

# AGENDA

## CITY OF SHORELINE PLANNING COMMISSION REGULAR MEETING



**Thursday, April 19, 2007  
7:00 p.m.**

**Shoreline Conference Center  
18560 1<sup>st</sup> Ave. NE | Mt. Rainier Room**

	<u>Estimated Time</u>
<b>1. CALL TO ORDER</b>	7:00 p.m.
<b>2. ROLL CALL</b>	7:01 p.m.
<b>3. APPROVAL OF AGENDA</b>	7:02 p.m.
<b>4. DIRECTOR'S REPORT</b>	7:03 p.m.
<b>5. APPROVAL OF MINUTES</b> a. March 15, 2007	7:10 p.m.
<b>6. GENERAL PUBLIC COMMENT</b>	7:15 p.m.

*The Planning Commission will take public comment on any subject which is not of a quasi-judicial nature or specifically scheduled for this agenda. Each member of the public may comment for up to two minutes. However, Item 6 (General Public Comment) will be limited to a maximum period of twenty minutes. Each member of the public may also comment for up to two minutes on action items after each staff report has been presented. The Chair has discretion to limit or extend time limitations and number of people permitted to speak. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Speakers must clearly state their name and city of residence.*

<b>7. PUBLIC HEARING</b> <i>Legislative Public Hearing</i>	7:20 p.m.
1. <i>continuation of</i> <b>2007 Development Code Amendments (2<sup>nd</sup> batch)</b>	
a. Staff Overview	
b. Questions by the Commission to Staff	
c. Public Testimony or Comment	
d. Presentation of Final Staff Recommendation	
e. Final Questions by the Commission and Commission Deliberation	
f. Closure of the Public Hearing	
g. Vote by Commission to Recommend Approval or Denial or Modification	
<b>8. REPORTS OF COMMITTEES AND COMMISSIONERS</b>	8:00 p.m.
<b>9. UNFINISHED BUSINESS</b>	8:05 p.m.
<b>10. NEW BUSINESS</b>	8:10 p.m.
a. Study Session: Strategic Points for Town Center Projects	
<b>11. ANNOUNCEMENTS</b>	8:50 p.m.
<b>12. AGENDA FOR May 3, 2007</b>	8:55 p.m.
Public Hearing: Site Specific Rezone/Comprehensive Plan Amendment: Sean Leiser	
Study Session: South Aurora Triangle Development Code	
Study Session: Ridgecrest/Economic Development	
<b>13. ADJOURNMENT</b>	9:00 p.m.

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# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

March 15, 2007  
7:00 P.M.

Shoreline Conference Center  
Mt. Rainier Room

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### COMMISSIONERS PRESENT

Chair Piro  
Vice Chair Kuboi  
Commissioner Hall  
Commissioner Harris  
Commissioner McClelland  
Commissioner Pyle  
Commissioner Wagner (Arrived at 7:18 p.m.)

### STAFF PRESENT

Joe Tovar, Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
Steve Szafran, Planner II, Planning & Development Services  
Glen Pickus, Planner II, Planning & Development Services  
Jessica Simulcik Smith, Planning Commission Clerk

### COMMISSIONERS ABSENT

Commissioner Broili  
Commissioner Phisuthikul

### CALL TO ORDER

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

### ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Hall, Harris, McClelland, and Pyle. Commissioner Wagner arrived at 7:18 p.m. Commissioner Phisuthikul was excused, and Commissioner Broili was absent.

### APPROVAL OF AGENDA

No changes were made to the proposed agenda.

## **DIRECTOR'S REPORT**

Mr. Cohn advised that a written update about the development at South Echo Lake was included in the Commission's packets.

## **APPROVAL OF MINUTES**

The minutes of February 1, 2007 were approved as modified. The minutes of March 1, 2007 were approved as presented.

## **GENERAL PUBLIC COMMENT**

There was no one in the audience to provide comments during this portion of the meeting.

## **PUBLIC HEARING ON DEVELOPMENT CODE AMENDMENTS**

Mr. Szafran distributed new pages outlining modifications that were recommended by the City Attorney on two of the amendments. In addition, he requested that Amendment 15 (required buffer areas) be removed from the group of docketed amendments.

## **Staff Overview and Presentation of Preliminary Staff Recommendation and Questions by the Commission to Staff**

Mr. Szafran advised that this is the second group of Development Code Amendments for 2007. The first batch was related to cottage housing. He noted that, with the exception of Amendment 17, all the code amendments were initiated by staff.

The Commission and staff reviewed each of the amendments as follows:

- **Amendment 1:** 20.20.016 D Definitions. This amendment would change the definition of single-family attached dwellings to make it easier to distinguish between duplexes, apartments and single-family attached units.

Commissioner Hall said that while the intent of the proposed language is to define single-family attached dwellings, the definition appears to define buildings instead of dwelling units. He explained that the original definition defined each of the units as single-family attached dwellings if they were attached to two or more other units, but this was very awkward. The proposed amended language is structurally better, but it ends up saying that a building containing numerous units would be one single-family attached dwelling. He suggested that is not really the intent of the new language.

Mr. Cohn pointed out that the definition section also includes a definition for dwelling apartments, dwelling duplexes, and dwelling multi-family. In all of these instances, the word "dwelling" always

seems to refer to a building. The Commission agreed that no change would be necessary to the amendment as proposed.

Commissioner Harris questioned why a 2-unit duplex would be considered different than 2 single-family attached dwellings. Mr. Pickus explained that a 2-unit townhome must be side-by-side where a duplex could be one unit above the other. However, two townhomes would be considered a duplex, as well.

Commissioner Wagner arrived at the meeting at 7:18 p.m.

- **Amendment 2:** 20.40.054 W Definitions. Mr. Szafran explained that this amendment would add definitions for different types of wireless telecommunication facilities to the definition section so they are easier for the public to find. These definitions were previously embedded in the Zoning and Use Provisions. There was no Commission discussion regarding this amendment.
- **Amendment 3:** 20.30.040 Table. Mr. Szafran advised that the first batch of Development Code amendments that were adopted by the City Council on November 6, 2006 included a new section for site development permits (20.30.315). The proposed new amendment would add site development permits to Table 20.30.040 - Summary of Type A Actions. There was no Commission discussion regarding this amendment.
- **Amendment 4:** 20.30.220 Filing Administrative Appeals. Mr. Szafran advised that this amendment comes from the City Attorney's Office and was added to clarify when appeals could be filed and when decisions shall be deemed received. There was no Commission discussion regarding this amendment.
- **Amendment 5:** 20.30.560 Categorical Exemptions – Minor New Construction. Mr. Szafran explained that this proposed amendment is one of the more major amendments and would raise thresholds for when a SEPA review would be required. The threshold for new residential structures would change from 4 to 20 dwelling units; new commercial space would change from 4,000 to 12,000 square feet; and parking would change from 20 to 40 automobiles. Mr. Cohn advised that this proposed amendment would bring the City's code in line with what other jurisdictions in the area do, and the State rules would allow the change to happen, as well. Mr. Szafran added that, as proposed, the amendment would reduce the amount of SEPA applications for minor construction throughout the City.

