

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Study Session for the 2008 Annual Consideration of Amendments to the Comprehensive Plan and Associated Development Code Amendments
<b>DEPARTMENT:</b>	Planning and Development Services
<b>PRESENTED BY:</b>	Joseph W. Tovar, FAICP Director of Planning and Development Services; Rachael Markle, Project Manager Asst. Director of Planning and Development Services

**PROBLEM/ISSUE STATEMENT:**

The State Growth Management Act permits amendments to a city's Comprehensive Plan, but the review cannot occur more than once a year with a few exceptions such as the adoption of a subarea plan. The Planning Commission and Council can then look at the proposed amendments as a package, in order to consider the combined impacts of the proposal.

For the year 2007, the City received no public initiated amendments to the Comprehensive Plan. Staff have proposed several amendments to the Comprehensive Plan Land Use chapter for inclusion on the 2008 "docket" (the list of amendments considered by the Planning Commission and Council).

These amendments are proposed in order to:

- ⇒ Create a definition for Planned Areas;
- ⇒ Differentiate Planned Areas from Subareas;
- ⇒ Create a definition and complete the development of a process for Master Plan permits;
- ⇒ Streamline the Master Plan permitting process; and
- ⇒ Require Shoreline Community College to apply for a Master Plan permit.

Attachment A describes the amendments in at a glance. Attachments D and F refer to the specific language in the Comprehensive Plan and Development Code that includes the proposed amendments (with underlines and strikethroughs).

**RECOMMENDATION**

This staff report and presentation are for discussion and to provide the Council an opportunity to provide staff with direction prior to final adoption. The City Council is scheduled for action on this item on June 9, 2008.

Approved By: City Manager Jm City Attorney

## **INTRODUCTION**

The proposed Comprehensive Plan amendments include:

- Amending the subarea plan definition;
- Adding a definition for Master plan permit;
- Amending land use Figure LU-1 (Comprehensive Plan Land Use Map) to designate future Planned Areas;
- Replacing the term Master Plan with Planned Area when Master Plan refers to information in the Comprehensive Plan and master plan permit when the term refers to specific development standards;
- Clarifying that if a parcel(s) is identified as a Planned Area or Essential Public Facility in the Comprehensive Plan then a master plan permit can be approved without amending the Comprehensive Plan;
- Adding a definition of Planned Area; and
- Deleting Land Use Policies 76 and 77 regarding the general requirements of a master plan and the process for permitting a master plan. Insert this type of information in the Development Code.

The proposed Development Code Amendments include:

- Adding a definition for Master Plan Permit in SMC Chapter 20.20;
- Amending Planned Area (PA) in SMC Chapter 20.40;
- Adding Planned Area as a type of Special District under 20.40.050;
- Adding Master Plan Permit as a Type C permit to Table 20.30.060;
- Creating a purpose statement, decision criteria, vesting rules and amendment language for Master Plan Permits in SMC Chapter 20.30;
- Adding criteria for amending the Comprehensive Plan to add a Planned Area in SMC Chapter 20.30.340;
- Renaming First Northeast Transfer Station to Shoreline Transfer Station Planned Area 1;
- Moving Ridgecrest Planned Area 2 from 20.91 to 20.100 Special Districts;
- Adding CRISTA as Planned Area 3 on the zoning map with a limited scope and permitted use section;
- Adding Fircrest Planned Area 4 on the zoning map with a limited scope and permitted use section; and
- Adding Shoreline Community College on the zoning map as Planned Area 5 with a limited scope and permitted uses section.

## **BACKGROUND**

Comprehensive Plan amendments may be submitted by anyone at anytime. Applications for Comprehensive Plan amendments are available on the City's website and from the Planning and Development Services department. Amendments may also be proposed by the Council, Planning Commission and staff. Staff initiated amendments are often the result of issues raised at the Council or the Commission throughout the year.

All amendments that are submitted between January 1 and December 31<sup>st</sup> of a given year are forwarded to the Council the following year (ex. amendments collected between 1/1/07 and 12/31/07 will be processed in 2008). From this list, the Council sets the docket. The docket is the list of Comprehensive Plan amendments that Council forwards to the Planning Commission for study and public hearing. This year's docket was forwarded by Council to the Planning Commission as part of their 2008 Work Plan.

The City received no amendments from the public in 2007. Staff proposed several amendments related to Master Planning and Planned Areas. The amendments proposed by staff comprise the 2008 Docket. No new amendments may be added to the 2008 Docket. If new amendment ideas arise, they may be considered for the 2009 Docket. The main reasons new amendments may not be considered are: 1) The GMA requires City's to consider amendments to the Comprehensive Plan only once a year (with few exceptions); and 2) Amendments to the Comprehensive Plan often require extensive analysis. Therefore adding a new amendment once the Docket is set could severely impact the ability to act on those amendments that have been docketed, analyzed and advertised.

The Planning Commission conducted a study session on Thursday, April 17, 2008 to discuss the proposed amendments to the Comprehensive Plan and Development Code regarding Master Planning. A Public Hearing was held by the Planning Commission on May 1, 2008 with a continuation to May 15, 2008. **The Planning Commission recommended approval of the proposed amendments to the Comprehensive Plan and associated Development Code amendments at the May 15, 2008 meeting.**

The Planning Commission asked several clarifying questions, asked for additional information and offered editorial suggestions. Comments and questions were also received from two citizens. The minutes from the April 17 and May 1, 2008 meetings can be found in Attachment B (Note: the minutes for the May 15, 2008 meeting were not available at the printing of this report. These minutes will be available prior to planned Council action on June 9th). Two written comments have been submitted to date on the proposed amendments and SEPA. Staff prepared a response to these comments. (Attachment C).

## **Discussion of Proposed Comprehensive Plan Amendments**

***Please see Attachment D Proposed Comprehensive Plan Amendments for specific changes.***

The main purposes for the amendments proposed to the Comprehensive Plan in this report are as follows:

- A. Define and differentiate subarea plans and planned areas;
- B. To streamline Master Planning for Essential Public facilities by eliminating the need to amend the Comprehensive Plan in order to adopt a Master Plan (Master Plan permit);
- C. Assign a new land use designation called Planned Area to replace Single Family Institution;
- D. To identify a public process for private property owners to prepare comprehensive long range site specific plans for the use of property ; and
- E. To relocate Master Plan (Master Plan permit) processes and standards from the Comprehensive Plan to the Development Code.

### **A. Define and differentiate subarea plans and planned areas.**

The City has employed the use of subarea planning and planned areas to develop site specific policies and regulations for designated areas. Although subarea plans are defined in the Comprehensive Plan, planned areas are not. Amendments have been proposed in order to define and differentiate subarea plans from planned areas. The main differences as proposed are: subarea plans can only be initiated by the City and can occur at any time during the year; planned areas can be initiated by the City or private property owner(s) and can only be considered as part of an annual review of the Comprehensive Plan. Also, a planned area may be a subset of a subarea plan. Please see Attachment E: Planning Tools and Processes Table.

### **B. Streamlining Master Planning for Essential Public Facilities**

The Comprehensive Plan encourages Single Family Institutions and Essential Public Facilities to develop Master Plans. However, the Comprehensive Plan states that the Comprehensive Plan needs to be amended to approve a Master Plan. This is problematic due to the fact that the GMA limits Comprehensive Plan amendments to once a year. The annual review may not coincide with desired timing of a Single Family Institution or Essential Public Facility to adopt a Master Plan.

Since the Comprehensive Plan encourages Master Planning for Essential Public Facilities, it is appropriate to facilitate changes to the Comprehensive Plan and Development Code to streamline the process. By streamlining the process, these sites may be encouraged to apply for Master Plan permits ending the piecemeal approach of allowing expansion, development and redevelopment through the Conditional Use and/or Special Use process. This practice does not



holistically address such facets of development as parking, traffic and environmental systems.

**C. Assign a new land use designation called Planned Area to replace Single Family Institution**

The Comprehensive Plan designates three sites as Single Family Institutions: Shoreline Community College, CRISTA and Fircrest. This designation does not accurately address the current and likely future uses for the sites. The vast majority of the property at all three locations is zoned low density residential (single family), but the existing and future uses are not single family. All of the sites are surrounded by or adjacent to single family uses. This warrants master planning as encouraged by the Comprehensive Plan to holistically address such issues as transition between the campuses and adjacent low density uses, traffic, critical areas and stormwater.

The proposed definition for planned area land use designation is designed to encompass the intent of the single family institution land use designation and the planned area concept. As proposed, planned areas are delineated geographic areas that are unique based on natural, economic or historic attributes; subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities. Planned Area designations may be initiated by property owner(s) or the City. Staff proposes the use of the planned area tool instead of creating a new process to streamline master planning for essential public facilities.

**D. Identify a Public Process for Private Property Owners to Prepare Comprehensive Long Range Plans**

The question has arisen on several occasions, "what if a private property owner (or owners) was interested in developing a master plan or development agreement with the City to facilitate development or redevelopment of a property in a way that is not specifically permitted?" One answer to this question is – NO, that proposal is not permitted. However, this answer could be short sighted. Sometimes the property owner(s) wants to do something that responds to important goals and policies in the Comprehensive Plan, but does not meet all of the standards in the Development Code. Staff would like the public to have the opportunity to hear about these proposals and the City Council to be able to determine if additional planning and perhaps a change in the regulations would be beneficial.

Staff recommends the planned area process to consider these requests. The planned area process would allow either the City or a private property owner to initiate a site specific Comprehensive Plan amendment during the annual review of the Comprehensive Plan. The Planning Commission would then, using the

proposed criteria, be able to review the merits of the proposal and make a recommendation to the City Council as to whether a Planned Area land use designation should be approved. If a Planned Area land use designation and zoning is approved, a private property owner(s) can apply for a Master Plan permit. The Master Plan permit is the tool the property owner(s) would use to seek Council approval of site specific development regulations.

#### **E. Relocate Master Plan processes from Comprehensive Plan to Development Code**

The Comprehensive Plan was adopted in 1998. By 1998, the City had not yet adopted its own Development Code. When the City incorporated it adopted King County's Development Code. As a result, the Comprehensive Plan includes some policies that are very specific perhaps in an effort to ensure that the future City of Shoreline development regulations reflected the citizens longer range vision for development and redevelopment.

The City adopted its locally drafted Development Code in 2000. Many of the policies in the Comprehensive Plan were then converted to development standards. A few of the policies, including those regarding master planning, have not yet been translated from the policy document to the Development Code.

The Development Code does not include any provisions for master planning. The only references to master planning are in the Comprehensive Plan. Comprehensive Plan Land Use policies LU 76 and LU 77 outline the basic content of a master plan application and general application processing procedures. It is more appropriate to have such standards in the Development Code. LU 76 and LU 77 are more akin to development standards than policy statements.

#### **Discussion of Proposed Development Code Amendments**

***Please see Attachment F Proposed Development Code Amendments for specific changes.***

##### **1. Adding a definition for Master Plan Permit in SMC Chapter 20.20**

Master Plan is not defined in the Comprehensive Plan or the Development Code. The proposed definition is: A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public facilities. Master Plan permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

##### **2. Amending the description of a Planned Area (PA) zone in SMC Chapter 20.40**

The current description for Planned Area was adopted with the amendments for the Ridgecrest Planned Area 2. Staff is proposing to change the description of a Planned Area zone to also apply to essential public facilities.

### **3. Adding Planned Area as a type of Special District under 20.40.050**

In terms of organization, it seemed intuitive to locate Planned Areas in the Special District section of the Code.

### **4. Adding Master Plan Permit as a Type C permit to Table 20.30.060 and Creating a purpose statement, decision criteria, vesting rules and amendment language for Master Plan Permits in SMC Chapter 20.30**

The Comprehensive Plan states that essential public facilities are encouraged to Master Plan. Comprehensive Plan Land Use Policies 76 and 77 outline what a Master Plan should address. The Development Code does not contain provisions for Master Planning.

The First Northeast Transfer Station is the only approved Master Plan in the City. This Master Plan was reviewed as a legislative item. There were no changes made to the Comprehensive Plan. The approval of this Master Plan only required changes to the Development Code. The City attorney advises that future Master Plan permits be processed as quasi-judicial actions.

The City has been working with CRISTA, Fircrest and Shoreline Community College on the development of Master Plans for many years. During this time we have identified the need to further define the process for Master Planning and develop more detailed review criteria.

Over the years there has been a lot of confusion as to whether a Master Plan should be a policy document or a regulatory document. Staff is proposing that a Master Plan as described in the Comprehensive Plan is more regulatory in nature. Therefore, Master Plans should take the form of a permit, as opposed to a policy document. Through the permitting process, specific development standards, mitigation and design can be established.

Staff is proposing seven criteria to be used in the review of Master Plan permit applications. If the applicant meets the criteria, then a Master Plan permit can be recommended by staff and the Planning Commission for approval by the City Council. (Remember, only those areas designated as Planned Areas during the annual review of the Comprehensive Plan can apply for Master Plan permits). The criteria is designed to ensure that the Master Plan permit identifies and addresses on and off site impacts. Note: currently there is no criteria by which to review a Master Plan permit. Master Plan permits would be reviewed using the Comprehensive Plan and/or Development Code Amendment criteria.

The proposed vesting language clarifies that the regulations that are in effect on the date the Master Plan permit is deemed complete apply. Subsequently adopted regulations may be substituted administratively if the result is an equal or greater control than that which is afforded with the Master Plan permit. This

This is an administrative change. The First Northeast Transfer Station is a the City's only approved Master Plan. It seemed appropriate to rename it to be located and associated with future Master Plan areas.

**7. Moving Ridgecrest Planned Area 2 from 20.91 to 20.100 Special Districts**

This is an administrative change. In terms of organizing information in the Development Code, it seemed intuitive to locate all Planned Areas in the Special Districts section of the Code.

**8. Adding CRISTA, Fircrest and Shoreline Community College, as Planned Areas 3, 4 and 5 on the zoning map with a limited scope and permitted uses section;**

The Development Code does not require Master Planning (Master Plan permitting) for development or redevelopment on any of the three areas designated as Single Family Institutions: Shoreline Community College, CRISTA and Fircrest. The sites all contain nonconforming uses and the code allows expansion through the Conditional Use permit process. The Comprehensive Plan Land Use Policy 43 states:

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.

The proposed amendments are designed to facilitate master planning and end the piecemeal, incremental development at Shoreline Community College, CRISTA and Fircrest. The purpose of a Master Plan permit is to incorporate and illustrate all proposed new development, redevelopment and/or expansion of an existing institutional campus into a comprehensive long range site plan that identifies and addresses both onsite and offsite impacts. The Master Plan may also include narrative and timetables to guide and phase growth and development in a way that serves the facility and benefits the community.

This City- initiated action seeks to change CRISTA's land use and zoning designation to Planned Area 3: CRISTA; Fircrest's land use and zoning designation to Planned Area 4: Fircrest Shoreline Community; and College's land use and zoning to Planned Area 5: Shoreline Community College.

Also proposed is text for the new Planned Areas in SMC Chapter 20.100. The purpose of this new Section is to:

- define the permitted and prohibited uses in each Planned Area; and
- limit expansion or redevelopment of existing nonconforming uses and development of any uses that are not permitted in a Planned Area unless

the expansion, redevelopment or development is allowed through the nonconforming use process or a Master Plan permit process.

**Note:** CRISTA submitted a Master Plan application for City review in February 2008. This application was determined to be complete.

#### **9. Specific to Planned Area 5: Shoreline Community College**

Staff recommends that a Master Plan permit be obtained prior to any further expansion, development or redevelopment at Shoreline Community College. This is consistent with the Planning Commission's and City Council's expressed desires. In addition, since 2000 the City has been expecting the submission of a Master Plan permit to address expansion, development and redevelopment at Shoreline Community College.

Shoreline Community College has not yet applied for a Master Plan permit and has instead been using the Conditional Use and Special Use processes for expansion, development and redevelopment. Therefore, in the proposed text for Planned Area 5, Shoreline Community College is prohibited from expanding nonconforming uses under 20.30.80(d) whereas the same restriction is not proposed for CRISTA and Fircrest.

Shoreline Community College has been kept informed about the proposed changes.

### **RECOMMENDATION**

This staff report and presentation are for discussion and to provide the Council an opportunity to provide staff with direction prior to final adoption. The City Council is scheduled for action on this item on June 9, 2008.

### **ATTACHMENTS**

Attachment A	Proposal at a Glance
Attachment B	Planning Commission Minutes: 4/17/08 & 5/1/08 (5/15/08 minutes are not yet available)
Attachment C	Written Comments & Staff Responses
Attachment D	Proposed Comprehensive Plan Amendments
Attachment E	Planning Tools Process Table
Attachment F	Proposed Development Code Amendments

allows Master Plan permit holders to easily employ more innovative techniques that may provide even greater benefits to the environment and neighborhood than what was approved with the Master Plan permit.

The Planning Commission worked with staff to draft provisions on how to amend a Master Plan permit. The sentiment is that as the Master Plan permit holder begins to implement the Master Plan permit, there could be a need to make adjustments to the permit. Some adjustments would be minor and could be processed administratively. Other adjustments would be major and would require additional analysis and public review.

The language recommended by the Planning Commission and staff recognizes the two types of amendments. The language stops short of defining minor amendments and instead states that the procedures and criteria for minor amendments will be approved with the Master Plan permit. This process is recommended because each Master Plan will be unique. What is a minor detail for one Master Plan permit site may not be minor for another. Major amendments are defined as those requests that were not analyzed as part of an approved Master Plan permit.

#### **5. Adding Amendment Criteria for Planned Area Land Use changes**

Currently the criteria for amending the Comprehensive Plan is:

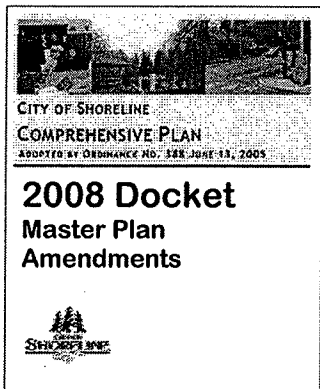
1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or
2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or
3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare. (Ord. 238 Ch. III § 7(f), 2000).

The Planning Commission was concerned that the general Comprehensive Plan amendment criteria would be too broad to use in making a decision on a proposed Planned Area Land Use designation request. Therefore, additional criteria was developed for the Commission and Council to use when considering Planned Area Land Use designation requests.

#### **6. Renaming First Northeast Transfer Station to Planned Area 1: Shoreline Transfer Station**

## PROPOSED 2008 COMPREHENSIVE PLAN AMENDMENTS FOR MASTER PLANNING

### Why are we proposing these amendments?



The Comprehensive Plan encourages master planning for Fircrest, CRISTA and Shoreline Community College. However, the Comprehensive Plan only allows the consideration of master plans once a year (during the annual review of the Comprehensive Plan), while at the same time its description of master planning does not necessitate adding or amending Comprehensive Plan policies. Instead, it describes master planning as the type of information usually found in the Development Code such as allowed uses and development standards.

Therefore, staff is recommending moving master planning from the Comprehensive Plan to the Development Code to allow for the permitting of master plans outside of the annual review cycle. The Comprehensive Plan will identify which properties can apply for a master plan permit and why; and the Development Code will regulate the preparation, review, adoption and implementation of the Master Plan permit.

---

### Main Purpose of Amendments

- Streamline Master Plan permitting for Single Family Institutions & Essential Public Facilities;
- Create a definition for Planned Areas;
- Differentiate Planned Areas from Subareas;
- Create a definition and complete the development of a process for Master Plan permits; and
- Require Shoreline Community College to apply for a Master Plan permit.

