Council Meeting Date: July 23, 2001 **Agenda Item:** 9(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Amendments to Ordinance No. 276 and No. 277 (Comprehensive Plan, Zoning Map and Development Code) suggested by Council on July 9, 2001.
DATE:	July 23, 2001
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director

EXECUTIVE / COUNCIL SUMMARY

At the July 9, 2001 Public Hearing your Council heard testimony regarding the reconciliation of the Comprehensive Plan Land Use Map and the Zoning Map. Council made a motion to adopt proposed Ordinances No. 276 and 277, but tabled that motion to tonight's agenda to provide staff additional time to prepare proposed amendments to those ordinances based upon testimony and Council comments to complete the following:

Interlake Residential Area Amendment

Reconfigure "Bundle 3D" into two groups "3D-1" and "3D-2" which reflects neighborhood concerns about consistent uses within the same cul-de-sac (Attachment A). Bundle 3D-1 retains the original recommendation from Planning Commission, which was to implement the "Medium Density" and "Mixed Use" Comprehensive Plan Designations of these parcels by rezoning to R-8. Bundle 3D-2 reflects neighborhood concerns about appropriate uses facing on a cul-de-sac. The reconciliation on these parcels will be to change the Comprehensive Plan Designation to "Low Density" and retain the existing R-6 zoning.

Medical Dental Office "P-Suffix" Amendment

The medical dental complex located at the southeast corner of Fremont and 182nd (Bundle 3-B) was originally authorized by King County Ordinance No. 8498 adopted May 2, 1988. This Ordinance approved a "RM-900-P" zone for this parcel conditioned upon approval of a specific site plan and the following restriction: "the use of this site should be limited to medical/dental offices or uses allowed in the RS-7200 zone." This type of zoning, known as a "P-Suffix", is not now a part of the City of Shoreline Development Code. Staff research reveals that the officially adopted Shoreline Zoning Map did not include any "P-Suffix"

designations. Rather, this parcel is currently designated as "R-48" in the Shoreline Zoning Map and, therefore, inconsistent with the current "Low Density" Comprehensive Plan designation. The current office use is not consistent with this current zoning.

The use of the parcel for medical/dental offices, as permitted in the RM-900-P, is allowed to continue, be maintained, repaired and replaced under SMC 20.30.280 provided that the use is not expanded or that the use is not abandoned for more than 12 months.

Your Council's direction to staff was to find an alternative for this site that would allow the legally permitted use to continue without allowing any additional development rights.

Staff has considered four options, they are:

1. Retain the "Low Density" Comprehensive Plan Land Use Designation and Rezone to "R-6" (residential, 6 units/acre). This was the original staff recommendation to the Planning Commission.
2. Change the Comprehensive Plan Land Use Designation to "Mixed Use" and Rezone to "O" (Office). This was the Planning Commission recommendation that was also supported by staff.
3. Retain the "R-48" Zoning and change the Comprehensive Plan Land Use Designation to "High Density"
4. Explore other options for the re-creation of a "P-Suffix" zoning designation, or perhaps in the alternative, the establishment of some type of "conditional zoning".

The following discussion highlights each of the four options and illustrates how each does or does not meet your Council's intent to maintain existing the use without allowing expansion of that use by right.

OPTION 1: Low Density Land Use Designation and R-6 zoning.
Attachment B illustrates the staff preferred alternative for adoption. This option implements the existing "Low Density" Comprehensive Plan Designation for the site. The existing medical/dental facility would continue to be a legal non-conforming use, and would be regulated by the Non-Conformance Section of Shoreline Municipal Code (SMC 20.30.280 is shown in Attachment C). The use would be permitted to remain; however it would not be allowed to expand without a conditional use permit.

Continue Use	Expansion As A Matter of Right
Yes	No

OPTION 2: Mixed Use Land Use Designation and O zoning.
This option would implement the Planning Commission recommendation and would change the Comprehensive Plan Land Use Designation to "Mixed Use" and also change the Zoning to "Office." This allows the existing use on the site to continue as a permitted, conforming use and would allow expansion as a matter of right.

Continue Use	Expansion As A Matter of Right
Yes	Yes

OPTION 3: High Density Land Use Designation and R-48 zoning.
This option changes the Comprehensive Plan Land Use Designation to "High Density Residential" and retains the existing R-48 zoning. Currently there is a Development Code amendment under consideration to conditionally allow professional office uses in the high-density residential zones. If this amendment is approved this would allow the existing office uses on the site as a conforming use. In addition, the site could be redeveloped to the intensity allowed by R-48 zoning.

Continue Use	Expansion As A Matter of Right
Yes	Yes

OPTION 4: Explore options for a "conditional zoning" process.
This alternative might be possible, but because the "P-Suffix" for this site does not now exist a different legal instrument would be needed to condition or contract this parcel to specific uses and/or standards. This might be achieved by amending the land use designation from low density to Mixed Use and the zoning from R-48 to Office (O) as conditioned/contracted. The owner/owners of the property would have to agree to the contract. This contract would then be recorded with the King County Department of Records. Staff is not prepared with an agreed contract rezone on this parcel at this time.

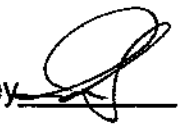
Continue Use	Expansion As A Matter of Right
Yes	Yes, as conditioned.

All four options discussed above would resolve current inconsistencies between the City's Comprehensive Plan, Development Code, and Zoning Map. Options 1, 2, and 3 are ready to be acted upon by Council. If Council prefers option 4, then one of the other options could be used as an interim measure to resolve all current conflicts and Council can direct staff to return with further recommendation on this specific issue in the future. Of the three other options, staff recommends option 1 as the most straightforward means of allowing the

current use, but no expansion, and honoring the Comprehensive Plan designation.

