

**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Comprehensive Plan Update: Outstanding Issues from 9.20.12 Discussion

**DEPARTMENT:** Planning & Community Development

**PRESENTED BY:** Miranda Redinger, Senior Planner  
Steve Szafran, AICP, Senior Planner  
Rachael Markle, AICP, Director P&CD

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|---|---|--|
| <input type="checkbox"/> Public Hearing | <input checked="" type="checkbox"/> Study Session | <input type="checkbox"/> Recommendation Only |
| <input type="checkbox"/> Discussion     | <input type="checkbox"/> Update                   | <input type="checkbox"/> Other               |

**INTRODUCTION & BACKGROUND**

On January 5, 2012, staff and Commissioners discussed the proposed process for the Comprehensive Plan update and public involvement. To date, Commissioners have held multiple discussions about all 10 elements that make up the main body of the Comprehensive Plan, initially focusing on individual elements and then in progressively larger groupings. On September 20, Commissioners reviewed a complete draft document. There were several topics of discussion for which they requested further information, including whether or not it was necessary to include appropriate zoning designations under policies for land use designations, and comments submitted by the Shoreline Water District. It was decided that an additional meeting would be scheduled to resolve these issues prior to the public hearing. Other suggested minor revisions from the September meeting will be incorporated into the public hearing version of the draft Plan, and staff will make note of them in the October 18 staff report.

**DISCUSSION**

***Zoning and Land Use Designations***

Attachment A is a track-change version of most of the Land Use Goals and Policies (staff did not include process for siting Essential Public Facilities, but did fix numbering error brought up at 9/20 meeting). Staff discussed this issue, analyzed several scenarios, researched Growth Management Act policies, and concluded that the zoning designations could be removed, but left text that specified maximum residential densities to provide certainty for property owners and neighbors about the level of development that could occur within residential designations. If the Commission has additional questions regarding this exercise or edits, Paul Cohen will be available to answer them.

Approved By:

Project Manager 

Planning Director \_\_\_\_\_

Staff also noticed a policy that had been deleted regarding the Campus land use designation. Since this designation will not be consolidated as part of the upcoming Commercial Zone Consolidation and Design Standards project, staff has reinserted this policy as LU18. Additional text has been added to resolve the Big Picture Question to allow new uses as part of a Master Development Plan for this designation. The highlighted text below LU18, which names the specific institutions that are designated Campus, will be moved to a sidebar.

Also included in Attachment A is text that will be used in sidebars to define items that warrant additional information, such as Transfer of Development Rights, EcoDistricts, and third places.

Another unresolved Big Picture Question was whether or not to delete the policy regarding Special Study Areas. Since Light Rail Station Areas have been designated as such, staff recommends leaving the policy, but deleting references (and Land Use Map designations) to Special Study Areas identified in previous iterations of the Plan, including Cedarbrook and Ballinger Commons. The Draft Land Use Map (Attachment B) designates these areas as Low Density Residential to conform to their current zoning. During previous Comprehensive Plan updates, both areas were being considered for redevelopment, and it was thought that a Special Study Area designation was warranted, but staff believes that current zoning and land use categories will be sufficient for anticipated uses. Furthermore, staff does not foresee any time in the next several years where resolving these Special Study Areas would be a priority on the Planning and Community Development work plan.

Technically, Ballinger Commons is built at 6.5 units per acre, so it will retain the legal nonconforming status it has had since it was built under King County codes, prior to the City's incorporation. The Commission may direct staff to consider other options, including designating this property as Medium or High Density Residential as a future amendment to the Land Use Map.

### ***Public Comment from September 20 meeting***

#### Shoreline Water District

Charlotte Haines, Commissioner for the Shoreline Water District (SWD), presented a letter that raised seven major concerns of the district regarding language in the Capital Facilities and Utilities Elements of the draft Plan. Listed below are the points from the letter, with staff comments immediately following each one in *italics*. Jeff Forry, Permit Services Manager, and Mark Relph, Director of Public Works, will attend the meeting to answer any questions.

The following are excerpted from Ms. Haines' written comments from the 9/20/12 Planning Commission meeting and are accompanied with Shoreline staff responses:

1. The **organization of several components of the plan** is duplicative and results in several inconsistencies within the plan. For example,

- On page 55, the first paragraph identifies that the utilities section shall include electrical, telecommunication and natural gas lines and the second paragraph identifies that publicly owned utilities will be discussed in the Capital Facilities Section of the Plan.
- Yet, Goal UIII to acquire the SPU system in Shoreline is identified in this section;
- Policy U1 and U2 identify utility providers and levels of service and investigate alternative service provisions options to the City residents (both on page 56) are also discussed.
- In the Capital Facilities Element Supporting Analysis section, the second paragraph on page 121 identifies that both city-managed and non-city managed public facilities are to be discussed in this.
- Page 131 identifies that the City's storm water utility is also a city-managed capital facility.

