

Items A, B, C & D were acted upon
at the February 28 Council meeting.



City of Shoreline

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MEMORANDUM

To: Shoreline City Council
From: Tim Stewart, Director Planning and Development Services
Date: February 25, 2005
Re: Comprehensive Plan Major Review and Update

This past Monday evening, Council completed its initial review of the 621 policies recommended by the Shoreline Planning Commission. The Council identified more than 200 policies for further discussion. The purpose of this Memorandum is to help organize these remaining policies into relational groups and to provide Council with a staff recommendation for each group. In addition, the Memorandum concludes with a brief discussion of next steps Council may wish to consider in the adoption process. A new Matrix is attached showing the policies for future discussion and a summary of the reason's Planning Commission had for proposing the amendments.

A. TREES. The proposed policy amendments related to trees, and trees in critical areas, are extremely contentious. Some groups and individuals have suggested the Planning Commission's proposed policies should be "strengthened" (Sno-King Environmental Council, Thornton Creek Legal Defense Fund and Public Interest Associates), while others have suggested the propose policies be "weakened" (Innis Arden Club, Inc.).

Staff recommends that the existing policies related to trees and trees in critical areas be retained without further amendment until these groups have had an opportunity to meet and work towards language that is agreeable to both sides. Staff further recommends that these proposed amendments be docketed for the 2005-2006 Annual Review.

Item #'s 121 (EN15), 132 (EN22), 131 (EN21), 133 (EN23), 134 (EN24), 141 (EN30), and 143 (EN 48)

B. SIGNS. The proposed policy amendments related to signs are also contentious. The Shoreline Merchants Association believes that the proposed policies should be amended to be more permissive while others believe that the policy recommendations should be strengthened.

Staff recommends that the existing policies related to signs be retained without further amendment. Staff also recommends that Council direct staff to initiate a comprehensive review of the City's Sign Policies and Development Code (following adoption of the Major Comprehensive Plan Update, the Master Plans, the Critical Areas Ordinance update and the 2004-2005 Annual Review of the Comprehensive Plan) with a broad based public participation element which would actively involve members of the business community.

Item #'s 562 (CD14), 563 (CD15), 564 (CD16), 564 (CD17) and 566 (CD18).

C. AMENDMENTS TO DEFINITIONS OR TO CLARIFY WORDS. Council members have raised a number of questions regarding the use and definition of various words and terminology in the draft policy proposed by the Planning Commission, including:

- **Critical vs. Sensitive.** The word "sensitive" is an obsolete term of art the City of Shoreline inherited from King County's old "Sensitive Areas Ordinance" and has been superseded by the word "critical" by state law. The term "Critical Areas" is defined on page 238 of the draft plan. *Staff recommends that the word "critical" be used throughout and replace the word "sensitive" when used in the context of protecting critical areas.*
- **Alliances vs. Partnerships.** "Alliance" is defined as "a union to promote common interests" and "partner" is defined as "associate" or "colleague". *Staff has no preference for which word is more appropriate but would defer to the recommendation of the Planning Commission and recommend that these words not be changed.*
- **Hydrology** is defined on page 241 of the draft Plan, and "refers to the properties, distribution, discharge, re-charge, and movement of surface and sub-surface water. *Staff recommends this word not be changed.*
- **Periodic Review** is not defined. *Staff recommends that a definition of "Periodic review means that a review shall be undertaken during the Major Comprehensive Plan update, the timing to be determined by State law, or at least once every ten years" be added to the Plan's Glossary.*
- **Ensure-Assure-Insure** are frequently listed in dictionaries as synonyms, with very similar meanings. *Staff has no preference for which word is used but would defer to the Planning Commission's recommendation of word usage.*
- **Distinction** is defined as "the distinguishing of a difference". *Staff recommends this word not be changed.*
- **Revitalization** is "to give new life or vigor to". *Staff recommends this word not be changed.*
- **Tribal Governments-Tribal Nations-First Nations-Native Americans-Tribes.** RCW 36.70A.035 (1) lists "tribes" as an affected and interested

party in the GMA. *Staff recommends that the term “tribes” or “tribal governments” be used throughout the document.*

- **Practicable** is defined as “capable or being put into practice, done or accomplished”. *Staff recommends that this word not be changed.*

Item #s 56 (LU48), 90 (EPF8), 109 (EN 6), 112 (EN), 157 (EN 61), 161 (EN66), 218 (H26), 404 (Goal 3), 406(PR19, 409 (PR22), 424 (PR34), 428 (PR38), 432 (PR42) and perhaps in many other places. (Upon Council direction, staff will conduct a “word search” and make appropriate changes throughout the documents.)

