

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Public Hearing and Discussion of Ordinance No. 908 – Amending Shoreline Municipal Code Title 20 to Adopt Chapter 20.94, Point Wells – Planned Area 4
DEPARTMENT:	Planning and Community Development
PRESENTED BY:	Andrew Bauer, Senior Planner
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Point Wells, which is located in unincorporated Snohomish County, has been identified as a potential area for annexation by both the City of Shoreline and Town of Woodway. Each jurisdiction has an adopted subarea plan which details a vision and policies that would direct future redevelopment of the subarea.

A Settlement and Interlocal Agreement (ILA) between the City of Shoreline and Town of Woodway regarding Point Wells was signed in the fall of 2019 and amended earlier this year to extend some performance timelines due to the COVID-19 pandemic. As noted in the ILA, the City and the Town of Woodway have formed a joint work group with representatives from each jurisdiction to prepare a shared set of subarea plan policies and development regulations for the Point Wells Subarea intended to be implemented upon annexation by either Woodway or Shoreline.

Together with the Point Wells Subarea Plan update in the Comprehensive Plan Docket Amendments (proposed Ordinance No. 909), proposed Ordinance No. 908 (Attachment A) would establish a new zoning designation for the subarea that would become effective upon annexation. The proposed “Point Wells – Planned Area 4” development regulations would implement the subarea plan and zoning. Tonight, Council is scheduled to hold the first of two required public hearings to consider pre-annexation zoning and to discuss proposed Ordinance No. 908.

RESOURCE/FINANCIAL IMPACT:

Updates to the Point Wells Subarea Plan and adoption of zoning and development regulations for the subarea will provide some certainty to the adjacent community and the property owners in the subarea. If the subarea is annexed to Woodway, City staff would be involved in coordinating closely with the Town on any future development proposals. If the subarea is not annexed to Woodway then City staff time and resources could be used to pursue annexation. If annexed into Shoreline, the City would be the lead agency for future development proposals and environmental review.

RECOMMENDATION

Tonight, in accordance with RCW 35A.14.340, Council is scheduled to hold the first of two required public hearings on the proposed pre-annexation zoning and development regulations in proposed Ordinance No. 908. The Planning Commission has recommended the City Council approve the proposed amendments, adding a new Chapter 20.94 entitled Point Wells – Planned Area 4. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation, as identified and discussed below. The second public hearing and potential action on proposed Ordinance No. 908 is tentatively scheduled for the December 14, 2020 Council meeting.

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

BACKGROUND

Point Wells is an approximately 61-acre area of unincorporated Snohomish County. It is bound on the west by Puget Sound, on the north and east by the Town of Woodway, and on the south by the City of Shoreline. An active rail line, owned by Burlington Northern Santa Fe (BNSF), bisects a portion of the subarea on the east. There is also an existing portal structure near the southern portion of the subarea as part of the Brightwater sewage treatment pipeline, owned by King County. The only vehicle access to the subarea is through Shoreline via Richmond Beach Drive.

The majority of the subarea is owned by BSRE and is used as an asphalt plant. The subarea has been in industrial use for more than 50 years.



Figure 1 – Point Wells Subarea

The City of Shoreline’s first Comprehensive Plan was adopted in 1998 and designated the Point Wells Subarea as a Potential Annexation Area (PAA). The subarea’s designation was later revised to a Future Service and Annexation Area (FSAA) to recognize that even if the subarea is not annexed into the City, Shoreline may be the jurisdiction predominantly providing public services. The subarea has also been designated as a PAA for the Town of Woodway.

In 2019, the City and Town of Woodway entered into an ILA which identifies common areas of interest with respect to the Point Wells Subarea and its potential future annexation and redevelopment. As provided in the ILA, a joint work group consisting of staff from the two jurisdictions was formed.

The purpose of the work group was to develop a common set of policies and development regulations to be recommended for consideration to each respective Planning Commission and City Council. A common set of policies and regulations will create clarity for the subarea's vision, regardless of whether it is annexed to the Town of Woodway or the City of Shoreline. The draft Point Wells Subarea Plan and associated Planned Area 4 (PA 4) development regulations are the result of the joint work group's efforts.

While there are slight variations between Shoreline's and Woodway's draft regulations, the key elements are consistent. Like Shoreline, the Woodway Planning Commission and Town Council will be considering the subarea plan and regulations.

DISCUSSION

Development Regulations: Point Wells – Planned Area 4

The draft Point Wells – Planned Area 4 regulations would implement the subarea plan policies and provide development regulations that would apply to development within the Point Wells Subarea, if annexed to the City.

Consistent with the ILA, the regulations are structured such that any new development would require a development agreement – a City Council decision. A master plan for the subarea would be a required component of the development agreement. The master plan would set out the long-term phasing and future growth plan for the subarea and would identify proposed land uses, transportation network, open space, infrastructure, and phasing of development, among other components. Below is a summary of the primary elements of the draft development regulations:

Land Uses

Allowable land uses in the PA 4 zone are intended to implement the subarea vision which calls for a: "pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation access." Auto-oriented uses such as drive-thrus and vehicle sales/service uses would be prohibited, along with other potentially undesirable uses. Consistent with the ILA, a provision is included which exempts from the requirement to enter into a development agreement for utility facilities in existence as of the date of an ordinance being adopted to enact the regulations (i.e. the Brightwater portal site).