Commissioner Pyle pointed out that, as proposed, the amendment would eliminate the potential for someone to appeal an administrative decision if no SEPA determination were required. Mr. Cohn agreed. He explained that building permit applications that fall under the SEPA threshold would be an administrative decision, and there would not be an opportunity to appeal.

Commissioner Hall asked if staff could provide examples of when they issued a Determination of Significance for any proposed residential structure between 4 and 20 units. Mr. Szafran noted that the City issued a Mitigated Determination of Non-Significance for Echo Lake, but they do not typically issue Determinations of Significance for projects of this size. Commissioner Hall concluded that if, in

general, the City always issues a Determination of Non-Significance, there is no reason to require a SEPA review.

- **Amendment 6:** 20.30.760 Junk Vehicles as Public Nuisance. Mr. Szafran advised that this amendment was proposed by the Code Enforcement Staff. It would extend time limits if a request for hearing is submitted by a customer who has received a damage assessment. There was no Commission discussion regarding this amendment.
- **Amendment 7:** 20.30.770 Notice and Orders. Mr. Szafran explained that this proposed amendment would add new language to direct the reader to other code sections for reference. Commissioner Hall questioned if the proposed amendment would result in the ability to foreclose on someone's home. Mr. Tovar said the proposed amendment would not change the City's current policy. However, he recalled the City Attorney's previous comment that the authority to file a lien could ultimately lead to the authority to foreclose on a property. While this would be an extreme measure, it would be a possibility if someone were to ignore the liens.
- **Amendment 8:** 20.40.320 Daycare Facilities. Mr. Szafran advised that this amendment would prohibit Daycare II Facilities in R-4 and R-6 zones. They would be allowed in R-8 and R-12 zones with a conditional use permit. He said the City recently denied an application for a Daycare II Facility in an R-6 because staff felt that a daycare of 12 or more children would be better suited for higher-density zones.

Commissioner McClelland questioned the logic of allowing more children on smaller lots. Why would a Daycare II Facility not be appropriate in an R-6 zone but appropriate in an R-12 zone where the lots and houses are smaller? Mr. Szafran pointed out that R-8 and R-12 densities are generally located along major arterials, resulting in less of a burden on the lower-density residential neighborhoods. Commissioner McClelland voiced her concern that the proposed amendment would place the child care facilities on busier streets. Mr. Tovar said that the larger question is whether a daycare use would be more residential or commercial in nature, which would depend on the scale of the operation. Larger daycare facilities would likely look more like commercial uses, which would be more appropriate in a commercial, office or multi-family residential zone. Mr. Szafran pointed out that because of public concerns, the City has denied previous requests for Daycare II Facilities in R-4 and R-6 zones.

Commissioner Wagner asked if this proposed amendment would have an impact on the existing daycare operations. Mr. Szafran said he does not know of any Daycare II Facilities in R-4 and R-6 zones at this time. However, any existing uses would become legal, non-conforming uses if the amendment were approved.

- **Amendment 9:** 20.50.020(2) Density and Dimensions. Mr. Szafran explained that this amendment would allow greater residential densities in the commercial (CB) zones along Aurora Avenue. The proposed language would remove the current 48-dwelling units per acre density limit. However, development would still have to meet setback, parking and landscaping requirements.

Commissioner Hall asked if it would be better to create a new zoning district, instead of the proposed amendment. He noted that adding footnotes to zoning tables can cause confusion. On the other hand, creating a new zoning district would provide a clear distinction between the CB zones along Aurora Avenue and other commercial zones outside of that area. Mr. Tovar agreed the concept has merit and could be accomplished by a legislative text amendment and/or a map change creating a new designation. Commissioner Hall inquired if a legislative area-wide rezone would require the City to mail a notice to each property of record in the area. Mr. Tovar answered that the City would not legally be required to do this, but as a matter of policy it is something the Commission and City Council should consider.

Commissioner Harris pointed out that not very many parcels would be impacted by the proposed change. Mr. Szafran agreed that approximately 12 parcels would be impacted. Commissioner McClelland cautioned that it would be wrong to make a case for change based only on a recent application. Instead, she pointed out that the proposed amendment was a direct result of the Commission's previously stated desire to create more general flexibility in the code.

Chair Piro suggested, and the Commission concurred, that they should move on with the rest of the proposed amendments and continue their discussions related to Amendment 9 later.

- **Amendment 10:** 20.50.040 Setbacks—Designations and Measurements. Mr. Szafran advised that this amendment would clarify when porches and decks may extend into required side yard setbacks. There was no Commission discussion regarding this amendment.
- **Amendment 11:** 20.50.260 Lighting Standards. Mr. Szafran said the proposed amendment would add a new section to the lighting standards requiring that outdoor lighting be shielded and down lit from residential land uses. There was no Commission discussion regarding this amendment.
- **Amendment 12:** 20.50.410(A) Parking Design Standards. Mr. Szafran explained that the City's current rules do not require multi-family and/or industrial uses to have parking on paved surfaces. The proposed amendment would require paved parking for those uses as well as allow single-family homes to have pervious concrete or pavers as an approved surface to park on. There was no Commission discussion regarding this amendment.
- **Amendment 13:** 20.50.420 Vehicle Access and Circulation Standards. Mr. Szafran advised that this amendment was considered during the first batch of 2007 code amendments and remanded back to the Planning Commission. The amendment would delete the requirement for driveway setbacks from the property line. Mr. Szafran explained that the City Council expressed concern about driveways being too intrusive on adjacent properties. Mr. Tovar added that some of the City Council members brought up examples of problems that could arise. He suggested that before the amendment goes back before the City Council for consideration, it would be appropriate to provide some illustrations, site plans, and hypothetical situations to describe the amendment's intent. The Commission agreed to pull Amendment 13 so that staff could come back at a later date with additional information to address the City Council's concerns. Commissioner Hall said it would be helpful to hear from the public, as well.

Commissioner Harris also asked that staff provide information about what has changed since this code section was enacted about five years ago.

- **Amendment 14:** 20.70.030(C)(3)(1) Required Improvements. Mr. Szafran reviewed that, as proposed, frontage improvements (sidewalks, curb, gutter, street improvements, etc.) would not be required for subdivisions, short plats and binding site plans where all of the lots are fully developed.

Commissioner Hall inquired if this proposed amendment would allow someone to build single-family detached condominiums without having to do the improvements that would be required of a subdivision and then later subdivide the property and sell the parcels off. Mr. Szafran answered that improvements would be required as part of the site development permit stage.

At the Commission's request for further information regarding Amendment 14, Mr. Pickus explained that the proposed amendment is a result of a property owner with two houses already on a parcel with no frontage improvements. The property owner wanted to put each structure onto its own parcel, and it didn't seem right to require him to do frontage improvements when nothing would be changed on the ground. He clarified that frontage improvements would be required whenever development occurs on a residential parcel. Commissioner Hall emphasized that the proposed amendment should not provide an avenue for someone to bypass the frontage improvement requirements. Once again, Mr. Pickus clarified that the City's current code requires frontage improvements as part of any residential construction project, regardless of the context in which it occurs.

