and attachments, if any, to the Washington State Department of Commerce within ten (10) calendar days of the date of passage.

- B. The City Clerk shall denote the date of transmittal after the signature lines as provided herein.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 5. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON DECEMBER 9, 2019.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2019

Effective Date: , 2019

Date of Transmittal to Commerce , 2019



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.



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

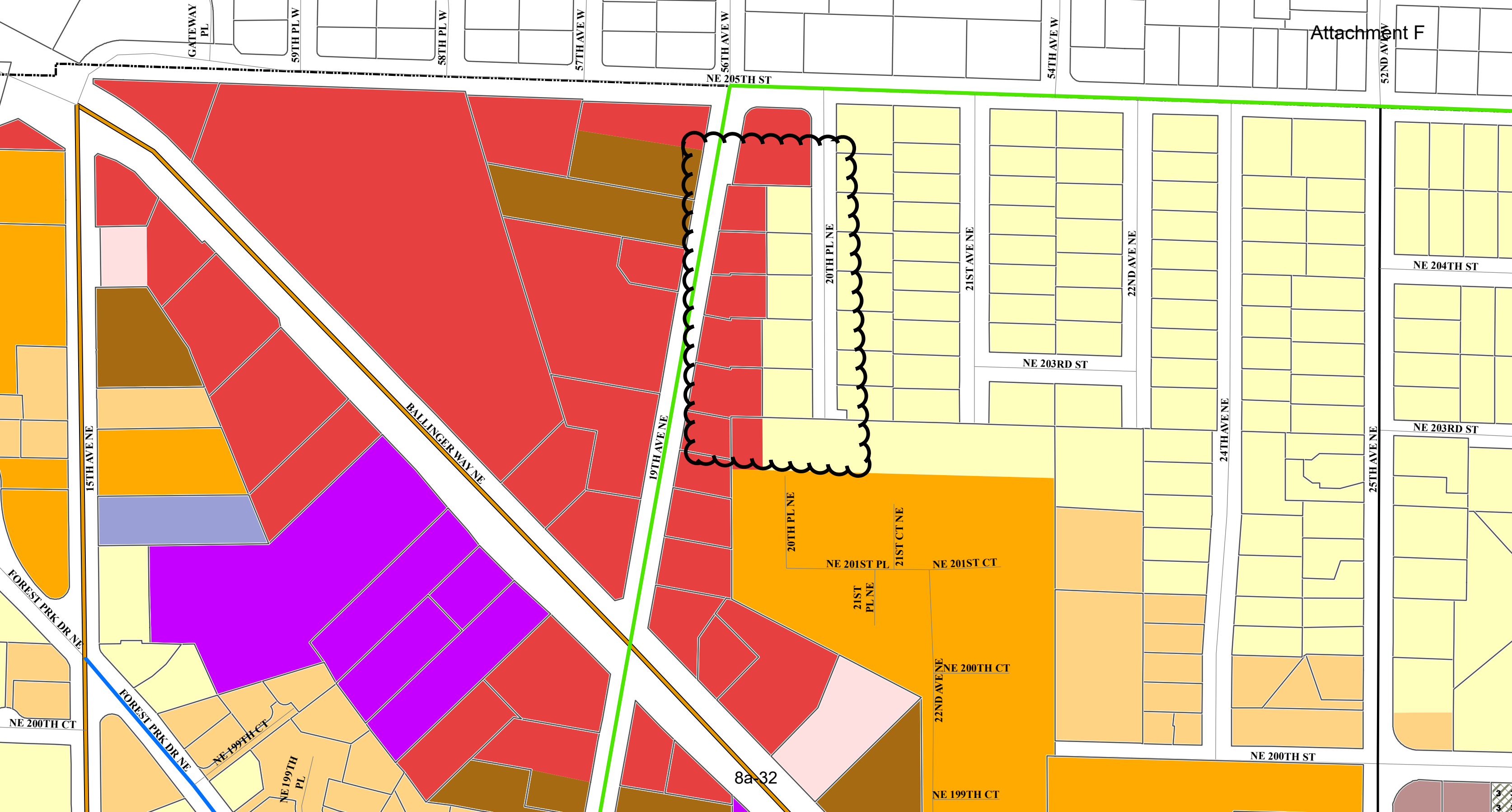
- c. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.