RECOMMENDATION

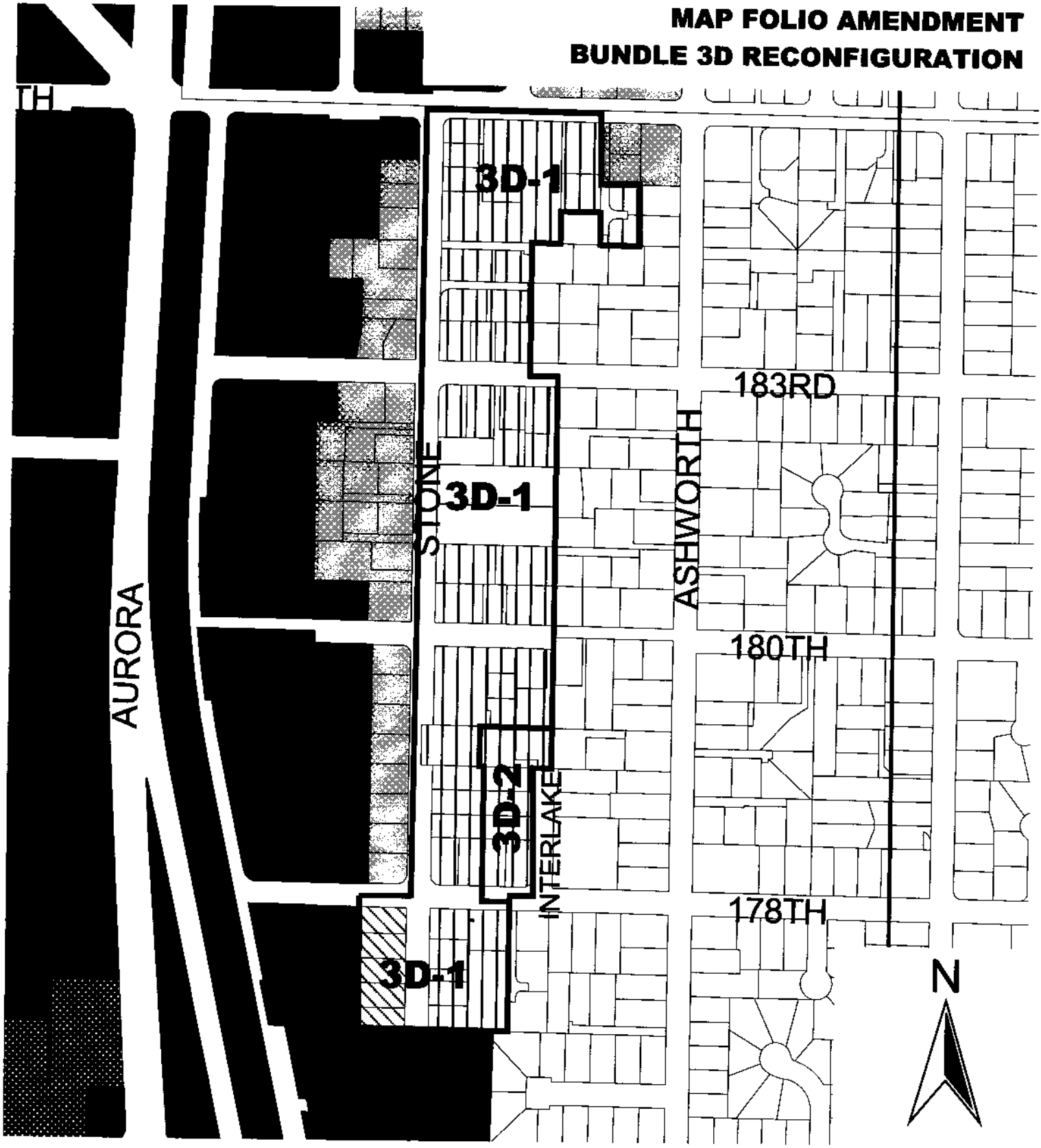
Amend the main motion to adopt Ordinance No. 276 and Ordinance No. 277 (Amendment to the Comprehensive Plan, Zoning Map and Development Code) by adopting Attachments A and B as revisions to the Folios of Maps. Call for a vote on the original motion.

Approved By: City Manager City Attorney 

ATTACHMENTS

Attachment A	Map Folio amendment. Area 3D reconfiguration to bundles 3D-1 and 3D-2.
Attachment B	Map Folio amendment. Area 3B revised recommendation for reconciliation.
Attachment C	SMC 20.30.280, Development Code Regulations on non-conformances.
Attachment D	Ordinance No. 276: Amendments to Comprehensive Plan
Attachment E	Ordinance No. 277: Amendments to the Development Code

ATTACHMENT A:
MAP FOLIO AMENDMENT
BUNDLE 3D RECONFIGURATION

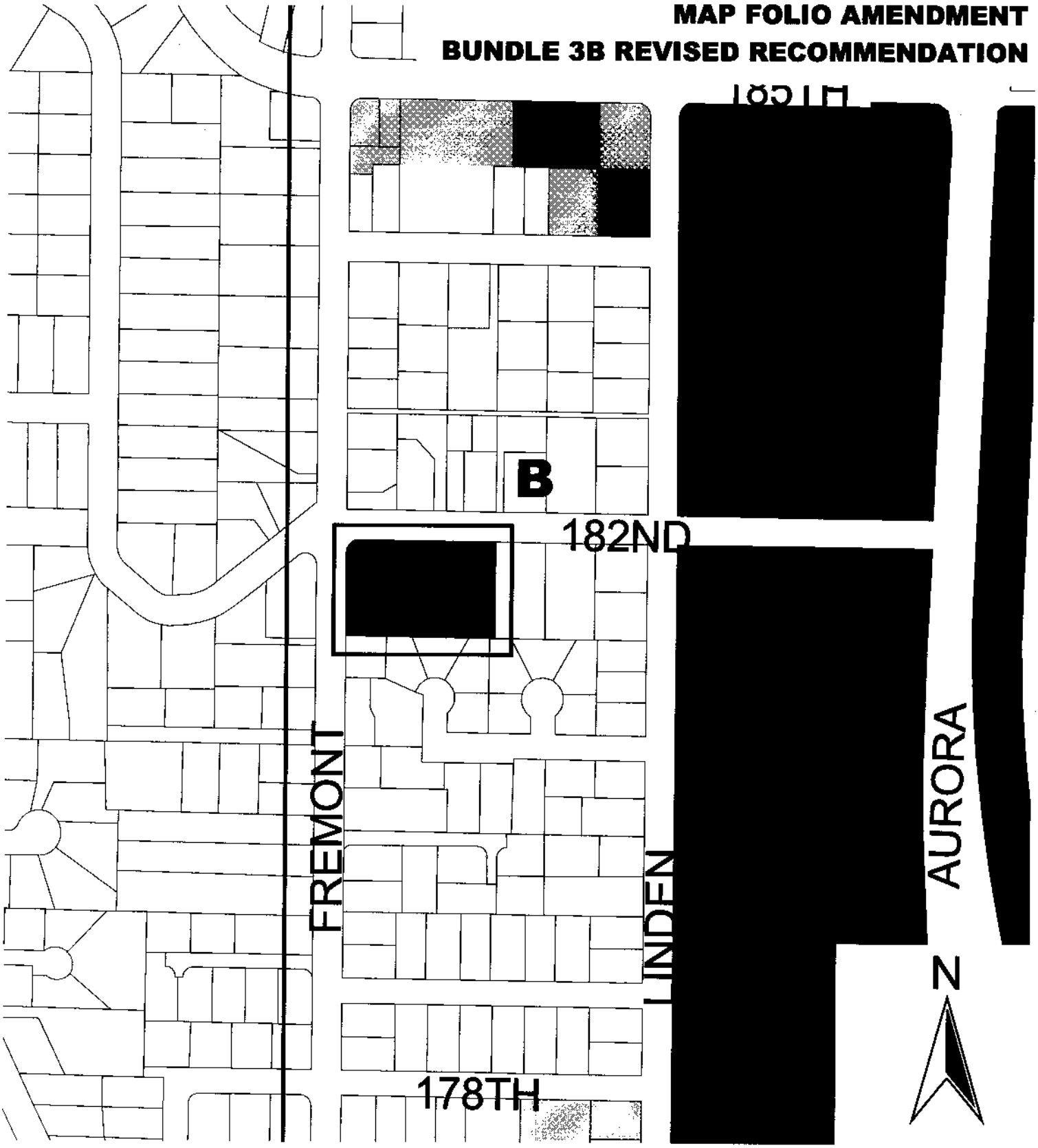


No Scale

RECONCILIATION MEASURES:

BUNDLE	EXISTING COMP PLAN	PROPOSED COMP PLAN	EXISTING ZONING	PROPOSED ZONING
3D-1	Medium Density and Mixed Use	Medium Density and Mixed Use	R-6	R-8
3D-2	Medium Density Residential	Low Density Residential	R-6	R-6

ATTACHMENT B:
MAP FOLIO AMENDMENT
BUNDLE 3B REVISED RECOMMENDATION



No Scale

RECONCILIATION MEASURES:

BUNDLE	EXISTING COMP PLAN	PROPOSED COMP PLAN	EXISTING ZONING	PROPOSED ZONING
3B	Low Density Residential	Low Density Residential	R-48	R-6

Attachment C

SMC 20.30.280, Development Code Regulations on non-conformances.

20.30.280 Determining status.

A. Any use, structure, lot or other site improvement (e.g., landscaping or signage), which was legally established prior to the effective date of this Code that rendered it nonconforming, shall be considered nonconforming if:

1. The use is now prohibited or cannot meet use limitations applicable to the zone in which it is located; or

2. The use or structure does not comply with the development standards or other requirements of this Code.

B. A change in the required permit review process shall not create a nonconformance.

C. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance.

1. **Abatement of Illegal Use, Structure or Development.** Any use, structure, lot or other site improvement not established in compliance with use, lot size, building, and development standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal.

2. **Continuation and Maintenance of Nonconformance.** A nonconformance may be continued or physically maintained as provided by this Code.

3. **Discontinuation of Nonconforming Use.** A nonconforming use, when abandoned or discontinued, shall not be resumed, when land or building used for the nonconforming use ceased to be used for 12 consecutive months.

4. **Expansion of Nonconforming Use.** A nonconforming use may be expanded subject to approval of a conditional use permit or a special use permit, whichever permit is required under the Code, or if no permit is required, then through a conditional use permit; provided, a nonconformance with the Code standards shall not be created or increased.

5. **Repair or Reconstruction of Nonconforming Structure.** Any structure nonconforming as to height or setback standards may be repaired or reconstructed; provided, that:

   a. The extent of the previously existing nonconformance is not increased; and

   b. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction.

6. **Modifications to Nonconforming Structures.** Modifications to a nonconforming structure may be permitted; provided, the modification does not increase the area, height or degree of an existing nonconformity.

7. **Nonconforming Lots.** Any permitted use may be established on an undersized lot, which cannot satisfy the lot size or width requirements of this Code; provided, that:

   a. All other applicable standards of the Code are met; or variance has been granted;

   b. The lot was legally created and satisfied the lot size and width requirements applicable at the time of creation;

c. The lot cannot be combined with contiguous undeveloped lots to create a lot of required size;

d. No unsafe condition is created by permitting development on the nonconforming lot; and

e. The lot was not created as a "special tract" to protect critical area, provide open space, or as a public or private access tract. (Ord. 238 Ch. III § 6, 2000).

ORDINANCE NO. 276

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE LAND USE ELEMENT INCLUDING FIGURE LU-1 LAND USE DESIGNATIONS, SHORELINE MASTER PROGRAM ELEMENT, PARKS, OPEN SPACE AND RECREATION SERVICES PLAN, AND TRANSPORTATION CAPITAL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN; AND AMENDING ORDINANCE NO. 178.

WHEREAS, Shoreline's first Comprehensive Plan adopted on November 23, 1998 includes Policy LU7 – "Ensure that the Shoreline City Council can amend the Comprehensive Plan once a year, as established in the Growth Management Act, through an amendment process…"; and

WHEREAS, the City adopted Title 20, the Development Code, on June 12, 2000 which is generally consistent with the Comprehensive Plan adopted in 1998; and

WHEREAS, the City in accordance with the Washington State Growth Management Act (GMA) RCW36.70A.130 which states " Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them" developed an annual Comprehensive Plan review process; and

WHEREAS, the City in accordance with GMA is proposing to reconcile inconsistencies between the Comprehensive Plan adopted in 1998 and the Development Code adopted in 2000 including the reconciliation of all parcels in the City that currently have zoning that is not consistent with the Comprehensive Plan land use designations by amending the Title 20: Zoning Map and the Comprehensive Plan Figure LU-1: Land Use Designations; and

WHEREAS, the City received six (6) complete applications from the public and four (4) from staff to amend the following sections of the Comprehensive Plan: Land Use including Figure LU-1 Land Use Designations, Shoreline Master Program, Parks, Open Space and Recreation Services Plan, and Transportation Capital Facilities; and

WHEREAS, an extensive public participation process was conducted to develop and review amendments to the Comprehensive Plan as part of the annual review including:

- Staff presented the Planning Commission with a report on the process for the annual amendment cycle and review of the application for amendments at the July 20, 2000 Planning Commission meeting.
- Comprehensive Plan amendment applications were made available at the October 5, 2000 Planning Commission Open House.
- Staff and the Planning Commission developed the methodology and criteria for addressing the amendments to the Comprehensive Plan land use map and Zoning map at Planning Commission Workshops on November 16, 2000 and December 7, 2000.
- Customized written notices were mailed to all property owners and occupants of parcels that were proposed for either a change in Comprehensive Land Use designations and/or zones.

- Staff conducted three Workshops with the Planning Commission to review the proposed amendments on March 15, 2001, April 5, 2001, and April 19, 2001;
- The Planning Commission held a Public Hearing on the proposed amendments on May 17, 2001.
- The Planning Commission held a Special Meeting on May 24, 2001 to make its recommendation to Council on the proposed amendments.
- The City Council conducted a Workshop on June 18, 2001 to review the Planning Commission recommendation on the proposed amendments; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on May 3, 2001 in reference to the proposed amendments to the Comprehensive Plan and Development Code; and

WHEREAS, the Planning Commission unanimously recommended approval of the proposed amendments at the May 24, 2001 Special Meeting; and

WHEREAS, the City Council conducted a Public Hearing on this Ordinance on July 9, 2001; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development for comment pursuant WAC 365-195-820 and its comments have been received and are favorable; and

WHEREAS, the Council finds that this ordinance complies with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW ; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Comprehensive Plan;

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

Section 1. **Amend the Comprehensive Plan**. The Shoreline Comprehensive Plan as adopted by Ordinance No. 178, is hereby amended as follows:

a) Land Use Elements are amended as set forth in Exhibit A attached hereto and incorporated herein;

b) Figure LU-1: Land Use Designations are amended to reflect changes described in Exhibit B, a copy of which has been filed with the City Clerk and identified with Clerk's Receiving No. _____ and is incorporated herein;

Section 2. **Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. **Effective Date and Publication**. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days

after publication.