D. AMENDMENTS WHICH DO NOT SIGNIFICANTLY CHANGE PLANNING

COMMISSION INTENT. There are a number of proposed amendments to the recommended policies that staff believes do not significantly change the intent of the Planning Commission recommendations.

Staff recommends the following policies be amended, as noted, because they do not change the general intent of the Planning Commission’s recommendations:

| Item # | Policy # | Note |
|---------------|-----------------|---|
| 003 | LU2 | delete “high” |
| 046 | LUVI | insert “impacts on surrounding areas” |
| 090 | EPF8 | retain 1998 policy language |
| 106 | EN3 | delete “within budget constraints” add “whenever feasible” |
| 113 | EN9 | retain 1998 policy language |
| 117 | Enb | retain bullet list. |
| 119 | EN13 | add “while encouraging native vegetation”. |
| 137 | EN27 | retain existing policy |
| 139 | ENVI | substitute “feasible” for “practical” use “preserve, enhance, restore” |
| 145 | EN50 | add “Regional systems should come first”. |
| 148 | EN53 | add bullet: “allow wetland or habitat mitigation off-site only if there is a new benefit to the resource and if long term monitoring and maintenance is ensured.” |
| 152 | ENd | add “to the resource” |
| 160 | EN65 | retain 1998 policy language |
| 163 | EN 67 | retain 1998 policy language |
| 164 | ENV | retain 1998 policy language |

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|-----|------------------|---|
| 173 | EN42 | add this policy into plan. |
| 187 | EN A | delete new goal. |
| 191 | H3 | retain 1998 policy language |
| 192 | H4 | change "encourage" to "support". |
| 204 | H14 | retain 1998 policy language |
| 207 | H17 | delete policy |
| 210 | H20 | delete "provide"; insert "Review and update". |
| 212 | H III | retain 1998 policy language, delete "housing" insert "new development" |
| 214 | H22 | retain 1998 policy language |
| 226 | H32 | add "senior cottages" |
| 238 | T9 | retain 1998 policy language |
| 244 | T1 | retain 1998 policy T1; add amended T1 |
| 273 | T27 | retain 1998 policy language. |
| 289 | T40 | retain 1998 policy language delete "make improvements to" change "resolve" to "reduce" |
| 301 | T48 ¹ | retain 1998 policy language |
| 433 | PR43 | change to "Respect and celebrate the diversity of cultures represented in our City through recreation programs." |
| 463 | CFq-2 | add word <u>of</u> to policy "Utilize financing options that best facilitate implementation <u>of</u> the CIP in a financially prudent manner, including the use of debt financing for large capital projects." |
| 489 | U13 | correct grammar in main policy statement "Encourage the use of ecologically sound site design in ways which to <u>that</u> enhance the provision of utility services through measures such as: ..." |
| 570 | CD23 | add a reference to native vegetation "Encourage the Pacific Northwest environmental character through the retention of existing <u>native</u> vegetation and through the use of native plants in new landscaping. Encourage water conservation in landscape designs."" |

E. AMENDMENTS TO CLARIFY THE PROCESS NEIGHBORHOOD PLANS AND MASTER PLANS, INCLUDING SINGLE FAMILY INSTITUTIONAL LAND USE DESIGNATIONS.

Public Interest Associates, and others, have raised a concern that LU 68 "could enable a major institution to have a major change of use without a Comprehensive Plan Amendment. This would violate the GMA, and is poor policy." (CC 039 #98). While staff disagrees with this analysis, we propose amendments to LU 68, and LUa to address these concerns:

Staff Recommendation: Amend LU 68 as follows "The Single-family Institution land use designation applies to a number of institutions within the community that serve a regional clientele on a large campus. It is anticipated that the underlying zoning for this designation shall remain the same unless a Master Plan is adopted as an amendment to the Comprehensive Plan creating a special district.

Staff Recommendation: Amend LUa by adding a sentence at the end to read; "Neighborhood plans shall be adopted as an amendment to the City's Comprehensive Plan before they become valid under GMA."

