

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 881 – 2019 Comprehensive Plan Annual Docket Amendments to the Shoreline Comprehensive Plan
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Steven Szafran, AICP, Senior Planner Rachael Markle, AICP, Director
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> 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.

The Council discussed the 2019 Comprehensive Plan Amendments, as recommended by the Planning Commission, on December 2, 2019. Staff has updated the analysis for Amendment #3 based on Council discussion on December 2nd and included amendatory language for Amendments #1 and #3 under the analysis section. Tonight, the City Council is scheduled to adopt proposed Ordinance No. 881.

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

The Planning Commission has recommended that the City Council deny Comprehensive Plan Amendment Nos. 1 and 3 and adopt Amendment No. 2 through Ordinance 881.

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. The City Council discussed proposed Ordinance No. 881 at their meeting on December 2, 2019. The staff report for this Council discussion can be found at the following link:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport120219-8a.pdf>.

DISCUSSION

The following section of this staff report provides a description of the amendments that make up the 2019 Comprehensive Plan Amendment Docket and the Planning Commission recommendation for each proposed amendment. Also included is amendatory language for Amendments #1 and #3 that can be used by Council if a Councilmember would like to move to include these amendments into Ordinance No. 881. Additionally, the answers to Council questions regarding Amendments #1 and #3 are provided below. For the staff analysis of each proposed Comprehensive Plan Amendment, please refer to the December 2nd staff report linked above.

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.

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.

Responses to City Council Questions

Following the December 2nd City Council meeting, a Councilmember asked a couple of questions about set-backs between the CB and residential lots. Staff will address these questions below:

- 1. **What is the set-back between a CB and R-8 lot? With that set-back requirement, what would most likely be the maximum height that could be built on a CB lot adjacent to an R-8 lot – assuming the size of the 1510 and 1517 NE 170th Street lots?**

When a parcel is zoned CB and is abutting a parcel zoned R-8, transition area setbacks will apply. This means a 35-foot maximum building height for 25 feet horizontally from the required setback which is 20 feet, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for 10 feet horizontally from the required building setback which is 0 feet, then an additional 10 feet of height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet, up to the maximum height allowed in the zone.

*With a parcel width of 63 feet, the greatest height achievable on 1510 NE 170th Street is 55 feet. With a parcel width of 70 feet, the greatest achievable height on 1517 NE 170th Street is 60 feet. Because the upper reaches of the proposed building would be narrow, the most likely height that could be built on both of the subject parcels is 50 feet. **Attachment D** to this staff report provides a depiction of the set-back requirements as described here.*

Amendatory Motion to Include this Amendment

Some Councilmembers suggested at the December 2nd Council discussion that they may want to include this amendment in Ordinance No. 881. If Council would like to include this amendment, a Councilmember would need to move to modify the Planning Commission’s recommendation as follows:

I move to modify the Planning Commission’s recommendation and approve Amendment #1 changing the Comprehensive Land Use Designation and zoning of two parcels at 1510 and 1517 NE 170th Street from Medium Density Residential to Mixed-Use 2 and concurrently rezoning from R-8 to Community Business.

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 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.

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.

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 City Council-initiated 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. 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.

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.

Responses to City Council Questions

At the December 2nd Council meeting, some Councilmembers had questions about professional offices in the R-8 and R-12 zones and the process and procedures of how to regulate such uses. Staff will address each question below:

1. What is the process for allowing a professional office in the R-8/R-12 if Amendment #3 is adopted?

Staff will begin the process of adding professional office to SMC 20.40.130 Nonresidential Uses. This amendment will follow the same procedure as any other Development Code Amendment. That procedure begins with staff drafting the amendment, sending the proposed language to the Department of Commerce for review, Completing a SEPA analysis and issuing a SEPA Determination, advertising the amendment on the City’s website and the Seattle Times, scheduling a discussion at the Planning Commission, holding a public hearing at the Planning Commission, scheduling a discussion at the Council, and finally adopting the amendment into the Development Code. The process usually takes between three and six months to complete.