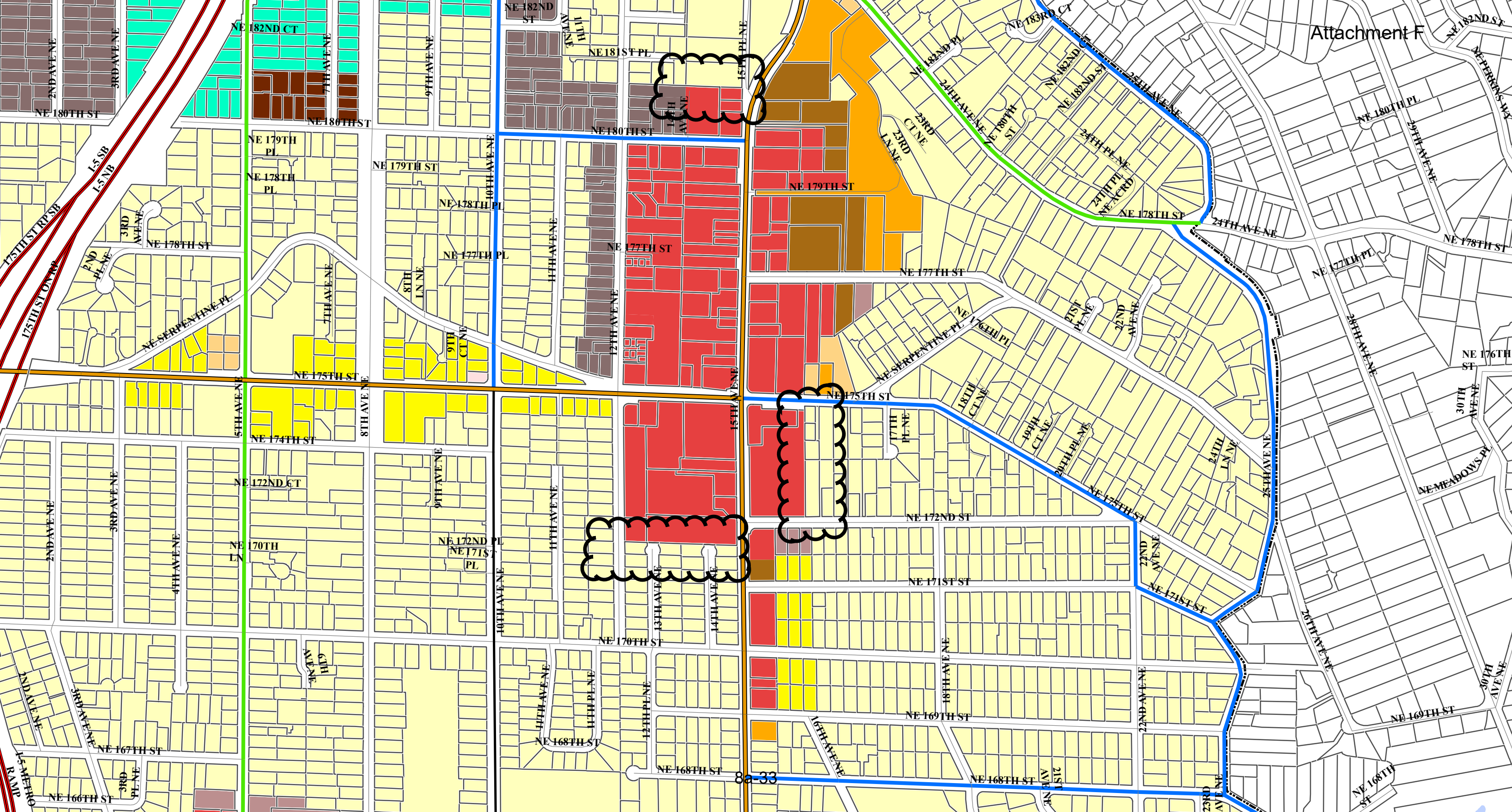
The proposed Comprehensive Plan Amendment will benefit the community as a whole since it will slightly expand the CB-Community Business area which will allow commercial/office uses to provide services, goods, and jobs to be accessible to the residents of the City.