Mr. Tovar explained that the creation of the impact is what legally justifies the imposition of the condition of improvement. Whether the impact is created by a subdivision, building permit, grading permit, zoning permit, it doesn't matter. As long as a property owner is getting permission from the City to create an impact, the City has the authority to require the improvements. If they cannot show that linkage, they cannot impose the condition.

Commissioner Pyle asked that staff consider adding a definition for the term "fully developed." Mr. Tovar agreed. If the City is going to grant an exception to the requirement of frontage improvements for subdivisions that are fully developed because there would be no additional impact, Commissioner Pyle questioned why they should continue to require frontage improvements for single-family remodels. He noted that a property owner would receive a benefit from subdividing a property. At the same time, the City penalizes someone who is redeveloping an existing home even though there would be no new impact. Mr. Tovar said it would all depend on the extent of the remodel, which could potentially have an impact on the street grid. He said the intent is to correspond with what they understand the state of the law to be. It is important that there be a clear nexus between the code requirements and the impacts associated with what the developer is proposing to do. He suggested that perhaps it would be appropriate to review the threshold the City currently uses to determine these situations.

The Commission agreed to pull Amendment 14 to allow staff to provide additional information at a later date regarding potential unintended consequences.



- **Amendment 15:** 20.80.230 Required Buffer Areas. Mr. Szafran reminded the Commission of staff's request to pull Amendment 15 from the docket.
- **Amendment 16:** 20.80.330(A) Required Buffer Areas. Mr. Szafran explained that the proposed amendment names the document used for determining wetland buffers, which is the 1997 Washington State Department of Ecology Wetland Delineation Manual.

Commissioner Pyle clarified that while the amendment description on Page 40 appears to imply that the Manual was used to determine wetland buffers, it was actually used to determine the wetland boundaries. In addition, he recalled that one section in the code describes how critical areas are established, and perhaps it would be better to situate Section 20.80.330 in a section that identifies critical areas as opposed to one that identifies buffers. Staff agreed to consider Commissioner Pyle's suggestion.

- **Amendment 17:** 20.90.110 Lighting. Mr. Szafran noted that this is the only citizen initiated code amendment. The request is to allow neon signage to outline buildings in the North City Business District. At this time, neon signs are allowed in all other commercial areas of the City of Shoreline. He advised that staff supports the amendment as long as the neon tubes are an integral part of the building design. There was no Commission discussion regarding this amendment.

### **Public Testimony or Comment**

There was no one in the audience to participate in the public hearing.

### **Presentation of Final Staff Recommendation**

Mr. Cohn suggested the Commission forward a recommendation of approval to the City Council on Amendments 1-8, 10-12, 16 and 17. The Commission could continue their discussions related to Amendments 9, 13, 14, and 15 at their April 19<sup>th</sup> meeting. Hopefully, staff would have additional code amendments for the Commission to consider on April 19<sup>th</sup>, as well.

### **Final Questions by the Commission and Commission Deliberation**

Commissioner Hall pointed out that the technology of fluorescent lighting has improved radically. The fluorescent bulbs put out as much brightness in a far more natural color and use far less electricity. He questioned if it would be appropriate, at some point in the future, to update the City's lighting requirements to allow people to use more energy efficient lighting as long as it provides a natural enough light. Mr. Tovar agreed that this concept might be one of a number of ideas the Commission and City Council might want to consider when reviewing strategies for creating an environmentally sustainable city.

Commissioner Harris asked if Amendment 11 is aimed at enforcement of current problems. Mr. Szafran answered there was a previous situation where lights on a commercial property shined onto a residential property. He noted that the amendment would be applied to both residential and commercial properties.

### **Vote by Commission to Recommend Approval, Denial or Modification**

**COMMISSIONER HARRIS MOVED THAT THE COMMISSION FORWARD PROPOSED DEVELOPMENT CODE AMENDMENTS 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 16 AND 17 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION WAS APPROVED 7-0.**

**COMMISSIONER WAGNER MOVED THAT THE COMMISSION CONTINUE THE PUBLIC HEARING FOR THE REMAINING DEVELOPMENT CODE AMENDMENTS (AMENDMENTS 9, 13, 14 AND 15) ON THURSDAY, APRIL 19, 2007. COMMISSIONER HARRIS SECONDED THE MOTION.**

Commissioner Wagner said that while the intent of Amendment 9 is to build flexibility into the regulations by offering a density bonus in exchange for a public amenity, she cautioned against moving forward with an amendment for just this one area unless they have plans to take up a more comprehensive review of how the concept could be applied to other zones in the City. Mr. Tovar agreed and advised that this concept would be discussed later in the meeting as part of the Commission's review of the 2010 Shoreline Work Program.

Mr. Szafran said that at the April 19<sup>th</sup> meeting, staff would provide information regarding the various options for addressing the intent of Amendment 9. He also said he would provide more information for the Commission to consider regarding the proposed boundaries the amendment would be applied to. Commissioner Wagner said she would also like staff to provide details about the properties that would be impacted by the proposed change.

Commissioner Hall expressed his concern that proposed Amendment 14 would encourage homeowners to do improvement projects in stages to avoid triggering the requirements for frontage improvements. He particularly noted a situation where a homeowner could construct a garage and a few years later turn it into an accessory dwelling unit. At a later date, the property owner could subdivide the property without providing the frontage improvements. He asked staff to provide more information that would assure him the amendment would not be misused. Staff agreed to research this amendment further.

Regarding proposed Amendment 13, Commissioner Hall requested that staff provide the Commission with a legislative record to identify when Section 20.50.420 related to vehicle access and circulation standards was actually added to the code.

**THE MOTION TO CONTINUE THE HEARING WAS APPROVED 7-0.**

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

Chair Piro reported that he, Commissioner Broilli and Commissioner McClelland attended the Aurora Business Committee (ABC) meeting last week, and the main topic of discussion was related to traffic. Representatives from the consultant team showed different modeling and projections in terms of how they see the facility functioning in the future, either with or without the improvements.

Commissioner Pyle announced that he and Commissioner Wagner attended a Briarcrest Neighborhood Meeting on March 12<sup>th</sup>. It was attended by at least 50 people, including a representative from the Planning Department staff. A discussion was held about identifying community values, and people had a lot of questions about zoning and planning in the area. He said many people have a vested interest in the future of the community, and they have expressed a concern about projects that are currently being considered for the area. These concerns speak to the need of moving forward with neighborhood planning in this location.

## **UNFINISHED BUSINESS**

There was no unfinished business scheduled on the agenda.

## **NEW BUSINESS**

### **Introduction of South Aurora Triangle Proposed Comprehensive Plan and Development Code Amendments**

Mr. Pickus introduced the Comprehensive Plan and Development Code amendments associated with the area of the City known as the South Aurora Triangle, which is approximately 15.5 acres in size and is bounded on the South by North 145<sup>th</sup> Street, on the east by Aurora Avenue North and on the west by the Interurban Trail. Mr. Pickus pointed out that the subject property is currently identified in the Comprehensive Plan as Community Business and Mixed-Use, and it is zoned primarily Regional Business and R-48, with a small amount of R-12 along North 145<sup>th</sup> Street. He announced that the proposal is to create a new zone, the South Aurora Triangle Zoning District, which would be subdivided into three parts:

- SAT 1 (northern portion of the triangle) – The tallest buildings and highest residential densities in the City would be appropriate here with amenities supporting the Aurora Avenue North and Interurban Trail connections, storefront retail and public transit.
- SAT 2 (east side of bottom half of triangle) – Taller buildings and higher residential densities would be appropriate here, with amenities supporting the creation of a distinctive City entryway, storefront retail and public transit.
- SAT 3 (west side of bottom half of triangle) – Development would be largely higher-density multi-family and commercial uses complementary to multi-family uses. Public amenities would support the Interurban Trail Use.