Is the City considering privatizing the operation of the water, sewer and storm water system in the City of Shoreline? If not, then these items need to be removed from the Utilities section of this plan.

***Bullets One, Two and Three – Some policies and goals are echoed in both the Utility and Capital Facilities Elements. This is a deliberate redundancy to address confusion regarding the subtle difference between a capital facility and a utility.***

*The staff report for the April 19 meeting included a description of the difference between these elements and is included below:*

*“A Capital Facilities Element includes the types of facilities the jurisdiction considers necessary for development. A capital facility is a structure, street, or utility system improvement, or other long-lasting major asset, including land. Capital facilities are provided for public purposes. Capital facilities may include: streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreation facilities, schools, and police and fire protection facilities...”*

*The Utilities Element consists of the general or proposed location and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines. No criteria or requirement is provided in GMA, the RCW or WAC for consistency evaluation of the general utilities included in the Utilities Element because they are ‘not deemed necessary for development.’...Effective comprehensive planning depends on how well the community has done its local utility planning; and on planning by public and private utilities, which may or may not be synchronized with local community plans or concurrent with the demands of growth.”*

*Staff believes that it is important that clear policy direction be provided in both elements to support Council Goals.*

**Bullet Four** – *The statement is correct.*

**Bullet Five** – *The ordinance establishing the City's stormwater collection system names the system the "Stormwater Utility". To maintain consistency between the Municipal Code, Surfacewater Master Plan, and Comprehensive Plan the naming convention was not changed. However, the system is a capital facility managed by the City.*

2. On page 122 of the Capital Facilities section of the plan identifies the **Growth Management Act**. The GMA is the philosophy of "growth pays for growth." Shoreline Water District does that by requiring that developers pay a connection charge to pay for their share of the existing system, and also pay for the costs of the improvements necessary for their development.

**Comment 2** – *Staff believes that this is not a correct characterization of GMA. (See the City's March 20, 2012 response to Shoreline Water District's Comprehensive Plan update). GMA intends that Cities, Counties, and municipalities (special districts) plan for growth and identify the capital facilities necessary to support growth and funding mechanisms to ensure that facilities are provided concurrent with growth. GMA does not intend that cities, counties, and municipalities build their infrastructure on the backs of development. GMA anticipates that development offset their direct impacts when a clear nexus can be identified.*

3. With respect to the **Level of Service** discussed on the last paragraph on page 129, the Plan states that "there are currently differences in the level of investment between SPU and the SWD" and "the City is interested in assuring that the level of reinvestment back into the water system will be at a rate sufficient to meet the long-term goals of the Shoreline Community". Shoreline Water District brought this question before the planning commission in August. How does the City believe it can improve the reinvestment back into the water system at a greater rate than what the District is currently doing? Planning Commissioner Croft recommended this paragraph be removed at that meeting as it was an advocacy-leaning statement. This paragraph has not been removed since that meeting.

**Comment 3** – *Staff recommends that this wording remain. This is a valid statement that is supported by goals and policies in the existing Comprehensive Plan, Vision 2029, and this update. It is an important concept that holds true regardless of whether the City operates a "utility" or a special district forms the utility.*

4. Regarding **Utility Taxes** - equitable funding referenced on page 135 in the Capital Facilities Section identifies that most utility services are financed by rates. In this discussion, as well as on page 141 under the Utility Section, there is a discussion about the utility taxes going to the City of Seattle. Because the utility taxes collected by the City of Seattle are identified in both sections, the City should also identify that it currently collects a 6% franchise fee from SPU that goes into the City of Shoreline's General Fund and not back into the utility.

**Comment 4-** *There is a clear distinction between utility rates, taxes, and franchise fees. Franchise fees are charged for the long-term use of the public rights-of-way by utilities. The franchise rates assessed to locate pipes, manholes, wires, poles, and similar infrastructure is a lease fee for the "private" use of the public rights-of-way.*

5. The **adequacy of service** on page 135 says "the community has expressed a desire to maintain current levels of service". The Growth Management Act identifies that infrastructure shall be adequate at the time the development is available for occupancy. There have never been problems with permitting delays or moratoriums because of Shoreline Water District. In fact, both the Development Services of America and the Inland Group, two current local developers, have identified working with Shoreline Water District on their projects has been beneficial to the developer and to the District. We don't see how the City believes that they can provide better essential services than Shoreline Water District which has been in operation for over 80 years. It seems unreasonable to eliminate the most efficient, experienced provider of water service from Shoreline. Therefore, we do not believe Shoreline Water District should be "evaluated for acquisition".

**Comment 5 –** *The City has not necessarily received the same feedback that the District provides in their comments. The District may operate at an acceptable level, but efficiencies can be gained by eliminating duplicate processes, facilities and human resources.*

6. **Funding sources** discussed on page 137 identifies there are limited funding sources available for capital facilities. Shoreline Water District rate payers paid for their water system and when developers want to connect to our water system, they pay a connection charge, which is the cost for the developer to "buy in" to the existing system. Neither of our two current developers had any issues with paying these connection charges. Shoreline Water District does not want to burden our existing ratepayers for the benefit of development. Further discussion in this section should be made prior to burdening our existing ratepayers to encourage development in the community.