PASSED BY THE CITY COUNCIL ON July 23, 2001.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

COMPREHENSIVE PLAN LAND USE ELEMENT

LU24: The permitted base density for this designation will not exceed 6 dwelling units per acre ~~and the base height will not exceed 30 feet,~~ unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.

LU28: The permitted base density for this designation will not exceed 12 dwelling units per acre ~~and the base height will not exceed 35 feet,~~ unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.

LU31: The permitted base density for this designation will not exceed 48 dwelling units per acre ~~and the base heeight will not exceed 35 feet,~~ unless a neighborhood plan, subarea plan or special district overlay plan has been approved.

LU32: • ~~does not exceed six stories in height;~~

LU35: ~~The base height for this designation will be 35 feet unless a neighborhood plan, subarea plan, or special district overlay plan/zone has been approved.~~

LU38: ~~The base height for this designation shall be 60 feet unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.~~

LU38.1: ~~The base height for this designation will be 65 feet unless a neighborhood plan, subarea plan, or special district overlay plan/zone has been approved.~~

LU67: ~~The base height for this designation will be 35 feet unless a facilities master plan has been approved, a conditional or special use permit has been issues, or the underlying zone permits a greater height.~~

LU68: ~~The base height for this designation will be 35 feet unless a facilities master plan has been approved, a conditional or special use permit has been issued, or the underlying zoning permits a greater height.~~

Land Use Designations

Low Density Residential

The permitted base density for this designation will not exceed 6 dwelling units per acre ~~and the base height will not exceed 30 feet,~~ unless a neighborhood plan, subarea plan or a special district overlay plan has been approved.

Medium Density Residential

The permitted base density for this designation will not exceed 12 dwelling units per acre ~~and the base height will not exceed 35 feet,~~ unless a neighborhood plan, subarea plan or special district overlay plan has been approved.

High Density Residential

The permitted base density for this designation will not exceed 48 dwelling units per acre ~~and the base height will not exceed 35 feet,~~ unless a neighborhood plan, subarea plan or special district overlay plan has been approved.

Community Business
~~The base height for this designation will be 60 feet unless a neighborhood plan, subarea plan or special district overlay plan has been approved.~~
Appropriate zoning designations for this area might include the Aurora Avenue Special Overlay District, Economic Redevelopment Special Overlay District, Pedestrian Oriented Commercial Special Overlay District, RB, NB, CB, ~~or,~~ O, R-12, R-18, R-24, or R-48.

Regional Business
~~The base height for this designation will be 65 feet unless a neighborhood plan, subarea plan, or special district overlay plan has been approved.~~
Appropriate zoning designations for this area might include the Aurora Avenue Special Overlay District, Economic Redevelopment Special Overlay District, Pedestrian Oriented Commercial Special Overlay District, R-12, R-18, R-24, R-48, CB, O or RB.

Mixed Use
~~The base height for this designation will be 35 feet unless a neighborhood plan, subarea plan, or special district overlay plan has been approved.~~
This designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with medium to high density residential uses. Appropriate zoning designations for this area might include Mixed Use Special Overlay District, Pedestrian Oriented Commercial Special Overlay District, NB, CB, O, I, RB, R-8, R-12, R-18 ~~and/or~~, R-24, or R-48.

Public Facilities
~~The base height for this designation will be 35 feet unless a facilities master plan has been approved, a conditional or special use permit has been issued or unless the underlying zone district permits a greater height.~~

Single Family Institution
~~The base height for this designation will be 35 feet unless a facilities master plan has been approved, a conditional or special use permit has been issued or unless the underlying zoning permits a greater height.~~
It is anticipated that the underlying zoning for this designation shall remain the same unless ~~adjusted by a formal amendment to this plan~~ a master plan is adopted creating a special district.

Special Study Area
~~The base height for this designation will be 35 feet unless a neighborhood plan, subarea plan, or special overlay district plan has been approved.~~

COMPREHENSIVE PLAN TRANSPORTATION ELEMENT

T30: Require all commercial, multifamily and residential short plat and long plat developments to ~~construct~~ provide for sidewalks or separated trails.

COMPREHENSIVE PLAN COMMUNITY FACILITIES ELEMENT

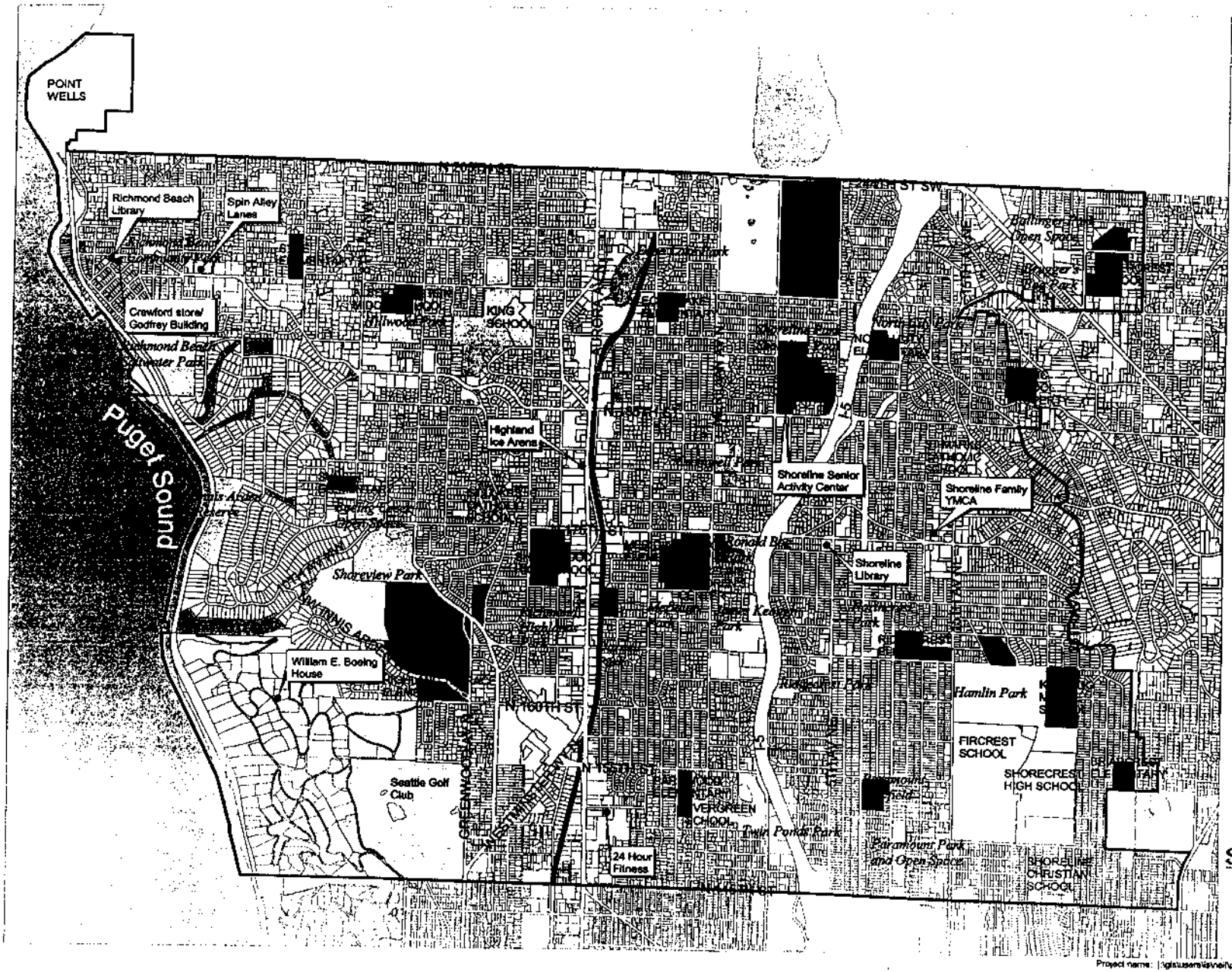
CF20 ~~Investigate the use of impact fees to help pay for the costs of new development.~~ Provide a program to allow developers to pay a fee (e.g. an impact fee) if appropriate in lieu of constructing required street frontage improvements, including sidewalks and stormwater facilities.