Mr. Pickus provided a PowerPoint Presentation regarding the goals and objectives of the Comprehensive Plan and Development Code Amendments that would be necessary to implement the South Aurora Triangle Zoning District. (*See PowerPoint Presentation on file with the Planning Commission Clerk*).

Commissioner Wagner asked if businesses would be allowed to open up onto the Interurban Trail. Mr. Pickus said that is definitely one option that could be considered.

Mr. Pickus provided pictures from other jurisdictions to depict the type of concepts currently being considered for the triangle. He said that as he wrote the draft code amendments, it appeared to make more sense to place specific design regulations (site design, building design, standards for public benefits, etc.) in a design manual rather than in the code. As the concept evolves and they determine what does and does not work, changes could be made administratively without requiring additional code amendments. He briefly reviewed the code amendments, site design standards, and building design standards that would be necessary to implement the South Aurora Triangle Zoning District.

Mr. Pickus advised that a key element of the proposed code amendments would be a “Public Benefits Incentive System,” which would allow developers to go beyond the basic height requirements if they can provide certain public benefits. He reviewed the types of public benefits a developer could provide in order to go beyond the basic requirements. Mr. Tovar pointed out that the Transfer of Development Rights (TDR) Program is still in the development stage. Therefore, it might be appropriate to make note that this option would not be available until such time as the City has an interlocal agreement that spells out the mechanism and ratios for transferring development credits from the rural areas into the urban areas.

Mr. Pickus briefly reviewed the proposed parking and sign regulations that would apply to the South Aurora Triangle Zoning Designation. He explained that developers have indicated that parking is the limiting factor for development, and off-site parking is one option the City could offer to help resolve this problem. Chair Piro noted that the Puget Sound Regional Council did some work that centered on parking incentives, and their report could provide good information for the staff to consider. He noted that one option would be to allow developers to utilize the street parking along Whitman Avenue to meet the parking requirement. Mr. Pickus pointed out that because the subject property is quite isolated, there would not be a significant opportunity for overflow parking to impact the residential neighborhoods.

Mr. Pickus advised that, at this time, the development code language is still being drafted and would likely be available for circulation by March 29<sup>th</sup>. The document would be forwarded to CTED and notices would be sent to property owners in and around the triangle area inviting them to comment. If notices are sent on March 29<sup>th</sup> the public comment period would end on April 13<sup>th</sup>. A SEPA Determination would be issued after the comment period ends. The Planning Commission is tentatively scheduled to hold a workshop discussion on the draft code language on April 19<sup>th</sup>. Staff anticipates the Commission would hold a public hearing on the document sometime in May, with a City Council decision by the end of June. He closed his comments by inviting the Commissioners to share their ideas and concerns.

Commissioner McClelland asked if staff is anticipating the properties would be assembled and developed as one parcel. Mr. Tovar said they have not discussed a minimum lot size for the new zone. Instead, this would be decided by the market. Regardless of the site development standards identified in the zone, Mr. Tovar suggested future development would look different from parcel to parcel.

Commissioner Hall applauded staff's attempt to limit surface parking, which would be particularly important on the street frontages. Any surface parking that is allowed should be moved to the back of the building in order to preserve the pedestrian feel. He suggested there be some type of landscaping requirement in the SAT 3 zone given its proximity to the Interurban Trail.

Chair Piro encouraged Commissioners to forward their input and questions to staff by April 1<sup>st</sup> so an appropriate response could be prepared prior to the April 19<sup>th</sup> workshop.

Commissioner Wagner expressed her concern that a fence separating development from the Interurban Trail would run counter to what she envisions for the area. She suggested the staff provide more information to illustrate how this concept would work. Mr. Tovar said the generic design issue is how the public space (trail) could be merged with the private space and still allow for security and privacy for the private property but not at the expense of walling off the public/private uses. He agreed that staff could provide examples of how the two uses have been successfully merged in other locations.

### **Prepare for Joint Meeting with the City Council**

Mr. Tovar suggested that the Planning Commission Chair and perhaps some of the other Commissioners meet with staff to work out what they want to cover at the joint meeting. He distributed the current draft of the Shoreline 2010 Work Program which shows the long-range tasks the Commission and City Council is involved with. In addition to reviewing the work program, he suggested other possible topics might include:

- Comprehensive Housing Strategies
- Efforts of the Aurora Business Community Group
- Efforts of the Ridgecrest Neighborhood Group
- Timing of the South Aurora Triangle Zoning District.

Mr. Cohn suggested that since the joint meeting would be the Commission's only opportunity to talk to the City Council about projects prior to the 2008 budget process, this would be a good opportunity to discuss a timeline for the Briarcrest and Paramount Neighborhood Special Study Areas. He suggested the Commission and City Council also discuss the timeline for implementing the Town Center concept. They could also discuss the fact that the Comprehensive Plan Designations should be reviewed. At this time, they allow a wide range of zoning possibilities, and it would be nice to tighten them up significantly. The zoning equivalents should also be tightened up.

Chair Piro agreed to meet with staff to further discuss possible agenda topics for the joint meeting. He invited other Commissioners to provide their suggestions to him. Staff indicated they would notify the Commissioners of the start time and location for the joint meeting.

### **ANNOUNCEMENTS**

Mr. Tovar announced that Matt Torpey resigned his position with the City, and the vacant position would be advertised as soon as possible.

**AGENDA FOR NEXT MEETING**

Chair Piro noted that the next speaker series has been scheduled for the Commission’s April 5<sup>th</sup> meeting. Tom Von Schrader and Amalia Leighton from SvR Design Company would be present to discuss low-impact, green development and infrastructure. No other items would be on the agenda. Chair Piro complimented the staff on a successful first speaker series, and Mr. Cohn briefly reviewed the schedule for upcoming speaker series events.

**ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

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Rocky Piro  
Chair, Planning Commission

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Jessica Simulcik Smith  
Clerk, Planning Commission



## **Memorandum**

**DATE:** April 19, 2007

**TO:** Planning Commission

**FROM:** Steve Cohn, Senior Planner  
Steve Szafran, Planner II

**RE:** Continued public hearing on returning development code amendments #9, #13 and #14

At the March 15, 2007 public hearing, the Planning Commission identified four items to be reviewed at an April 19 continued public hearing: proposed development code amendments #9 and #13-15. Staff has reviewed these items and offers the following recommendations:

1. Adopt Amendment #9, as modified.
2. Consider whether Amendments #13 and 14 should include additional language that was developed by staff. Staff is not recommending these modifications be added, but offers them for consideration if the Commission wants to move in that direction.
3. Item #15 is undergoing additional staff review and will be withdrawn from this package of amendments. It will be brought back at a future date.