---

### How Master Planning would work

#### Land Use Designation

Change to "Planned Area"



#### Zoning

Apply for a "Master Plan" permit

Establishes site specific permitted uses and development standards for planned areas.

---

### Benefits of Adopting Proposed Amendments

The community benefits by encouraging Master Plan permitting for the following reasons:

- ☒ Master Plan permitting requires the applicant to prepare detailed professional studies to identify, analyze and address the effects of their long term proposed development on:

Traffic, Stormwater, Critical areas, Adjacent properties, Neighborhoods, Parking & Safety

Currently development at Fircrest, Shoreline Community College and CRISTA does not trigger this level of review and analysis. Through this level of analysis and public process, on and off site impacts can be avoided, minimized or mitigated to allow these essential public facilities to co exist within Shoreline neighborhoods.

- ☒ Master Plan permitting as proposed specifies a public process that includes mailing notification to property owners within 500 feet of the site. The current process does not require mailed notification.

## CITY OF SHORELINE

### SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

April 17, 2008  
7:00 P.M.

Shoreline Conference Center  
Mt. Rainier Room

---

---

#### Commissioners Present

Chair Kuboi  
Vice Chair Hall  
Commissioner Behrens  
Commissioner Broili (arrived at 7:09 p.m.)  
Commissioner Kaje  
Commissioner Perkowski  
Commissioner Pyle  
Commissioner Wagner

#### Staff Present

Rachel Markle, Assistant Director, Planning & Development Services  
Flannary Collins, Assistant City Attorney  
Jessica Simulcik Smith, Planning Commission Clerk

#### Commissioners Absent

Commissioner Piro

#### CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

#### ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Kuboi, Vice Chair Hall, and Commissioners Behrens, Kaje, Perkowski, Pyle and Wagner. Commissioner Broili arrived at 7:09 p.m. and Commissioner Piro was excused.

#### APPROVAL OF AGENDA

The Commission accepted the agenda as proposed.

#### DIRECTOR'S REPORT

Ms. Markle reported that the City Council approved the application to rezone properties located at 16520 through 16538 Linden Avenue North from R-8 to R-24. The vote was 6-1. Council Member Way expressed concern about the lack of sidewalks on the west side of the street adjacent to the park, particularly given the potential increase in traffic and that children would cross in this location



frequently. Ms. Markle further reported that the City Council also unanimously approved the application to rezone property located at 17562 – 12<sup>th</sup> Avenue North from R-12 to R-24.

Mr. Markle announced that the City Council started their review of the proposed Development Code amendments regarding CB zones, but the issue was tabled to their May 12<sup>th</sup> meeting. The City Council also heard about the Shoreline Sustainability Strategy, and all comments were positive and constructive.

Ms. Markle reported that staff is unclear about the direction that was given at the joint Planning Commission/City Council Meeting regarding the Commission's earlier recommendation that most quasi-judicial matters be referred to the Hearing Examiner for the next 12 months. Chair Kuboi recalled that some City Council Members were not enthusiastic about the Commission's proposal, and they asked the Commission to consider the issue further and address the concerns that were raised. The Commission agreed to discuss this issue at a future meeting and provide further direction. Vice Chair Hall suggested that when this issue comes up again, it would be helpful for staff to provide excerpts from meetings where the proposal was previously discussed. Ms. Simulcik Smith noted that the proposal was mainly discussed at the Commission's dinner meetings, and there is no tape or written recording. Commissioner Behrens asked staff to also provide a synopsis of the discussion from the City Council's perspective, including the handout that was provided by Council Member Way. Commissioner Pyle observed that the City Council was not so much opposed to the proposal, but they were concerned about appearance of fairness, the costs that would be passed on to the applicant, and how the program would be managed. He suggested these are all important issues to address before forwarding an updated recommendation to the City Council.

Ms. Markle announced that the City Council would hold their retreat on April 25<sup>th</sup> and 26<sup>th</sup>. The agenda would include a discussion about the vision for the City of Shoreline. The Planning Commission's role would likely be part of that discussion.

Ms. Markle mentioned that Forward Shoreline held a meeting on April 16th. Staff members who attended indicated the discussion was hopeful. A few Commissioners indicated they attended the meeting, as well. She also reported she met with Fircrest Representatives, who are starting Phase 2 of their master plan. The plan should come before the Commission for review within the next year.

### **APPROVAL OF MINUTES**

The minutes of April 3, 2008, were approved as amended.

### **GENERAL PUBLIC COMMENT**

**Dennis Lee, Shoreline**, said the dialogue that took place at the joint City Council/Planning Commission meeting was very good. Regarding the proposal to send quasi-judicial items to the hearing examiner for 12-months, Mr. Lee suggested that perhaps the Commission could make this decision on a case-by-case basis. The Commission could retain their ability to review the important applications as time permits.

**Les Nelson, Shoreline**, recalled a comment made by Commissioner Pyle about small properties along Aurora that could probably not accommodate any other type of zone than R-48. He questioned what process would be used to accomplish these site-specific rezones. Commissioner Pyle explained that his comment was based on a range of options that one could pursue for a specific piece of property under a specific Comprehensive Plan land use designation. For example, oftentimes, a land use designation of R-12 to R-48, can give property owners a false idea that they can rezone to a higher density. Perhaps in circumstances where it is not possible to get a particular zoning designation, the Comprehensive Plan should be changed or the land use designation redefined so it doesn't include a density that would not be allowed. Mr. Nelson agreed and asked what process would be used to make these changes. Commissioner Pyle answered that this would require a Comprehensive Plan amendment to change the definition and/or land use designation to allow for a different range of options for underlying zoning. Mr. Nelson suggested this could potentially be done through the subarea planning process as an amendment to the Comprehensive Plan.

## **REPORTS OF COMMITTEES AND COMMISSIONERS**

Commissioner Perkowski indicated he attended the Forward Shoreline Meeting on April 16<sup>th</sup> and was impressed with the level of discourse. King County Councilmember Bob Ferguson provided some very useful insight and advice on how to deal with conflict in a public process. Commissioner Broili added that he found Mr. Ferguson's remarks to be right on target and well appreciated. He said he was encouraged by the direction Forward Shoreline is taking and the process they are putting forward to work toward a strategy for bringing a vision to the City that is outside the realm of the political arena. He noted they have a consultant from outside of Shoreline to help them work through the process. He pointed out their goal is to ensure that everyone has a voice in the vision that would be produced through the process.

## **STAFF REPORTS**

### **Study Session on Master Plan Amendments**

Ms. Markle explained that the Growth Management Act (GMA) states that comprehensive plans can be amended annually, with a few exceptions such as subarea plans that are being adopted for the first time. The state's intent is to require cities to collect amendments over a year and then review all of the amendments at the same time in order to have a holistic picture of what the impacts would be. She introduced the proposed 2008 amendments to the Comprehensive Plan and associated Development Code amendments and noted there were no public initiated amendments.

Commissioner Wagner noted that at recent meetings, the public has voiced more interest in the Comprehensive Plan. She suggested that *CURRENTS* would be an appropriate place to inform the public of the on-going Comprehensive Plan amendment process and how they can participate. Ms. Markle advised that Comprehensive Plan amendments are collected up until December 31<sup>st</sup> of each year. Ms. Markle suggested they advertise the process sometime in January or February of each year. She noted that the opportunity is advertised year round on the City's website.

Ms. Markle advised that Comprehensive Plan amendments are reviewed via a legislative process. Notice was sent to CTED on March 26<sup>th</sup> and SEPA comments are due on April 18<sup>th</sup>. The public comment period would be open until adoption. A public hearing has been scheduled before the Planning Commission on May 1<sup>st</sup>. The City Council is scheduled to conduct a study session on the Commission's recommendation on May 19<sup>th</sup>, with anticipated adoption at their meeting of June 9<sup>th</sup>. Ms. Markle reviewed the main purposes for the proposed Comprehensive Plan amendments as follows:

- **Streamline master planning for essential public facilities.** Ms. Markle pointed out that the Comprehensive Plan encourages master planning for single-family institutions and essential public facilities. However, because the Plan states that an amendment would be required in order to adopt a master plan, this discourages master planning due to a lack of predictability for the applicant. Applicants may have to wait nearly a year to have a master plan permit application processed. If the City truly wants to encourage private entities to prepare master plans, it is critical they are allowed to apply and have their master plan applications processed more than once a year.

Ms. Markle said the Comprehensive Plan encourages master planning because it allows the City to cumulatively address impacts such as traffic, stormwater, environmental protection, design and use compatibility, parking and safety. Through this process specific development regulations and controls can be put in place to address the impacts. Without a master plan, these sites would be allowed to develop on a piecemeal basis using either conditional use permits, an administrative process, or using special use permits, a quasi-judicial process.

Ms. Markle advised that the 1<sup>st</sup> Northeast Transfer Station is the only approved Master Plan in the City. It was reviewed as a legislative item, and no changes were made to the Comprehensive Plan. While this site is small and used for only one purpose, it could be used as an example of what a master plan would look like. A master plan would include specific development regulations for height, setbacks, bulk and density. It would also identify specific landscaping, parking, design and circulation standards. In addition, the standard sections of the City's code could be applied. A master plan would also include a long-range site plan, phased mitigation plans, and phased infrastructure improvements.

- **Assign a new land use designation called "planned area" to replace single-family institutions.** Ms. Markle recalled that the City recently employed a new development tool called "planned area" for the Ridgecrest Commercial Neighborhood. The tool has been used by other cities to identify and responsibly plan for those areas within a city that represent unique challenges and opportunities such as colleges, airports, hospitals, neighborhood commercial centers, etc. She pointed out that what the Comprehensive Plan talks about single-family institutions and essential public facilities and the need to master plan, and it became clear to staff that the "planned area" tool could be used for a variety of defined planning scenarios.

Ms. Markle said staff is proposing that the "planned area" land use designation be defined as follows: *"pertains to a defined geographic area that is uniquely based on natural, economic or historic attributes subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems and*

*opportunities. Planned area designations may be initiated by property owner(s) or the City during the annual review of amendments to the Comprehensive Plan.*” Ms. Markle said the proposed amendments would also firm up the process. In order to receive planned area zoning, the area must be defined as a planned area on the future land use map.

- **Define and differentiate “subarea plans” and “planned areas”.** Ms. Markle advised that the proposed amendments also seek to amend the current definition of “subarea plan” to better reflect how the tool has been used by the City over the past 12 years. She explained that the current definition seems to indicate that development regulations would always be a part of a subarea plan, but it is possible to adopt a subarea plan and then come back later with development regulations. She reviewed the differences between “subarea plans” and “planned areas.” She noted that only the City can apply for subarea plans, and they can occur at any time. Subarea plans may or may not include development regulations, and the definition is broader in terms of what geographic areas they can be used for. Either the City or a private applicant can apply for a planned area, but they can only occur as part of the annual review process. In addition, planned areas may be a subset of a subarea. Planned areas are also defined more narrowly.
- **Identify a public process for private property owners to prepare comprehensive long range plans.** Ms. Markle said she is often asked if a private property owner can apply for a master plan, and the current answer is no. She explained that the question stems from a desire to develop in a way that doesn’t fit within any of the existing zoning designations. Often there is a belief that the developer could provide, through design or conditioning, community benefits related to such things as affordable housing, preservation of open space and trees, jobs, public infrastructure, upgrades, etc. in exchange for deviations from the blanket development standards. She advised that under the proposed amendment, a private property owner could apply for a site-specific Comprehensive Plan amendment and associated rezone to planned area, and this would be a legislative process. However, in order to get zoning specific to the site, a property owner would have to apply for a master plan permit, which would be a quasi-judicial process.
- **Relocate Master Plan processes from the Comprehensive Plan to the Development Code.** Ms. Markle explained that the master plan concept is not mentioned at all in the Development Code. At this time, everything that governs a master plan is in the Comprehensive Plan (Land Use Policies 76 and 77). While this information is great, it is time to move it into the Development Code so that applicants and the public can see exactly what is required. In addition, she suggested the list in the Comprehensive Plan is incomplete, and the proposed amendment defines the process and provides review criteria. A checklist for submittal has already been prepared, as well.

Next, Ms. Markle reviewed the proposed Development Code Amendments as follows:

- **Add a definition for Master Plan Permit in SMC Chapter 20.20.** Ms. Markle noted, again, that there is currently no definition for “master plan” in either the Development Code or Comprehensive Plan. Staff is proposing the following definition: *“A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public*

*facilities.”* She added that the permit would be limited to those properties identified in the Comprehensive Plan.

- **Add Master Plan Permit as a Type C permit to Table 20.30.060 and create a purpose statement, decision criteria and vesting rules for Master Plan Permits in SMC 20.30.** Ms. Markle said this amendment would actually outline the quasi-judicial process and criteria for master plan permits in the Development Code. She explained that, currently, staff’s review of master plan applications is based only on the criteria for a Development Code amendment, which is very broad. The proposed new criteria would balance citywide goals and objectives for critical areas, design, transportation, public service, parking, transition between uses, stormwater, etc. She summarized that the amendments seek to provide clear understanding for the public and the applicant.
- **Add Shoreline Community College, CRISTA, and Fircrest as Planned Areas 1, 3 and 4 on the zoning map with a limited scope and permitted uses section.** She said this amendment is intended to equal no change. She explained that the underlying zoning would remain in place and would not change until a master plan permit is approved through a quasi-judicial process. She said the intent of the proposed amendment is to set the stage so the Development Code and Comprehensive Plan would not need to be amended for the purposes of approving a master plan permit. She further said staff believes this change would be more transparent to property owners.
- **Specific to Planned Area 1 – Shoreline Community College.** Ms. Markle said staff is proposing to not allow Shoreline Community College to continue to expand using the non-conforming use provisions. She explained that non-conforming uses such as Shoreline Community College, CRISTA and Fircrest are allowed to expand with a conditional use permit, which is an administrative process, or a special use permit, which is a quasi-judicial process. This allows the properties to be redeveloped and developed piecemeal. She noted that, oftentimes, a single-proposal does not trigger frontage improvements and/or major upgrades to stormwater, etc. Staff believes they have reached a point with Shoreline Community College where they are no longer confident impacts can be mitigated. She advised that the college has been contacted about the proposed change that would require them to master plan. She noted that staff does not believe the same issues exist with the CRISTA and Fircrest sites.

Ms. Markle emphasized that the proposed amendments would not change the development controls currently in place for Shoreline Community College, CRISTA or Fircrest. However, the proposed amendments would identify and define a process for master plan permits, specifying who can apply for a master plan permit and create specific review criteria.

Commissioner Pyle asked a clarifying question about the amendment that would identify a public process for private property owners to prepare comprehensive long range plans. He asked if this amendment would be similar to what could be achieved through a contract rezone, a binding site plan, etc. Could the amendment be used to achieve a difference in use, or is it merely something that could be used to achieve a deviation from the standard application of the zoning controls. Ms. Markle said an applicant would be able to use this concept to change the permitted uses and the development standards. However, it is important to keep in mind that a property must meet certain criteria to be a planned area.

Commissioner Pyle asked if there would be a property size limitation. Ms. Markle said that has not been proposed. She said she originally thought that planned areas would be smaller than subareas, but this did not work.

Commissioner Pyle asked if the master plan permit concept could be applied to allow a private property owner to construct a business use in a residential zone if they could prove they meet certain circumstances. Ms. Markle said that, technically, this could happen. However, it is important to keep in mind that a property owner would have to go through the Comprehensive Plan amendment process and meet all of the specific criteria related to public benefit. She said the concept is similar to a contract rezone. However, in a contract rezone, a property would still be beholden to the underlying zone, but with conditions. A master plan permit would be used for properties that are not able to meet all of the use requirements or development standards.

Ms. Markle advised that the City does not have provisions for contract rezones anymore; however, they do have provisions for binding site plans. Commissioner Pyle noted that a property owner who could not achieve his/her objective through a binding site plan could pursue a public process for preparing a master plan, if the circumstances were right. Ms. Markle agreed, as long as they can get through the legislative portion of the program.

Commissioner Kaje pointed out that staff's proposed amendments to Land Use Policies 9, 12, 14, 15, 16, 17, 18 and 19 would apply the same provisions for all types of areas, and the same set of criteria would be used. He suggested there should be more guidance and restriction on what could be allowed in a low-density residential area as opposed to a community business area. He suggested that this gap should be filled by adding language to both the Development Code and the Comprehensive Plan that takes into account the context that a particular master plan is being proposed for.

Ms. Markle pointed out that the Planning Commission would recommend and the City Council approve the location of planned areas through the legislative process. If a planned area is determined inappropriate for a particular zone because it cannot meet the criteria, the proposal would be denied. If a land use change is not approved, a property owner would not be able to apply for a master plan permit. She pointed out that Shoreline Community College and Fircrest are located in R-6 zones. Because they are essential public facilities, the City cannot preclude their continued use or expansion. She suggested it would be difficult to not offer the subarea or master plan concepts as an option to change the land use in an R-4 or R-6 zone.

Commissioner Kaje suggested that if a property owner in any zone wants to do something different than the Development Code would allow, the language should provide specific guidance about what the Commission and City Council should consider if the properties are surrounded by low-density residential. Ms. Markle agreed this would be appropriate. However, rather than addressing this issue by adding additional language to the master plan criteria, it would be more appropriate to consider this issue when reviewing the Comprehensive Plan criteria.

Commissioner Wagner asked how many sites could potentially be impacted by the proposed amendments, other than the three identified by staff (CRISTA, Shoreline Community College, and

Fircrest). Ms. Markle said she has received four inquiries about the potential for master planning, and she does not anticipate the master plan permit being a tool that is used frequently. It could be used to create individual planned areas after a subarea plan has been adopted. This would be done through a legislative process.

Vice Chair Hall asked if all conditional use and special use permits require a legislative process. He recalled that one permit for a building at Shoreline Community College came through the Commission for review and a recommendation. Ms. Markle explained that Shoreline Community College is a non-conforming use in a residential zone. As per recent direction from the City Attorney, most development permits for this property would require a conditional use permit not a special use permit. Conditional use permits are administrative decisions that do not come before the Planning Commission for review. She advised that the use table found in the Development Code indicates whether a conditional use or a special use permit would be required in order for a non-conforming use to be expanded. Special use permits do come before the Commission for review and a recommendation to the City Council.

Vice Chair Hall said the staff report points out that the 1<sup>st</sup> Avenue Northeast Transfer Station is the only facility currently operating under a master plan in the City. However, staff has not proposed to designate this property as a planned area. Ms. Markle advised that they could make this designation. Commissioner Hall pointed out the City's intent of limiting the master plan concept to those areas designated "planned area" in the Comprehensive Plan. He noted that if a new master plan were proposed for the transfer station, a lengthy legislative process would be required to designate the property as a planned area. He suggested it would be more appropriate to designate this area as a planned area now. Ms. Markle agreed this would be a good idea.

Vice Chair Hall expressed surprise that the criteria for rezones was not touched on in the proposed new language. He recalled that over the past year, the Planning staff has suggested the criteria overlaps and does not work well. He questioned if it would also be appropriate for the Commission to revisit the current rezone criteria. He noted the Commission also discussed this issue in the context of whether or not they felt comfortable transferring the responsibility for doing quasi-judicial rezones to the Hearing Examiner. There was some concern in that discussion about whether the criteria are sufficiently explicit. He asked staff to respond to this issue prior to the public hearing.