LU71 The Special Study Area Designation should be applied to some areas of the community which might be appropriate for further study. These areas are designated for future subarea planning, watershed planning, special districts, neighborhood planning, or other study. ~~The base height for this designation shall be 35 feet unless a neighborhood plan, subarea plan, or special overlay district plan/zone has been approved.~~ It is anticipated that the underlying zoning for this designation shall remain.

LU71.1: Establish the Paramount District Special Study Area. The study area would be centered around the business district at N 145th Street and 15th Avenue NE and roughly bound by N 150th Street on the north, N 145th Street on the south, between 10th and 12th Avenue NE on the west and 23rd Avenue NE on the east. The district shall be formed in accordance with the drainage basin located in the approximate area.

LU71.2: Establish the Briarcrest Special Study Area. The study area would be centered around the south end of the Briarcrest Neighborhood and roughly bound by N 150th Street on the north, N 145th Street on the south, 23rd Avenue NE on the west and 31st Avenue NE on the east. The district shall be formed in accordance with the drainage basin located in the approximate area.

LU71.3: Establish the Ballinger Special Study Area. The study area would be centered around the neighborhood area southwest of the Ballinger Business District and roughly bound by N 205th Street on the north, N 195th and N 196th Street on the south, I-5 on the west and between Forest Park Drive NE and Ballinger Way NE on the east. The district shall be formed in accordance with the drainage basin located in the approximate area.



SHORELINE

GEOGRAPHIC INFORMATION SERVICES

Existing Park, Recreation & Open Space Areas

- DNR Property
- Seattle City Light Property
- City Park Land
- Private Parks and Open Space
- Park Land Owned by School Distn
- College
- Public Schools
- Private Schools
- Cemetery
- Private Recreation Facilities
- Historic Sites
- City Limit
- Planning Area Boundary
- Water Body