**Amendment # 9: 20.50.020(2) Density and Dimensions.** The March 15 proposal would modify the code to permit greater residential density in CB zones on and near Aurora Avenue. When proposing the amendment, staff looked at the comprehensive plan and identified several parcels that would potentially be affected (**Attachment 1**, parcels designated as CB or MU with a potential for CB zoning). However, in response to the Commission's question at the last meeting, staff focused on existing zoning (**Attachment 2**) and found only two parcels that would be immediately impacted by the proposed code change: the James Alan Salon site and the Fire Station.

Since the original proposal would only immediately affect two parcels, staff has reconsidered the scope of the amendment and evaluated its applicability in other parts of Shoreline. The revised amendment (**Attachment 3**) expands the number of parcels that would be affected by this amendment. The proposal would affect all CB zoned parcels within 1,300 feet of Aurora Avenue and Ballinger Way. Staff is proposing this change for several reasons:

## Agenda Item 7.1

1. 1,300 feet, or a 15 minute mile walk time, is a standard measurement for a maximum walk time to get to a specific destination.
2. Ballinger Way and Aurora Avenue are Principal Arterials and handle high levels of traffic. Several busses serve Ballinger and Aurora and would provide convenient alternative modes of transportation.
3. There are many parcels along Aurora and Ballinger that have a potential for CB zoning. Most of these parcels are topographically separated from, or not adjacent to, single family areas.

**Amendment # 13: 20.50.420 Vehicle Access and Circulation Standards.** The Planning Commission requested historical information regarding the establishment of a 5-foot setback requirement for driveways. The Commission also asked for Council's discussion on the item prior to remanding it to the Commission for further study. Please see **Attachment 4** for further analysis.

**Amendment #14: 20.70.030(C) (3) (1) Required Improvements.** The Planning Commission was concerned that this code amendment would create the possibility for developers to circumvent required improvements. Please see **Attachment 5** for further analysis.

**Amendment #15: 20.80.230 Required Buffer Areas.** This amendment was withdrawn from the March 15 Planning Commission agenda by the City Attorney for language clarification. Staff continues to refine the proposal and will bring it back for review at a future date.

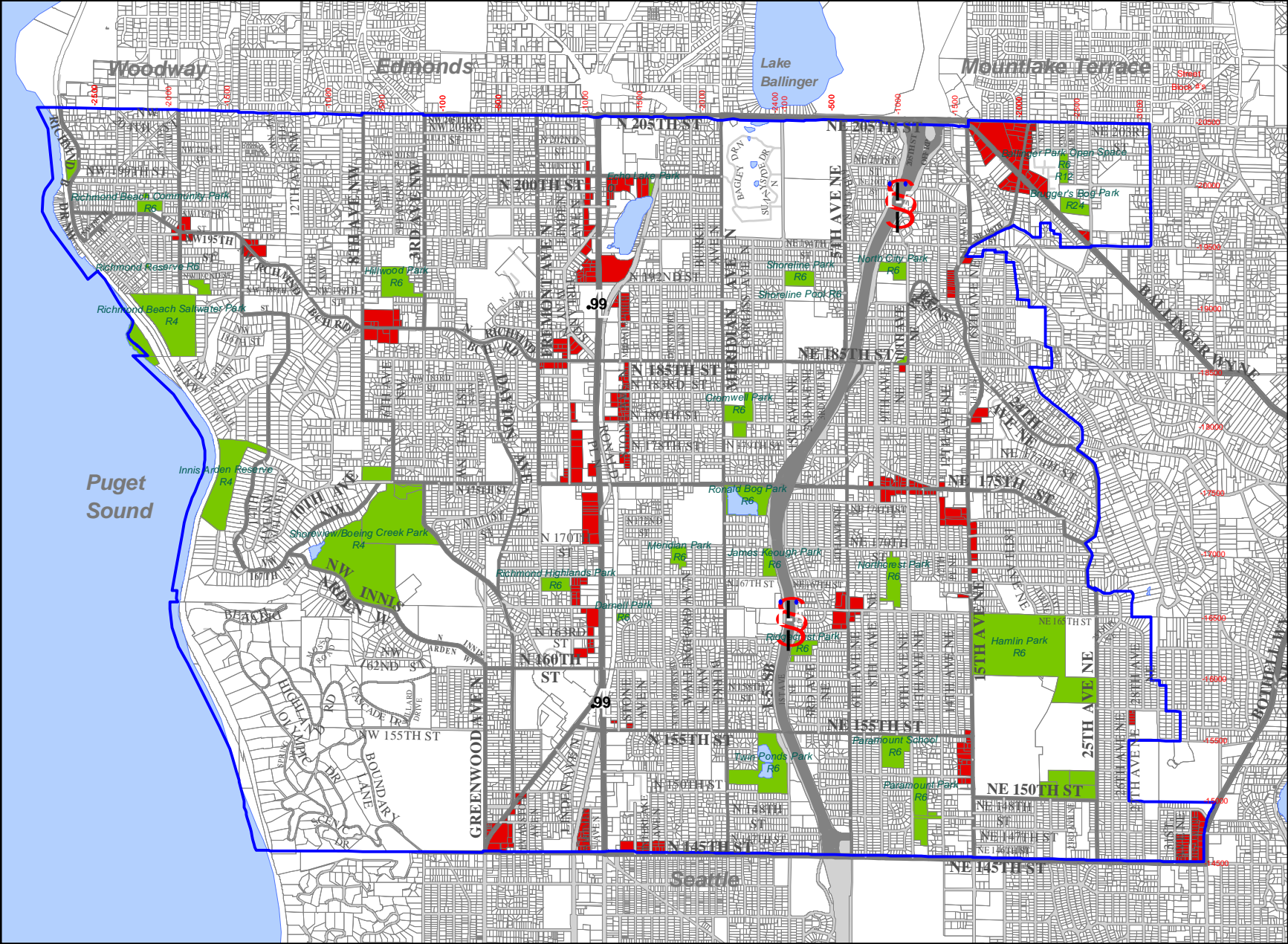
If you have questions about these revised amendments or amendments already considered at the March 15, 2007 meeting, contact Steve Szafran at 206-546-0786

### Attachments:

1. Parcels with CB zoning potential
2. Parcels with existing CB zoning
3. Amendment #9 proposed language
4. Amendment #13 proposed language and background information
5. Amendment #14 proposed language and background information



# Item 7.1 - Attachment 1



**SHORELINE**  
Geographic Information System

**ZONING**  
**Potential**  
**Community Business**

**Zoning Designation**  
**Other Map Features**

- Potential Community Business
- City Boundary
- Open Water
- Park
- Tax Parcel Boundary
- Unclassified Right of Way
- Interstate
- State Route
- Principal Arterial
- Minor Arterial
- Collector Arterial
- Residential Street

1 inch equals 3,075 feet

0 500 1,000 2,000 3,000 4,000 Feet

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

**CITY OF SHORELINE**

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# SHORELINE

Geographic Information System

## ZONING Community Business

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

Shows amendments through  
April 3, 2007.