Commissioner Perkowski referred to the proposed amendment related to streamlining master planning for essential public facilities. As proposed, master plan permits could be amended using the same process as approving the master plan. He asked staff to share their thoughts about whether this would truly end the piecemeal approach or if the amendment process would make the situation almost analogous to the current conditional use permit process. He questioned if the language should tighten the threshold for what constitutes an amendment. Ms. Markle pointed out that property owners have to spend a lot of money and time to come up with sufficient analysis to create an initial master plan. She felt it would be a pretty major situation for a property owner to want to go back through the expensive (about \$10,000 per application) and time consuming master planning process. Commissioner Perkowski suggested the opposite could also be true. Again, he suggested the thresholds for the amendment process should be carefully considered. Ms. Markle agreed to review the language and try to come up with something different to address the concern.

Commissioner Wagner inquired if the City has heard any feedback from Shoreline Community College regarding the proposed amendments. Ms. Markle advised that she has regular contact with the Vice President of Administration at the college to discuss the proposed amendments. He stated the college doesn't have plans to do any development for the next few years, and they currently have one active building permit. He does not foresee the proposed amendments would cause trouble for their future plans. She pointed out that the college has prepared a master plan permit application, but it is not a complete application.

At the request of Chair Kuboi, Ms. Markle reviewed the three review criteria for Comprehensive Plan amendments. They are as follows:

- The amendment is consistent with the Growth Management Act and not inconsistent with the countywide planning policies or other provisions of the Comprehensive Plan and City policies.
- The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision, or corrects information contained in the Comprehensive Plan.
- The amendment will benefit the community as a whole and will not adversely affect the community facilities and/or the public health, safety or general welfare.

Vice Chair Hall asked if the master plan already submitted by CRISTA would be processed as a legislative action or if it would be processed under the new provisions as a quasi-judicial application. Ms. Markle said CRISTA's application would be vested under the existing criteria, since the project manager anticipates issuing a completeness letter by the end of the week. If the amendments pass it will be processed as a quasi-judicial item, if they are not passed it will be processed legislatively.

Vice Chair Hall pointed out that the proposed language for Land Use Policy 12 is structured differently than the other amendments. Ms. Markle agreed to review the language to make it clear that density could exceed 12 dwelling units and the R-8 or R-12 zoning designation if a subarea plan, neighborhood plan or special overlay plan has been approved.

Vice Chair Hall referred to Figure LU-1 and asked if the planned area designation is a designation or an overlay on top of some other designation. Similarly, he asked if the planned area zone would be a zoning district or an overlay on top of another district. Ms. Markle explained that the underlying zoning must remain in place on the zoning map until a master plan permit has been approved. She said she could write simple language for Fircrest and Shoreline Community College because the entire sites are zoned the same. However, because the CRISTA property consists of two different zones, it would be difficult to describe in writing and easier to illustrate on the map. That's why she used an overlay. She said she would consider further whether or not it would be appropriate to identify the underlying land use on the Comprehensive Plan land use map.

Vice Chair Hall recalled that in the Shoreline community, tremendous concern has been voiced about the distinction between land use designations and zoning designations. As he reviewed the staff report, he noted that a number of terms have been used. He suggested this makes it complicated for the general



public to clearly understand. He asked staff to share their ideas for making the Comprehensive Plan and Development Code more accessible to the general public. Ms. Markle said she originally took out terms such as "neighborhood plan" and "special overlay" in an effort to focus on getting a tight master plan permit process and definitions in place for Shoreline Community College, CRISTA, and Fircrest. However, she was nervous about proposing too many changes to the existing plan. She said she would support removing some of the terms. This would be easy to do and would make the plan more transparent.

Commissioner Broili asked if it would be possible to provide illustrations to lay out the flow of how the pieces all relate to each other. He noted that some people respond better to visual information as opposed to verbal information. Ms. Markle referred to the chart labeled Attachment D, which represents her attempt to visually lay out the concepts contained in the proposed amendments. She asked Commissioner Broili to review Attachment D and provide comments for how it could be improved. Commissioner Broili suggested they use a flowchart approach to illustrate the concepts. Ms. Markle agreed to attempt to create a flowchart. Vice Chair Hall suggested that simplifying the relationship between the different planning tools would help reduce the public's confusion at the public hearing.

Commissioner Kaje referred to the proposed decision criteria found in Section 20.30.337.B, and asked if the term "mitigate" is specifically defined in the code. Ms. Markle reviewed the code's current definition for the term "mitigation." Commissioner Kaje inquired if this definition would apply to all sections of the code, and Ms. Markle answered affirmatively.

Commissioner Kaje pointed out that a few of the criteria talk about mitigating impacts. He suggested that the proposed language be changed to capture the hierarchy of the mitigation concept: avoid, reduce, and then mitigate impacts if they cannot be avoided or reduced. Commissioner Kaje also referred to Criteria 6 in Section 20.30.337.B, and suggested the word "limit" be changed to "minimize." If the intent is to minimize conflicts between the master plan property and adjacent uses, the language should make this clear. The remainder of the Commission concurred.

Commissioner Behrens referred to Criteria 4 of Section 20.30.337.B and asked how staff proposes to project what type of public transportation system would be available at a particular time in the future. Ms. Markle clarified that the intent of the language is to require an applicant to implement traffic mitigation measures to address the anticipated impacts associated with each phase of their development. In addition, she noted the City does model into the future for transportation, so they do have information on what they perceive the traffic impacts would be in the future. She emphasized that the proposed language is not intended to allow an applicant to rely solely on public transportation as a way to mitigate the impacts.

## **PUBLIC COMMENT**

The Commission discussed whether it would be appropriate to accept public testimony as opinions, since this item was not scheduled as a public hearing. City Attorney Collins noted that a public hearing on the proposed amendments has been scheduled for May 1<sup>st</sup>. She suggested that those who speak

tonight be asked to limit their comments at the public hearing to issues they have not yet raised. She noted that the item is legislative, so it is important to get as many comments as possible.

**Les Nelson, Shoreline**, expressed confusion that subarea plans are defined in the Comprehensive Plan, but not in the Growth Management Act (GMA). He suggested that doing planned areas through a quasi-judicial process would take some of the large facilities out of the realm of public comment. He noted that GMA requires that all proposed amendments to the Comprehensive Plan be considered by a government body concurrently so the cumulative affect of the various proposals could be ascertained. He suggested it would defy the intent of GMA if the City were to consider Comprehensive Plan changes associated with master plans, subarea plans and planned areas outside of the yearly cycle. He said his interpretation of GMA is that cities are allowed to create subarea plans at any point, but the final adoption must be done on a yearly cycle where all changes are considered at the same time.

Mr. Nelson said he also appreciates the Commission's discussion about disseminating information to the public by means other than the City's website. He suggested that this change would meet the requirements of the GMA to widely and broadly disseminate to the public a process for creating comprehensive plan amendments.

**Dennis Lee, Shoreline**, said he looks at the proposed concepts in a hierarchal manner. Master plans are the most complex and difficult. He said he was involved in the process for establishing the 1<sup>st</sup> Avenue Northeast Transfer Station Master Plan. While the process was difficult, it addressed most of the concerns raised by the public. He recalled that the proposal went through a legislative process, which allowed the citizens to lobby the City Council to address problems. He requested the City Attorney provide justification for making applications for master plans, subarea plans and planned areas quasi-judicial matters. He suggested the City consider making the process for changing from a planned area to a master plan legislative rather than quasi-judicial. In addition, he suggested that the "subarea plan" designation be renamed to "neighborhood subarea plan." He said neighborhood subarea plans should be the lowest on the hierarchy of concepts proposed, and using the word "neighborhood" would clearly define who the stakeholders are.

Commissioner Behrens said his understanding is that the planned area process would be legislative. That means an applicant would go through a formal legislative process to start with. An application would be presented to the Planning Commission, and they would make a recommendation to the City Council. If adopted by the City Council, an applicant would be allowed to apply for a master plan permit, which would be reviewed via a quasi-judicial process. He summarized that the proposed process would actually provide for a legislative process on the front and a quasi-judicial process on the end. Ms. Markle agreed. However, she pointed out that the exciting details are done as part of the master plan process.

Chair Kuboi inquired what type of detail would be envisioned at the Comprehensive Plan amendment stage for a proposed planned area. Ms. Markle said the proposed amendments were intended to focus on Shoreline Community College, Fircrest and CRISTA, which do not require a lot of detail because the Comprehensive Plan already identifies the need to master plan for these areas. There are no requirements in place to identify what a private applicant would have to provide in order to convince the

Commission and City Council that they deserve a Comprehensive Plan land use change. She said staff would advise an applicant to provide as much detail as possible about what they want to do, but the level of detail has not been spelled out in the proposed amendments.

Commissioner Wagner noted that none of the information required for the Comprehensive Plan amendment would be binding on the final master plan that is approved through the quasi-judicial process. The master plan process would actually define the details of the proposal. Ms. Markle agreed and added that if an applicant comes forward with a master plan proposal that is inconsistent with what was considered for the planned area, the current zoning would remain in place until they come back with something that meets the intent of the Comprehensive Plan.

Commissioner Broili said he anticipates that, over the course of time, other applications for planned areas would come before the Commission. Therefore, it would seem reasonable to provide some definition as to the level of detailed information that is expected. Ms. Markle pointed out that not a lot of detail would be required at the time the concept is first presented so it may be difficult to create a set of criteria. Commissioner Pyle pointed out that staff has the authority to govern the submittal requirements for planned area applications. He suggested that rather than adjusting the criteria for evaluation, the City could adjust the required submittal items, depending on the type of application. In order to deem an application substantially complete, a certain level of detail would have to be provided.

Commissioner Behrens suggested that many of the public concerns could be most thoroughly vetted during the legislative planned area portion of the master plan process. He questioned how the legislative review would be conducted. Ms. Markle described that, as part of the legislative review process, the City could mitigate impacts associated with the planned area land use designation by imposing conditions. Commissioner Behrens asked if staff believes the legislative review process would enable the City to address the more controversial issues. Ms. Markle said the legislative process would be where the broad use and density issues are vetted out. She suggested staff review the process that was used by Fircrest to consider the broader issues. Perhaps they could mirror their efforts when reviewing future proposals.

Chair Kuboi summarized the Commission's direction to staff as follows:

- Consider identifying the 1<sup>st</sup> Avenue Northeast Transfer Station site as a planned area.
- Revisit the issue of revising the rezone criteria.
- Provide more clarity regarding the amendment process.
- Rework Land Use Policy 12 to make the language more clear.
- Review the map and possibly make revisions.
- Review the language in an attempt to simplify terms.
- Provide a type of 'cheat sheet' for the public hearing that is written for the benefit of the public to explain the master plan concept as clearly as possible. The public benefits of master plan should be clearly outlined.

- Add verbiage that captures the hierarchy of the mitigation process to make it clear that an applicant should first attempt to avoid impacts, and mitigation should be the last resort. This could be done by including an explicit reference to the code section where the mitigation concept is defined.
- Change the word “limit to “minimize in Criteria 6 of Section 20.30.337.B.

## **UNFINISHED BUSINESS**

### **Economic Development Committee**

Chair Kuboi recalled a recent request that the Commission provide a volunteer to serve on the Economic Development Committee. The Commission agreed to table the issue until staff could provide more information about the level of commitment that would be required for participants. Ms. Simulcik Smith agreed to email more details to each Commissioner.

### **Subcommittee to Evaluate the Concept of Design Review**

Chair Kuboi recalled that at the joint meeting with the City Council, there was some mention about Commissioners participating on a subcommittee to evaluate the concept of design review. He invited the Commissioners to notify him of their interest.

## **NEW BUSINESS**

### **Subcommittees in General**

Chair Kuboi recalled that when the Surface Water and Transportation Master Plans were updated previously, the Commission utilized subcommittees as a way to cover additional task areas that the Commission, as a whole, was unable to do. He questioned if the Commission wants to consider using the subcommittee process to accomplish their significant 2008 work plan. The Commission agreed to discuss this concept more at a future meeting.

### **Discussion on Proposal Related to Quasi-Judicial Items**

Vice Chair Hall reminded the Commission that the City Council asked them to reconsider their recommendation to move quasi-judicial items from the Planning Commission to the Hearing Examiner for 12 months. The Commission agreed to discuss this issue further at a future meeting.

## **AGENDA FOR NEXT MEETING**

Chair Kuboi announced that a public hearing on the proposed master plan amendments has been scheduled for May 1<sup>st</sup>.

**ADJOURNMENT**

**COMMISSIONER BROILI MOVED THE MEETING BE ADJOURNED AT 9:07 P.M.  
COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED  
UNANIMOUSLY.**

---

Sid Kuboi  
Chair, Planning Commission

---

Jessica Simulcik Smith  
Clerk, Planning Commission

## CITY OF SHORELINE

### SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

May 1, 2008  
7:00 P.M.

Shoreline Conference Center  
Mt. Rainier Room

---

---

#### Commissioners Present

Chair Kuboi  
Commissioner Behrens  
Commissioner Broili  
Commissioner Kaje  
Commissioner Perkowski  
Commissioner Pyle  
Commissioner Wagner

#### Staff Present

Rachael Markle, Assistant Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
Jessica Simulcik Smith, Planning Commission Clerk  
Renee Blough, Technical Assistant

#### Commissioners Absent

Vice Chair Hall  
Commissioner Piro

#### CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

#### ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Kuboi, and Commissioners Behrens, Broili, Kaje, Perkowski, Pyle and Wagner. Vice Chair Hall and Commissioner Piro were excused.

#### APPROVAL OF AGENDA

Mr. Cohn said the City Attorney has advised that the Commission could close a public hearing prior to their deliberations and still be allowed to ask questions of each other and staff. They would not be allowed, however, to ask questions of the public. The Commission agreed they wanted to leave the public hearing open until after they have completed their deliberations. Ms. Simulcik Smith cautioned that only one motion could be on the table at any time. If a main motion is on the table, the Commission cannot move to close the hearing until they have voted on the main motion. Staff agreed to seek further feedback from the City Attorney prior to future public hearings.

The Commission agreed to place Item e of the public hearing after Item g. The remainder of the agenda was accepted as proposed.

### **DIRECTOR'S REPORT**

Ms. Markle reminded the Commissioners of the volunteer breakfast that is scheduled for May 2<sup>nd</sup> at 7:30 a.m. She also reminded the Commission that outgoing Planning Commissioners would be recognized by the City Council at their meeting on May 5<sup>th</sup>.

### **APPROVAL OF MINUTES**

The minutes of April 17, 2008, were accepted as amended.

### **GENERAL PUBLIC COMMENT**

**Les Nelson, Shoreline**, recalled that at an earlier presentation, Paul Cohen used a computer program from Google Earth called Sketch Up. Mr. Nelson commented at the time that everything looked too far in the distance when compared to a photograph he submitted. He distributed a handout of several photographs, one of which provides a clearer picture of what a structure would look like from the street level. The photograph suggests that the building would be even more looming than shown in the pictures he submitted earlier. As the Commission considers the issue of neighborhood views, he invited them to visit sites with a 50 millimeter camera lens in order to get an accurate picture of what the view would look like.

Commissioner Wagner noted that one of the pictures provided by Mr. Nelson removes one of the very large trees that are pointed out in other pictures. Mr. Nelson said these trees are on the subject property, but he didn't want to make his issue about just one property. Commissioner Wagner asked the height of the trees, and Mr. Nelson said they are about 65 to 80 feet high. He noted that the dotted line illustrates the proposed height of the building at 80 feet.

Commissioner Behrens pointed out that because of the physical terrain of the street, the view impact would change depending on where a person stands. He noted that the further you stand away from the building, the larger it would appear.

### **PUBLIC HEARING ON MASTER PLAN AMENDMENTS**

Chair Kuboi reviewed the rules and procedures for the legislative public hearing and then opened the hearing.

### **Staff Overview and Presentation of Preliminary Staff Recommendation**

Ms. Markle referred to the proposed annual 2007 Comprehensive Plan amendments. She noted that the City did not receive any public initiated amendment proposals in 2007; all of the amendments were

initiated by staff. She emphasized that the public comment period would remain open until action has been taken on the amendments by the City Council. She announced that the City Council would hold a study session regarding the proposed amendments on May 27, and they are tentatively scheduled to take action on June 9<sup>th</sup>. A SEPA determination was issued today.

Ms. Markle reminded the Commission that the main purpose of the amendments is to streamline Master Planning for essential public facilities, create a definition for Planned Areas, differentiate Planned Areas from subareas, create a definition and complete the development process for Master Plan permits, and require Shoreline Community College to apply for a Master Plan permit. She reviewed each of the amendments as follows:

- **Streamline Master Planning for essential public facilities.** Ms. Markle noted that the Comprehensive Plan encourages Master Planning for single-family institutions and essential public facilities. However, the Comprehensive Plan states that an amendment to the Comprehensive Plan would be required to adopt a Master Plan. This requirement has had the effect of discouraging Master Planning because, in some cases, an applicant would have to wait almost a year to have their application reviewed. In many cases, applicants have instead utilized the special use and conditional use permit process on a piecemeal basis. Ms. Markle said staff does not believe adoption of a Master Plan would include any information that would necessitate amending the Comprehensive Plan.

Ms. Markle explained that there are numerous benefits associated with Master Planning, and that's why the Comprehensive Plan encourages it. It's a way to cumulatively address traffic, stormwater, critical areas, parking, safety, etc. in a holistic way. She advised that individual building permit applications with a conditional use or special use permit do not trigger the extensive studies that would be required for a Master Plan permit. Master Planning provides an excellent opportunity to holistically look at design, use, and compatibility issues. She said the Master Plan process would allow the City to develop site-specific development standards to address the impacts based on extensive analysis that would occur. Because Master Plan permits would not be considered policy documents, a Comprehensive Plan change would not be necessary. A Master Plan permit would result in a long-range site plan, with phased mitigation to address the impacts. In addition, phased infrastructure improvements would be identified.

- **Define and differentiate Subarea Plans and Planned Areas.** Ms. Markle recalled that the City recently employed the Planned Area tool with Ridgecrest. The product of this effort was a set of specific development regulations that apply to a delineated area, and that is what staff envisions a Master Plan permit would be, as well. Therefore, staff is recommending that the terms and processes be consolidated and renamed "Planned Area." She briefly reviewed the differences between Subarea Plans and Planned Areas. She explained that Subarea Plans can only be initiated by the City, and they can occur at any time and are not restricted by the once-a-year annual review cycle. In addition Subarea Plans may or may not include development regulations, and they allow for broader uses. Planned Areas can be initiated by the City or a private entity, and they can only occur as part of the annual review. Planned Areas can also be subsets of a Subarea Plan, and they are defined more narrowly.



- **Identify a public process for private property owners to prepare comprehensive long-range plans.** Ms. Markle advised that this issue has come up, and staff believes it is important to decide whether or not this would be an appropriate tool to offer property owners. She advised that the proposed amendment would allow a private property owner to apply for a site-specific Comprehensive Plan amendment and rezone to Planned Area during the annual review of the Comprehensive Plan, and this would be a quasi-judicial action. In order to change the zoning and development standards, an applicant would be required to apply for a Master Plan permit, which would be a quasi-judicial action, as well.

Ms. Markle explained that the quasi-judicial process is highly recommended by the Association of Washington Cities as a process to use when there is a specific property owner or entity that stands to be affected by the change. They also recommend the quasi-judicial process be used whenever there is doubt. In addition, staff recommends the quasi-judicial process because the legislative process doesn't have the same noticing requirements. The quasi-judicial process requires a neighborhood meeting, posting on the site, mailed notice to property owners within 500 feet, and a public hearing by the Planning Commission. The legislative process does not have all of these requirements.