150

0 1000 2000 3000 4000 Feet

CITY OF SHORELINE

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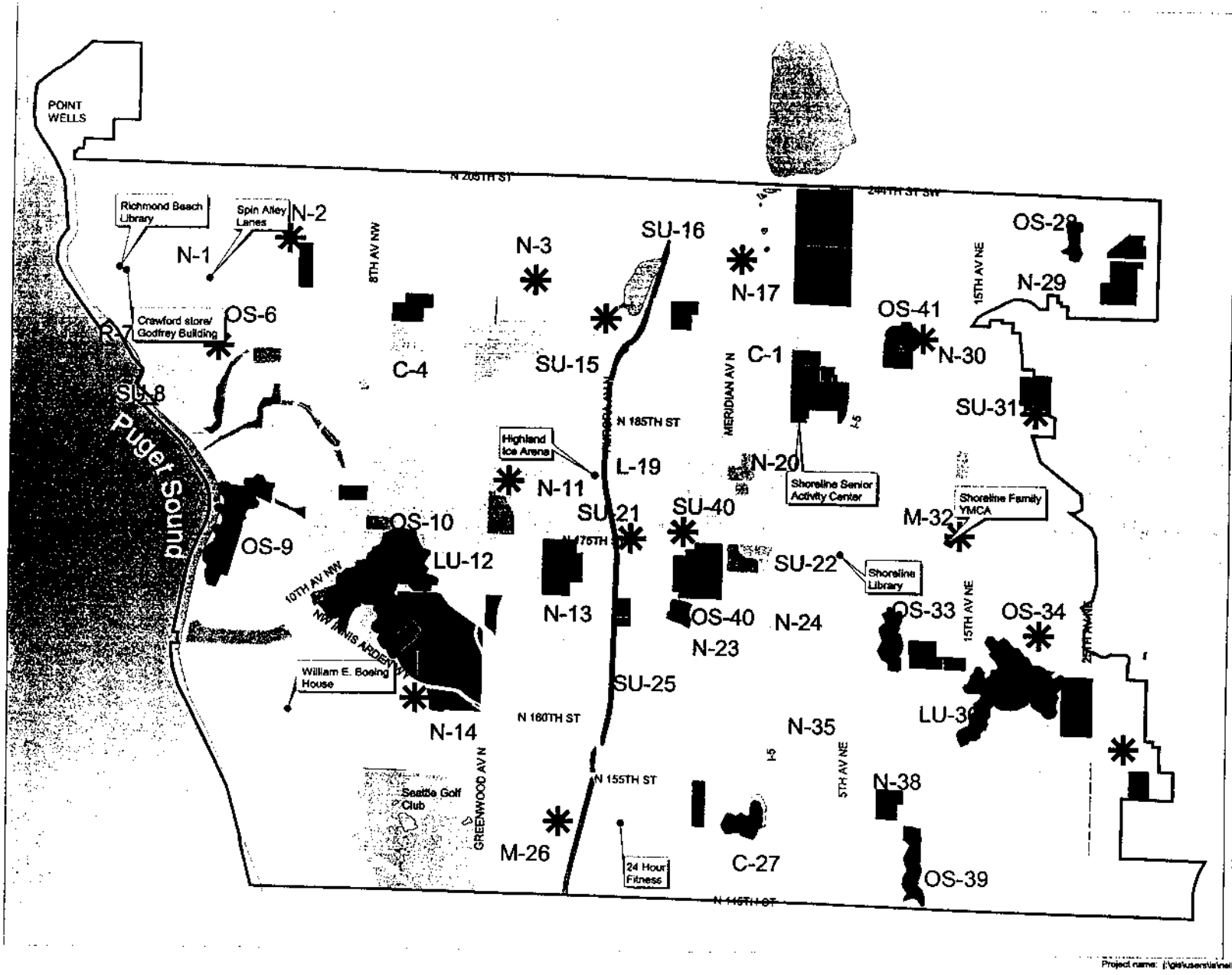
POINT WELLS
N 205TH ST
Richmond Beach Library
Spin Alley Lanes
N-1
N-2
8TH AV NW
N-3
SU-16
N-17
24TH ST SW
OS-29
N-29
15TH AV NE
OS-41
N-30
Crawford store/ Godfrey Building
OS-6
C-4
SU-15
MERIDIAN AV N
C-1
SU-31
SU-18
Puget Sound
N 185TH ST
Highland Ice Arena
L-19
N-11
N-20
Shoreline Senior Activity Center
Shoreline Family YMCA
M-32
SU-21
SU-40
OS-10
OS-9
LU-12
10TH AV NW
SU-22
Shoreline Library
N-13
OS-40
N-24
N-23
OS-33
OS-34
William E. Boeing House
SU-25
N 160TH ST
N-14
N-35
LU-3
N 155TH ST
Seattle Golf Club
GREENWOOD AV N
I-5
5TH AV NE
N-38
M-26
24 Hour Fitness
C-27
OS-39
N 145TH ST
SHORELINE
GEOGRAPHIC INFORMATION SERVICES
Draft Facility Plan
DNR Property
Seattle City Light Property
City Park Land
Private Parks and Open Space
Park Land Owned by School Distric
College
Public Schools
Private Schools
Cemetery
Private Recreation Facilities
Historic Sites
Proposed Facilities
Proposed Open Space
City Limit
Planning Area Boundary
Water Body
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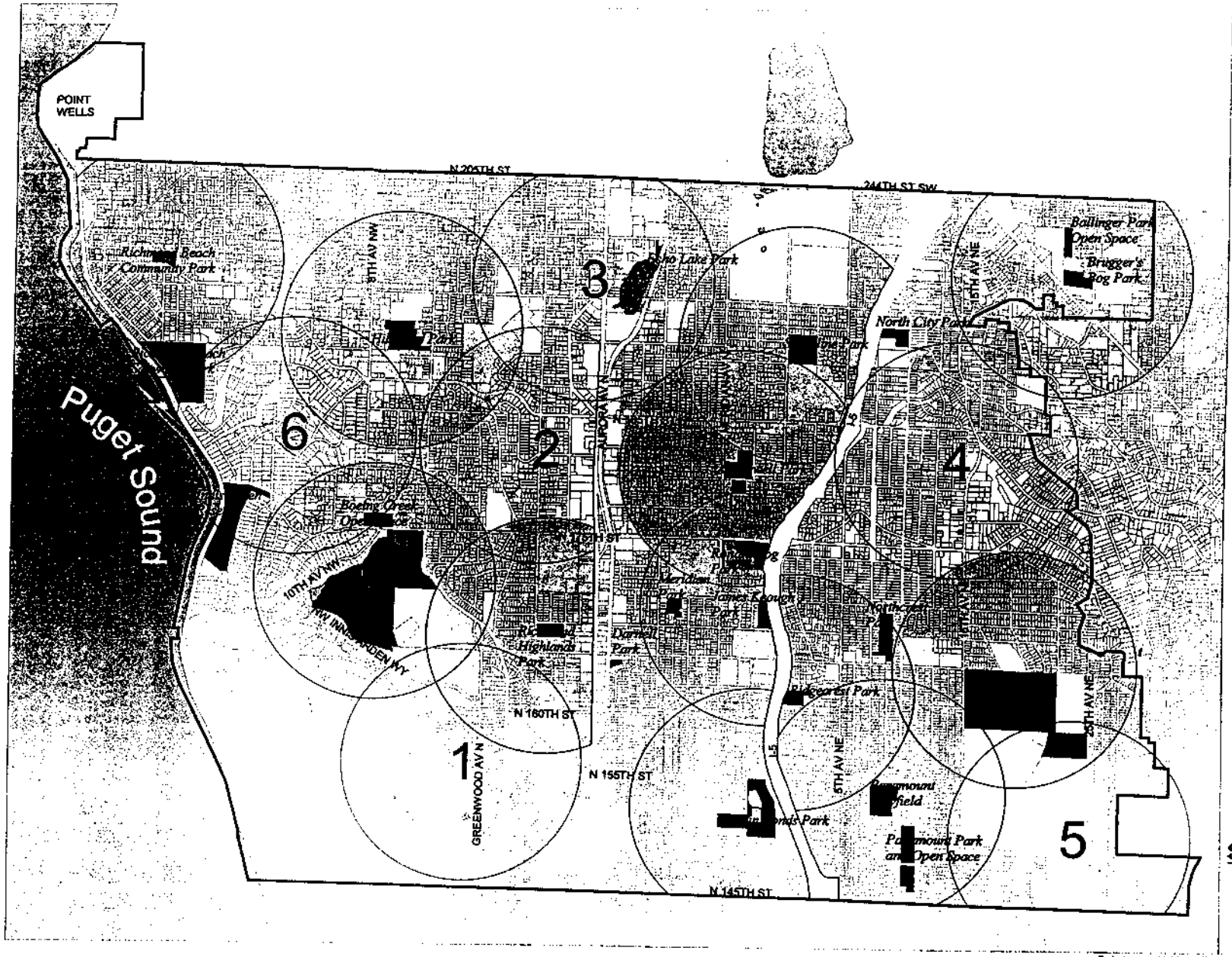