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.





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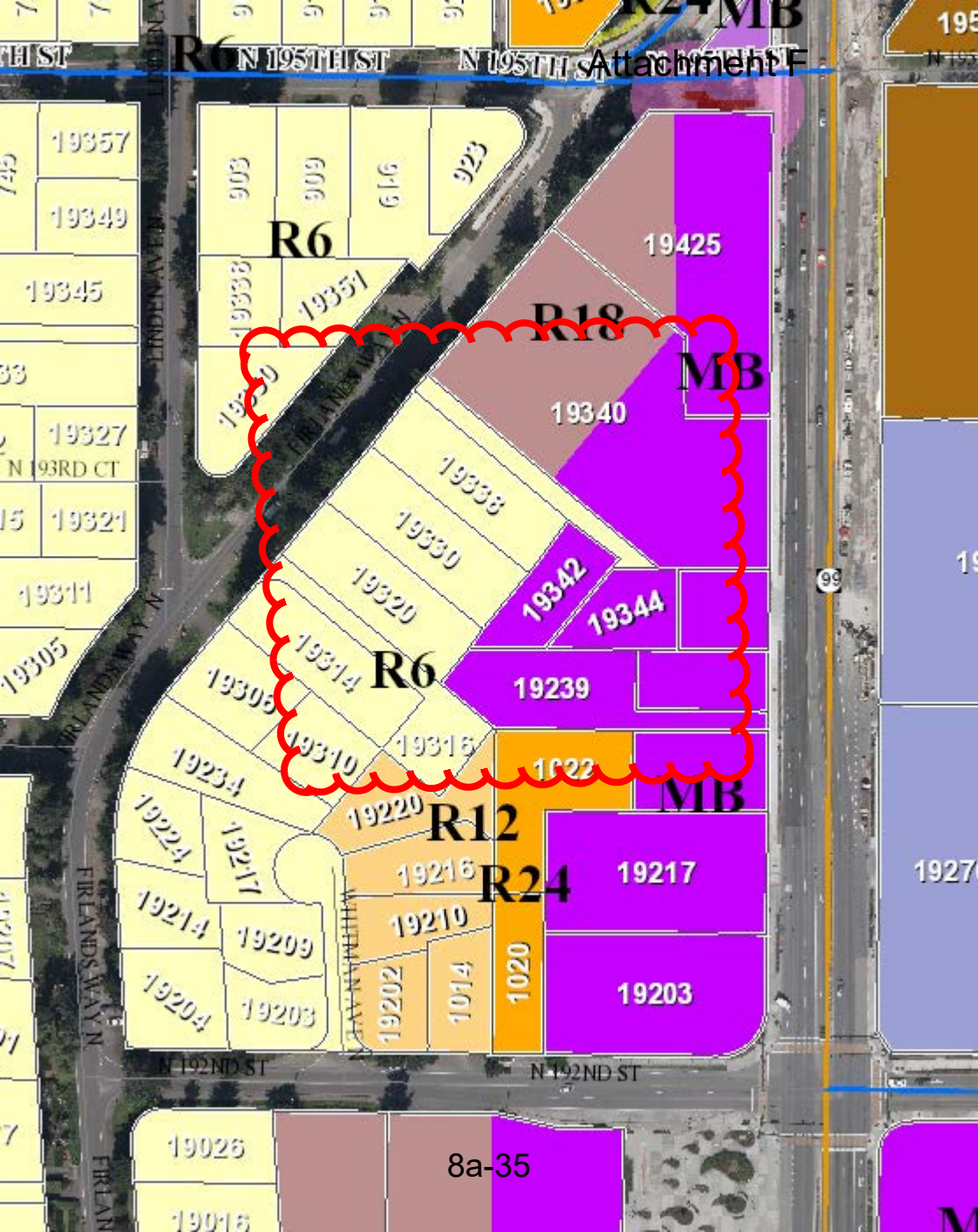
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Attachment F