- **Relocate Master Plan processes from Comprehensive Plan to the Development Code.** Ms. Markle pointed out that while Comprehensive Plan Land Use Policies 76 and 77 provide great information, they contain information that is similar to a development checklist the City uses for permits. Staff suggests this information really belongs in the Development Code, and the proposed amendments would accomplish this goal.

Ms. Markle reviewed the proposed Development Code amendments as follows:

- **Add a definition for Master Plan permit.** Ms. Markle advised that the proposed definition would read, a permit that establishes site-specific permitted uses and standards for Planned Areas or essential public facilities.
- **Add Master Plan permit as a Type C permit.** Ms. Markle explained that this change would define the process as quasi-judicial. It explains the purpose for the Master Plan permit and outlines the criteria for adoption. The existing Development Code does not contain this type of information.
- **Rename and add 1<sup>st</sup> Northeast Transfer Station, CRISTA, Fircrest and Shoreline Community College as Planned Areas 1, 3, 4, and 5.** Ms. Markle recalled that Commissioners pointed out during the study session that the City's first Master Plan was the 1<sup>st</sup> Northeast Transfer Station. It was recommended that this be added to the proposed language. Ms. Markle said this amendment is intended to equal no change. She explained that, with the exception of Shoreline Community College, the zoning in place for each of the Planned Areas is exactly the same as what currently exists, but it is depicted in writing versus a symbol on the zoning map. She said the purpose of this change is to set the stage to apply for a Master Plan permit.

Ms. Markle reminded the Commission that Shoreline Community College would be defined differently than the other Master Plan areas. The proposed language would require them to apply for a Master Plan permit in order to do anything other than what's allowed by the underlying zoning. She explained that staff believes the college has reached critical mass in terms of being able to assess, mitigate and address the impacts. Staff believes the Master Plan process would be the best way to accomplish this goal.

Ms. Markle emphasized that the proposed amendments would not change the development controls currently in place for Shoreline Community College, CRISTA, 1<sup>st</sup> Northeast Transfer Station or Fircrest. However, they would identify and define a process for applying for a Master Plan permit, specify who can apply for a Master Plan permit, and create specific criteria to review the Master Plan permit.

Ms. Markle reminded the Commission that, as they make their decision, they must consider both the Comprehensive Plan decision criteria and the criteria for Development Code amendments. She advised that while the proposed amendments would meet all three of the Comprehensive Plan review decision criteria, they are most consistent with the following two:

- **The amendments are consistent with the Growth Management Act (GMA) and not inconsistent with Countywide Planning Policies and the Comprehensive Plan.** Ms. Markle noted that GMA encourages predictability and timely permitting processes and supports ensuring that adequate public facilities and services are present for development. In addition, GMA supports protecting the environment and enhancing the state's quality of life, as well as reducing urban sprawl and encouraging affordable housing to all economic segments of the population. She summarized that, in one way or another, each of the Master Plans would address some or all of these goals. She pointed out that the overarching goals of the Countywide policies would be supported by the smooth siting of public capital facilities and the promotion of orderly development. Regarding the City's own Comprehensive Plan, Ms. Markle noted that Land Use Policy 76, which would be joined with Policy 75, encourages Master Planning for essential public facilities.
- **The amendments will benefit the community as a whole and will not adversely affect community facilities or the public health, safety or general welfare.** Ms. Markle explained that the very purpose for Master Planning is to holistically plan for traffic, transition, open space, protection of critical areas, reducing impacts from drainage, etc. All of these would provide a benefit to the community. In addition, supporting the maintenance and development of essential facilities would have a benefit to Shoreline residents and the region as a whole.

Next, Ms. Markle referred to the criteria that must be considered when reviewing amendments to the Development Code and noted that an amendment is required to meet all three criteria. Staff recommends that the proposed amendments are in accordance with the Comprehensive Plan and that they would not adversely affect the public health, safety or general welfare. In addition, the amendments would not be contrary to the best interest of the citizens and property owners of the City of Shoreline.

Ms. Markle reported that the City received three written comment letters regarding the proposed amendments over the past several days. She suggested the Commission could recess the meeting for a

short time in order to review the new document that was submitted. In addition, she proposed the Commission and staff carefully review the comment letter submitted by the Washington Department of Social and Health Services (DSHS) regarding the Fircrest Campus. She noted that the first two pages provide a support letter related to the general process, but the remainder of the document provides suggestions for specific amendments to the proposed language. She said that after further deliberation the Commission could recommend approval of the amendments, recommend approval as amended, recommend denial, or they could request more time or information to formulate a recommendation. The Commissioners indicated they already had an opportunity to review the new written comments that were submitted. Therefore, they decided there was no need to recess the meeting.

### **Questions by the Commission to Staff**

Commissioner Pyle noted that the proposed amendments would require a quasi-judicial process, which is a process that is likely to be used when the action would affect one specific group or area. The legislative process would be used to review applications that apply more broadly throughout the City. He questioned why the quasi-judicial process was not used by the Commission when they reviewed the proposed zoning for the Ridgecrest Commercial Neighborhood. He said that he can understand using a quasi-judicial action process for Master Plans that apply to very specific locations, but he questioned if a quasi-judicial process would be used when considering Planned Area zoning designation changes in the future. Ms. Markle advised that if the applicant were a private entity, the quasi-judicial review process would be applicable. If the City is the applicant, it may not be necessary.

Commissioner Pyle advised that an applicant would not be able to obtain a Master Plan permit unless they already have Planned Area land use designation and zoning. Commissioner Pyle pointed out the Planned Area zoning would likely be unique to the site or geographic area. He further pointed out that a Master Plan is designed to mitigate for impacts to communities related to critical areas, traffic, etc. If there are already zoning controls in place under the Planned Area zoning designation for that specific geographic area, he questioned if the Master Plan would supplement or override the Planned Area zoning. Ms. Markle answered that the Master Plan permit would override the Planned Area zoning. She noted that, as currently proposed, Fircrest would be required to meet the underlying zoning requirements until a Master Plan permit has been obtained, and then the Master Plan permit would prevail. DSHS recommends an additional bullet to make it very clear that the underlying zoning would no longer apply after a Master Plan permit has been adopted.

Commissioner Pyle invited staff to explain the impetus for doing a Master Plan when everything that could be achieved through the Master Plan process could also be achieved through the Planned Area zoning designation. Ms. Markle replied that the Planned Area zoning designation would not provide any advantage to private applicants. It's merely a way to designate the property on the map. A property owner would not be granted anything more than the underlying zoning would allow until a Master Plan permit has been obtained.

At the request of Chair Kuboi, Ms. Markle clarified that the term "private property owner" means someone other than the City. This could include the State, the County, the City and/or private commercially held properties. Chair Kuboi clarified that the process that was used incident to the

Ridgecrest Commercial Neighborhood Planned Area Action has no direct bearing on what the Commission may or may not propose tonight. The Commission's recommendation does not necessarily have to conform with the process that was used for Ridgecrest. Ms. Markle agreed that the Commission's proposal could deviate from the process that was used previously.

Commissioner Wagner asked staff to walk the Commission through a full example, from start to finish, of how the proposed language would be applied to a subject property. Ms. Markle used the example of a private property such as the Sears site. If all of the property owners joined together to do something special and unique that none of the City's zoning districts would allow, their only option would be to submit an application for a site-specific Comprehensive Plan amendment and associated rezone during the City's annual review process. The City would process the amendments together sometime during the next year, and the application would be reviewed by the Planning Commission in a quasi-judicial hearing process. She clarified that although Comprehensive Plan amendments are typically legislative actions, rezone applications unless they are citywide rezones are always quasi-judicial actions. Therefore, the higher form of review would be required, which in this case would be quasi-judicial. An applicant would be required to make their case before the Commission and Council as to why they deserve or need the Planned Area designation. The Commission would make a recommendation to the City Council, who would make the final decision. Commissioner Wagner summarized that if the application were approved, the property would be identified in the Comprehensive Plan as a Planned Area and the zoning map would identify it as a Planned Area with the underlying zoning in place until an actual Master Plan permit application has been approved. The Master Plan permit would require a quasi-judicial process, as well.

Commissioner Wagner asked what benefits the community would receive from requiring a property owner to go through the Master Plan process after the Comprehensive Plan has been updated to identify the property as "Master Plan" and the zoning map and development code have been amended to identify the property as Planned Area. Ms. Markle answered that a greater level of detail and analysis, as well as additional public involvement, would be required at the Master Plan permit stage. Commissioner Wagner asked if an approved Master Plan permit would be similar to a binding site plan, which identifies what future development would really look like. Ms. Markle said the level of detail required could vary. Commissioner Wagner inquired if future development permits would become administrative actions once a Master Plan permit has been approved. Ms. Markle answered affirmatively, with one exception. SEPA would still be required for any building that goes over the threshold, and this would allow the City an opportunity make improvements to the Master Plan, if necessary.

Commissioner Behrens asked staff to identify the differences between the type of information an applicant would be required to submit in order to get a Planned Area designation and what would be required to obtain a Master Plan permit. Ms. Markle said that the proposed language does not specify the information that would be required to obtain a Comprehensive Plan amendment, but the proposal would be required to meet the review criteria. However, as a planner advising an applicant, she would tell them that a certain level of investment would likely be required in order for them to sell their proposal to both the Planning Commission and the City Council. It would be up to the applicant to

decide how much money and time they want to spend to provide the necessary data for the Commission and City Council to make a decision.

Commissioner Behrens said he can understand how a major agency such as Fircrest and/or Shoreline Community College would have the wherewithal and the assets to put together an adequate presentation for the Commission and City Council to consider their request. However, private applicants may be at a disadvantage in knowing exactly what they need to submit to get their plans approved. He suggested they consider splitting the two types of applicants and treating private parties differently than public entities. The language could provide a checklist of items a private entity would have to supply as part of their application. This would also make it clear to the Commission as to how much and what information they should give merit to when considering Comprehensive Plan amendments.

Ms. Markle said she is not as concerned about the level of detailed information provided at the Planned Area level because the Commission and City Council would not be approving anything at the Planned Area stage other than allowing a property owner the opportunity to apply for a Master Plan permit that may or may not get approved. An applicant would be required to provide a full range of data at the Master Plan permit stage. Commissioner Behrens said the quicker and more thorough a decision can be made about whether an applicant would be able to move forward, the better it would be for everyone. Once an applicant has obtained approval for a Planned Area, he/she would move forward more aggressively. The costs would also increase, resulting in both the City and the applicant having a vested interest in getting the Master Plan permit completed. In the end, a proposed Master Plan to implement a Planned Area may be found unacceptable. He suggested the proposed language require a decision earlier in the process so the applicant and City doesn't end up wasting their time and resources. Ms. Markle agreed it would be better to provide a checklist of information that should be provided early in the process, but she has not been able to define the exact information that should be required at the Planned Area amendment stage. Finding this balance usually takes place as City staff works with individual property owners.

Commissioner Broili said that while he partially agrees with Commissioner Behren's concern, he reminded the Commission that one of the goals of the proposed amendments is to maintain flexibility in the process. As an applicant goes through the Comprehensive Plan amendment process, it is important to allow some flexibility because it is typically not yet clear what the end product would be. Secondly, he suggested the information required for each Comprehensive Plan amendment application should be based on the potential impacts of the change. For example, more significant information should be required for the Sears site since it could potentially have huge impacts down stream because it is the headwater of Boeing Creek. Another site may have significantly less impact so the City could be looser about what information an applicant submits at the Comprehensive Plan amendment stage. While a checklist would be important, there must be some flexibility during the earlier level to allow the City to move through the process more quickly, depending on the potential impacts. Ms. Markle agreed and said that this type of advisement would take place when staff meets with a potential applicant.

Commissioner Kaje shared concern about how the Commission would make a recommendation on a potential Comprehensive Plan amendment application. He referred to the three criteria the Commission must consider when reviewing Comprehensive Plan amendment. Instead of providing a list of the

information an applicant must provide, perhaps it would be more appropriate to identify separate criteria the Commission and City Council would use when reviewing Planned Area applications. He suggested it is important for an applicant to clearly understand the criteria the decision makers would use to evaluate a proposal. Ms. Markle said this would be one option, but she suggested that perhaps the rezone criteria would address Commissioner Kaje's recommendation. If not, she could foresee site-specific Comprehensive Plan change criteria that could be specifically applied to Planned Area applications.

Commissioner Wagner pointed out that proposed Planned Areas 1, 3, 4 and 5 are not currently zoned as Planned Areas. She asked Ms. Markle to describe the process these entities would utilize to obtain a Master Plan permit. She also asked for clarification of how the proposed amendments would apply to the 1<sup>st</sup> Northeast Transfer Station, which already has an approved Master Plan. Ms. Markle explained that Shoreline Community College could begin their Master Plan process at any time, but they would not be allowed to do anything other than what's allowed by the underlying zoning until a Master Plan permit has been approved. There would be no change for the 1<sup>st</sup> Northeast Transfer Station site. They are consistent with their current zoning, but the proposed amendments would set forth a process for amending their Master Plan. The same would be true for Ridgecrest, Fircrest, Shoreline Community College and CRISTA would be required to obtain a Master Plan permit to change the underlying zoning controls. If the City adopts the proposed Planned Area zoning, these three sites would be consistent with zoning map. An adopted Master Plan would be consistent, as well, because the proposed language identifies the zoning that would be applied until a Master Plan permit is approved. Commissioner Wagner summarized that zoning would be adopted concurrently with the Comprehensive Plan amendment for these areas.

Steve Cohn reviewed the City's current rezone criteria as follows:

- The rezone is consistent with the Comprehensive Plan.
- The rezone will not adversely affect the public health, safety or general welfare.
- The rezone is warranted in order to achieve consistency with the Comprehensive Plan.
- The rezone will not be materially detrimental to uses or properties in the immediate vicinity of the subject rezone.
- The rezone has merit and value for the community.

Commissioner Kaje voiced his opinion that the rezone criteria would not sufficiently address the concern he raised earlier about providing additional guidance to the applicant. While the proposed language for the Planned Area zoning designation provides a definition and identifies the types of things it is designed to address, it is fairly broad. The properties where this concept would be applied have different locations, uses, etc. While he understands that additional details would be required during the Master Plan permit stage and the City would have the ability to reject a Master Plan permit proposal, he felt it would be useful for both the City and the applicant to provide some criteria to address this special case.

Ms. Markle noted that the definition of a Planned Area has a narrower scope, and she suggested perhaps it would be appropriate to develop the additional criteria discussed by Commissioner Kaje as part of that

definition. Commissioner Kaje said his recommendation would be to either develop additional criteria or create a more specific definition of when a Planned Area might be appropriate. It shouldn't be left to the staff's judgment to determine if a site is unique or not. Ms. Markle remarked that it would be up to the Commission and City Council to make this judgment decision, but she agreed it would be helpful to have criteria to aid them in their decision making process.

Chair Kuboi inquired if creating a checklist or further amplifying the criteria associated with Planned Areas would have to be captured as part of a Comprehensive Plan amendment, or could the concept be implemented outside of the amendment process. Ms. Markle answered that a checklist could be created at any time, but any additional criteria would require a Development Code amendment that should logically occur as part of the proposed amendments. However, it could occur later, as well. Chair Kuboi summarized that the Commission's underlying concern is that they don't want to lead an applicant down the road, expending a fair amount of time and money, only to be disappointed when they get to the actual Master Plan permit step. Commissioner Berhens said it is also important to make sure the plans presented as part of the Comprehensive Plan amendment for a Planned Area designation and the plans submitted as part of the Development Code Master Plan permit amendment are consistent.

Chair Kuboi pointed out the process would give staff a lot of discretion in the guidance they provide to an applicant. He suggested the Commission must decide to what extent they want the process to be laid out more definitively in writing and to what extent they feel comfortable with a process that is very heavily dependent on staff's discretion and their interpretation of the Comprehensive Plan criteria and the definitions for Planned Areas and Master Plans.

Commissioner Pyle said he fails to see a benefit from the proposed three-tiered process (Comprehensive Plan amendment, rezone, Master Plan). He questioned the need for a Master Plan at all. Instead, they could move the Master Plan criteria to a new section called Planned Area rezone criteria. It seems the City could provide a process for doing a concurrent Comprehensive Plan amendment and rezone that would effectively rezone a specific piece of property like a Master Plan. All the zoning controls for that specific property would be put in place through the Planned Area zoning designation, which would have its unique controls exactly the same as a Master Plan. The same criterion that has been proposed for a Master Plan permit could be used for a Planned Area rezone. Ms. Markle cautioned that a developer may not want to spend a significant amount of money applying for a Master Plan permit until they have some assurance the City would support the Planned Area concept for their property.

Again, Ms. Markle said her main concern is to get Shoreline Community College, Fircrest, and CRISTA to the point where they have the ability to apply for a Master Plan permit outside of the annual review process. The proposed two-step process would allow this to occur. At this time, the City has not identified any other properties where the concept would be applied. Commissioner Pyle pointed out that a quasi-judicial or legislative process would be required for the land use designation amendment and Planned Area designation rezone and a separate quasi-judicial process for the Master Plan. Ms. Markle clarified that the Comprehensive Plan amendment and rezone applications would be combined into one action. Therefore, a Master Plan permit would require a two-step process for private property owners, and a one-step process for the three entities listed above. While the Commissioners could recommend a

less cumbersome process for private property owners, as well, she felt the Commission would be more comfortable with more process and opportunity for review.

Commissioner Pyle inquired if a private property owner would be required to go through the SEPA process three times in order to obtain a Master Plan permit. Ms. Markle said the SEPA process would be required at varying levels, throughout all three stages.

Commissioner Behrens asked if it would be helpful to look at the proposal as one way of dealing with CRISTA, Fircrest and Shoreline Community College and then creating a separate process that would apply to private developments. He said his concerns are more focused on private properties since the City is more apt to get good information and a professional presentation from an agency. However, he is not sure a private developer should be penalized or rewarded based on their ability to make a presentation.

### **Public Testimony or Comment**

**Dennis Lee, Shoreline**, used the Sears property as an example of how the proposed process would be applied. He explained that a developer could try to justify very dense multi-family development on the site because he has worked with businesses in the area and they've agreed to freeze their zoning to community business and not residential. Because the proposal for a Planned Area designation would be a legislative action, the applicant would be required to develop his/her own criteria sufficient to sell the proposal to the City. He summarized that it appears the Master Plan permit process would be the time when the City would address the nuts and bolts of the proposed change. He suggested the proposed process would be a way of creating a Planned Area in a quasi-judicial setting, which did not occur for the Ridgecrest area. He said he supports the intent of the proposed language, but suggested its success would depend on how well the public process functions.

**Les Nelson, Shoreline**, pointed out that the basic intent of the Growth Management Act process for changing comprehensive plans is to do it concurrently. While the proposed amendments are being considered as part of the annual cycle, it appears they would allow future Comprehensive Plan amendments to be adopted out of the cycle. He questioned why this would be allowed in some situations and not in others. He also questioned the difference between subareas and Planned Areas. He noted that the Puget Sound Hearings Board has issued a decision that "whatever the name (neighborhood plan, community plan, business district plan, specific plan, Master Plan, etc.), any land use policy plan, in general, that purports to guide land use and decision making in a portion of a city or a county is a Subarea Plan. While a city or county has discretion whether or not to adopt a Subarea Plan, the Subarea Plan would be subject to the goals and requirements of the act and must be consistent with the comprehensive plan." He summarized that whatever the plan is called, it's still to be considered a Subarea Plan. Therefore, he questioned how the City could have different definitions or descriptions for Planned Areas versus subareas. He summarized that the GMA has removed the discretion of cities and counties to undertake new localized land use policy exercises that are disconnected from the citywide, regional, and statewide objectives embodied in the Comprehensive Plan. This may also pertain to how the City deals with Master Plans.