### Zoning Designation

CB; Community Business

### Other Map Features

- City Boundary
- Open Water
- Outside Shoreline
- Interstate
- Principal Arterial
- Minor Arterial
- Collector Arterial
- Neighborhood Collector
- Local Street
- Park
- Tax Parcel Boundary
- Unclassified Right of Way

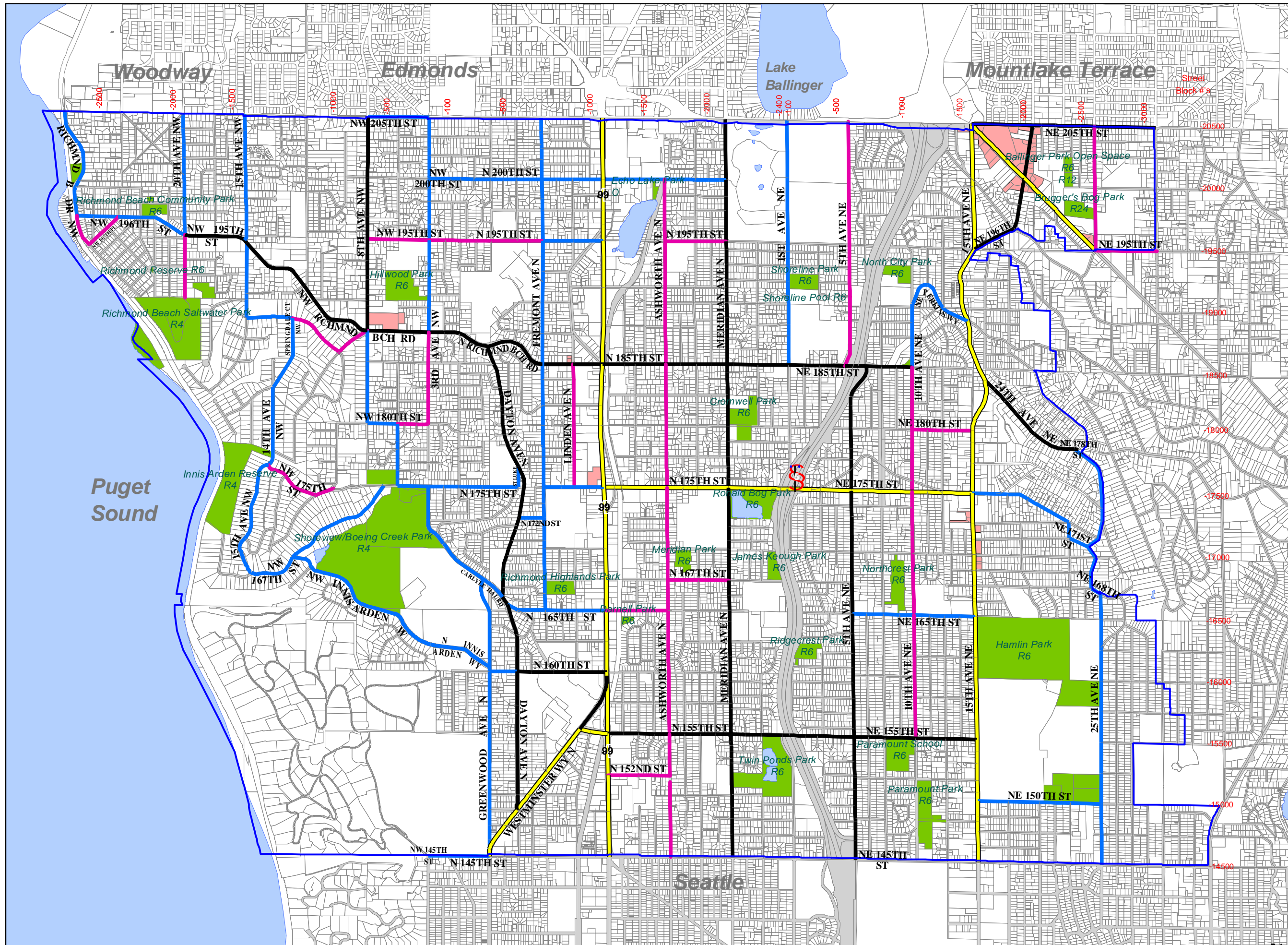
1 inch equals 1,986 feet

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including accuracy,  
fitness, or merchantability,  
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**Table 20.50.020(2) – Densities and Dimensions for Residential Development in Nonresidential Zones**

<b>STANDARDS</b>	<b>Neighborhood Business (NB) and Office (O) Zones</b>	<b>Community Business (CB) Zone</b>	<b>Regional Business (RB) and Industrial (I) Zones</b>
Maximum Density: Dwelling Units/Acre	24 du/ac	48 du/ac <u>(1)</u>	No maximum
Minimum Front Yard Setback	10 ft	10 ft	10 ft
Minimum Side Yard Setback from Nonresidential Zones	5 ft	5 ft	5 ft
Minimum Rear Yard Setback from Nonresidential Zones	15 ft	15 ft	15 ft
Minimum Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Minimum Side and Rear Yard Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height <del>(1)</del> (2)	35 ft	60 ft	65 ft <del>(2)</del> (3)
Maximum Impervious Surface	85%	85%	95%

Exceptions to Table 20.50.020(2):

(1) For all parcels zoned CB within 1300 feet of Aurora Avenue or Ballinger Way, there is no residential density limit. Development is subject to all other requirements of the Shoreline Development Code.

~~(1)~~ (2) See Exception 20.50.230(3) for an explanation of height bonus for mixed-use development in NB and O zones.

~~(2)~~(3) For all portions of a building in the I zone abutting R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35 feet, 50-foot height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50-foot height limit. Unenclosed balconies on the building are above the 35-foot transition line setback shall be permitted to encroach into the 10-foot setback.

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**Amendment #13: 20.50.420 Vehicle Access and Circulation Standards**

**20.50.420 Vehicle access and circulation – Standards.**

- A. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located, and constructed in accordance with the adopted engineering manual.
- ~~B. Access for single family detached, single family attached, and multifamily uses is not allowed in the required yard setbacks (see Exceptions 20.50.080(A)(1) and 20.50.130(1)).~~
- ~~C. Driveways for single family detached dwellings, single family attached, and multifamily uses may cross required yard setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or yard setback area is displaced by the driveway.~~
- ~~D.~~B. Driveways for non-single family residential development may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping is displaced by the driveway.
- ~~E.~~C. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of Chapter 20.60 SMC, Adequate Public Facilities.
- ~~F.~~D. No dead-end alley may provide access to more than eight required off-street parking spaces.
- ~~G.~~E. Businesses with drive-through windows shall provide stacking space to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.
- ~~H.~~F. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility.

I.G. Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:

1. For each drive-up window of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided.
2. For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.

J.H. Alleys shall be used for loading and vehicle access to parking wherever practicable. (Ord. 299 § 1, 2002; Ord. 238 Ch. V § 6(B-4), 2000).