Item # 75 (LU68). 9 (LUa)

F. AMENDMENTS WHICH WOULD CHANGE THE INTENT OF THE PLANNING COMMISSION RECOMMENDATION.

There are a number of proposed amendments to the policies of the Comprehensive Plan which would significantly change the intent of the policies which have been recommended by the Planning Commission. For some of these changes, staff has a preference; for others staff does not have a preference. In instances when staff has no strong preference, such as these outlined below, we support the recommendation of the Planning Commission. The Planning Commission was created by the City Council "to provide guidance and direction for Shoreline's future growth through continued review and improvement to the City's comprehensive land use plan..." (SMC 2.20.010). Absent other factors, staff supports the recommendation of the Planning Commission.

Staff recommends the following policies be adopted as recommended by the Planning Commission:

| Item # | Policy # | Item # | Policy # |
|--------|--------------|--------|----------|
| 6 | (LU5) | 427 | (PR37) |
| 29 | (LU25) | 430 | (PR40) |
| 34 | (LU30) | 432 | (PR42) |
| 36 | (LU32) | 443 | (CF6) |
| 37 | (LU33) | 473 | (CF23) |
| 39 | (Goal LV IV) | 475 | (CF25) |
| 49 | (LU43) | 477 | (CF27) |

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|---------|--------------|-----|--------|
| 52 | (LU VIII) | 479 | (CF29) |
| 123 | (EN17) | 484 | (CFj) |
| 130 | (EN) | 486 | (CFk) |
| 150-151 | (various EN) | 492 | (ED1) |
| 153-159 | (various EN) | 496 | (EDa) |
| 166 | (EN35) | 497 | (EDe) |
| 178 | (EN58) | 498 | (EDf) |
| 180 | (ENe) | 506 | (ED9) |
| 182 | (ENIV) | 511 | (EDl) |
| 183 | (EN31) | 522 | (ED22) |
| 193 | (H5) | 523 | (ED23) |
| 195 | (H7) | 527 | (Edi) |
| 205 | (H15) | 531 | (ED30) |
| 208 | (H18) | 532 | (ED31) |
| 209 | (H19) | 545 | (ED40) |
| 250 | (T5) | 547 | (ED42) |
| 254 | (T11) | 550 | (CD2) |
| 255 | (T13) | 551 | (CD2) |
| 272 | (Ts) | 554 | (CD6) |
| 285 | (T36) | 558 | (CD10) |
| 292 | (T42) | 559 | (CD11) |
| 321 | (T61) | 576 | (CD28) |
| 344 | (T79) | 579 | (CD28) |
| 345 | (UI) | 582 | (CD32) |
| 346 | (U2) | 583 | (CD35) |
| 357 | (U11) | 586 | (CD38) |
| 372 | (U26) | 587 | (CD39) |
| 375 | (U28) | 589 | (CD41) |
| 382 | (Goal 1) | 590 | (CD53) |
| 383 | (PR1) | 591 | (CD42) |
| 384 | (PR2) | 596 | (CD47) |
| 386 | (PR4) | 604 | (CD54) |
| 390 | (PR7) | 605 | (CD55) |
| 392 | (PR9) | 607 | (CD57) |
| 393 | (PRa) | 608 | (CD58) |
| 394 | (PR10) | 611 | (CD61) |
| 399 | (PR14) | 613 | (CD62) |
| 401 | (PRb) | 619 | (CD68) |
| 424 | (PR34) | | |

G. AMENDMENTS TO IMPROVE THE ORGANIZATIONAL STRUCTURE OF THE CODE

One of the objectives of the update of the Comprehensive Plan is to improve the plan's organizational structure. A careful review of the 1998 Plan will reveal a significant amount of overlap, redundancy and duplication. The following policies are the result of the Planning Commission effort to "clean up" the plan. If the Council does wish to alter these changes to the organizational structure, care should be taken to understand the context of each amendment.