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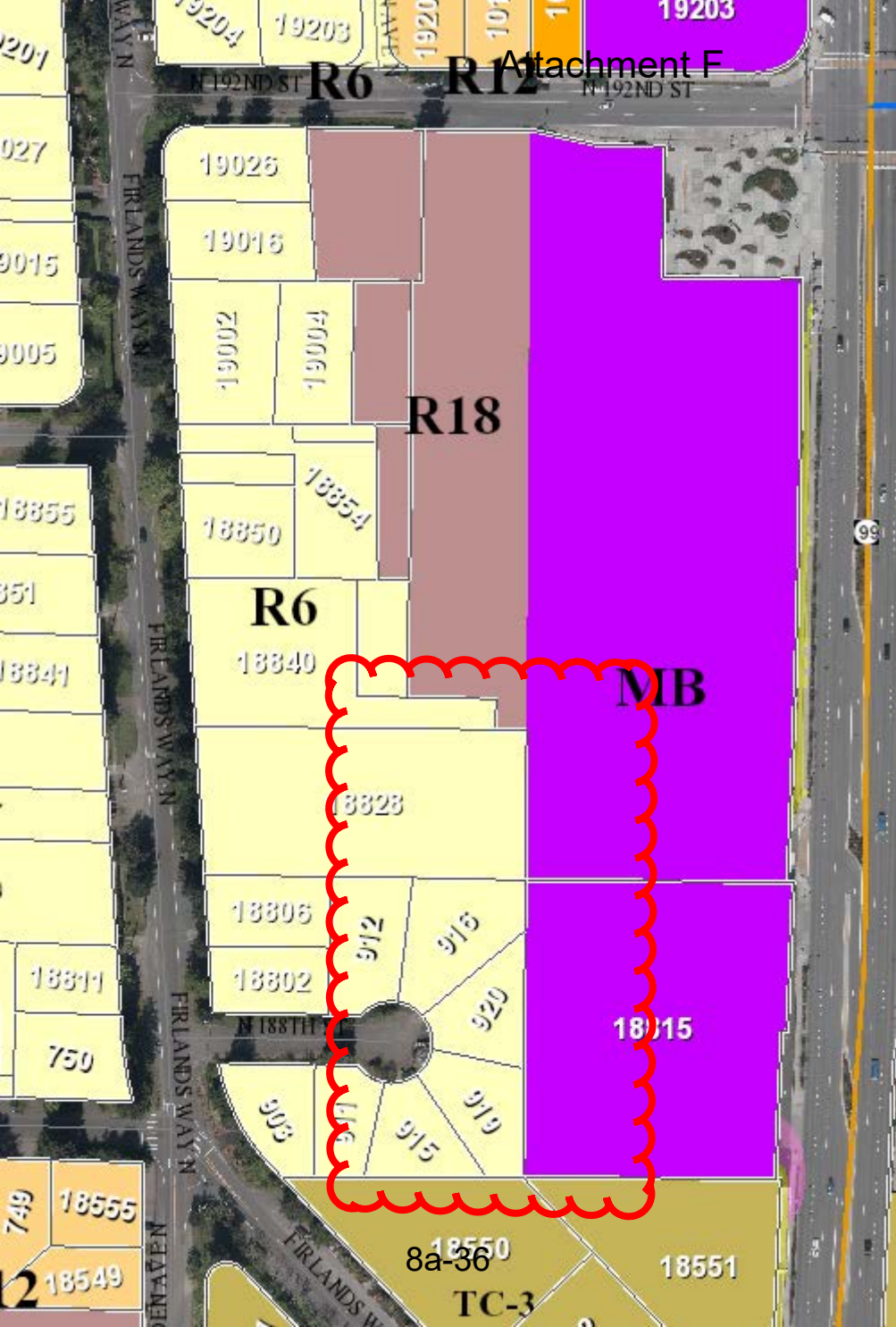
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Attachment F