**Comment 6 –** *The purpose of this discussion in the Supporting Analysis is to provide information to decision-makers regarding potential funding sources for future capital projects. It is important for them to have this perspective as the required Six Year Capital Facilities Plan is formed and priorities are set.*

7. **Consolidation of services**, as discussed on page 130, can also be done with a formation of new water district or the expansion of the Shoreline Water District into the west-side of the City. It does not have to be consolidated under a city government. As stated in Section 9 of Shoreline Water District Resolution 2012.09.62, we believe a locally-controlled, independent special purpose district is the best method of providing cost-effective and efficient utility services to the community. Additional options should be considered in the comprehensive plan instead of the City going into the utility business.

**Comment 7** – *The concept of consolidating services and this discussion supports the policies and goals in the Utility and Capital Facility Elements. The City of Seattle is only willing to sell the system to the City of Shoreline as a matter of local jurisdiction.*

#### Ronald Wastewater District

In regard to comments made at the September 20 meeting by a representative from the Ronald Wastewater District, staff recommends that the first sentence of the last paragraph as referenced (page 130 of 9/20 packet) be retained. The wording is consistent with the stated purpose of the Interlocal Agreement between the District and the City. Section 1 of the agreement states “It is the purpose of this agreement to guide the activities, resources, and efforts of the City and the District to provide the citizens of the entire City and the ratepayers served by the District with an efficient and high quality and well maintained sewerage wastewater system at a reasonable cost and to provide an orderly and predictable transition of the wastewater utility from District to City ownership.” Mr. Forry and Mr. Relph will be able to answer additional questions at the meeting.

#### ***Introduction to Transportation Element Goals and Policies***

At the September 20 meeting, Commissioner Wagner proposed to rewrite the Introduction to the Transportation Element Goals and Policies. Staff reviewed her revisions, made some additional edits, and the recommended text is included below:

*Shoreline is located between the cities of Seattle and Lake Forest Park, and cities in Snohomish County. Several local, regional, and national agencies influence transportation in Shoreline, including the Washington State Department of Transportation, King County Metro, Sound Transit, and Community Transit. One purpose of the Transportation Element is to guide how the City focuses strategic efforts in local and regional investments for a transportation system that utilizes regional transportation facilities and services.*

*The City’s transportation system will be multi-modal, with an emphasis on moving people and a “Complete Streets” approach that accommodates all users and emulates natural systems. The Transportation Element identifies development and funding priorities for the transportation network, including roads, sidewalks, bike lanes, trails, and public transit, such as bus and light rail. The Transportation Element directs Shoreline’s transportation improvements.*

*The Transportation Element is also designed to provide insight into the City's intentions and commitments, so that public agencies and individual households can make decisions, coordinate development, and participate in achieving a shared vision. It also provides the foundation for development regulations contained in the Shoreline Development Code and Engineering Development Manual.*

*One of the most significant transportation changes the city will face is the introduction of light rail service in Shoreline. Because of the nature and large impact this service will have, the City has adopted guiding principles as Goals and Policies in the Land Use Element to help direct future development that will take place around the two new stations anticipated within the city.*

*The city's transportation system supports land uses envisioned by the Comprehensive Plan. To further that purpose and provide more detailed analysis and direction, the City adopted a Transportation Master Plan (TMP) in 2011 (See Transportation Supporting Analysis). The TMP is the City's long-range (20 year) blueprint for travel and mobility in Shoreline. The TMP provides guidance for public and private sector decisions on local and regional transportation investments, including short-, mid-, and long-range transportation and related land use activities. Using the TMP, the City can prioritize capital improvement projects, programs, and facilities, and schedule their planning, engineering, and construction as growth takes place. Both the TMP and the Comprehensive Plan have regular cycles for updates to reflect the city's changing transportation needs over time.*

## **NEXT STEPS**

At the October 4 meeting, staff anticipates being able to provide the Commission with a packet that includes the Draft Comprehensive Plan document (including Supporting Analysis maps, and possibly in InDesign format), the SEPA DNS checklist, environmental analyses, and notice of the October 18 public hearing. These materials will need to have been posted in local newspapers and on the website, and submitted to various state and regional agencies (with requisite check-lists) for review to meet GMA requirements by Wednesday, October 3. However, the Commission may still recommend changes to be presented at the public hearing.

Following the public hearing and the Commission's recommendation, staff will present the draft to Council, with the goal of adoption on December 10, 2012.

If you have questions or comments prior to the meeting, please contact Miranda Redinger at (206) 801-2513 or by email at [mredinger@shorelinewa.gov](mailto:mredinger@shorelinewa.gov).

## **ATTACHMENTS**

Attachment A- Revised Land Use Goals and Policies  
Attachment B- Draft Land Use Map