### **Final Questions by the Commission**

The Commission discussed the schedule for completing their review of the proposal and making a recommendation to the City Council in preparation for their May 27<sup>th</sup> study session. It was noted that the Commission could postpone their recommendation until the May 15<sup>th</sup> meeting. Staff agreed to provide draft criteria for the Commission to consider at their May 15<sup>th</sup> meeting. The checklist could be considered at a later date. It was suggested the Commissioners forward their recommendations for language changes to staff via email as soon as possible.

Commissioner Broili suggested the draft criteria address the following: maintenance and restoration of the environmental function within the site, mitigation of economic impacts, enhancement of the social impacts, and enhancement of neighborhood character.

Commissioner Kaje said the criteria he envisions would be more related to the level of information provided by an applicant. The information must provide a reasonable understanding of what is being proposed. Perhaps the criteria could be tied to the definition and purpose of a Planned Area. The intent of the criteria would be to coax an applicant to commit to a certain path, without requiring all the details mentioned earlier by Commissioner Broili. The information must be adequate enough to convince the Commission of the need to support the Planned Area proposal. Ms. Markle suggested that procedural requirements are typically provided in the form of a checklist, which could be provided later. However, she agreed it would be appropriate for the Commission to consider additional Comprehensive Plan review criteria as part of the proposed amendments.

Commissioner Pyle said he could support the proposed concept, with criteria added for the rezone component. He summarized that during the Comprehensive Plan amendment process, an applicant would be required to identify how a use would be consistent with a Comprehensive Plan. The rezone application would require an applicant to identify the vision for how the use would actually be built out on the site. The Master Plan permit review process would address all of the nuts and bolts associated with development of the property.

Commissioner Perkowski agreed with previous concerns that the proposed language could result in situations where the City leads an applicant to believe a Master Plan permit would be approved. However, if additional criterion is added, this should not be a significant problem. The two-step process would allow for an initial analysis and a lot of feedback. Approval of a Comprehensive Plan change would not guarantee that a Master Plan permit would later be approved. Issues of concern could be identified during the first phase, and an applicant could be prepared to address them as part of the final Master Plan phase.

Chair Kuboi summarized that the Commission generally supports the idea of coming up with criteria. Ms. Markle agreed to prepare draft criteria based on the Commission's direction. She could forward the draft language to each of the Commissioners, inviting them to provide feedback as soon as possible. The

language could be further refined based on the additional feedback, and the final proposal could be presented to the Commission for review and action at their May 15<sup>th</sup> meeting. Chair Kuboi pointed out that the Commission would allow citizens to provide comments related to the proposed revisions at their May 15<sup>th</sup> meeting. Staff agreed to make the updated draft language available to the public via the City's website by May 12<sup>th</sup>.

Commissioner Pyle asked how a property owner would go about amending a Master Plan. Ms. Markle answered that the proposed language outlines this process. She noted that the comment letter from DSHS provided more ideas for amending a Master Plan. She suggested the Commission review these suggestions, as well.

Commissioner Pyle asked if the proposed language places requirement on property ownership. Ms. Markle said there is no limit on the number of property owners. Commissioner Pyle asked if the underlying zoning could be modified during a rezone to Planned Area to limit or otherwise control a property's potential to develop under the Master Plan. Could identified issues be addressed as part of the Planned Area? Ms. Markle replied that the City could create zoning provisions that lessen the development potential.

Commissioner Pyle asked how other regulations such as transition area requirements would be applied to a Planned Area zone. Ms. Markle said the Master Plan permit would have to specifically call out anything that's different from what current exists or add it back in. If the Commission wants transition area requirements to apply to a Planned Area, they must specify that in the language. Commissioner Pyle summarized that the Master Plan permit would become a license to deviate from the standards that would typically apply to the property if it were not a Planned Area.

Commissioner Wagner asked staff to explain the differences between a Subarea Plan and a Planned Area. Ms. Markle said a Planned Area land use designation would be similar to other land use designations. It's a designation on the map versus a specific plan. Commissioner Wagner summarized that a Planned Area land use designation would be identified in the Comprehensive Plan, and the zoning map would also identify the property as Planned Area. However, the Subarea Plan concept refers to a process that is not defined on any map. Ms. Markle agreed that subareas are not designations on the map; they are something that is directed by policy statement from the Comprehensive Plan. A Subarea Plan would be policy based and provide guidance for future development. The Planned Area concept would identify the property as such on a map and provide policies for what could and could not occur on the property. The Master Plan permit process would further define the zone. Commissioner Wagner summarized that a Subarea Plan provides guidance for where the City would like to go, but it is not prescriptive. Mr. Cohn added that a subarea is a subset of the Comprehensive Plan, so the policies would be implemented by zoning or capital facilities decisions.

Commissioner Kaje referred to the proposed changes to Comprehensive Plan Land Use Goal 3 on Page 37 of the Staff Report. He summarized that the point of the proposed change is to say that incentives could be provided in these situations in order to preserve open space. He questioned what incentives could be provided in a City initiated Subarea space. Commissioner Broili pointed out that Subarea Plans

can only be initiated by the City. Therefore, there is no need to include the term "City-initiated." Ms. Markle agreed to come back with new language for the Commission to consider.

Ms. Markle reviewed the DSHS policies as follows:

- **Land Use Policy 34.** Ms. Markle explained that the proposed language would add a description explaining why the Fircrest Campus should be a Planned Area. She noted that DSHS has recommended changes to correct inaccurate data such as the acreage. They also clarified the uses on the site and pointed out that 36 acres of the site are considered excess. Something may be going on that is not related to the not-for-profit agency. She said she would support all of the proposed changes to this policy, and she invited the Commissioners to review the DSHS proposal and forward their responses to her via email.
- **Land Use Policy 74.** Ms. Markle advised that staff does not support this proposed change. She explained that this policy is about siting new essential public facilities, and the City doesn't currently have a process for this. She said she is not eager to circumvent the siting process in anyway. She did not recommend the Commission accept this change.
- **Ordinance 292.** Ms. Markle advised that DSHS has asked staff to clarify the language describing amendments in Ordinance 292. She agreed the language is useless since the map is what actually amends Ordinance 292. She agreed to change the description.
- **Section 20.30.337.B.2.** Ms. Markle advised that DSHS is suggesting a revision to this section, which addresses decision criteria related to mitigation impacts. She said staff does not support DSHS's proposal to add the word "significant" before "impacts." The impacts should not have to be significant to be considered.
- **Sections 20.30.337.B.4 and 30.30.337.B.5.** Ms. Markle said staff believes the additional language proposed by DSHS would be redundant and unnecessary.
- **Section 20.30.337.B.6.** Ms. Markle said staff supports the recommendations from DSHS for this section. DSHS is recommending the addition of "significant" in this situation. While a property owner would not be able to eliminate all conflicts, they should definitely eliminate the significant ones.
- **Section 20.30.337.B.** Ms. Markle advised that this recommendation would correct an error in numbering, which has already been done in the most current version of the document.
- **20.30.337.C.3.** Ms. Markle said DSHS has recommended some criteria for differentiating major and minor amendments to a Master Plan. Staff supports this change, and the last draft of the proposal indicated the City would develop procedures and criteria that would allow for amendments to the Master Plan permit. Some amendments may not be considered minor, but many of them may be perfectly okay. This would be decided during the permitting process. The DSHS is suggesting a few

amendments that would be considered minor upfront. She said if the Commission wants to head in this direction, they should make sure the list includes all of the amendments that would be considered minor upfront.

- **Section 20.100.310.** Ms. Markle explained that DSHS suggests that this section be changed to include a subsection stating that once a Master Plan is adopted, it would replace the uses and standards of the R-6 zone. She said this addresses the comment raised earlier about whether the zoning would be replaced by the Master Plan. She indicated her support of this proposed change.
- **Section 200.100.310.D.** Ms. Markle said that DSHS is proposing that the language in this section be changed to provide an exception for situations where specific regulations are adopted through a Master Plan. She said she supports this proposed change.

Ms. Markle invited the Commissioners to provide feedback via email regarding staff's analysis of the proposed changes submitted by DSHS. That would allow her to incorporate the changes into the next draft that is presented to the Commission for review on May 15<sup>th</sup>.

Commissioner Kaje referred to DSHS's proposed change to Section 20.30.337.B.6 and noted that the Commission already agreed to change the word "limit" to "minimize." Therefore, there may be no need to add the word "significant."

Chair Kuboi referred to Section 20.30.337.C.3 and inquired if the word "vesting" includes deviations. Ms. Markle suggested a new Subsection D called amendment, be added to this section. She summarized there are three ways to change a Master Plan permit. One would be a major change which would trigger a redo of the public process. Minor changes are those that fall within the Master Plan terms and conditions and would not require a new public process. Changes that are intended to apply more current Development Code regulations would subject the entire Master Plan to the current Development Code regulations across the board. While these amendments would not trigger a new public process, they would be considered more significant than minor amendments. Ms. Markle said the intent of the latter option is to allow developers, for example to amend their Master Plans in order to meet the newer, more stringent stormwater management standards. She further explained that it would be impossible for the City to require a developer to comply with all land use regulations enacted after the application was vested since the Master Plan would be considered a special zone. This would apply only to requirements in the general section of the Development Code such as landscaping, stormwater, parking, etc.

Ms. Markle advised that if an applicant decided to apply the new stormwater standards, staff would also have to consider other general standards that would be applied. She said she only sees this change as a positive benefit to the community, so no public process would be necessary. Chair Kuboi expressed concern that an applicant might try to keep only those standards that are in his/her favor. She noted the City Attorney recommended the proposed language to prohibit picking only those new regulations that benefit the project.

Commissioner Behrens summarized that the proposed language would exclude Master Plan developments from having to meet the existing Development Code standards. A special set of

regulations would be created to apply to these specific areas. Therefore, he expressed his belief that the City should not allow a developer to change the Master Plan to include some new regulations but not others. He suggested that the Planned Area language should be written in such a way to allow specific changes that don't presently exist in the code to be implemented in the future. He suggested staff seek direction from the City Attorney about how this could be accomplished. Ms. Markle indicated she would support a process that allows staff to administratively approve changes to Master Plans that are clearly beneficial to the environment. She agreed the process could be made part of the amendment criteria that is developed as part of a Master Plan permit.

Commissioner Broili said he doesn't mind allowing a property owner to pick and choose which new standards they use, so long as whatever they choose is more stringent than what is called for as part of the approved Master Plan permit. It is important to allow flexibility for developers to be innovative in addressing issues such as the environment. Commissioner Perkowski said he, too, would support this concept since it would allow a developer more flexibility to incorporate innovative concepts. He said he also agreed with DSHS that there should be some separation between what are considered major and minor conflicts between the Master Plan property and adjacent uses.

Ms. Markle advised that she would either re-write this section or propose that it be eliminated entirely and that criteria be developed individually for each Master Plan permit.

Commissioners Perkowski and Wagner indicated they may not be present at the May 15<sup>th</sup> meeting when the hearing would be continued. They inquired how they should go about providing their comments for consideration during the hearing. Mr. Cohn noted that the hearing was a legislative process, so Commissioners Perkowski and Wagner would be able to submit written comments for the Commission's consideration on May 15<sup>th</sup>.

#### **Closure of the Public Hearing**

**COMMISSIONER WAGNER MOVED THE COMMISSION CONTINUE THE PUBLIC HEARING ON MASTER PLAN AMENDMENTS TO THURSDAY, MAY 15, 2008. COMMISSIONER KAJE SECONDED THE MOTION. THE MOTION CARRIED 7-0.**

**COMMISSIONER WAGNER MOVED TO EXTEND THE MEETING 15 MINUTES, TO 9:45 P.M. COMMISSIONER BEHRENS SECONDED THE MOTION. THE MOTION CARRIED 6-1.**

#### **REPORTS OF COMMITTEES AND COMMISSIONERS**

There were no reports from Commissioners

#### **UNFINISHED BUSINESS**

There was no unfinished business scheduled on the agenda.

## **NEW BUSINESS**

### **Review Planning Commission Hearing Rules and Bylaws**

Mr. Cohn advised that staff is in the process of updating the Planning Commission Bylaws to reflect current practices of the Commission. For example, the Bylaws would no longer identify an ending time for Commission meetings.

Chair Kuboi referred to Resolution 182 and noted that some items on the list were of particular interest to him in terms of how the Commission has procedurally conducted their meetings. He suggested the Commission take action on the revisions to the bylaws, but that they revisit Resolution 182 for further discussion. Mr. Cohn emphasized that any revisions to Resolution 182 would have to come from the City Attorney or the City Manager's Office since the resolution applies citywide and not just to the Planning Commission. Chair Kuboi agreed that while the Commission is not being asked to take action on the resolution, he would like an opportunity to obtain greater clarity from the City Attorney at some point in the future. Ms. Simulcik Smith referred to a document prepared by the Assistant City Attorney, which summarizes Resolution 182 into eight bullet points on how quasi-judicial hearings are supposed to be conducted.

### **COMMISSIONER BROILI MOVED TO APPROVE THE STAFF'S RECOMMENDED CHANGES TO THE BYLAWS. COMMISSIONER BEHREN'S SECONDED THE MOTION.**

**Les Nelson** expressed concern about moving the "Director's Report" to the end of a meeting agenda since members of the public have often left the meeting by that time and would not have an opportunity to provide comments. He recommended they leave it at the beginning of the meeting.

Commissioner Behrens requested clarification between the terms "Director's Comments" and "Director's Report." Mr. Cohn explained that "Director's Comments" would allow the Director an opportunity to provide brief comments at the beginning of the meeting. However, the Director's intent is to let the Commission and public get on with the public business of the meeting, and that's why he saves his general "Director's Report" until the end in most cases. He noted the Commission has been operating in this manner for the past year.

Commissioner Kaje referred to the proposed amendment that would reduce the maximum time of the "General Public Comment" period from 20 minutes to 15 minutes. He questioned why staff is proposing this change and cautioned that the public may interpret this change to mean the Commission doesn't want to hear from the public as much. Mr. Cohn noted that in many other jurisdictions, most public comments are submitted in writing and public comments at the beginning of the meeting tend to be brief in order to get to the public business that is scheduled on the agenda.

Commissioner Broili said that when there are controversial issues, there have been numerous occasions when the "General Public Comment" period has ended up taking a huge amount of the meeting time. However, he reminded the Commission that part of their responsibility is to hear comments from the public. Therefore, limiting the opportunity for the public to comment may be counterproductive. Mr.

Cohn noted the Commission had a choice: to hear about items that are not on the agenda at every meeting, or to encourage the public to talk about the issue during the public hearing process. If the latter course is chosen, they could invite the public to submit written comments, but not allow them to take up time at the meeting when other agenda items have been scheduled for discussion. Commissioner Wagner pointed out that in the two years she has been on the Commission, she could not recall a time when the "General Public Comment" period extended beyond 20 minutes. She suggested the time limit remain at 20 minutes.

Chair Kuboi pointed out that the next paragraph would allow the Chair discretion to limit or extend the time limitations and number of people permitted to speak. However, this would apply to public comment that follows a staff report. He suggested the bylaws be changed to allow the Chair discretion over public comment, in general. In order to acknowledge the business scheduled on the agenda and the need to manage the meeting time, he suggested the language be changed to indicate that "General Public Comments" would generally be limited 20 minutes. The language could also be changed so that the Chair's ability to limit or extend the public comment time could be applied to all public comment periods scheduled on the agenda.

Commissioner Behrens pointed out that Roberts Rules of Order allow an opportunity for the Commission to suspend the public comment rules if a significant number of citizens want to speak regarding a matter. However, this would be a special circumstance.

**COMMISSIONER BROILI AMENDED HIS MOTION TO MOVE THE COMMISSION APPROVE STAFF'S RECOMMENDED CHANGES TO THE BYLAWS, WITH TWO CHANGES TO SECTION 4: PUBLIC COMMENT. INSTEAD OF STRIKING OUT "TWENTY" [MINUTES] AND INSERTING "FIFTEEN," REVERT BACK TO ORIGINAL LANGUAGE AND REARRANGE THE STRUCTURE OF OTHER EXISTING LANGUAGE. COMMISSIONER BEHRENS SECONDED THE AMENDMENT. THE MOTION CARRIED 7-0.**

#### **Update on the Comprehensive Housing Strategy**

The Commission postponed this discussion to a future meeting.

#### **ANNOUNCEMENTS**

There were no additional announcements.

#### **AGENDA FOR NEXT MEETING**

The Commissioners had no comments to make regarding the agenda for the next meeting.

#### **ADJOURNMENT**

**COMMISSIONER WAGNER MOVED TO ADJOURN THE MEETING AT 9:50 P.M. COMMISSIONER PERKOWSKI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

---

Sid Kuboi  
Chair, Planning Commission

---

Jessica Simulcik Smith  
Clerk, Planning Commission



## Attachment C

Sepa comments due April 18 on Complan and Code Amendments for 2008

Rachael,

I am submitting the following comments for your consideration:

### **Complan amendments:**

Glossary; Subarea plans: These are for “defined geographic areas” and since this amendment is proposed to clarify the difference between Subareas and Planned areas which are later defined as “Specific geographic areas”, perhaps we need to define the difference between “defined” and “specific”, or better yet, re-write and make this all less confusing.

Second sentence (under Subarea plans) seems to be more related to a policy, or description of how a Subarea plan operates, not a definition and thus would not belong here. Suggest deleting “Development Regulations.....using legislative review process”. Also similar comment for last sentence.

Suggest adding the following: Planned areas, Subareas, and Master Planned areas must all be coordinated with the overall vision of the Comprehensive plan and must have final adoption concurrently with all Comprehensive Plan amendments so any changes can be considered in whole as required to be in compliance with GMA, 36.70A...also refer to land use Policy LU-6 in the Complan

LU-9: define meaning of “certain circumstances”, and define what range of zoning could be acceptable under a subarea plan...could R4 become 20 units per acre? If not defined then in the future someone is likely to misinterpret the meaning of this, and in fact it is not clear today what is meant!

LU-12: Why was the wording regarding ‘unless.... Subarea... or special district... has been approved’ removed from this section and left in LU-9?

LU-18 and LU-19: At our Dec 17 2007 meeting Joe Tovar mentioned that the wording currently in these two policy statements was vague and needed to be improved to clarify intent, specifically mentioning the use of the phrase “might be allowed” as an issue, and yet these are not being revised.

Why/How are we changing areas like Shoreline CC, CRISTA, Fircrest from Master Plan designation to Plannes Area designation, and what is the intent of this? Does this not violate the EIS done for the Complan where master Plans are defined/required?

### **Development Code amendments:**

In table 20.30.060 under 2. Rezone, add CTED under column regarding review authority as this would be required where rezone amends the Complan...

Also, Subarea Plans are not mentioned in the Development Code amendments, are there no revisions needed?