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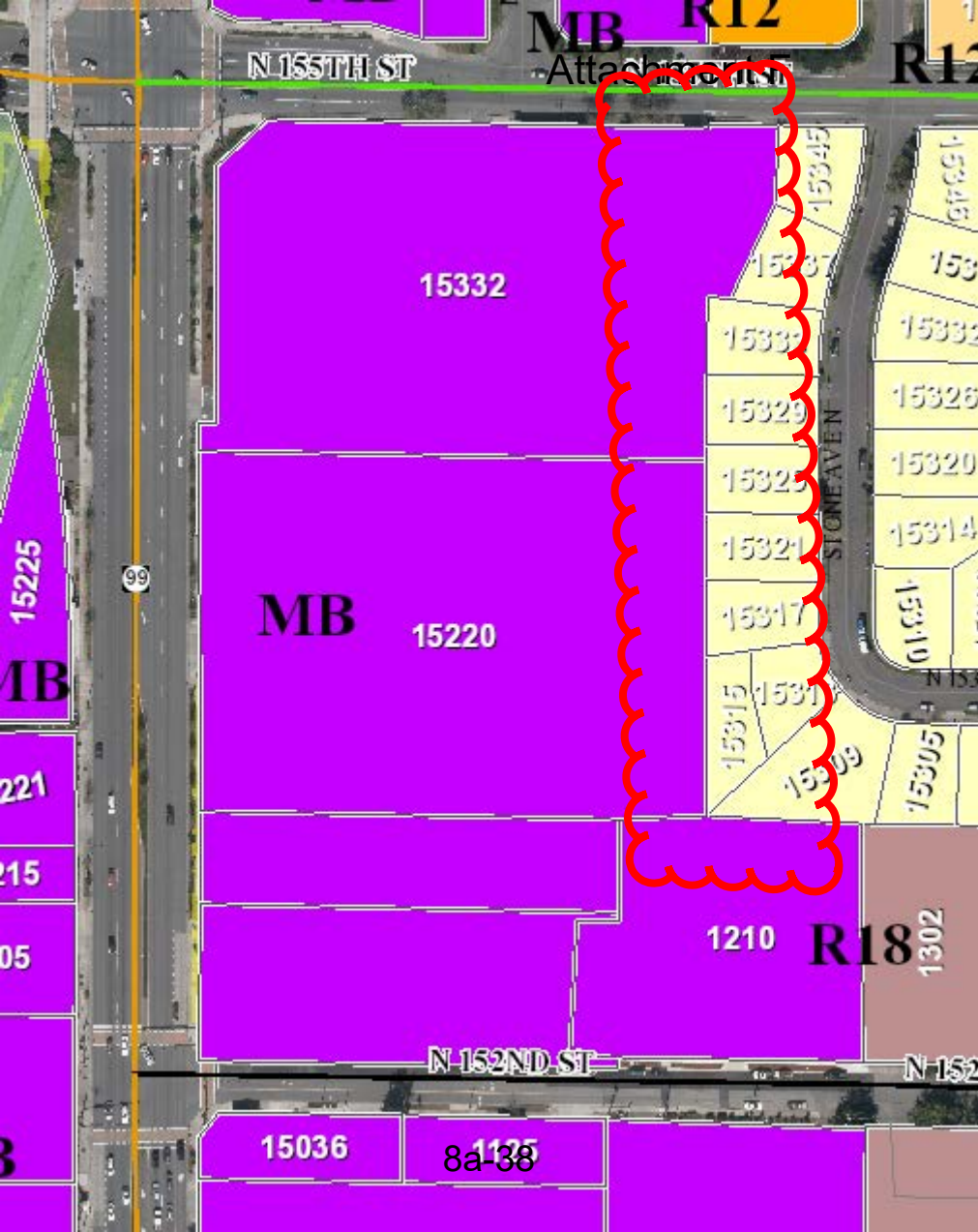
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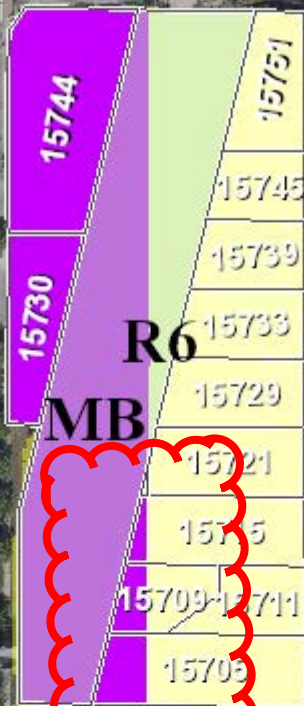
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Attachment F