Development Standards and Height

Residential density would be limited to a maximum of 44 dwelling units per gross acre, with no buildings containing more than 60 dwelling units and building footprints no larger than 10,000 square feet as a way to minimize building bulk/scale. However, any development generating 250 or more average daily trips (ADT) would be required to provide a secondary vehicle access through Woodway.

Maximum building heights west of the BNSF rail line would be limited to 45 feet. The maximum height can be increased up to 75 feet if a view analysis demonstrates public views from Richmond Beach Drive to Admiralty Inlet are not impacted. Areas east of the BNSF rail line would be limited to a maximum building height of 35 feet and cannot

be increased as these areas are generally closer to existing development with similar heights.

Parking

The City and the Town of Woodway each have incorporated their existing parking standards into the draft regulations. While there are some differences between the two draft regulations as a result, the outcome is that each jurisdiction is able to rely on existing and accepted parking standards that have been adopted. In both instances, any land use which is not specifically identified with a parking ratio will need to provide a parking demand analysis that is subject to approval as part of a development agreement.

Recreation and Open Space

The ILA requires the regulations include mandatory public recreational facilities and public access to the Puget Sound shoreline with adequate public parking. The draft regulations require an integrated public open space network be planned and that it includes public open space, access to the shoreline, and parking.

Transportation

The PA 4 regulations incorporate the primary transportation-related elements of the ILA and subarea plan policies:

- Development would be required to prepare a transportation study, with the scope reviewed and approved by the City's Traffic Engineer;
- Development in the subarea shall not generate more than 4,000 average daily trips (ADT) onto Richmond Beach Drive, and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with a 0.9 volume-to-capacity (V/C) ratio;
- Any combination of uses that would generate 250 or more ADT requires a new public access road be constructed through Woodway to serve the subarea;
- Future development would need to plan for and develop a multimodal transportation network throughout the subarea and connecting to the surrounding network; and
- Two conceptual street cross sections (Primary and Secondary Street) are provided in the draft regulations. The street cross sections are intended to convey the minimum street standards that should be considered within the subarea. Alternative or additional street cross sections could be developed and approved as part of a development agreement, provided they meet the goals and policies of the subarea plan and support the anticipated land uses and anticipated traffic volumes.

Outdoor Lighting

Consistent with the ILA, some key principles of the 'dark skies' movement are incorporated into the draft regulations in addition to the City's existing lighting regulations.

Use of Existing Development Regulations

Like the parking ratios, the joint work group agreed that use of each jurisdiction's existing regulations was most efficient for landscaping, signs, and tree preservation and

management. The City is also utilizing existing development regulations related to design standards and sustainability. Meanwhile, Woodway's draft regulations include subarea-specific design standards and green development requirements as they do not have existing adopted regulations to draw upon. The joint work group discussed and agreed to this approach.

Development Review Process

As noted above, consistent with the ILA, the regulations would require any new development in the subarea be subject to a development agreement. The development agreement would be the primary land use entitlement and would require a master plan to set out the long term phasing and growth for the subarea and would identify proposed land uses, transportation network, open space, and phasing of development, among others. The City Council is the final decisionmaker for a development agreement.

Also, as part of the ILA, the regulations require the City to consult with Woodway on any land use permit application, and vice-a-versa. Staff from the outside jurisdiction would be invited to meetings and provided an opportunity to review and comment on permit applications, ensuring a base level of coordination.

Future amendments to the regulations also would require at least a 30-day notice to the Town of Woodway, and vice-a-versa. An opportunity for review and comment would be required prior to legislative action being taken to amend the development regulations.

Planning Commission Review

Staff presented the proposed amendments to the Planning Commission at their September 17, 2020 meeting. The staff report for this Planning Commission discussion can be found at the following link:

<https://www.shorelinewa.gov/home/showdocument?id=49312>.

On October 15, 2020, the Planning Commission held a Public Hearing and subsequently made their recommendation to approve the proposed amendments. The staff report for the Planning Commission Public Hearing can be found at the following link: <https://www.shorelinewa.gov/home/showdocument?id=49556>.

The Planning Commission recommendation memo is attached to this staff report as Attachment B.

Staff Proposed Revisions

Staff is recommending two revisions to the Planning Commission recommendation:

Staff Proposed Revision #1

20.94.025 Development standards.

- A. Residential Density. Development shall not exceed a maximum density of 44 dwelling units per gross-net acre. For purposes of this section, net acre shall mean the acreage of a site, excluding roads, drainage detention/retention areas, biofiltration swales, areas required for public use, lands covered by high tides, and critical areas and their required buffers.*
- B. No building within the development shall exceed 60 dwelling units.*

- C. *No building within the development shall have a footprint that exceeds 10,000 square feet.*
- D. *Setbacks. Setbacks shall be consistent with applicable design standards and identified as part of an approved development agreement.*
- E. *Lot dimensions. There is no minimum lot size or width. Any subdivision of land or alteration of property lines is subject to Subchapter 7 of the Development Code, Subdivisions.*
- F. *Utilities. All utilities shall be underground. Location of utilities and mechanical areas shall comply with applicable design standards.*

Rationale: As discussed above, the Town of Woodway is considering similar policies and regulations pursuant to the ILA. The joint work group made up of staff from Woodway and Shoreline discussed revising the subarea plan policies and regulations to have residential density calculated using net acres instead of gross acres. This change is likely to result in a lower potential yield of dwelling units as it does not allow for areas such as roads, open space, critical areas, and areas below high tides be counted for purposes of calculating residential density. Amendments being considered by Woodway will also be proposing the use of net density. Staff is recommending Shoreline's amendments be revised to maintain alignment with Woodway as called for in the ILA.