**SEPA document:**

*(Following comments refer to appropriate section of SEPA document by letter, number)*

- A. 7. Subarea plans are not mentioned, ....think we currently have several in the works such as Town center, Ballinger, South of Bridge, .....
- A. 8. Define SEPA required for "future"....Proposals...does that mean any that are currently in the works such as Ridgcrest have no further SEPA requirement??
- A. 10. Add to list:, Approval of Complan amendments, Public Hearings, and Public participation as called out in GMA
- A. 11. Allowing master plans to be approved outside of the annual review cycle conflicts with requirements of GMA that require all amendments for the year to be considered and approved as a **whole so the cumulative effects can be considered together**..... and, under Comprehensive plan amendments, the fourth bullet regarding Replacing the term master plan with Planned area, could not be more confusing as to intent. Please clarify what this means.  
Fifth bullet item defies GMA "without amending the Comprehensive plan"  
Eighth bullet, "Deleting land use policies 76 and 77....." what about the revisions to LU17-18-19, 40,42,43?A. Under Development code amendments, 6th bullet, First NE transfer station "or out of code" needs to be decided or clarified.
- A, 12: First line says "could" be applied city wide, but only 4 locations specified, so is that the intent, to do this citywide as it is listed as a non project action, it is not clear what the intent is...please clarify
- B 1.a. Are there no steep slopes at Fircrest? At Shoreline Community college I would add streams/creeks I assume are present
- B 1. c. Again confused how this can be a non project action, yet describe four sites....which to me implies throughout this document that this only applies to these four sites, and does not include the rest of the city, otherwise the remainder of the City should be noted. As such, these proposed revisions are limited to the four sites listed, and I don't believe that is the intent. **This comment applies throughout the document**
- B1.g. Add "likely to increase pervious surface as development becomes more intense, until sustainability is applied to development proposals
- B1.h Define "future" is that intended to not include the 4 listed projects?
- B.2.a. add increased fuel consumption to attend meetings to discuss this proposal....
- B. 4.a. heck marks as you have indicated likely all these are on the four sites.
- B.5. Clarify which version of the Comprehensive Plan, 1998, 2005?
- B.5.d Add the phrase"are intended to" after "These regulations" 2nd sentence
- B7.b.1. (noise) added traffic likely to result from all development proposals
- B.8. 1. (To ensure compatibility of land uses) It appears that this proposal is a major change in how the approval and permitting process for these type sites will be

accomplished. Part of "ensuring compatibility" is to provide thorough public participation as required by RCW 36.70A, (Growth management act).. This proposal takes part of this process away from public review, especially of the final details as is indicated by mentioning use of a quasi-judicial process, and thus the ability to "ensure compatability" with neighborhoods is lessened. How will this change be mitigated?

B.10.a Ridgecrest has already approved for 80'+ tall structures so the height mentioned is incorrect or misleading.

B.10.b Ridgecrest proposes to construct a structure that will block views/sunlight from/to several single family homes, especially those to the North and west for morning sun and opposite fro evening sun. This is already a known fact and must be accounted for here.

B.11.a.b. Look at Ridgecrest proposal when answering this question, answer will not be "no"

B.14, Transportation. General comment. The need to ensure that the cumulative effects of traffic on this proposed change to Complan and code processes seems to indicate that concurrent review of these proposals as required in 36.70A.130 for revisions to the Comprehensive plan will not occur concurrently, rather out of the normal cycle. I disagree with the premise that this restricts ability to approve permits due to the need to include in annual review cycle. Most of these Master Planned areas are large, well thought out, well planned sites and planning reasonably extends much farther into the future than for other permit reviews. As such, the hindrance to wait for an annual review cycle could be easily planned around for these type permit applications. This comment applies to other aspects of review of plans covered by these amendments

Thanks for the opportunity to comment on this document

Submitted April 18, 2008, approx.4pm

Les Nelson

15340 Stone ave N

Shoreline, WA, 98133

**FAX****Date** 5/1/08**Number of pages including  
cover sheet** 6**TO:** **Rachael Markle,  
Assistant Director**

City of Shoreline

**Phone****Fax Phone** (206) 546-8761**FROM:** **Elizabeth McNagny**DSHS Lands and  
Buildings Division

PO Box 45848

Olympia, WA 90504-5848

**Phone** (360) 902-8164**Fax Phone** (360) 902-7889**REMARKS:** ☒ **Urgent** ☒ **For your review** ☐ **Reply ASAP** ☐ **Please Comment**

Attached please find comments from the Department of Social and Health Services on the proposed amendments to the City of Shoreline Comprehensive Plan and Code for Planned Areas and Master Plan permits. We request that our comments be included in the record for the Planning Commission consideration.

Thank you!

*The information in this message is privileged and confidential. It is intended only for the use of the recipient named above (or the employee or agent responsible for delivering it to the intended recipient.) If you receive this transmission in error, please do not distribute or copy it. Instead, please notify us by telephone immediately and mail the transmitted copy to us at the above address.*



STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

LANDS AND BUILDINGS DIVISION

1115 Washington St., PO Box 45848 • Olympia WA 98504-5848

May 1, 2008

Rachael Markle  
Assistant Director, Planning and Development Services  
City of Shoreline  
17544 Midvale Avenue N.  
Shoreline, Washington 98133-4921

**Re: Proposed Amendments to the City Comprehensive Plan and Code  
for Planned Areas**

Dear Ms. Markle:

The Department of Social and Health Services (DSHS) appreciates the opportunity to comment on the City of Shoreline's proposed amendments to the Comprehensive Plan and regulations regarding the City adoption of master plans for Planned Areas. Our comments specifically address the Fircrest Campus, identified as Planned Area 4 in the proposed amendments. We commend the City for taking steps to clarify the policies and regulations for Planned Areas and master plan permits.

As you may be aware, DSHS has completed Phase 1 of a master planning process for re-use of the excess property on the Fircrest Campus, and is currently beginning Phase 2. Phase 1 identified the excess property and defined future land uses. Throughout this planning process, DSHS consulted with the City of Shoreline. Phase 2 will include preparing a master plan to the level of detail needed for adoption by the City of Shoreline. As directed by the 2008 State Legislature in ESHB 2765 Section 2004 (Chapter 328, Laws of 2008), the DSHS application for a master plan permit will be based on the Hybrid Option for land uses defined in Phase 1, which includes a mix of uses that benefit the community and governmental entities.

DSHS supports the proposed amendment to change the process for master plan adoption from a comprehensive plan amendment to a permit application. Since comprehensive plan amendments are limited to an annual amendment cycle, the proposed change to a permit application process creates greater flexibility in the adoption time frame. This added flexibility allows the site owner and the City time for greater coordination with interested parties. This will facilitate preparation

Letter to City of Shoreline  
May 1, 2008  
Page 2

and adoption of a master plan that meets City, community and State expectations.

The proposed amendments provide clear decision criteria in the Shoreline Municipal Code for master plan adoption. We particularly liked the criterion for "innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design." That criterion will help the City to realize these qualities on major sites and it is in keeping with goals and guiding principles DSHS established for the Fircrest Campus master plan during Phase 1 of our process.

Further, removing the more detailed master plan requirements from the Comprehensive Plan and putting these in the code and submittal checklists is appropriate because it allows greater flexibility. Each of the proposed planned areas has unique attributes that call for a different level of detail when master planned.

In addition to the above general comments, DSHS has the following specific comments on proposed Comprehensive Plan language:

- DSHS suggests that Policy LU 43.4 description of Planned Area 4 – Fircrest be modified to:
  - Clarify that the area is the Fircrest Campus as a whole;
  - Reflect unique opportunities on the Campus for new uses;
  - Clarify that only a portion of the site is used for essential public facilities;
  - Clarify that a master plan *is* the additional planning needed for essential public facilities.

The City's proposed language with DSHS' suggested changes shown in underline/strikethrough format is shown below. DSHS's suggested changes are also highlighted in yellow.

LU 43.4: Planned Area 4 – Fircrest Campus: The Fircrest Campus is an approximately 9290-acre site with unique natural features. Existing uses currently include the Fircrest School, a state-operated residential facility that serves the needs of persons with developmental disabilities. In addition, the Fircrest Campus is home to the Food Lifeline warehouse, the a Washington State Department of Health Labs Public Health Laboratory; and a Sheltered Workshop which employs persons with disabilities two non-profit tenants who lease buildings on the Campus. Approximately 36 acres of the Campus is defined as excess to Fircrest School, including the leased buildings. Along

Letter to City of Shoreline  
May 1, 2008  
Page 3

with the continuation of the Fircrest School, the State Legislature has recognized unique opportunities for the Fircrest Campus, including smart growth, affordable housing, sustainable development and a variety of uses to benefit the public. Due to the mix of uses and facilities the Campus supports, more than one planned area may apply to the Campus. The Campus is surrounded by a mix of uses: single-family residential development, multi-family residential, office, commercial and City parks. The Fircrest School and State Department of Health Laboratory both currently meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning, such as through a planned area or master plan process, and to develop site specific standards in order to holistically address future development and redevelopment. Uses contemplated for the excess property located on the Fircrest Campus are typical urban uses that do not meet the definition of essential public facilities. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

- We suggest that the Policy LU 74 regarding essential public facilities be modified to clarify and emphasize that the exception for approved master plans applies to all of the listed essential public facility siting criteria. DSHS suggests adding language to the last paragraph in Policy LU 74. The City's proposed language with DSHS's suggested changes is shown below:

The siting process for Essential Public Facilities shall be coordinated with neighboring jurisdictions and with King and Snohomish counties by participating in the interjurisdictional process developed by the King County Growth Management Planning Council and the process adopted by Snohomish County (where appropriate). Specific siting processes will be established in Comprehensive Plan implementing regulations, provided that where site-specific standards such as a planned area with an approved master plan permit or subarea plan are in place for the proposed Essential Public Facilities, those specific standards will apply to development.

DSHS also has the following specific suggestions and comments regarding the proposed Development Code amendments:

- In the language describing amendments to Ordinance 292: Official Zoning Map, we suggest that the statement regarding changing the parcel(s) associated with Fircrest from R-6 to Planned Area 4 be modified so it clearly shows the change will apply to the entire Fircrest Campus.
- DSHS suggests proposed Section 20.30.337 (B)(2), which addresses Decision Criteria related to mitigation of impacts, be revised to read, "Requested modifications to standards are limited to those which will mitigate

Letter to City of Shoreline  
May 1, 2008  
Page 4

significant impacts in a manner equal or greater than the standards of all applicable codes;"

- DSHS suggests proposed Section 20.30.337 (B)(4), which addresses Decision Criteria related to the transportation system, be modified to read, "The Master Plan Permit demonstrates that there is either sufficient capacity in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed when considering improvements planned by the city and any additional mitigation included in or required as a result of the master plan."
- DSHS suggests a similar modification to proposed Section 20.30.337 (B)(5), as follows: "The Master Plan Permit demonstrates that there is either sufficient capacity within public services such as water, police, fire, 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 when considering improvements planned by the city and any additional mitigation included in or required as a result of the master plan."
- DSHS suggests proposed Section 20.30.337 (B)(6), which addresses Decision Criteria related to potential conflict with adjacent uses, be revised to read, "The Master Plan Permit contains design, landscaping, parking/traffic management and multi modal transportation element that limit significant conflicts between the Master Plan property and adjacent uses."
- An error within Section 20.30.337 shows both Decision Criteria and Vesting numbered as (B). The following comment assumes Vesting should be (C).
- For Section 20.30.337(C)(3) regarding amending a master plan permit, we suggest that there be two categories of master plan amendments. One would be a major amendment triggering the same process as initial master plan adoption. The second category would be a minor amendment that could be approved by the Planning Director. Possible criteria for a change to be considered a minor amendment might be:
  - The amendment would not increase the total number of dwelling units or non-residential floor area, or would not increase it by more than a specified percent;
  - The amendment would not decrease the amount of open space, or would not decrease it by more than a specified percent; and
  - The amendment would not result in any probably significant adverse environmental impacts.



Letter to City of Shoreline  
May 1, 2008  
Page 5

- We suggest that proposed Section 20.100.310 Planned Area Zones and Permitted/Prohibited Uses include a subsection stating that, once a master plan is adopted, it replaces the uses and standards of the R-6 zone.
- We suggest that proposed section 200.100.310(D) regarding Planned Area Zones and Permitted/Prohibited Uses for the Fircrest Campus be revised to read, "Expansion of a nonconforming use shall be regulated per 20.30.280(D) unless more specific regulations are adopted through the master plan."

Thank you for the opportunity to share our comments with you. If you have any questions concerning these comments, please contact me at (360) 902-8154.

Sincerely,

*Robert J. Hubenthal*  
Chris Olsen, Director *for C.O.*  
Lands and Buildings Division

c: Kathleen Brockman, CAO, MSA  
Kathy Leitch, Assistant Secretary, ADSA  
Linda Rolfe, Director, DDD  
Asha Singh, Superintendent, Fircrest School

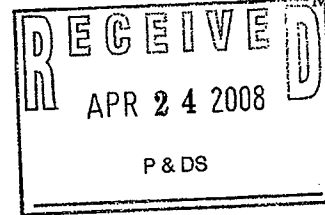


**Ronald Wastewater District**  
17505 Linden Avenue North • P.O. Box 33490  
Shoreline, Washington 98133-0490  
(206) 546-2494 • Fax (206) 546-8110  
www.ronaldwastewater.org  
April 22, 2008

**COMMISSIONERS**  
Arnold H. "Arnie" Lind  
Arthur L. Wadekamper  
Brian T. Carroll

**GENERAL MANAGER**  
Michael U. Derrick

Rachael Markle, AICP  
City of Shoreline  
17544 Midvale Avenue North  
Shoreline, WA 98133-4921



**RE: SEPA checklist for 2008 Annual Review of Amendments to the Comprehensive Plan and Development Code Amendments**

Dear Rachael:

Thank you for allowing Ronald Wastewater District to offer comments on the above identified project. The following comments are specific to the SEPA we received.

We have two concerns: 1) It appears that Ronald Wastewater District is not being considered during land use changes proposed by the City. Under Part B, Environmental Elements; Section 16, Utilities; subsection a, it is stated that "All utilities are available in the City of Shoreline." We concur that water and sewer utilities are available in the City. However, decisions to change the land use, such as from an R-12 to an R-48, also substantially increase the demand on our systems. Our systems have been modeled to the current land uses, and our capital improvement projects have been scheduled to meet the needs of development and system repair based on the current land use.

2) Under Part D, Supplemental Sheet; Section 6, it is stated that there will be "no increased demands on the utilities." Increased population density could result in increased flow which is a substantial impact on our system.

Ronald Wastewater District would like to be included in discussions for the planning of Crista Ministries, Fircrest, Shoreline Community College, Ridgecrest and other "Planned Area as a type of Special District." Under Part B; Section 9.a. Housing; several of these areas will be adding additional units. We would like the City to consider adding a representative from Ronald Wastewater District to the Master Planning process for each of these projects and future projects so that we might be able to offer regular and ongoing input during the redevelopment discussions. If you have any questions regarding these comments or require additional information, please contact us.

Sincerely,

Michael U. Derrick  
General Manager

**Working for Environmental Protection**  
A special purpose district formed pursuant to RCW title 57



## Memorandum

**DATE:** April 30, 2008

**TO:** Planning Commission, Les Nelson and Michael Derrick

**FROM:** Rachael Markle

**RE:** Response to Written Comments Received from Les Nelson and Michael Derrick

**CC:** Steve Cohn and Jessica Simulcik Smith

---

Although it is not the Planning and Development Services general practice to respond to all comments received directly, I have responded since there were not a substantial number of comments. Thank you to Mr. Nelson and Mr. Derrick for taking the time to comment. Below are comments to the letters received. The answers are brief and I apologize for any typos in advance, but this is all that time permits.

Staff responses to Les Nelson Comments received 4/18/08 shown in bold italics.

**Complan amendments:**

1. Glossary; Subarea plans: These are for "defined geographic areas" and since this amendment is proposed to clarify the difference between Subareas and Planned areas which are later defined as "Specific geographic areas", perhaps we need to define the difference between "defined" and "specific", or better yet, re-write and make this all less confusing.

*Agree. The language has been changed from defined and specific to delineated geographic areas. The intent of this part of the definition was to direct the reader to the future land use map which delineates the subarea or planned area.*

Second sentence (under Subarea plans) seems to be more related to a policy, or description of how a Subarea plan operates, not a definition and thus would not belong here. Suggest deleting "Development Regulations.....using legislative review process". Also similar comment for last sentence.

*Agree in theory. However, the way the Comprehensive Plan is written there didn't seem to be a better place to include this information.*

Suggest adding the following: Planned areas, Subareas, and Master Planned areas must all be coordinated with the overall vision of the Comprehensive plan;

*The Development Code specifies the decision criteria for Comprehensive Plan Amendments in 20.30.340. I believe this suggestion is covered in this language.*

and must have final adoption concurrently with all Comprehensive Plan amendments so any changes can be considered in whole as required to be in compliance with GMA, 36.70A...also refer to land use Policy LU-6 in the Complan

*This is the proposed process for Planned Areas. Master Plan permits as proposed will not require changes to the Comprehensive Plan. Subarea Plans may be adopted outside of the annual review and still be in accordance with GMA. Staff recommends not making this proposed change to maintain the City's flexibility to schedule subarea plans for review when they are completed.*

LU-9: define meaning of "certain circumstances", and define what range of zoning could be acceptable under a subarea plan...could R4 become 20 units per acre? If not defined then in the future someone is likely to misinterpret the meaning of this, and in fact it is not clear today what is meant!

*"Certain circumstances" are specified in the Development Code under the Supplemental Index Criteria found in 20.40.*

LU-12: Why was the wording regarding 'unless.... Subarea... or special district... has been approved' removed from this section and left in LU-9?

*This change was not necessary. To be more consistent and to make less changes staff reinserted the removed wording.*

LU-18 and LU-19: At our Dec 17 2007 meeting Joe Tovar mentioned that the wording currently in these two policy statements was vague and needed to be improved to clarify intent, specifically mentioning the use of the phrase "might be allowed" as an issue, and yet these are not being revised.

*This is a different topic. The proposed amendments were drafted to address Master Planning and Planned Areas. I have heard discussions about the issue you raise, but I do not know what the plan is regarding revisiting these policies.*

Why/How are we changing areas like Shoreline CC, CRISTA, Fircrest from Master Plan designation to Planned Area designation, and what is the intent of this? Does this not violate the EIS done for the Complan where master Plans are defined/required?

*The reasons for proposing to call SCC, CRISTA and Fircrest Planned Areas versus Single Family Institution are as follows:*

- *Single Family Institution does not provide any detail about the particular long range use of the site. The Planned Area 1-5 add a specific description of the general current and proposed future use of the site.*
- *The word institution does not seem sensitive to the populations that may be living in these areas. Institution can have a negative connotation.*
- *Staff wanted to consolidate terms and procedures where the "products" would be similar. The City used a tool called the Planned Area for Ridgecrest. The product for Ridgecrest was long range site specific development regulations. The product staff envisions for a Master Plan is a long range site specific*

*permit that takes the form of development regulations. Therefore, staff proposed to call all such areas Planned Areas. The City could easily call areas that are encouraged to Master Plan – Master Plan Areas or something else, but staff believes fewer terms and processes is better.*

**Development Code amendments:**

In table 20.30.060 under 2. Rezone, add CTED under column regarding review authority as this would be required where rezone amends the Complan...

*Although CTED does review all proposed amendments to the Comprehensive Plan and Development Code, I believe this column is referring to the entity that holds the public hearing if one is required. Also, the proposed amendments to the Development Code are not intended to change regulations related to anything other than Master Plan Permitting.*

Also, Subarea Plans are not mentioned in the Development Code amendments, are there no revisions needed?