SHORELINE

GEOGRAPHIC INFORMATION SERVICES

Neighborhood Park Service Area

Planning Area Boundary

Proposed Areas

Neighborhood Park Service Area
1/2 mile radius

City Limit

Water Body

152

0 1000 2000 3000 4000 Feet

CITY OF SHORELINE

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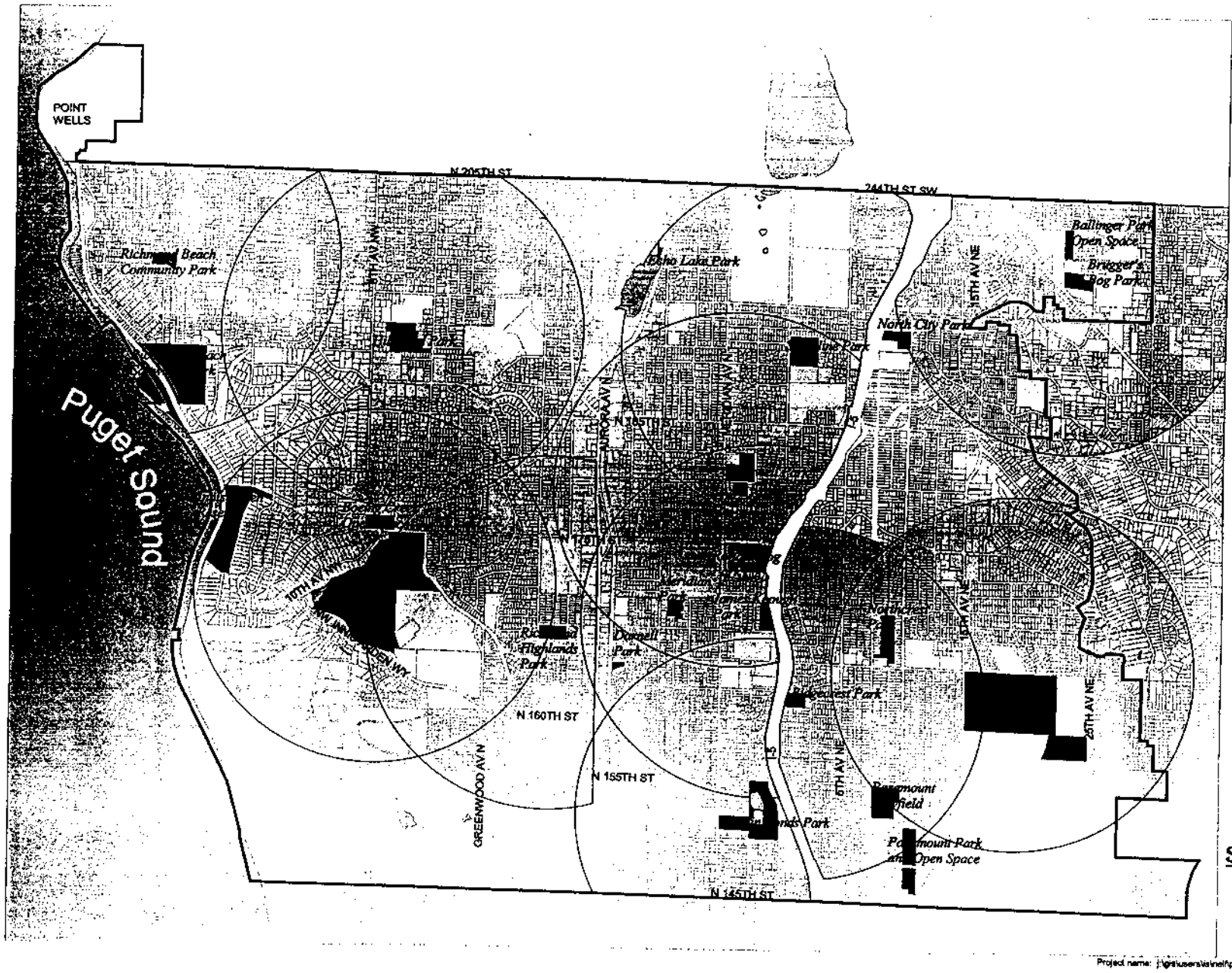

SHORELINE

GEOGRAPHIC INFORMATION SERVICES

Neighborhood Park Service Area

Planning Area Boundary

Neighborhood Park Service Area
3/4 mile radius

City Limit

Water Body

153

0 1000 2000 3000 4000 Feet

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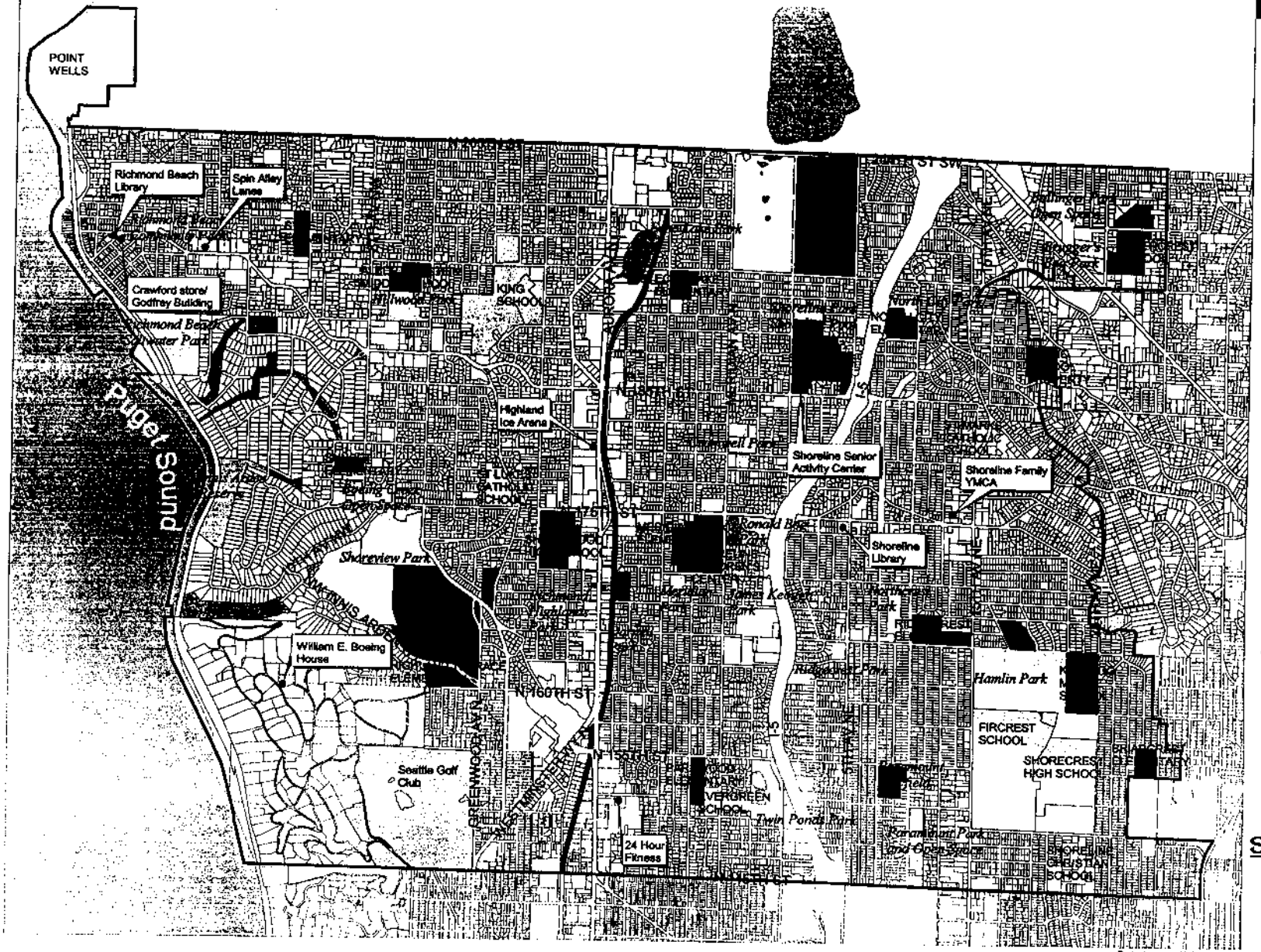