Staff Proposed Revision #2

20.94.045 Transportation.

A transportation study shall be prepared and submitted with the application for a development agreement. The scope of the transportation study shall be established by the City Traffic Engineer and include at a minimum the following elements:

- A. *Development within Point Wells shall comply with the following traffic restrictions:*
 - 1. ~~not generate more than to 4,000 average daily trips (ADT) onto Richmond Beach Drive shall be limited to 4,000 average daily trips (ADT) and; within the City of Shoreline and~~*
 - 2. ~~The remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.~~*
- B. *Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation network and provides a full second vehicular access point from Point Wells into Woodway.*
- C. *Connectivity. Development in the PA 4 zone shall provide a network of streets, sidewalks, and multipurpose pathways that are well connected and provide efficient circulation throughout the zone and connect to the surrounding transportation network.*
- D. *Public and private street cross sections. Street cross sections shall be developed to complement adjoining land uses and implement applicable design standards while also meeting engineering standards for safety and function, and the most recently adopted City of Shoreline Engineering Development Manual. Cross sections for each type of street within the development shall be reviewed and approved*

concurrently with a development agreement. The table below describes the primary elements for types of streets anticipated within a development.

Rationale: The staff recommended revision will clarify the vehicle trip limit, LOS, and V/C limit are all restrictions that generally apply, regardless of any future development in the Point Wells Subarea. As written, it could be understood that a Point Wells development could add up to 4,000 ADT to Richmond Beach Drive or other impacts up to the LOS and V/C limits. Instead, it is intended that these traffic limitations are effective, and the proposed policy and associated regulations are identifying them as they are likely to relate to any future use or development in the Point Wells Subarea.

Staff Proposed Revision Process

If Council is supportive of the proposed revisions to proposed Ordinance No. 908, staff will develop amendatory language for Council to use when proposed Ordinance No. 908 is brought back to Council for potential adoption on December 14, 2020.

Analysis

Development Code Amendment Decision Criteria

In accordance with SMC 20.30.350.A, an amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

The Planning Commission may recommend to the City Council to approve or approve with modifications an amendment to the Development Code if all of the following are satisfied:

1. The amendment is in accordance with the Comprehensive Plan

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

- *Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*
- *LU 7: Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and “third places.”*
- *LU51: Pursue annexation of Point Wells pursuant to the Settlement and Interlocal Agreement between City of Shoreline and Town of Woodway. If annexed to the City of Shoreline implement the Planned Area 4 land use designation and the City of Shoreline Point Wells Subarea Plan (as proposed to be amended).*
- *CD18: Preserve, encourage, and enhance open space as a key element of the community’s character through parks, trails, water features, and other significant properties that provide public benefit.*

- *CD19: Preserve and enhance views from public places of water, mountains, or other unique landmarks as valuable civic assets.*
- *CD20: Provide public spaces of various sizes and types throughout the community.*
- *T15: Balance the necessity for motor vehicle access to and from new development with the need to minimize traffic impacts to existing neighborhoods.*

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

The draft regulations would implement the Point Wells Subarea Plan which envisions a pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation. Provisions in the draft regulations and throughout the existing Development Code address the public health, safety, and general welfare. Necessary public facilities, infrastructure, services, and utilities are required to be in place prior to the approval of a development agreement within the subarea.

3. *The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.*

The draft regulations incorporate all of the elements of the ILA between the City of Shoreline and the Town of Woodway and would align the vision and implementation for the Point Wells Subarea, regardless of whether the area is ultimately annexed to the Town of Woodway or City of Shoreline. The alignment of these fundamental regulations is intended to provide clarity and certainty to each jurisdiction and their residents and reduce the likelihood of potential future cross-jurisdictional disagreements.

The draft regulations also ensure a certain level of coordination and cooperation by requiring consultation on land use permit applications and notice upon consideration of amendments to the development regulations.

Pros to Approval of Amendments

The draft subarea plan and development regulations are consistent with the ILA between the City and Woodway. If adopted, the PA 4 regulations would implement the Point Wells Subarea Plan and create certainty for the future use and development of the subarea. The City’s zoning would only take effect if the subarea is annexed to the City, however, the Town of Woodway is considering similar policies and regulations that would also become effective upon the Town’s annexation of the subarea. The regulations also ensure a certain level of coordination and notification between the City and Woodway.

Cons to Approval of Amendments

The development regulations are written specifically for Point Wells and would become effective only upon annexation of the Point Wells subarea to the City. The PA 4 zoning designation and regulations would not apply anywhere else.

STAKEHOLDER INPUT/OUTREACH

The City issued a press release on September 10, 2020 to inform the public of the draft amendments being discussed by the Planning Commission. The property owners within the subarea, affected agencies, and the City's Point Wells E-notification list of more than 1,200 email subscribers were provided notification of the Planning Commission's Public Hearing on October 15, 2020.

Pursuant to RCW 35A.14.340, proposed development regulations within a potential annexation area require the legislative body hold at least two public hearings on the proposed regulations and they be at least 30 days apart. The first public hearing is scheduled for tonight, November 9, 2020, and the second public hearing is tentatively scheduled for December 14, 2020.