*Subarea Plans are reviewed as Legislative Decisions under 20.30.070, amendments to the Comprehensive Plan and/or Development Code.*

**SEPA document:**

*(Following comments refer to appropriate section of SEPA document by letter, number)*

- A. 7. Subarea plans are not mentioned, ...think we currently have several in the works such as Town center, Ballinger, South of Bridge, .....

*The staff response to this question focused on Master Plans and Planned Areas, not subareas.*

- A. 8. Define SEPA required for “future”....Proposals...does that mean any that are currently in the works such as Ridgecrest have no further SEPA requirement??

*No.*

- A. 10. Add to list:, Approval of Complan amendments, Public Hearings, and Public participation as called out in GMA

*No change recommended.*

- A. 11. Allowing master plans to be approved outside of the annual review cycle conflicts with requirements of GMA that require all amendments for the year to be considered and approved as a whole so the cumulative effects can be considered together.....

*No change recommended. Master Plan Permits as proposed would not contain any information that would necessitate amending the Comprehensive Plan. The amendment to the Comprehensive Plan is occurring now as part of the Annual review. Future Planned Areas would also be considered during the Annual review.*

and, under Comprehensive plan amendments, the fourth bullet regarding Replacing the term master plan with Planned area, could not be more confusing as to intent. Please clarify what this means.

**Consolidation of terms and procedures is the intent.**

Fifth bullet item defies GMA "without amending the Comprehensive plan"

*Staff disagrees. The Comprehensive Plan is being amended during the annual review to delineate and describe those areas that are encouraged to apply for Master Plan permits. The Master Plan permit will not propose any amendments to the Comprehensive Plan.*

Eighth bullet, "Deleting land use policies 76 and 77....." what about the revisions to LU17-18-19, 40,42,43?

*Question #11 asks for a brief description. Staff highlighted the major changes.*

A. Under Development code amendments, 6th bullet, First NE transfer station "or out of code" needs to be decided or clarified.

*At the time the SEPA Checklist was prepared it was not decided. SEPA is done early in the process. It has been decided. First NE Transfer Station (now called Shoreline Transfer Station) is proposed to be renamed Planned Area 1: Shoreline Transfer Station to be consistent with the terms and procedures as proposed.*

A, 12: First line says "could" be applied city wide, but only 4 locations specified, so is that the intent, to do this citywide as it is listed as a non project action, it is not clear what the intent is...please clarify

*The "Citywide" reference is that the City Council through the annual review process could amend the Future Land Use Map to include additional Planned Areas.*

B 1.a. Are there no steep slopes at Fircrest?

*Not that I am aware of.*

At Shoreline Community college I would add streams/creeks I assume are present

*This is addressed later in the SEPA Checklist under B(3) Water.*

B 1. c. Again confused how this can be a non project action, yet describe four sites....which to me implies throughout this document that this only applies to these four sites, and does not include the rest of the city, otherwise the remainder of the City should be noted. As such, these proposed revisions are limited to the four sites listed, and I don't believe that is the intent. **This comment applies throughout the document**

*The statement "this is a non project action" that appears throughout the document is included to indicate that for this question since the proposal does not apply to any particular area in the City – I am unable to accurately answer that question. The specifics that are included for the four sites are included for information since we do know these sites are already designated as a Planned Area or Essential Public Facility.*

B1.g. Add "likely to increase pervious surface as development becomes more intense, until sustainability is applied to development proposals

*Staff will add a comment to the SEPA Checklist.*

B1.h Define "future" is that intended to not include the 4 listed projects?

*Future projects is referring to Master Plan permits and subsequent building or site development permits.*

B.2.a. add increased fuel consumption to attend meetings to discuss this proposal....

☺

B. 4.a. heck marks as you have indicated likely all these are on the four sites.

*Staff will add check marks.*

B.5. Clarify which version of the Comprehensive Plan, 1998, 2005?

*Staff will verify it is the 1998 version of the Comprehensive Plan.*

B.5.d Add the phrase "are intended to" after "These regulations" 2nd sentence

*Staff will add a comment to the SEPA checklist.*

B7.b.1. (noise) added traffic likely to result from all development proposals

*Staff does not know of any particular traffic noise that exists currently that will impact the four proposed Planned Area sites. Traffic created by future development of these sites is covered in B7.b.2.*

B.8. 1. (To ensure compatibility of land uses) It appears that this proposal is a major change in how the approval and permitting process for these type sites will be accomplished. Part of "ensuring compatibility" is to provide thorough public participation as required by RCW 36.70A, (Growth management act).. This proposal takes part of this process away from public review, especially of the final details as is indicated by mentioning use of a quasi-judicial process, and thus the ability to "ensure compatability" with neighborhoods is lessened. How will this change be mitigated?

*The intent is not at all to lessen the about of public process. The idea is actually to increase the amount of public process by at least requiring mailed notice to property owners within 500 feet, a notice sign on the property, a neighborhood meeting and public hearing. If it were processed Legislatively none of this public process is required.*

B.10.a Ridgecrest has already approved for 80'+ tall structures so the height mentioned is incorrect or misleading.

*My mistake. I will add a comment in the SEPA Checklist.*

B.10.b Ridgecrest proposes to construct a structure that will block views/sunlight from/to several single family homes, especially those to the North and west for morning sun and opposite fro evening sun. This is already a known fact and must be accounted for here.

*Staff interprets this section to deal with light and glare not shadowing. In addition, this proposal seeks to change the terminology in regards to Ridgecrest. A separate more detailed checklist was prepared for Ridgecrest.*

B.11.a.b. Look at Ridgecrest proposal when answering this question, answer will not be "no"

*Not aware of any lights or glares that will impede views or produce dangerous glares in Ridgecrest.*

B.14, Transportation. General comment. The need to ensure that the cumulative effects of traffic on this proposed change to Complan and code processes seems to indicate that concurrent review of these proposals as required in 36.70A.130 for revisions to the Comprehensive plan will not

occur concurrently, rather out of the normal cycle. I disagree with the premise that this restricts ability to approve permits due to the need to include in annual review cycle. Most of these Master Planned areas are large, well thought out, well planned sites and planning reasonably extends much farther into the future than for other permit reviews. As such, the hindrance to wait for an annual review cycle could be easily planned around for these type permit applications. This comment applies to other aspects of review of plans covered by these amendments

---

Staff responses to Michael Derrick's Comments received 4/24/08 shown in bold italics.

- 1) It appears that Ronald Wastewater District is not being considered during land use changes proposed by the City. Decisions to change the land use (i.e. R-12 to R-48) substantially increase the demand on our systems. Our systems have been modeled to the current land uses, and our capital improvement projects have been scheduled to meet the needs of development and system repair based on the current land use.

***The land use changes under this proposal do not actually change the zoning. The zoning designation changes to Planned Areas 1-5, but the development regulations for these Planned Areas remain the same for their current zone until a Master Plan Permit is approved. The Utilities will definitely need to be involved in the development and review of Master Plan permits.***

- 2) Under Part D, Supplemental Sheet, Section 6, it is stated that there will be "no increased demands on the utilities." Increased population density could result in increased flow which is a substantial impact on our system.

***This statement only applies to the proposed action. The proposed action does not increase density. A Master Plan permit will likely result in increased density and will require working with the utilities to address these impacts on the City's infrastructure.***

Ronald Wastewater District would like to be included in discussions for the planning of Christa Ministries, Fircrest, Shoreline Community College, Ridgecrest and other "Planned Area as a type of Special District". Since several of these areas will be adding additional units. We would like the City to consider adding a representative from Ronald Wastewater District to the Master Planning process for each of the abovementioned and future projects so that we might be able to offer input during the redevelopment discussions. ***Definitely.***

---



**PROPOSED  
AMENDMENTS TO  
THE  
COMPREHENSIVE  
PLAN  
2008**

## GLOSSARY

Subarea Plans – Subarea plans are meant to provide detailed land use plans for delineated geographic areas. Development regulations may be adopted as part of the subarea plan or after the adoption of a subarea plan using a legislative review process. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Subarea planning may only be initiated by the City.

**Deleted:** and development regulations

**Deleted:** local

**Deleted:** This level of planning brings the policy direction of the Comprehensive Plan

**Deleted:** to a smaller geographic area. These plans are meant to implement the Comprehensive Plan and be consistent with the Comprehensive Plan's policies, development regulations, and Land Use Map, when adopted.

Master Plan Permit - A permit issued by the City that establishes site specific permitted uses and development standards for planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

Planned Area Land Use Designation – pertains to delineated geographic areas that are: unique based on natural, economic or historic attributes; subject to challenges from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Planned Area designations may be initiated by property owner(s) or the City during the annual review of amendments to the Comprehensive Plan.

Planned Area Zoning Designation: Planned Area zoning is meant to provide detailed land use regulations and development standards to implement the Planned Area Land Use designations.

**DRAFT Comprehensive Plan Amendments to Streamline Master Planning Process**

**Amend Figure LU-1: Comprehensive Plan Land Use**

- o Add Planned Area to Legend
- o Change parcel(s) associated with Shoreline Transfer Station from Public Facility to Planned Area 1
- o Change parcel(s) associated with Ridgecrest Study Area from Mixed Use to Planned Area 2
- o Change parcel(s) associated with the Crista Campus from Single Family Institution to Planned Area 3
- o Change parcel(s) associated with the Fircrest Campus from Single Family Institution to Planned Area 4
- o Change Shoreline Community College parcel(s) from Single Family Institution to Planned Area 5

**LU3:** Provide incentives for land uses that enhance the City's vitality through a variety of regulatory and financial strategies including, but not limited to:

- Priority permit review
- Road system reclassification
- Property valuation based on current use
- Reduced impact fees
- Tax abatement
- Methods similar to tax increment financing
- Provision of infrastructure through a private-public partnership
- Transfer of development rights
- ~~Subarea planning or planned area planning for sites with clustering~~ of development to preserve open space
- Flexibility of site and building design if performance standards are met which give equal or better design and protection than the zone

Deleted: Master

Deleted: plans

Deleted: large

**LU 9:** The Low Density Residential land use designation is intended for areas currently developed with predominantly single family detached dwellings. Single family dwelling units will be allowed and other dwelling types, such as duplexes, single family attached, cottage housing and accessory dwellings, may be allowed under certain circumstances.

Appropriate zoning for this designation is R-4 or R-6 Residential, unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.

**LU 12:** The Medium Density Residential land use designation is intended for areas currently developed with medium density residential dwelling uses; and to areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned medium density residential. Single family dwelling units, duplexes, triplexes, zero lot line houses, townhouses and cottage housing will be permitted. Apartments will be allowed under certain conditions.

The permitted base density for this designation may not exceed 12 dwelling units per acre unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved. Appropriate zoning for this designation is R-8 or R-12 Residential.

**LU14:** The High Density Residential designation is intended for areas near employment

and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted.

The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, subarea plan, or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24, R-48 Residential unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: ¶  
or

**LU 17:** The Mixed Use designation applies to a number of stable or developing areas and to the potential annexation area at Point Wells. 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 residential uses.

Appropriate zoning designations for the area include, Neighborhood Business, Community Business, Office, Regional Business, Industrial, R-8, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: and/or

**LU18:** The Community Business designation applies to areas within the Aurora Corridor, North City and along Ballinger Road. This designation provides for retail, office and service uses and high density residential uses. Significant pedestrian connection and amenities are anticipated. Some limited industrial uses might be allowed under certain circumstances. Appropriate zoning designations for this area might include the Neighborhood Business, Community Business, Regional Business, Office, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: or

**LU19:** the Regional Business designation applies to an area within the Aurora Corridor north of 185<sup>th</sup> St. and south of N 192<sup>nd</sup> St. This designation provides for retail, office, service, high density residential and some industrial uses. Significant pedestrian connection and amenities are anticipated. Appropriate zoning designations for this area include Community Business, Office, Regional Business, Industrial, R-12, R-18, R-24, R-48 unless a subarea plan, neighborhood plan or special district overlay plan/zone has been approved.

Deleted: or

**LU40:** Create subarea plans or planned areas for the Aurora Corridor to include smaller city blocks, a park/plaza in the Seattle City Light Right-of-Way, a transit center, and large public areas for a mix of city activities.

Deleted: Master Plan areas

Deleted: of

**LU42:** The Public Facilities land use designation applies to a number of current or proposed facilities within the community. It is anticipated that the underlying zoning for public facilities shall remain unless adjusted by a formal amendment to this plan.

**LU43:** Planned Areas designate distinctive geographic areas that are unique based on natural, economic or historic attributes; subject to challenges from transition in land uses; or contain essential public facilities for additional planning. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply

existing Comprehensive Plan policies to better reflect changing circumstances and opportunities. Planned Area designations may be initiated by property owner(s) or the City during the annual review of the Comprehensive Plan. The appropriate zoning for this designation is a Planned Area zone.

**LU 43.1: Planned Area 1 - Shoreline Transfer Station:** The Shoreline Recycling and Transfer station formerly called the First Avenue NE Transfer station is located at 2300 N. 165<sup>th</sup> Street. This King County operated solid waste transfer station is surrounded by single family residential development, King County Bus Barn, Seattle City Light Utility Substation, a City park and Interstate 5. The Transfer Station meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

A Master Plan was approved for the Shoreline Transfer Station in 2003. The Master Plan included:

- a. An expanded recycling collection area where customers can bring materials for recycling, composting and reuse, including a separate yard waste area;
- b. An enclosed transfer building which will have larger, easier-to-use waste unloading areas, which will reduce customer wait times;
- c. Thornton Creek buffer reforestation that will improve wildlife habitat and the quality of the Creek;
- d. A new site layout that will reduce neighborhood impacts and improve on-site traffic flow;
- e. A pre-load compactor to improve the efficiency of waste handling and lessen the number of transfer trailer trips required to and from the station;
- f. A roof that contains solar panels that will help reduce energy costs and can accommodate today's larger solid waste collection vehicles;
- g. Sustainable building design features that will improve energy efficiency and result in lower operating costs than conventional building design; and
- h. Environmental enhancements, particularly with storm and waste water systems, to protect Thornton Creek and public health.

**LU 43.2: Planned Area 2 – Ridgecrest:** Ridgecrest Planned Area 2 comprises approximately 6.6 acres located within the neighborhood's commercial center, east of Interstate 5, at the corner of NE 165<sup>th</sup> and 5<sup>th</sup> Avenue NE. The unique economic opportunity and the need to address the transition from commercial development to adjacent single family residential development was the impetus for this Planned Area.

LU 43.3: Planned Area 3 – CRISTA: CRISTA Ministries is a 55 acre campus devoted to education, senior care and housing, broadcasting, humanitarian missions, relief and aid to those in need and specialized camps.

CRISTA Ministries is a unique site within the City. Although the services that are provided are not public, the campus provides housing for nearly 700 senior citizens, education for 1,200 Pre-K to High School students and employment for nearly 900 people (based on 2007 estimates). There is a need to look inward to plan for all aspects of the on campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on campus activities. Although the City is interested in the planning and development of on-campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

LU 43.4: Planned Area 4 – Fircrest Campus: The Fircrest Campus is an approximately 90 acre site with unique natural features. Existing uses currently include the Fircrest School, a state operated residential facility that serves the needs of persons with developmental disabilities; a Washington State Department of Health Public Health Laboratory; and two non-profit tenants who lease buildings on the Campus. Approximately 36 acres of the Campus is defined as excess to Fircrest School, including the leased buildings. Along with the continuation of the Fircrest School, the State Legislature has recognized unique opportunities for the Fircrest Campus, including smart growth, affordable housing, sustainable development and a variety of uses to benefit the public. Due to the mix of uses and facilities the Campus supports, more than one planned area may apply to the Campus. The campus is surrounded by a mix of uses: single family residential development, multi family residential, office, commercial and City parks. Fircrest meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning, such as through the Planned Area and Master Plan Permit process, and to develop site-specific standards in order to holistically address future development and redevelopment. Uses contemplated for the excess property located on the Fircrest Campus do not all meet the definition of essential public facilities.

Fircrest is a unique site within the City. There is a need to look inward to plan for all aspects of the on-campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on-campus activities. Although the City is interested in the planning and development of on-campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

LU 43.5: Planned Area 5- Shoreline Community College: Shoreline Community College is an approximately 79 acre state operated community college surrounded by single family residential development and City parks. The College meets the definition of an essential public facility. Essential public facilities are encouraged to undergo additional planning and the development of site specific standards in order to holistically address future development and redevelopment.

Shoreline Community College is a unique site within the City. There is a need to look inward to plan for all aspects of the on-campus environment; and there is a need to look outward to carefully consider and plan for the offsite impacts triggered by the intensity of the on-campus activities. Although the City is interested in the planning and development of on campus uses, the City is especially interested in identifying and addressing offsite impacts such as traffic, transition between uses, stormwater management and critical area protection.

**LU74:** All new Essential Public Facilities and substantial modifications to existing Essential Public Facilities shall be required to undergo a siting process by the City of Shoreline except that where site-specific standards such as a planned area with an approved master plan permit or subarea plan are in place for the proposed Essential Public Facilities, those specific standards will apply to development. Facility siting shall consider:

- consistency with locations identified as appropriate for public purposes on the Land Use Element Map;
- compatibility with adjacent land uses;
- fair distribution of public facilities throughout the City;
- reduction of sprawl development;
- promotion of economic development and employment opportunities;
- protection of the environment;
- positive fiscal impact and on-going benefit to the host jurisdiction;
- consistency with City of Shoreline Comprehensive Plan (e.g. Capital Facilities, Utilities, Transportation, Housing, Economic Development, the Environment and Community Design);
- ability to meet zoning criteria for Special Use Permits as defined in the Shoreline Municipal Code;
- public health and safety;
- forecasted regional or state-wide need;
- ability of existing facilities to meet that need;
- compatibility with this Comprehensive Plan;
- evaluation in context of agency or district plan (and consistency with this agency or district plan);
- analysis of alternative sites; and
- provide a public review process that includes, at a minimum, public notice and a public comment period. Special use permits and master plan permits may require public meetings and/or a public hearing process.

The siting process for Essential Public Facilities shall be coordinated with neighboring jurisdictions and with King and Snohomish counties by participating in the interjurisdictional process developed by the King County Growth Management Planning Council and the process adopted by Snohomish County (where appropriate). Specific siting processes will be established in Comprehensive Plan implementing regulations.

**LU 75:** All new Essential Public Facilities and redevelopment, expansion of a use and/or change of a use of an existing Essential Public Facility shall be required to undergo development review by the City of Shoreline. A master plan permit is encouraged for Essential Public Facilities. Development standards and review criteria shall consider:

- the types of facility uses and operations and their impacts;

Deleted: P

Deleted: M

Deleted: P

Deleted: s

- compatibility of the proposed development, expansion or change of use, with the development site, with neighboring properties and with the community as a whole;
- environmental review pursuant to State Environmental Policy Act (SEPA Rules WAC 197-11); and
- development standards to mitigate aesthetic and functional impacts to the development site and to neighboring properties.

**H10:** Provide opportunities and incentives through the Planned Unit Development (PUD) or master plan permit process for a variety of housing types and site plan concepts that can achieve the maximum housing potential of a large site.