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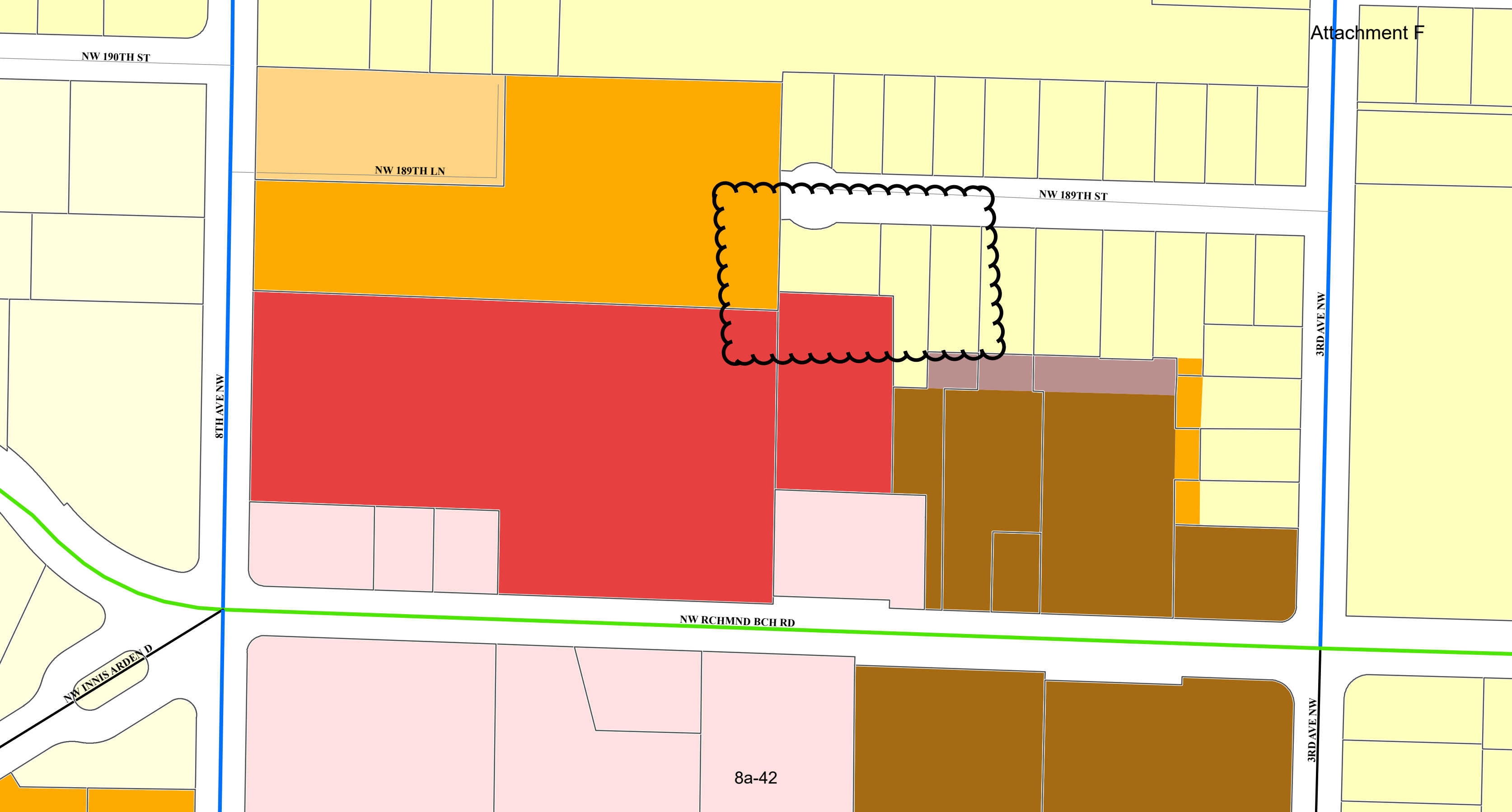
This aerial map displays a residential neighborhood with various zoning districts and a highlighted parcel. The highlighted parcel, located at the intersection of Forest Park Drive NE and 15th Avenue NE, is outlined in red and labeled '8a-41'. The map shows several other parcels with their respective zoning districts and parcel numbers:

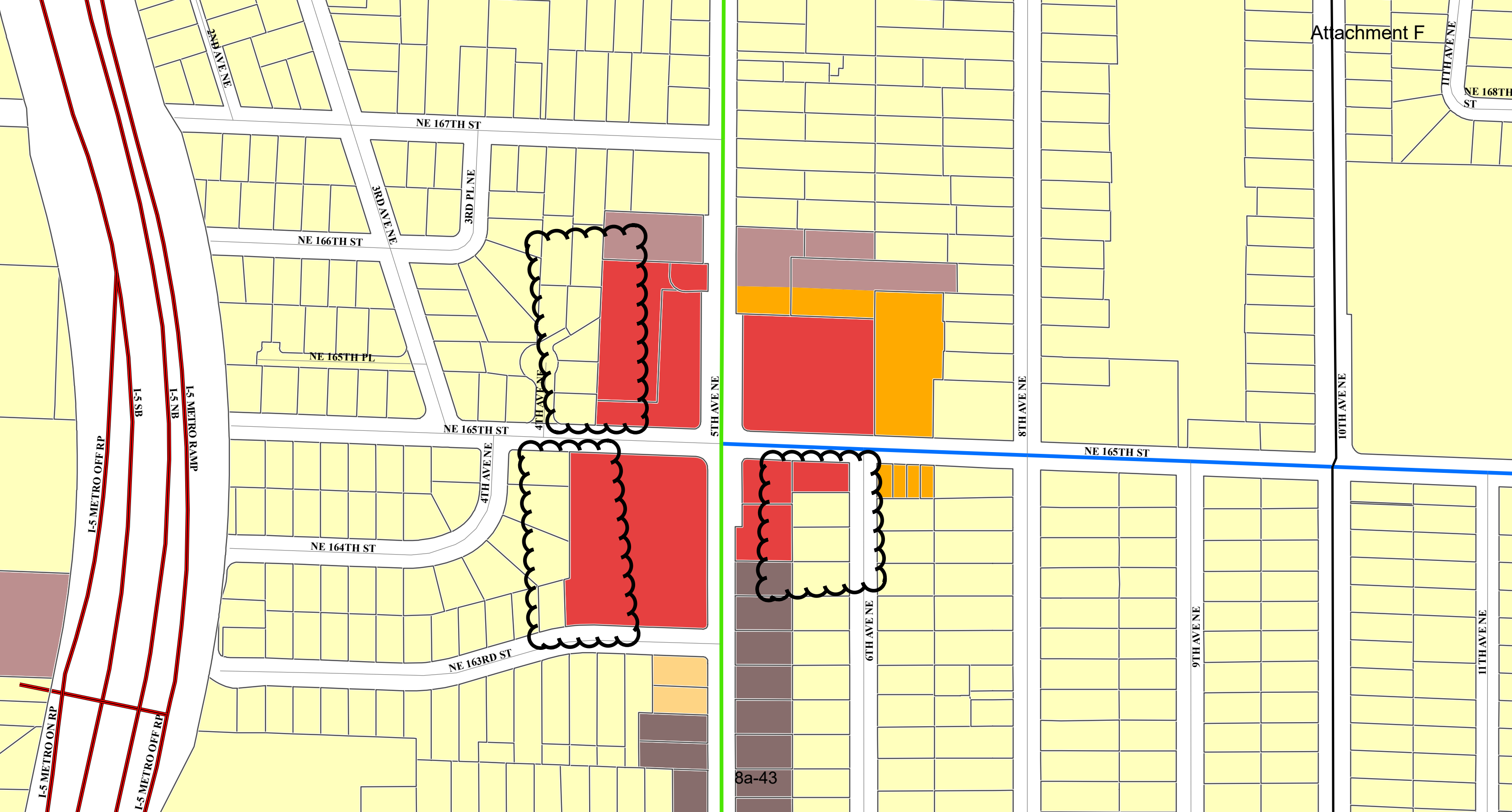
- Parcel 20042:** Zoning R12 (Orange)
- Parcel 20037:** Zoning R12 (Orange)
- Parcel 20034:** Zoning R24 (Orange)
- Parcel 20028:** Zoning CZ (Blue)
- Parcel 20057:** Zoning MB (Purple)
- Parcel 20041:** Zoning MB (Purple)
- Parcel 20021:** Zoning MB (Purple)
- Parcel 20015:** Zoning MB (Purple)
- Parcel 20037:** Zoning R12 (Orange)
- Parcel 20035:** Zoning R24 (Orange)
- Parcel 20050:** Zoning R24 (Orange)
- Parcel 20011:** Zoning R12 (Orange)
- Parcel 20005:** Zoning R12 (Orange)
- Parcel 19946:** Zoning R6 (Yellow)
- Parcel 19938:** Zoning R6 (Yellow)
- Parcel 19930:** Zoning R6 (Yellow)
- Parcel 1602:** Zoning R6 (Yellow)
- Parcel 1608:** Zoning R6 (Yellow)
- Parcel 1614:** Zoning R6 (Yellow)
- Parcel 1627:** Zoning R6 (Yellow)
- Parcel 1622:** Zoning R6 (Yellow)
- Parcel 20227:** Zoning CB (Red)
- Parcel 20240:** Zoning CB (Red)
- Parcel 20015:** Zoning MB (Purple)