RESOURCE/FINANCIAL IMPACT

Updates to the Point Wells Subarea Plan and adoption of zoning and development regulations for the subarea will provide some certainty to the adjacent community and the property owners in the subarea. If the subarea is annexed to Woodway, City staff would be involved in coordinating closely with the Town on any future development proposals. If the subarea is not annexed to Woodway then City staff time and resources could be used to pursue annexation. If annexed into Shoreline, the City would be the lead agency for future development proposals and environmental review.

RECOMMENDATION

Tonight, in accordance with RCW 35A.14.340, Council is scheduled to hold the first of two required public hearings on the proposed pre-annexation zoning and development regulations in proposed Ordinance No. 908. The Planning Commission has recommended the City Council approve the proposed amendments, adding a new Chapter 20.94 entitled Point Wells – Planned Area 4. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation, as identified and discussed below. The second public hearing and potential action on proposed Ordinance No. 908 is tentatively scheduled for the December 14, 2020 Council meeting.

ATTACHMENTS

Attachment A – Proposed Ordinance No. 908

Exhibit A – Proposed Chapter SMC 20.94, Point Wells – Planned Area 4

Attachment B – Planning Commission Recommendation Memo

ORDINANCE NO. 908

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
ADOPTING PRE-ANNEXATION ZONING FOR THE POINT WELLS
SUBAREA AND ADDING A NEW CHAPTER, CHAPTER 20.94 POINT
WELLS – PLANNED AREA 4, TO TITLE 20 OF THE SHORELINE
MUNICIPAL CODE.**

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, Title 36.70A RCW; and

WHEREAS, in 1998, the City designated Point Wells as a potential annexation area and since that time has set forth Comprehensive Plan policies and goals to annex the Point Wells area, adopting the Point Wells Subarea Plan in 2010; and

WHEREAS, RCW 35A.14.330 authorizes the City to propose zoning regulations that will become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, on September 17, 2020, the City of Shoreline Planning Commission reviewed the proposed Pre-Annexation Zoning; and

WHEREAS, on October 15, 2020, the City of Shoreline Planning Commission held a public hearing on the proposed Pre-Annexation Zoning virtually via Zoom so as to receive public testimony and, at the conclusion of the public hearing, the City of Shoreline Planning Commission voted that the proposed Pre-Annexation Zoning, as presented by Planning staff, be approved by the City Council; and

WHEREAS, RCW 35A.14.340 requires that the City Council hold two or more public hearings, at least thirty days apart, on the proposed Pre-Annexation Zoning; and

WHEREAS, on November 9, 2020 and December 14, 2020, the City Council held the required public hearings on the Pre-Annexation Zoning so as to receive public testimony; both hearings were conducted virtually via Zoom; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the proposed Pre-Annexation Zoning and the public hearings as provided in SMC 20.30.070 and RCW 35A.14.340; 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; 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 to adopt the proposed Development Code amendments; and

WHEREAS, the environmental impacts of the proposed Pre-Annexation Zoning resulted in the issuance of a Determination of Non-Significance (DNS) on September 30, 2020; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan, specifically the Point Wells Subarea Plan; serve the purpose of the Unified Development Code as set forth in SMC 20.10.020; and are designed consistent with RCW 35A.14.330;

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

Section 1. Amendment – New Chapter. Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended to add a new chapter, Chapter 20.94 Point Wells – Planned Area 4, as set forth in Exhibit A to this Ordinance.

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

A. As required by RCW 36.70A.106, the Director of Planning and Community Development or designee shall transmit a complete and accurate copy of this Ordinance and Exhibit A 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 of this Ordinance 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 14, 2020.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2020
Effective Date: , 2020

Transmittal Date to Commerce: , 2020

**Chapter 20.94
Point Wells – Planned Area 4**

20.94.010 Purpose and applicability.

The purpose of the Point Wells – Planned Area 4 (“PA 4”) zone is to implement the goals and policies of the Point Wells Subarea Plan, which envisions a pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation access.

20.94.015 Relationship to other regulations.

Development in the PA 4 zone is subject to SMC 20.80, Critical Areas; Division II of the Development Code, Shoreline Master Plan; and SMC 13.12, Floodplain Management. Where conflicts occur between provisions of this subchapter and other City regulations, the more restrictive provisions shall apply.

20.94.020 Permitted uses.

- A. Land uses listed in Table 20.94.020A are permitted, subject to an approved development agreement.
- B. Land uses not listed in Table 20.94.020A may be permitted as part of an approved development agreement, provided the development agreement includes written findings that the unlisted land use(s) is consistent with the Point Wells Subarea Plan and the purpose of this subchapter.