**Staff analysis:**

The Commission asked for historical context about the 5' setback requirement for driveways since staff is proposing its removal only a few years after it was enacted. Also, the Commission requested a summary of the Council discussion that resulted in a remand for additional consideration.

History: 20.50.420B & C were adopted in March 2002.

The code amendment was proposed by staff to clarify where access for all development is allowed in relation to the required yard setbacks and landscaping requirements. At the time, staff was responding to many questions regarding where access is allowed. Specifically, an issue arose when an applicant for multi-family project (on a lot zoned for multi-family) which was adjacent to a lot zoned single-family, proposed a driveway next to the property line. Because the definition of a "yard" and "yard setback" specified the setback may only be occupied by landscaping, the proposal was denied. The amendment was intended to clarify that an access road is not an acceptable use of a yard setback except in the case of a driveway as proposed. The bulk of the Commission's discussion didn't deal with the 5' setback; rather, it focused on the question of the maximum area for a side yard displacement.

Recent Council discussion of this issue included the following observations:

1. Adjacent property could be impacted
2. General statement that the setback should be required
3. Can't variances be used instead?
4. The amendment affects the housing stock in Shoreline and growth management goals
5. City doesn't want neighbors to have veto power over projects.

It seems the amendments were established not to create the 5' setback but rather to clarify when a driveway could be in the setback. If the new amendment to eliminate the two sections is approved, it appears the definition of yard\*\* would prevail which would prevent anything other than vegetation to be in the setback



area. Therefore, if we want to get to the point where a driveway does not have to be set back from the property line we must also amend the definition of yard.

If the Commission believes that a driveway on the property line creates too much of a negative impact on adjacent properties, *staff proposes the following option*: modify section B as follows and eliminate section C:

- B. Access for single family detached, single family attached and multi family uses is not allowed in the required yard setbacks **unless a solid fence at least 6' high is located between the access and the property line wherever the access is within the required yard setback.**

\*\* Definition of "yard": An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the ground upward except by vegetation and except as may be specifically provided in the Code.

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**Amendment #14: 20.70.030(D)(3)(i) Required Improvements**

20.70.030. Required improvements.

The purpose of this section is to identify the types of development proposals to which the provisions of this chapter apply.

A. Street improvements shall, as a minimum, include half of all streets abutting the property. Additional improvements may be required to insure safe movement of traffic, including pedestrians, bicycles, nonmotorized vehicles, and other modes of travel. This may include tapering of centerline improvements into the other half of the street, traffic signalization, channeling, etc.

B. Development proposals that do not require City-approved plans or a permit still must meet the requirements specified in this chapter.

C. It shall be a condition of approval for development permits that required improvements be installed by the applicant prior to final approval or occupancy.

D. The provisions of the engineering chapter shall apply to:

1. All new multifamily, nonresidential, and mixed-use construction;
2. Remodeling or additions to multifamily, nonresidential, and mixed-use buildings or conversions to these uses that increase floor area by 20 percent or greater, or any alterations or repairs which exceed 50 percent of the value of the previously existing structure;
3. Subdivisions;  
Exception:
  - i. Subdivisions, short plats, and binding site plans where all of the lots are fully developed.
4. Single-family, new constructions, additions and remodels.

Exception:

- i. Single-family addition and remodel projects where the value of the project does not exceed 50 percent or more of the assessed valuation of the property at the time of application may be exempted from some or all of the provisions of this chapter.
- ii. New single-family construction of a single house may be exempted from some or all of the provisions of this chapter, except sidewalks and necessary drainage facilities.

E. Exemptions to some or all of these requirements may be allowed if:

1. The street will be improved as a whole through a Local Improvement District (LID) or City-financed project scheduled to be completed within five years of approval. In such a case, a contribution may be made and calculated based on the improvements that would be required of the development. Contributed funds shall be directed to the City's capital project fund and shall be used for the capital project and offset future assessments on the property resulting from a LID. A LID "no-protest" commitment shall also be recorded. Adequate interim levels of improvements for public safety shall be required.

2. A payment in-lieu-of construction of required frontage improvements including curb, gutter, and sidewalk may be allowed to replace these improvements for single-family developments located on local streets if the development does not abut or provide connections to existing or planned frontage improvements, schools, parks, bus stops, shopping, or large places of employment, provided:

a. The Director and the applicant agree that a payment in-lieu-of construction is appropriate;

b. The Director and the applicant agree on the amount of the in-lieu-of payment and the capital project to which the payment shall be applied. Priority shall be given to capital projects in the vicinity of the proposed development, and the fund shall be used for pedestrian improvements;

c. Adequate drainage control is maintained;

d. At least one of the following conditions exists. The required improvements:

i. Would not be of sufficient length for reasonable use;

ii. Would conflict with existing public facilities or a planned public capital project; or

iii. Would negatively impact critical areas; and

e. An agreement to pay the required fee in-lieu-of constructing frontage improvements shall be signed prior to permit issuance. The fee shall be remitted to the City prior to final approval or occupancy. The amount of the required payment shall be calculated based on the construction costs of the improvements that would be required. (Ord. 303 § 1, 2002; Ord. 238 Ch. VII § 1(C), 2000).

**Staff analysis:**

The Planning Commission asked whether this amendment might create a loophole developers could use to circumvent required improvements. Staff believes that no loophole is created because all of the other triggers remain in effect.

All multifamily, commercial and mixed use development, whether new or a remodel/addition (if certain thresholds are crossed) and all single-family new construction or additions (with some exceptions) are subject to providing required improvements. The theoretical case where condos are built then subdivided later has

no loophole to exploit because the requirement for improvements is triggered by the initial condo development and will have already been done when the plat application comes in. If the developer builds driveways and private streets to avoid certain improvement and then applies to subdivide with the driveways and private streets becoming dedicated public streets, the rule that all dedications must be brought up to public standards would trigger the need for the improvements that were initially avoided.

If the Commission is concerned that current regulations might not cover all contingencies, *staff proposes* the following idea for Commission consideration: move the amendment to subsection 3 under 20.70.030E and with the following added language:

3. Subdivisions, short plats, and binding site plans where all of the lots are fully developed **with at least one dwelling unit or habitable structure on every lot** shall be exempt from all of the requirements of this section.

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## **Memorandum**

**DATE:** April 11, 2007

**TO:** Shoreline Planning Commission

**FROM:** Joe Tovar, Director  
Paul Cohen, Senior Planner

**RE:** Draft Strategic Points for Town Center Projects

On April 19<sup>th</sup> staff will present the City Council's draft "Strategic Points for Town Center Projects" (**Attachment 1**). These projects include the Civic Center/City Hall, Aurora Avenue, Interurban Trail, and Heritage Park (**Attachment 2**).

The draft strategic points are the focus of this study session. It is intended that they act as a blueprint of community values that will help guide the Council and community in making decisions about ways these projects are developed and can be integrated. The strategic points are intended to be both inclusive and flexible due to the fact "Town Center Projects" are and will be in various phases - ranging from preliminary planning to construction (in the case of the Interurban Trail). When thinking about the draft strategic points prior to the April 19 study session, consider whether additional ones should be added or existing ones should be somewhat modified.