The map also shows several streets:

- 15th Avenue NE:** A major road running vertically on the left side of the map.
- Forest Park Drive NE:** A road running diagonally from the bottom left towards the center.
- Ballinger:** A road running diagonally from the top right towards the center.
- 9th Pl:** A small road running vertically on the right side of the map.

The text 'Attachment F' is visible in the top right corner of the map.





NE 168TH ST

10TH AVENUE

11TH AVENUE

9TH AVENUE

NE 165TH ST

8TH AVENUE

6TH AVENUE

5TH AVENUE

4TH AVENUE

4TH AVENUE

NE 165TH ST

NE 166TH ST

NE 167TH ST

3RD PL NE

3RD AVENUE

NE 165TH PL

NE 164TH ST

NE 163RD ST

I-5 METRO OFF RP

I-5 SB

I-5 NB

I-5 METRO RAMP

I-5 METRO ON RP

I-5 METRO OFF RP

8a-43



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 ~~strikethrough~~ 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.



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 170th Street
Shoreline, WA 98155

RE: Office Use in a Residential (R-8) zone at 1510 NE 170th 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 170th 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 170th 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 170th 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.

Option 3. Discontinue using the property at 1510 NE 170th 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 170th Street

You also asked about the possibility of using the property you own across the street at 1517 NE 170th Street in conjunction with the Irons Brothers Design + Build center at 1510 NE 170th Street. You described possibly using the property at 1517 NE 170th 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 170th is zoned R-8 and therefore subject to the same restrictions as described above for 1510 NE 170th Street. Option 1 could be used to request a land use change and rezone for both 1510 and 1517 NE 170th Street to MU-2 and Community Business to allow "General Retail Trade/Services".

The use as described for 1517 NE 170th 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