Table 20.94.020A

NAICS #	SPECIFIC LAND USE
	Live/work units
	Assisted living facilities
	Apartment/Multifamily
	Single-Family Attached (Townhomes)
	Single-family Detached
722	Eating and Drinking Establishments (excluding Gambling Uses) ¹
72111	Hotel/Motel
	General Retail Trade/Services ²
	Professional Office
	Parks and Trails
	Recreation/cultural
	Personal services
	Financial institutions
	Parking structures and surface parking lots, accessory to a primary use
	Health and fitness facilities
921	General government/public administration facilities
92216	Fire facility
92212	Police facility
221	Utilities ³
	Wireless Telecommunication Facility ⁴
	Home Occupation
	Accessory dwelling units

Footnotes:

1. Drive-thrus are prohibited.
2. These general retail trade/services are prohibited in the PA 4 zone:
 - a. Adult use facilities;
 - b. Smoke/vape shop (a business that sells drug paraphernalia and smoking products);
 - c. Marijuana Operations
 - d. Firearm sales;
 - e. Pawnshops; and
 - f. Vehicle sales and service.
3. Utility facilities necessary to serve development in the PA 4 zone are permitted. Utility transmission and distribution shall be located underground. Utility facilities in existence as of [date of ord.] are not subject to a Development Agreement or Master Development Plan.
4. Subject to the provisions of SMC 20.40.600.

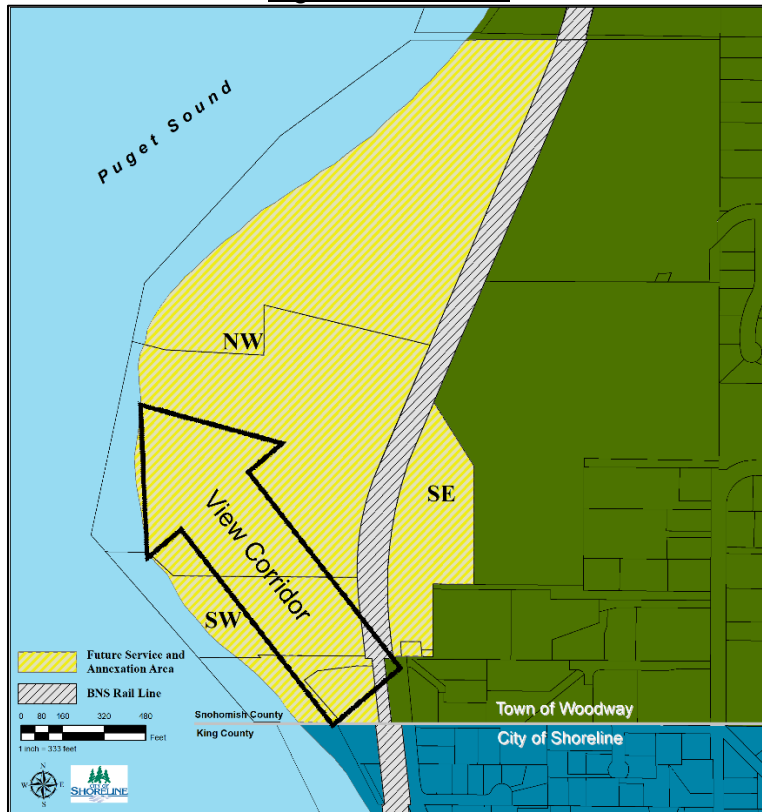
20.94.025 Development standards.

- A. Residential Density. Development shall not exceed a maximum density of 44 dwelling units per gross acre.
- B. No building within the development shall exceed 60 dwelling units.
- C. No building within the development shall have a footprint that exceeds 10,000 square feet.
- D. Setbacks. Setbacks shall be consistent with applicable design standards and identified as part of an approved development agreement.
- E. Lot dimensions. There is no minimum lot size or width. Any subdivision of land or alteration of property lines is subject to Subchapter 7 of the Development Code, Subdivisions.
- F. Utilities. All utilities shall be underground. Location of utilities and mechanical areas shall comply with applicable design standards.

20.94.030 Building Height

- A. The maximum building height shall be 45 feet, except areas east of the BNSF railroad right-of-way the maximum building height shall be 35 feet.
- B. The maximum building height may be increased to 75 feet west of the BNSF railroad right-of-way provided the applicant conducts a view analysis demonstrating public views from Richmond Beach Drive to Admiralty Inlet are not impacted (as depicted on Figure 20.94.030A). The view analysis and accompanying height limits shall be reviewed and approved concurrently with a development agreement.
- C. Building height shall be measured pursuant to SMC 20.50.050.

Figure 20.94.030A



20.94.035 Parking.

A. Development in the PA 4 zone shall comply with the following parking ratios:

Table 20.94.035A

<u>Use</u>	<u>Minimum Spaces Required</u>
<u>Single-family detached/attached/townhouse</u>	<u>2.0 per dwelling unit</u>
<u>Apartment/Multifamily:</u>	
<u>Studio and one bedroom units</u>	<u>0.75 per dwelling unit</u>
<u>Two bedroom or more units</u>	<u>1.5 per dwelling unit</u>
<u>Accessory dwelling units</u>	<u>1.0 per dwelling unit</u>
<u>Home occupation</u>	<u>In addition to required parking for the dwelling unit, 1 for any nonresident employed by the home occupation and 1 for patrons when services are rendered on site</u>
<u>Assisted Living Facilities</u>	<u>1 per 3 dwelling or sleeping units</u>
<u>Restaurants</u>	<u>1 per 75 square feet in dining or lounge area</u>
<u>Hotel/Motel</u>	<u>1 per unit</u>
<u>Conference center</u>	<u>1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces</u>
<u>Retail trade uses</u>	<u>1 per 400 square feet</u>
<u>Professional office uses</u>	<u>1 per 500 square feet</u>
<u>Recreation/culture</u>	<u>1 per 300 square feet</u>

<u>Use</u>	<u>Minimum Spaces Required</u>
<u>Parks and trails and public access to shorelines</u>	<u>Parking analysis</u>
<u>General services uses</u>	<u>1 per 300 square feet</u>
<u>Health and fitness facilities</u>	<u>1 per 300 square feet</u>
<u>Public facilities and utilities</u>	<u>Parking analysis</u>

Note: Square feet in the table above refers to net usable area and excludes walls, corridors, lobbies, bathrooms, etc.