**Comment:** Remove LU 76 & 77 from Comp Plan and include as a regulation in the Development Code.

**Deleted:** LU 76: A Master Plan is encouraged for Essential Public Facilities. The purpose of the Master Plan is to incorporate all proposed new development, redevelopment and/or expansion of an existing development. A Master Plan is a comprehensive long-range plan for the use of the property. Its purpose is to guide the growth and development of the facility so that they serve their users and benefit the community.¶

¶  
A Master Plan shall include:¶  
<#>a Statement of Justification for the proposed development;¶  
<#>a narrative description and drawings of uses existing on the site (including historic sites and environmentally critical areas);¶  
<#>uses to be developed on site;¶  
<#>location of existing/proposed uses;¶  
<#>bulk and scale of existing/proposed uses;¶  
<#>conceptual architectural design of proposed structures/integration of new and existing uses OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;¶  
<#>existing/conceptual proposed landscaping (native vegetation and decorative plantings) OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;¶  
<#>existing/conceptual proposed access, parking plans;¶  
<#>buffers, as appropriate, between on-site uses;¶  
<#>buffers between the site and surrounding properties; and ¶  
<#>an environmental analysis including impacts and proposed mitigation for noise, light, glare, and any other environmental impacts to be expected from the use.¶

¶  
A Master Plan may be revised for proposed new development subject to Master Plan regulations. Master Plan amendments should occur concurrently with the City's process for amending the Comprehensive Plan, and should include a public participation process. ¶

¶  
LU77: When a Master Plan is accepted by the City, an overlay designation will be placed upon the property, indicating that the Master Plan is the governing document. ... [1]

**Deleted:** Master Plan



LU 76: A Master Plan is encouraged for Essential Public Facilities. The purpose of the Master Plan is to incorporate all proposed new development, redevelopment and/or expansion of an existing development. A Master Plan is a comprehensive long-range plan for the use of the property. Its purpose is to guide the growth and development of the facility so that they serve their users and benefit the community.

A Master Plan shall include:

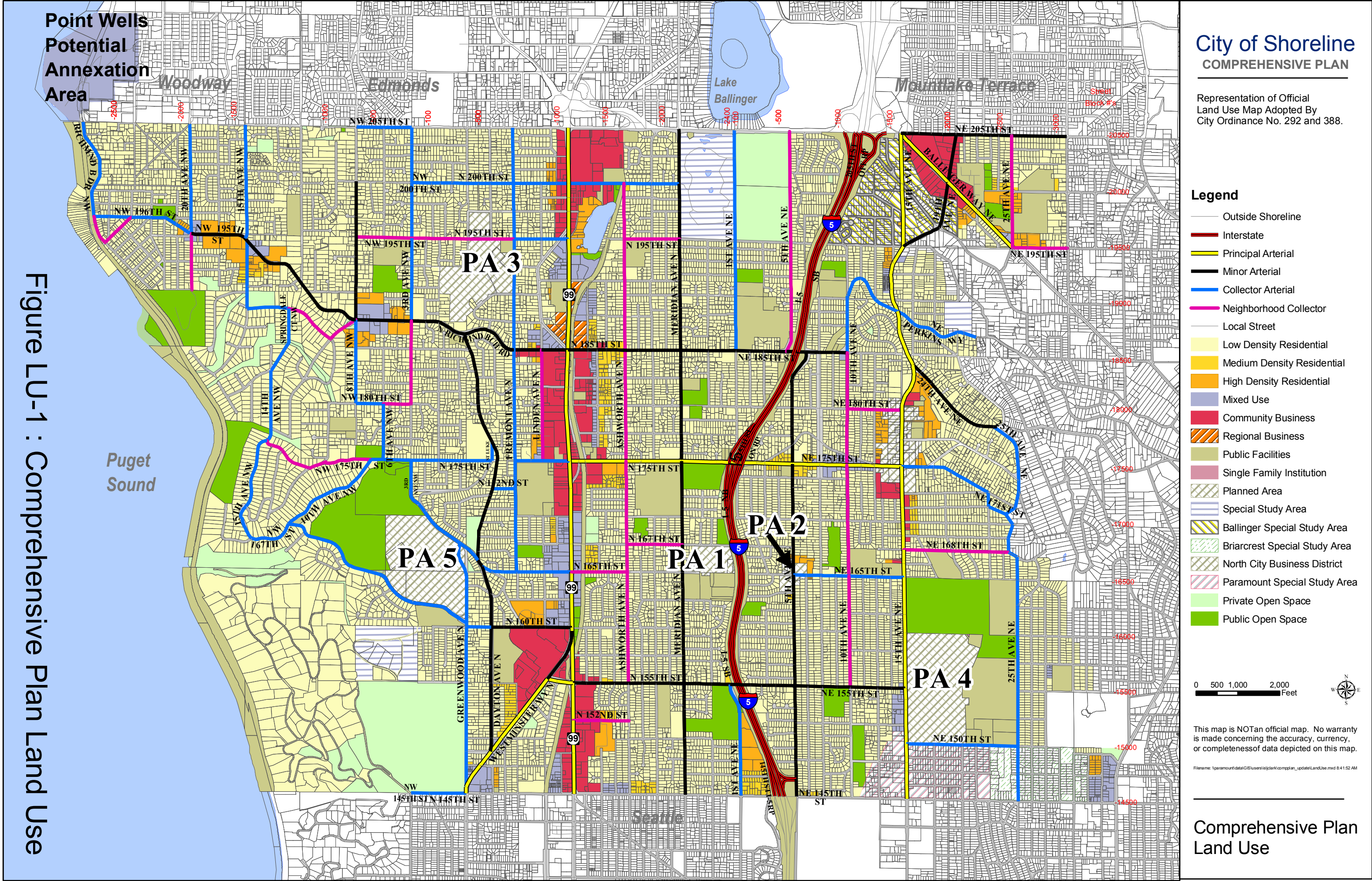
- a Statement of Justification for the proposed development;
- a narrative description and drawings of uses existing on the site (including historic sites and environmentally critical areas);
- uses to be developed on site;
- location of existing/proposed uses;
- bulk and scale of existing/proposed uses;
- conceptual architectural design of proposed structures/integration of new and existing uses OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;
- existing/conceptual proposed landscaping (native vegetation and decorative plantings) OR a process by which the applicant will submit a specific architectural design at the time when a specific development is proposed;
- existing/conceptual proposed access, parking plans;
- buffers, as appropriate, between on-site uses;
- buffers between the site and surrounding properties; and
- an environmental analysis including impacts and proposed mitigation for noise, light, glare, and any other environmental impacts to be expected from the use.

A Master Plan may be revised for proposed new development subject to Master Plan regulations. Master Plan amendments should occur concurrently with the City's process for amending the Comprehensive Plan, and should include a public participation process.

LU77: When a Master Plan is accepted by the City, an overlay designation will be placed upon the property, indicating that the Master Plan is the governing document for new development or redevelopment. Specific project applications under an approved conceptual Master Plan may require site plan review. This review would ensure that the specific projects are consistent with the Master Plan and conform to applicable implementation regulations. Building permits will be required for all new construction. Any proposed development that is not in the approved Master Plan will be considered under a Development Permit Application or a Special Use Permit and will be reviewed through the underlying Land Use Designation/Zoning regulations.



Figure LU-1 : Comprehensive Plan Land Use





## Initiating and Processing Subarea Planning, Planned Areas and Master Plan Permits

Planning Tools	Who can use the tool?	How is this tool implemented?	When can the tool be used?	What process is used to review the plans or permit?
<p><b>Subarea Plan:</b> provides detailed land use plans for defined geographic areas. Development regulations may be adopted as part of the subarea plan or after the adoption of a subarea plan. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities.</p>	City	Council provides direction such as Council Goal setting; budgeting; approval of Planning Commission or Department Work Plan	Anytime	Legislative
<p><b>Planned Area Land Use Designation:</b> pertains to specific geographic areas that are unique based on natural, economic or historic attributes; subject to problems from transition in land uses; or contain essential public facilities. This level of planning seeks to engage area residents, property owners and businesses to clarify and apply existing Comprehensive Plan policies to better reflect changing circumstances, problems, and opportunities.</p>	City or Property owner(s)	Staff or property owner(s) submit a site specific Comprehensive Plan Amendment (amends the Future Land Use map & the Zoning map) application to the City	Once a year in conjunction with the Annual Review of proposed amendments to the Comprehensive Plan (applications are accepted year round)	Legislative for City/Quasi Judicial for Property Owner(s)

Planning Tools	Who can use the tool?	How is this tool implemented?	When can the tool be used?	What process is used to review the plans or permit?
<b>Planned Area Zoning Designation:</b> Planned Area zoning is meant to provide detailed land use regulations and development standards to implement the Planned Area Land Use designations.	City or Property owner(s)	Staff or property owner(s) submit a site specific Comprehensive Plan Amendment (amends the Future Land Use map & the Zoning map) application to the City	Once a year in conjunction with the Annual Review of proposed amendments to the Comprehensive Plan (applications are accepted year round)	Legislative for City/Quasi Judicial for Property Owner(s)
<b>Master Plan Permit:</b> A permit issued by the City that establishes site specific permitted uses and development standards for planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.	Property owners of parcels designated as Planned Areas in the Comprehensive Plan and on the Zoning Map	Applicable property Owner(s) submit a Master Plan Permit Application to the City for review	Anytime	Quasi Judicial

**PROPOSED  
DEVELOPMENT CODE  
AMENDMENTS  
ASSOCIATED WITH  
PROPOSED 2008  
AMENDMENTS TO THE  
COMPREHENSIVE PLAN**

### Amend Ordinance 292: Official Zoning Map

- o Change Shoreline Recycling and Transfer Station from R-6 to Planned Area 1
- o Add overlay of Planned Area 3 over parcel(s) associated with the CRISTA underlying zoning remains the same
- o Change parcel(s) associated with the Fircrest Campus from R-6 to Planned Area 4
- o Change Shoreline Community College parcel(s) from R-4 and R-6 zones to Planned Area 5

## 20.20 Definitions

### 20.20.036

#### **Master Plan Permit**

A permit issued by the City that establishes site specific permitted uses and development standards for certain planned areas or essential public facilities. Master Plan Permits incorporate proposed new development, redevelopment and/or expansion of an existing development.

Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision (5), (6)	Review Authority, Open Record Public Hearing (1)	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
Type C:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.410
2. Rezone of Property(2) and Zoning Map Change	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.330
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.336
6. Final Formal Plat	None	Review by the Director – no hearing	City Council	30 days	20.30.450
7. SCTF – Special Use Permit	Mail, Post Site, Newspaper (7)	PC (3)	City Council	120 days	20.40.505
8. Street Vacation	PC (3)	PC (3)	City Council	120 days	Chapter 12.17 SMC

9. Master Plan Permit	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.337
-----------------------	----------------------------	--------	--------------	----------	-----------

- (1) Including consolidated SEPA threshold determination appeal.
  - (2) The rezone must be consistent with the adopted Comprehensive Plan.
  - (3) PC = Planning Commission
  - (4) HE = Hearing Examiner
  - (5) Notice of application requirements are specified in SMC 20.30.120.
  - (6) Notice of decision requirements are specified in SMC 20.30.150.
  - (7) Notice of application shall be mailed to residents and property owners within one-half mile of the proposed site.
- (Ord. 406 § 1, 2006; Ord. 324 § 1, 2003; Ord. 309 § 3, 2002; Ord. 299 § 1, 2002; Ord. 238 Ch. III § 3(c), 2000).

#### **20.30.337      Master Plan Permit**

**A. Purpose.** The purpose of a Master Plan Permit is to address concerns unique to an area through a public process when other zoning mechanisms cannot achieve the desired results. An area may be unique based on natural, economic or historic attributes; be subject to challenges from transition in land uses; or contain essential public facilities that require specific land use regulations for their efficient operation. Master Plan Permits provide a means to modify zoning regulations for specific areas defined in the Comprehensive Plan.

**B. Decision Criteria.** A Master Plan Permit shall be granted by the City, only if the applicant demonstrates that:

1. The Master Plan meets or exceeds the current regulations for Critical Areas if critical areas are present.
2. Requested modifications to standards are limited to those which will avoid, reduce and then mitigate impacts if they cannot be avoided or reduced in a manner equal or greater than the standards of all applicable codes;
3. The proposed development demonstrates the use of innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design;
4. The Master Plan Permit demonstrates that there is either sufficient capacity in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will

be adequate capacity by the time each phase of development is completed;

5. The Master Plan Permit demonstrates that there is either sufficient capacity within public services such as water, police, fire, 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;
6. The Master Plan Permit contains design, landscaping, parking/traffic management and multi-modal transportation elements that minimize conflicts between the Master Plan property and adjacent uses; and
7. All significant offsite impacts associated with the implementation of the Master Plan Permit including but not limited to noise, shading, glare, surface water and traffic, will be identified and avoided, reduced and then mitigated if they cannot be avoided or reduced by the applicant.

#### **C. Vesting.**

Applicability. A Master Plan Permit shall be reviewed under this Chapter and all other local, state and Federal land use regulations in effect on the date the Master Plan Permit application has been deemed complete by the City.

#### **D. Amendments.**

Minor amendments to an approved Master Plan permit may be approved by the Director using procedures and criteria developed as part of the Master Plan Permit. Major amendments are changes that were not analyzed as part an approved Master Plan Permit unless specifically classified. Major amendments to an approved Master Plan Permit shall be processed as a new Master Plan Permit.

### **20.30.340 Amendment and review of the Comprehensive Plan (legislative action).**

A. Purpose. A Comprehensive Plan amendment or review is a mechanism by which the City may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City, and to review the Comprehensive Plan on a regular basis.

B. Decision Criteria. The Planning Commission may recommend and the City Council may approve, or approve with modifications an amendment to the Comprehensive Plan if:

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or
2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or



3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare. (Ord. 238 Ch. III § 7(f), 2000).

C. Planned Area Land Use Designation Decision Criteria. In addition to the Decision Criteria in Subsection(B), the Planning Commission and the City Council may approve, or approve with modifications a request to amend the Comprehensive Plan to designate a Planned Area if the applicant demonstrates that:

1. The subject area is unique or represents a unique opportunity based on natural, economic or historic attributes that warrants additional analysis and planning; or
2. The subject area is subject to challenges from transition in land uses that warrants additional analysis and planning; or
3. The subject area meets the Comprehensive Plan's definition of an essential public facility.

The applicant must also demonstrate that:

4. The proposed Planned Area Land Use designation will employ the City's strategies for Sustainable Development or Comprehensive Housing or Economic Development.

#### **20.40.050 Special districts.**

A. Special Overlay District. The purpose of the special overlay (SO) district is to apply supplemental regulations as specified in this Code to a development of any site, which is in whole or in part located in a special overlay district (Chapter 20.100 SMC, Special Districts). Any such development must comply with both the supplemental SO and the underlying zone regulations.

B. North City Business District (NCBD). The purpose of the NCBD is to implement the vision contained in the North City Subarea Plan. Any development in the NCBD must comply with the standards specified in Chapter 20.90 SMC. (Ord. 338 § 3, 2003; Ord. 281 § 5, 2001; Ord. 238 Ch. IV § 1(E), 2000).

C. Planned Area (PA) zone. The purpose of the PA zone is to develop allow unique zones with regulations tailored to the specific circumstances, public priorities, or opportunities of a particular area that may not be appropriate in a city-wide land use district site-specific use and development standards for areas designated in the Comprehensive Plan as planned areas or essential public facilities.

#### **20.91.Ridgecrest Commercial Planned Area-2 (move to 20.100.100)**

**Chapter 20.100**  
**Special Overlay Districts and Planned Area Zones**

**Sections**

**Subchapter 1. Planned Area 1: First-Northeast Shoreline Recycling and Transfer Station Master Plan.**

**20.100.010**

A. This chapter establishes the long range development plans for the Shoreline Recycling and Transfer Station formerly referred to as the First Northeast Transfer Station Master Plan.

B. The development standards that apply to this Planned Area were adopted by Ordinance 338 on September 9, 2003. A copy of the standards is filed in the City Clerk's office under Receiving Number 2346.

**Subchapter 2. Planned Area 2: Ridgecrest (move 20.91 here)**

**20.100.100**

**Subchapter 3. Planned Area 3: CRISTA**

**20.100.200**

A. The purpose of this chapter is to define the permitted and prohibited uses in CRISTA Planned Area 3.

B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the underlying zoning.

**20.100.210 Planned Area Zones and Permitted/Prohibited Uses**

A. All uses provided for under SMC Chapter 20.40 that are permitted by the underlying zoning for CRISTA: Planned Area 3 shall be allowed pursuant to compliance with all applicable codes and regulations.

B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process by the underlying zoning in CRISTA: Planned Area 3 may be allowed upon obtaining the required use permit.

C. Expansion of a nonconforming use shall be regulated per 20.30.280 (D) unless more specific regulations are adopted through a Master Plan Permit.

D. An approved Master Plan Permit replaces the uses and standards for the underlying zoning in Planned Area 3.

#### **Subchapter 4. Planned Area 4: Fircrest**

##### **20.100.300 Purpose and Scope**

- A. The purpose of this chapter is to define the permitted and prohibited uses in Fircrest Planned Area 4.**
- B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the R-6 zone.**

##### **20.100.310 Planned Area Zones and Permitted/Prohibited Uses**

- A. All uses provided for under SMC Chapter 20.40 that are permitted in the R6 zone shall be allowed in Fircrest: Planned Area 4 pursuant to compliance with all applicable codes and regulations.**
- B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process in the R6 zones may be allowed in Fircrest: Planned Area 4 upon obtaining the required use permit.**
- C. Expansion of a nonconforming use shall be regulated per 20.30.280 (D) unless more specific regulations are adopted through a Master Plan Permit.**
- D. An approved Master Plan Permit replaces the uses and standards of the R-6 zone in Planned Area 4.**

#### **Subchapter 5. Planned Area 5: Shoreline Community College**

##### **20.100.400 Purpose and Scope**

- A. The purpose of this chapter is to define the permitted and prohibited uses in Shoreline Community College Planned Area 1.**
- B. With the exception of those uses and standards contained in this subchapter, all other aspects of development, redevelopment or expansion will be regulated as prescribed in Title 20 and other applicable codes for all uses that are permitted in the R-4-R-6 zones.**

##### **20.100.410 Planned Area Zones and Permitted/Prohibited Uses**

- A. All uses provided for under SMC Chapter 20.40 that are permitted in the R4-R6 zones shall be allowed in Shoreline Community College: Planned Area 1 pursuant to compliance with all applicable codes and regulations.**
- B. Any use listed in SMC Chapter 20.40 that is allowed through the conditional use or special use process in the R4-R6 zones may be allowed in Shoreline Community College: Planned Area 1 upon obtaining the required use permit.**
- C. Expansion of a nonconforming use is prohibited unless it is approved as part of a Master Plan permit.**
- D. An approved Master Plan Permit replaces the uses and standards of the R-4 and R-6 zone in Planned Area 5.**



# Point Wells Potential Annexation Area



**Woodway**











# Edmonds

## Mountlake Terrace

**City of Shoreline**  
**COMPREHENSIVE PLAN**

Representation of Official  
Zoning Map Adopted By  
City Ordinance No. 292.

Shows amendments through  
February 18, 2003.

-  R-4; Residential, 4 units/acre
-  R-6; Residential, 6 units/acre
-  R-8; Residential, 8 units/acre
-  R-12; Residential, 12 units/acre
-  R-18; Residential, 18 units/acre
-  R-24; Residential, 24 units/acre
-  R-48; Residential, 48 units/acre
-  Planned Area
-  O; Office
-  NB; Neighborhood Business
-  CB; Community Business
-  NCBD: North City Business District
-  RB; Regional Business
-  I; Industrial
-  CZ; Contract Zone
-  Unclassified Right of Way

This map is NOT an official map. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

Filename: \\paramount\data\GIS\users\sls\dark\complan\_update\Zoning.mxd 8/4/2014 8:34 AM

## Zoning

Figure LU-\_\_ : Zoning