2. If the Council allows professional offices, could Council impose additional restrictions in the Development Code?

Yes, Council can add conditions, or indexed criteria, to further restrict professional offices in the R-8/R-12 zones. For example, SMC 20.40.130 already has indexed criteria for other uses in the R-8/R-12 zones such as daycares, eating and drinking establishments, and conference centers. Shown below is an example of uses already allowed in the R-8/R-12 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									
812220	Cemetery, Columbarium	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	Daycare I Facilities	P-i	P-i	P	P	P	P	P	P
	Daycare II Facilities	P-i	P-i	P	P	P	P	P	P
	Eating and Drinking Establishments (excluding Gambling Uses)	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i

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
	Funeral Home/Crematory	C-i	C-i	C-i	C-i		P-i	P-i	P-i
	Conference Center	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	Library	C	C	C	C	P	P	P	P
	Fire Facility	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	Specialized Instruction School	C-i	C-i	C-i	C-i	P	P	P	P

Shown below is an example of the indexed criteria for eating and drinking establishments.

20.40.350 Eating and drinking establishments.

Eating and drinking establishments are permitted in residential zones R-4 through R-48 and TC-4 by approval of a conditional use permit. These establishments are permitted in NB, CB, MB and TC-1, 2 and 3 zones, provided gambling uses as defined in this Code are not permitted. Outside entertainment that creates a noise disturbance for neighbors is not permitted after 10:00 p.m. in the MUR zones. If inside entertainment is provided in the MUR zones, the establishment must provide sound attenuation to buffer sound to adjacent residential uses.

The Development Code amendment could add Professional Office to SMC 20.40.130 as a Conditional Use with indexed criteria as shown below (Professional Office is currently a Conditional Use in R-18 through R-48):

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									
	Professional Office		C-i	C	C	P	P	P	P

Next, the Council could add indexed criteria to address such things as hours of operation, additional location restrictions, and storage and parking requirements, among other considerations.

3. If the Council adds professional office to the use table, what potential businesses could be allowed?

Professional office is defined in SMC 20.20.040:

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.

Any business that meets the above definition and any index criteria may be approved as a Conditional Use in the R-8/R-12 zone. Additional site-specific conditions could also be imposed as a condition of approval of the CUP if necessary to mitigate impacts. Possible businesses could include a legal office, tax accountant, engineering firm or any other business consisting of licensed technical, scientific or academic professionals.

4. If the Council allows professional office through a CUP could that CUP be revoked?

Yes, a CUP can be revoked for failure to comply with the conditions set forth in the approval.

5. If a Conditional Use Permit can be revoked, what criteria would be used be for revoking?

The Shoreline Municipal Code currently, at SMC 20.30.770(C), contains parameters from when the Director may suspend or revoke an issued permit. This code provision, or a stand-alone provision, should be developed for greater clarity.

6. Does a Conditional Use Permit “run with the land” or is it personal to the permittee?

Yes and No. Washington Courts have recognized that land use permits are not personal, rather, they run with the land. However, looking at other cities/counties in Washington, while some do simply state CUPs run with land, others allow determination by the decision-maker (e.g. the Hearing Examiner/City Council determines whether it runs with land or is personal).

7. What if the business stops operating for a time, would a new owner have to apply for a new CUP? I.e., can a Conditional Use Permit be abandoned?

Yes, if the SMC provides but there is nothing in the SMC clearly stating this except in relationship to having not starting the use at all. Non-conforming uses can be terminated for abandonment after 12 months. Similar language could be added to the SMC in relationship to permits.

Amendatory Motion to Include this Amendment

Some Councilmembers suggested at the December 2nd Council discussion that they may want to include this amendment in proposed Ordinance No. 881. If Council would like to include this amendment, a Councilmember would need to move to modify the Planning Commission’s recommendation as follows:

I move to modify the Planning Commission’s recommendation and approve Amendment #3 adding Professional Offices to the Comprehensive Plan Land Use Policy LU2.

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

The Planning Commission has recommended that the City Council deny Comprehensive Plan Amendment Nos. 1 and 3 and adopt Amendment No. 2 through Ordinance 881.

ATTACHMENTS

- Attachment A – 2019 Comprehensive Plan Docket
- Attachment B – Planning Commission Recommendation
- Attachment C – Proposed Ordinance No. 881
- Attachment D – Depiction of Building Height Set-back CB to R-8



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.**

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 promote~~ ~~ion~~ 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