- B. If the formula for determining the number of parking spaces results in a fraction, the number of parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.
- C. Uses not listed, or uses listed with a parking ratio referring to "Parking analysis" in Table 20.94.035A shall undergo a parking demand analysis prepared by a qualified professional with expertise in parking demand studies. The parking demand study shall be reviewed and approved concurrently with a development agreement.
- D. Public parking areas shall be distributed throughout the project and provided at a rate appropriate to serve publicly-accessible recreation and open space areas.
- E. An applicant may request a reduction of the minimum required parking spaces with the approval of a parking management plan. The parking management plan shall be reviewed and approved concurrently with a development agreement.
- F. Development in the PA 4 zone shall comply with SMC 20.50.410, Parking design standards; SMC 20.50.420, Vehicle access and circulation; and SMC 20.50.440, Bicycle facilities.

20.94.040 Recreation and open space.

- A. Development in the PA 4 zone shall provide an integrated public open space network that links together the various open spaces throughout the development and provides public access to shorelines, public open space areas, and publicly-accessible parking.
- B. All development shall provide public recreation and open space at a minimum rate of 10 percent of the gross site area. The minimum public recreation and open space area shall not include, and shall be in addition to, shoreline public access as required pursuant to the Shoreline Management Act, RCW 90.58.
- C. Public recreation and open space areas shall include a mix of active and passive uses.
- D. For developments with an approved phasing plan, each phase of a development shall include a minimum of 10 percent of the gross recreation and open space area required for the phase.

20.94.045 Transportation.

A transportation study shall be prepared and submitted with the application for a development agreement. The scope of the transportation study shall be established by the City Traffic Engineer and include at a minimum the following elements:

- A. Development within Point Wells shall not generate more than to 4,000 average daily trips (ADT) onto Richmond Beach Drive within the City of Shoreline and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.
- B. Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation

network and provides a full second vehicular access point from Point Wells into Woodway.

- C. Connectivity. Development in the PA 4 zone shall provide a network of streets, sidewalks, and multipurpose pathways that are well connected and provide efficient circulation throughout the zone and connect to the surrounding transportation network.
- D. Public and private street cross sections. Street cross sections shall be developed to complement adjoining land uses and implement applicable design standards while also meeting engineering standards for safety and function, and the most recently adopted City of Shoreline Engineering Development Manual. Cross sections for each type of street within the development shall be reviewed and approved concurrently with a development agreement. The table below describes the primary elements for types of streets anticipated within a development.

Table 20.94.045A

Feature	Primary Street (both sides)	Secondary Street (both sides)
Sidewalk	12'	7'
Amenity Zone	5'	5'
Landscaping	Street trees 30' on center	Street trees 30' on center
On Street Parking	Yes (both sides)	Yes (one side)
General Purpose Lane	11' max. lane width	10.5' max. lane width
Right-of-Way Minimum	60'-70'	52.5'