We request that the Commission schedule a special meeting on May 10th to discuss the strategic points with the public. It is staff's hope that you can develop a recommendation that night so it can be forwarded to the Council for a decision on May 28<sup>th</sup>.

Staff has included **Attachment 3** to show how this process fits in with Council adoption of a preferred alternative for the Civic Center/City Hall and Aurora Avenue (miles 2 and 3). Following these decisions, staff will put together a draft Subarea Plan with code amendments, and CIP proposals sometime in the Fall/Winter of 2007.

### Attachments

1. Draft Strategic Points for Town Center Projects
2. Map of four Town Center Projects
3. Current Workplan

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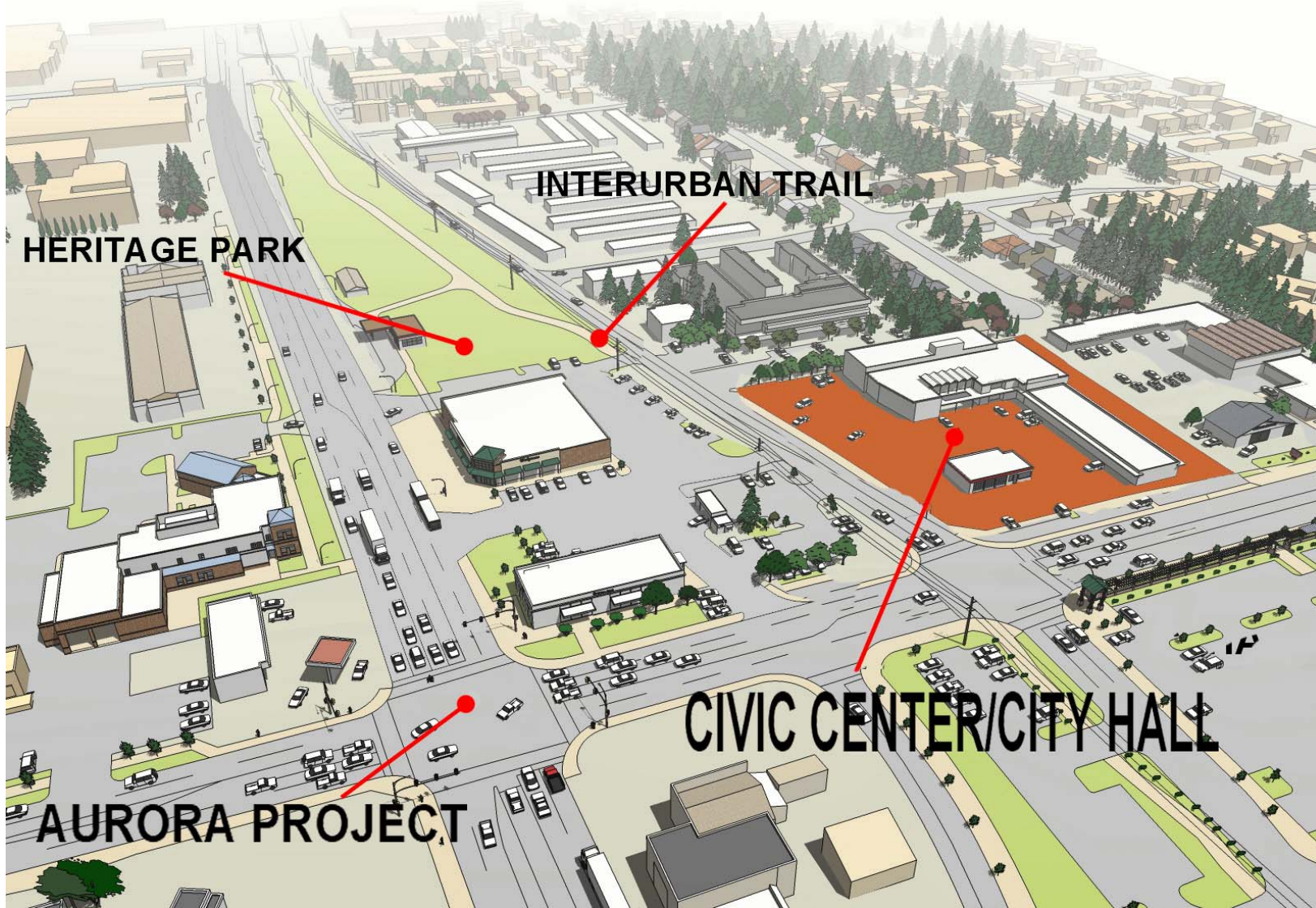


**DRAFT Strategic Points for Town Center Projects**

- In the design and furnishing of the four Town Center Projects, seek ways to create a sense of place and civic identity in Central Shoreline.
- Identify and incorporate “green infrastructure” principles and features.
- Identify and incorporate appropriate historic features and interpretation opportunities.
- Identify and incorporate distinctive architectural patterns found in the area, such as building and roof shapes, fenestration, and building materials.
- Explore ways to overcome the barrier that Midvale creates between the City Hall and the Interurban.
- Do not open Stone Ave. N. through to N. 175th St.
- Provide visual and functional linkage between bus rapid transit stops in Aurora and other Town Center Projects.

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### Map of four Town Center Projects



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# Shoreline 2010 Work Program

Revised 4/09/07

Legend	
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<span style="background-color: gray; color: gray;"> </span>	Other Action
X	Council Adoption

2007 →

← 2008

<u>Comprehensive Housing Strategy (CHS)</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	Citizen Advisory Committee meetings																	
	Council check-in points																	
	Public meeting(s)																	
	Council adopts CHS																	
	Council considers implementation as part of budget																	
	Staff prepares possible Plan and Code amendments																	
	Plan and Code amendments heard by Planning Commission																	
	Council adoption of Plan and Code amendments																	X

<u>Environmentally Sustainable Community (ESC) Strategy</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	Staff work with consultants																	
	Planning Commission/Park Board Review																	
	Council check-in points																	
	Staff prepares final draft of ESC Strategy																	
	Public meeting(s)																	
	Council adopts ESC Strategy																	
	Staff prepares possible Plan and Code amendments																	
	Plan and Code amendments heard by Planning Commission																	
	Council adoption of Plan and Code amendments																	
	Council considers implementation as part of budget																	

<u>Environmentally Sustainable Ridgecrest</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	University of Washington Studio w/ Ridgecrest Neighborhood																	
	Council provides direction					X												

<u>Central Shoreline Area</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	Staff prepares Strategic Points for Town Center Projects																	
	Council adopts Strategic Points for Town Center Projects					X												
	Council & public engage in Civic Center/City Hall Design																	
	Council adopts final design for Civic Center/City Hall																	
	Staff prepares Plan & Code amendments for Central Shoreline																	
	Council check-in points																	
	Plan & Code amendments heard by Planning Commission																	
	Council adopts Plan and Code amendments																	X

<u>Aurora Project</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	<u>Aurora Business &amp; Community Team Meetings</u>																	
	Council Decision regarding alternatives							X										

<u>South Aurora Triangle Subarea Plan</u>		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
	Staff prepares Form Based Codes																	
	Plan & Code amendments heard by Planning Commission																	
	Council adoption of Plan & Code amendments						X											