Staff recommends that these policies be adopted as recommended by the Planning Commission:

| Item #s | Policy # | Item #s | Policy # |
|----------------|-----------------|----------------|-----------------|
| 007 | (LU6) | 333 | (T69) |
| 010 | (LU8) | 334 | (T70) |
| 026 | (LU11) | 335 | (T71) |
| 027 | (LU23) | 336 | (T72) |
| 038 | (LU34) | 337 | (T73) |
| 084 | (EPF2) | 359 | (U13) |
| 088 | (EPF6) | 361 | (U14) |
| 091 | (EPF9) | 366 | (U20) |
| 092 | (EPF10) | 367 | (U21) |
| 101 | (EPF19) | 368 | (U22) |
| 120 | (EN14) | 369 | (U23) |
| 127 | (EN68) | 373 | (Uc, etc) |
| 196 | (H8) | 374 | (U27) |
| 211 | (LU27) | 381 | (U34, 35) |
| 252 | (T2) | 450-461 | (CF4 to CF16) |
| 263 | (T21) | 466-470 | (CF17 to CF21) |
| 264 | (T22) | 480-483 | (CF30 to CF34) |
| 277 | (T30) | 485 | (CF) |
| 315 | (T55) | 487 | (CFI) |
| 332 | (Tx) | 514 | (ED15) |

H. AMENDMENTS TO CLARIFY AND SUPPORT THE LAND USE PLAN. Although the Land Use Plan is not proposed for amendment, the narrative descriptions of the various land use classifications are proposed to be reorganized and slightly modified. One of the weaknesses of our current plan is that it is not very well organized. It is duplicative and disjointed. The Planning Commission carefully considered the balance and structure of the land use elements as proposed in these amendments. These policies should be considered as an integrated unit with the Land Use Plan. Care should be taken if the Council wishes to amend these Planning Commission recommendations.

Staff strongly recommends that these policies not be amended without careful review. CHANGES TO THESE POLICIES COULD RESULT IN FAILURE TO MEET THE CITY'S GROWTH TARGETS AND COULD CAUSE ADDITIONAL SEPA ANALYSIS.

| Item #s | Policy # |
|---------|----------|
| 28 | (LU24) |
| 30 | (LU26) |
| 32 | (LU28) |
| 35 | (LU31) |
| 40 | (LU35) |
| 42 | (LU38) |
| 43 | (LU38.1) |

I. AMENDMENTS TO INTEGRATE THE CORE ELEMENTS OF THE MASTER PLANS INTO THE COMPREHENSIVE PLANS. The Comprehensive Plan has been carefully crafted to integrate policy amendments that have grown from the Master Plan process. The following policies are in this classification. The Planning Commission carefully considered this integration in fulfilling their purpose to improve the City's Comprehensive Plan.

Staff strongly recommends that these policies not be amended without careful review of the Master Plans and the Capital Facilities element. CHANGES TO THESE POLICIES COULD RESULT IN FAILURE OF THE CITY TO MEET ITS CONCURRANCY OBLIGATION UNDER GMA AND COULD CAUSE ADDITIONAL SEPA ANALYSIS.

| Item #s | Policy # |
|---------|----------|
| 181 | (Enf) |
| 239 | (Tr) |
| 241 | (Ts) |
| 243 | (T1) |
| 247 | (T3) |
| 294 | (Ti) |

J. LU 7 ALTERNATIVES. Concern has been raised that this Major Review and Update of the Comprehensive Plan should comply with the specific criteria of LU 7. Staff has expressed the opinion that LU7 clearly applies only to the amendment process we undertake each year, known as the Annual Review. We base our opinion of the face language of the policy TO ENSURE THAT THE SHORELINE CITY COUNCIL CAN AMEND THE COMPREHENSIVE PLAN **ONCE A YEAR....**" The Major update now underway should not be confused with the Annual Review when we docket proposals from the community once each year.

Council does have a number of alternatives available if it chooses to address this question, including:

- Accept staff's opinion that LU7 applies only to the Annual Review and not the Major Review,
- Request additional analysis and reports to buttress the record,
- Amend LU7 to further clarify that this policy applies only to the Annual Review.
- Amend LU7 to clarify that this policy applies to any and all reviews of the Plan,
- Delete LU7 from the plan.
- Do Nothing.

Staff recommends that Council do nothing.

NEXT STEPS There are still a number of actions in front of Council after it concludes its deliberations on the Planning Commission's policy recommendations. These include review of the Capital Facilities Element of the Plan. The Master Plans for Transportation, Stormwater and Parks, will need to be considered and finally, an adopting Ordinance or Resolution must also be approved.