Figure 20.94.045A – Primary Street

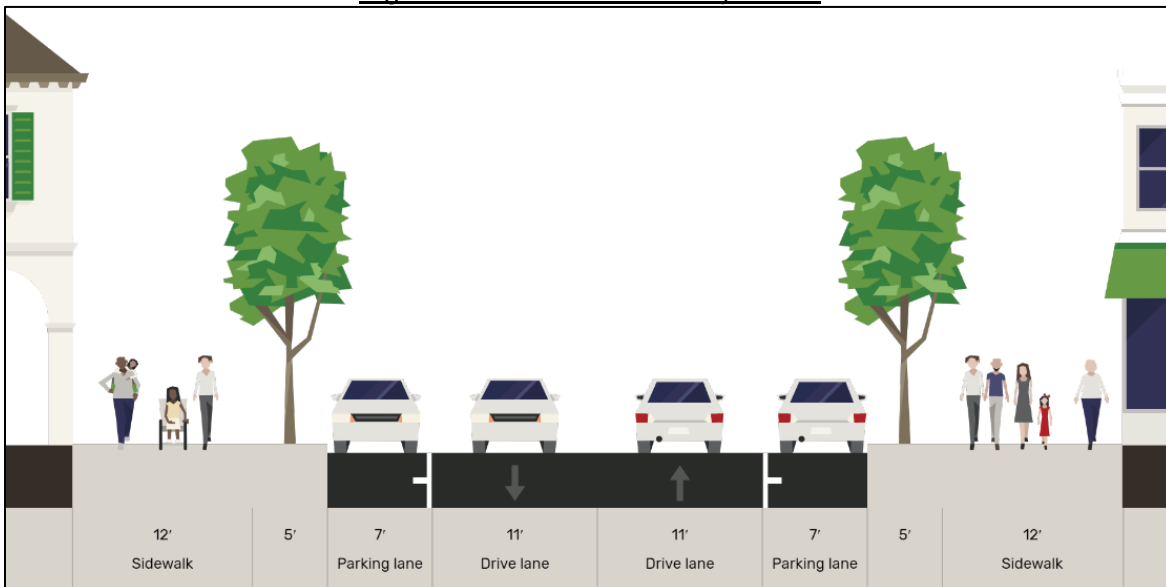
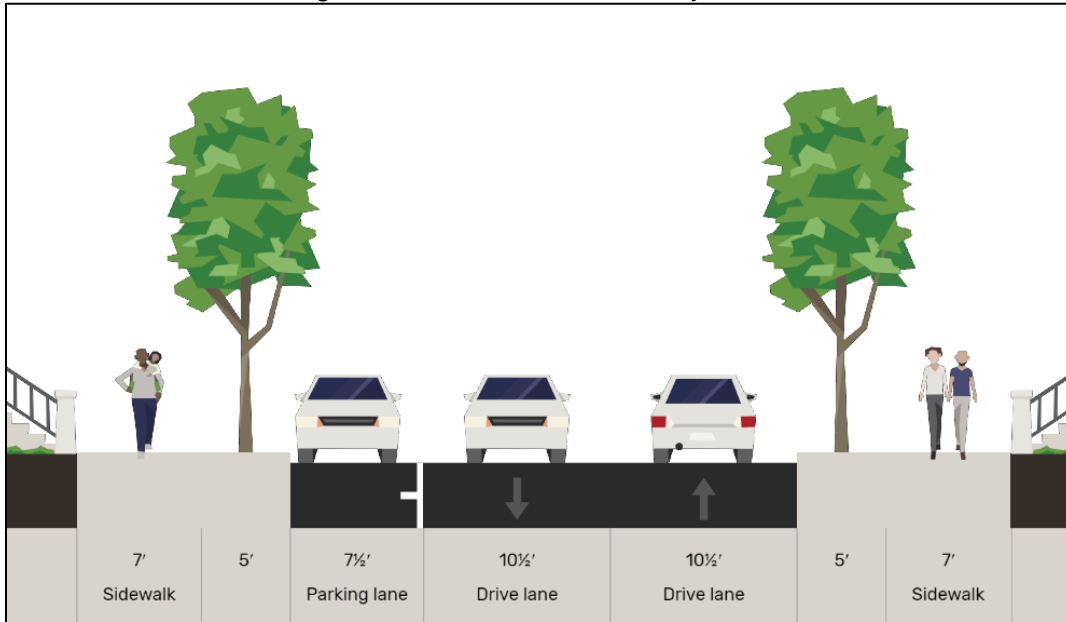


Figure 20.94.045B – Secondary Street



20.94.050 Design standards.

Development in the PA 4 zone other than single family detached homes is subject to SMC 20.50 Subchapter 3, Single-Family Attached Residential Design or SMC 20.50 Subchapter 4, Commercial and Multifamily Zone Design.

20.94.055 Landscaping.

Landscaping shall be provided throughout the site and integrated as part of the overall project design. Landscaping shall be provided on the perimeter of the site adjacent to existing development. A development-wide conceptual landscape plan identifying landscape locations, dimensions, and type shall be reviewed and approved with the development agreement.

20.94.060 Signs.

Signs within the PA 4 zone shall comply with SMC 20.50 Subchapter 8, Signs.

20.94.065 Sustainability.

Development in the PA 4 zone shall meet or exceed Tier 4 of the Deep Green development standards, as defined in SMC 20.50 Subchapter 9, Deep Green Incentive Program.

20.94.070 Outdoor Lighting.

- A. In addition to the lighting standards in SMC 20.50.115 and the lighting requirements in the design standards, outdoor lighting shall be located and designed to eliminate light pollution by meeting the following:
1. Fixtures shall contain shielding and/or direct cut-off lighting;
 2. Fixtures shall be no brighter than necessary to light the intended area;
 3. Color temperatures shall minimize blue light emissions to the extent feasible;
 4. Timers, dimmers, motion sensors or other adaptive control methods shall be utilized where feasible to turn off lighting when unnecessary; and
 5. Up-lighting shall be limited to accent features, landscaping, and state or federal flags.

20.94.075 Tree Preservation and Management

Development in the PA 4 zone shall comply with SMC 20.50 Subchapter 5, Tree Conservation, Land Clearing and Site Grading Standards.

20.94.080 Neighborhood meeting.

- A. The applicant shall conduct a neighborhood meeting to discuss the proposed development. The meeting must be held at least 30 days prior to submitting a development agreement application.
- B. The purpose of the neighborhood meeting is to:
 1. Ensure the applicant pursues early and effective public participation in conjunction with the proposal, giving the applicant an opportunity to understand and mitigate any real and perceived impacts the proposed development might have to the neighborhood or neighboring cities;
 2. Ensure that residents, property owners, business owners, and nearby cities have an opportunity at an early stage to learn about how the proposed development might affect them and to work with the applicant to resolve concerns prior to submittal of a development application.
- C. The neighborhood meeting shall meet the following requirements:
 1. Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time and location of the neighborhood meeting and a description of the project, zoning of the property, site and vicinity maps, the land use applications that may be required, and the name and contact information of the applicant or representative of the applicant to contact for additional information.
 2. The notice shall be provided at a minimum to property owners located within 1,000 feet of the proposal, the neighborhood chair as identified by the Shoreline Office of Neighborhoods (note: if a proposed development is within 500 feet of adjacent neighborhoods, those chairs shall also be notified), any city or town whose municipal boundaries are within one mile of the subject property, and to the Department.
 3. The notice shall be postmarked 10 to 14 days prior to the neighborhood meeting.
 4. The neighborhood meeting shall be held within the City limits of Shoreline.
 5. The neighborhood meeting shall be held anytime between the hours of 5:30 p.m. and 9:30 p.m. on weekdays or anytime between the hours of 9:00 a.m. and 9:00 p.m. on weekends.
- D. The neighborhood meeting agenda shall cover the following items:
 1. Introduction of neighborhood meeting organizer (i.e. developer, property owner, etc.);
 2. Description of proposed project that includes proposed mix of land uses including the number of dwelling units and amount of nonresidential square footage, number of parking spaces, and location and amount of open space;
 3. Listing of permits that are anticipated for the project;
 4. Description of how comments made at the neighborhood meeting will be used;
 5. Provide meeting attendees with the City's contact information;
 6. Provide a sign-up sheet for attendees.
- E. The applicant shall provide to the City a written summary of the neighborhood meeting to be included with the development application. The summary shall include the following:
 1. A copy of the mailed notice of the neighborhood meeting with a list to whom it was mailed;
 2. A list of persons who attended the meeting and their addresses;