SHORELINE

GEOGRAPHIC INFORMATION SERVICES

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- Seattle City Light Property
- City Park Land
- Private Parks and Open Space
- Park Land Owned by School District
- College
- Public Schools
- Private Schools
- Cemetery

154

- Private Recreation Facilities
- Historic Sites
- City Limit
- Planning Area Boundary
- Water Body

0 1000 2000 3000 4000 Feet

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Project name: J:\gis\users\is\neil\projects\citymanager\existing.apr Plot date: Feb 15, 2001; existing

FOLIO OF MAPS

Attachment E
Ordinance No. 277: Amendments to the Development Code

ORDINANCE NO. 277

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE DEVELOPMENT CODE TO RECONCILE INCONSISTENCIES BETWEEN THE COMPREHENSIVE PLAN AND THE DEVELOPMENT CODE INCLUDING THE RECONCILIATION OF ALL PARCELS IN THE CITY THAT CURRENTLY HAVE ZONING THAT IS NOT CONSISTENT WITH THE COMPREHENSIVE PLAN LAND USE DESIGNATIONS; AND AMENDING 20.40.130 THE NON-RESIDENTIAL USE TABLE TO INCLUDE PROFESSIONAL OFFICES AS A CONDITIONAL USE IN R-18, R-24, R-48 ZONES AND AS A PERMITTED USE IN NB, O, CB, RB, AND I ZONES; AND AMENDING SHORELINE MUNICIPAL CODE TITLE 20

WHEREAS, the City adopted Title 20, the Development Code, on June 12, 2000 which is generally consistent with the Comprehensive Plan adopted in 1998;

WHEREAS, the City in accordance with the Washington State Growth Management Act (GMA) RCW36.70A.130 which states " Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them" developed an annual Comprehensive Plan review process; and

WHEREAS, the City in accordance with GMA is proposing to reconcile inconsistencies between the Comprehensive Plan adopted in 1998 and the Development Code adopted in 2000 including the reconciliation of all parcels in the City that currently have zoning that is not consistent with the Comprehensive Plan land use designations by amending the Title 20: Zoning Map and the Comprehensive Plan Figure LU-1: Land Use Designations; and

WHEREAS, the City received two (2) complete applications from the public for site specific amendments to the Official Zoning Map that addressed changing circumstances and the City has proposed amendments to the Official Zoning Map to resolve inconsistencies between the Comprehensive Plan land use designations and to address changing circumstances; and

WHEREAS, the Planning Commission proposed an amendment to the Title 20 to include professional offices as a conditional use in high density residential zones to prevent the creation of nonconforming professional office uses in the process of resolving inconsistencies between the Comprehensive Plan Figure LU-1: Land Use Designations and the Zoning Map; and

WHEREAS, an extensive public participation process was conducted to develop and review amendments to the Comprehensive Plan and Development Code including:

- Staff presented the Planning Commission with a report on the process for the annual amendment cycle and review of the application for amendments at the July 20, 2000 Planning Commission meeting.
- Comprehensive Plan amendment applications were made available at the October 5, 2000 Planning Commission Open House.

- Staff and the Planning Commission developed the methodology and criteria for addressing the amendments to the Comprehensive Plan land use map and Zoning map at Planning Commission Workshops on November 16, 2000 and December 7, 2000.
- Customized written notices were mailed to all property owners and occupants of parcels that were proposed for either a change in Comprehensive Land Use designations and/or zones;
- Staff conducted three Workshops with the Planning Commission to review the proposed amendments on March 15, 2001, April 5, 2001, and April 19, 2001.
- The Planning Commission held a Public Hearing on the proposed amendments on May 17, 2001.
- The Planning Commission held a Special Meeting on May 24, 2001 to make its recommendation to Council on the proposed amendments.
- The City Council conducted a Workshop on June 18, 2001 to review the Planning Commission recommendation on the proposed amendments; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on May 3, 2001in reference to the proposed amendments to the Comprehensive Plan and Development Code; and

WHEREAS, the Planning Commission unanimously recommended approval of the proposed amendments at the May 24, 2001 Special Meeting; and

WHEREAS, the City Council conducted a Public Hearing on this Ordinance on July 9, 2001; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development for comment pursuant WAC 365-195-820 and its comments have been received and are favorable; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW ; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

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

Section 1. **Amendment.** Shoreline Municipal Code Section 20.40.130 is amended as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. **Amendment; Zoning Map.** The Official Zoning Map is amended as set forth in Exhibit B, a copy of which has been filed with the City Clerk and identified with Clerk's Receiving No. _____ and is incorporated herein.

Section 3. **Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. **Effective Date and Publication**. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON July 23, 2001.

_____
Mayor Scott Jepsen

ATTEST:

_____
Sharon Mattioli, CMC
City Clerk

Date of Publication:
Effective Date:

APPROVED AS TO FORM:

_____
Ian Sievers
City Attorney

20.40.130 Non-residential uses.

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	NB & O	CB	RB & I
	RETAIL/SERVICE TYPE						
532	Automotive Rental and Leasing					P	P
81111	Automotive Repair and Service				P	P	P
451	Book and Video Stores/Rental (excludes Adult Use Facilities)			C	P	P	P
513	Broadcasting and Telecommunications						P
812220	Cemetery, Columbarium	C-i	C-i	C-i	P-i	P-i	P-i
	Churches, Synagogue, Temple	C	C	P	P	P	P
	Construction Retail, Freight, Cargo Service						P
	Day Care Facilities	P-i	P-i	P	P	P	P
722	Eating and Drinking Establishments (Excluding Gambling Uses)	C-i	C-i	C-i	P-i	P-i	P-i
812210	Funeral Home/Crematory	C-i	C-i	C-i		P-i	P-i
447	Gasoline Service Stations				P	P	P
	General Retail Trade/Services				P	P	P
811310	Heavy Equipment and Truck Repair						C
481	Helistop			S	S	S	C
485	Individual Transportation and Taxi					C	S
812910	Kennel or Cattery					C-i	P-i
31	Light Manufacturing						S
441	Motor Vehicle and Boat Sales						P
	Professional Office			C	P	P	P
5417	Research, Development and Testing						P
484	Trucking and Courier Service					P-i	P-i
541940	Veterinary Clinics and Hospitals				P-i	P-i	P-i
	Warehousing and Wholesale Trade						P
	Wireless Telecommunication Facility	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use	**S = Special Use**
C = Conditional Use	**-i = Indexed Supplemental Criteria**

FOLIO OF MAPS