3. A summary of concerns, issues, and problems expressed during the meeting.

20.94.085 Review process.

- A. A development agreement, pursuant to RCW 36.70B.170 is required for any new development in the PA 4 zone and shall set forth the development standards, conditions, and other provisions that shall apply to govern and vest the development, use, and mitigation of the development. For the purposes of this section, “development standards” includes, but is not limited to:
 1. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
 2. The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of State law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;
 3. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;
 4. Design standards such as building massing, architectural elements, maximum heights, setbacks, conceptual street and streetscapes, drainage and water quality requirements, palette of potential building materials, conceptual lighting, landscaping, and other development features;
 5. Affordable housing units;
 6. Park development and open space preservation;
 7. Phasing of development;
 8. Review procedures and standards for implementing decisions;
 9. A build-out or vesting period for applicable standards;
 10. Any other appropriate development requirement or procedure;
 11. Preservation of significant trees; and
 12. Connecting, establishing, and improving nonmotorized access.
- B. The City Council shall review the development agreement and may approve, or approve within conditions, the development agreement when all of the following are met:
 1. The proposed development is consistent with goals and policies of the Comprehensive Plan as well as the goals and policies of the Point Wells Subarea Plan.
 2. The proposed development is consistent with the goals, policies, and regulations of the City’s Shoreline Master Program.
 3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) that meet the City’s adopted level of service standards (as confirmed by the performance of a transportation impact analysis) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases, or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed development agreement, the applicant must identify a plan for funding their proportionate share of the improvements.
 4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

5. The development demonstrates high quality design elements consistent with the City's applicable design standards as referenced in SMC 20.50, Subchapters 2-4.
- C. Development agreement approval procedures. The City Council may approve development agreements through the following procedure:
1. A development agreement application incorporating the elements stated in subsection B of this section may be submitted by a property owner with any additional related information as determined by the Director. After staff review and SEPA compliance, the Planning Commission shall conduct a public hearing on the application. The Planning Commission shall then make a recommendation to the City Council pursuant to the criteria set forth in subsection B of this section and the applicable goals and policies of the Comprehensive Plan. The City Council shall approve, approve with additional conditions, or deny the development agreement by ordinance or resolution;
 2. Recorded Development Agreement. Upon City Council approval of a development agreement under the procedure set forth in this subsection C, the property owner shall execute and record the development agreement with the Snohomish County Auditor's Office to run with the land and bind and govern development of the property.
- D. Consultation on land use permit applications. The City shall provide the Town of Woodway written notice of all land use permit applications in the PA 4 zone within 30 days of permit application, consistent with chapter 36.70B RCW, Local Project Review. Staff from the Town of Woodway shall be invited to attend meetings between Shoreline staff and the applicant relating to such permit applications, pre-application meetings, and shall be provided an opportunity to review and comment.

20.94.090 Amendments to regulations and standards.

The City of Shoreline shall provide the Town of Woodway with at least 30 calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, before any legislative actions that may modify or amend the PA 4 development regulations, or that otherwise impacts the uses, development, or redevelopment of the Point Wells area. Notice shall include, but not be limited to, notice of all Planning Commission and City Council meetings and hearings related to such legislative considerations or actions.



TO: Honorable Members of the Shoreline City Council

FROM: Jack Malek, Vice Chair
Shoreline Planning Commission

DATE: October 15, 2020

RE: Point Wells Pre-Annexation Zoning

The Shoreline Planning Commission has completed its review of the proposed Pre-Annexation Zoning for the Point Wells Area. While annexation of Point Wells has been a long-standing goal of the City, the adoption of Pre-Annexation Zoning at this time is the result of the Settlement and Interlocal Services Agreement between the City and the Town of Woodway addressing services, infrastructure, mitigation, impacts, and other issues related to development or redevelopment of Point Wells.

The Planning Commission held one (1) study session on September 17, 2020 on the proposed Pre-Annexation Zoning and a public hearing on October 15, 2020.

In consideration of the Planning Staff's recommendations, written and oral public testimony, and the decision criteria set forth in SMC 20.30.350, the Planning Commission respectfully recommends that the City Council adopt the proposed Pre-Annexation Zoning for Point Wells included in the City Council's packet for the November 9, 2020 regular meeting.