



Memorandum

DATE: July 27, 2009

TO: Shoreline Planning Commission

FROM: Steven M. Cohn, Senior Planner PDS
Steven Szafran, AICP, Associate Planner

RE: Proposal for Permanent Regional Business (RB) Regulations

At your June 18 meeting staff and the Commission discussed the scope of the permanent RB regulations. At your next meeting, staff will present a proposal to replace the current interim regulations with permanent regulations. If the Commission develops direction about a proposal that can be taken to a public hearing, staff will schedule the hearing for September 20.

BACKGROUND

The Regional Business district, generally located along Aurora but permitted in several other commercial areas, is the most intensive commercial/mixed use district in Shoreline. The maximum height in the district is 65 feet, but if a RB zone is adjacent to an R-4 or R-6 zone, additional transition standards apply that would limit building height close to single-family zoned sites.

Generally, most retail and commercial uses, including offices, as well as residential uses, are permitted in RB zones. The RB regulations were modified following the adoption of the City's initial Comprehensive Plan. The revised regulations did not control the number of housing units and the maximum square footage of retail or office space with explicit maxima. Instead, these were limited by parking requirements and height and bulk regulations.

In May, 2008, the City Council adopted Ordinance 505 which created interim rules and limited the maximum housing density on RB sites to no more than 110 dwelling units per acre. The interim rules have been extended twice in order to provide the community time to work on modifying the City's Vision and Framework Goals. That work was completed earlier this year.

The Vision and Framework Goals offers direction that has applicability when discussing permanent regulations for the RB zone. (See attachment 1)

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In addition, the City Council recently adopted Ordinances 546 and 549 which relax the interim density standards in the Midvale Demonstration Area and allow 150 dwellings/acre if additional conditions are met. (See attachment 2 for Ordinance 549 which includes modifications to Ordinance 546.)

Staff discussed the RB scope at your meeting in mid-June (meeting minutes excerpt attached as Attachment 3). Staff concluded that the Commissioners identified four items at the meeting that you wanted staff to address when developing a permanent proposal for RB. The proposal should include:

1. An incentive system that trades off density for public amenities
2. More stringent rules for transition between commercial and residential uses.
3. A stipulation that would eliminate or reduce the amount of commercial traffic entering or exiting a site from non-arterial streets.
4. Adoption of a new name for the Regional Business zone to eliminate confusion with the Comprehensive Plan designation and to be more descriptive of the “vision” for future development in the zoning district.

Staff’s Initial Proposal

The following three standards would apply to all development in RB zones.

1. Developments larger than a defined threshold (perhaps those subject to SEPA review) will be subject to administrative design review
2. Limit the maximum building height within 100 feet of the property line between RB and R-4 to R-12 zoned properties to 45’, and limit the maximum building height between 100-200 feet of the property line to 55’
3. All buildings and required parking shall be located on the RB-zoned property and not off-site.

Additional standards:

4. The base permitted housing density is 70 du/acre and building height limited to 4 stories. Maximum Floor Area Ratio (FAR-- the ratio of development size to lot size) is 2.0.

Staff comment: Discussion with developers and the city’s experience suggest that densities of 48 du/acre or less are likely to result in townhouse development. If the city wants to encourage housing diversity, we would want to see development of “flats” (i.e., apartments or condominiums). In the recent economic boom, apartments penciled out at 60-70 du/acre. An FAR of 2.0 may be a little too high for a residential building of 70 du/acre; probably 1.7 is a closer estimate, but it is prudent to build in a little leeway in these types of estimates.

5. Housing density could be increased to 110 du/acre and maximum height to 5 stories and maximum FAR of 3.2 if the following conditions are met:

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- a. Mixed use building with at least 3,000 sq ft retail or personal service
- b. Some underbuilding/underground parking or shared parking facility
- c. Windows that passerby can see inside 50% of 1st floor
- d. Overhang/awning
- e. Demonstrate compliance with design standards of SMC 20.91.050 with the following modification, unless a design departure approval is obtained under SMC 20.91.040. The modification is: development will provide contiguous commercial space covering at least 2/3 of street frontage (not including openings into buildings)

Staff comment: The Ridgecrest proposal (110 du/acre plus commercial space) was estimated at a 3.2 FAR. Most of the conditions are duplicates of those in the Midvale Demonstration Area.

6. Housing density can be increased to 150 du/acre, maximum height of 6 stories and FAR to 3.6 if the following conditions are met
 - a. All of the above, plus
 - b. Infrastructure for electric vehicle recharging;
 - c. 15% is public space (i.e., plaza or other open space, indoor meeting area, etc.):
 - d. 15% of the units are affordable to households in the 75% median income category for a specified number of years:
 - e. Green Building Techniques. At a minimum, meet “3-star” construction standards plus independent verification under King County Built Green standards as amended, or equivalent standard approved by the director; and
 - f. Make a provision for the developer holding a neighborhood meeting with city staff in attendance to identify traffic impacts coming from building occupants and discuss appropriate mitigation measures. Meetings will be advertised by mailings to property owners and occupants within 500 feet of the property.

Staff comment: The proposed FAR is mid-range for a Seattle equivalent zone entitled MR (mid-rise) with an allowable FAR of 3.2-4.0.

Staff also recommends changing the name of the zoning district. Our initial inclination is to rename it “Mixed Use Commercial” or “Business/Residential”.

An Alternative Proposal to Consider

Mr. Les Nelson proposed a Comprehensive Plan Amendment earlier this year that would clarify whether residential densities greater than 48 du/acre are appropriate in RB zones. When the Commission and Council discussed the potential amendment, staff noted that the discussion about the amendment would be part of the discussion of the permanent RB regulations.

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Therefore staff requests that when the Commission develops its recommendation for a hearing on permanent RB regulations, it also take testimony on whether the density in RB should be limited to 48 du/acre.

In developing its record for the Council, it would be helpful for the Commission to hear testimony on this option so that the Commission's deliberation on the RB permanent regulations can have the benefit of this information.

Next Steps

At your next meeting, staff will discuss its proposal with you in more detail, respond to your questions and work with you to develop a proposal that can be scheduled for a public hearing in September.

Although the regulations are labeled "permanent", the City will be looking at future refinements in the coming year—1) defining design standards and process for Administrative Design Review and 2) Refining zoning and transition standards that will be applicable in the Town Center Subarea.

Staff believes that this review of the RB zone will be an important step in the process, but not the final step. There will be more to come.

If you have questions prior to the meeting, please contact Steve Cohn at 801-2511 or email him at scohn@shorelinewa.gov.

Attachments

1. Vision and Framework Goals
2. Ordinance 549 – Interim regulations for Midvale Demonstration Area
3. Staff report for June 18, 2009 RB discussion
4. Excerpt from June 18, 2009 Planning Commission minutes

Relationship to the Countywide Planning Policies and Vision 2020

As part of the comprehensive planning process, King County and its cities have developed a Growth Management Plan known as the Countywide Planning Policies. These policies were designed to help the 34 cities and the county to address growth management in a coordinated manner. The policies were adopted by the King County Council and subsequently ratified by cities, including the City of Shoreline.

Taken together, the Countywide Planning Policies try to balance issues related to growth, economics, land use and the environment. Specific objectives of the Countywide Planning Policies include:

- Implementation of Urban Growth Areas
- Promotion of contiguous and orderly development
- Siting of public capital facilities
- Establishing transportation facilities and strategies
- Creating affordable housing plans and criteria
- Ensuring favorable employment and economic conditions in the County

In addition, Shoreline's Plan must be guided by the regional growth policies of Vision 2020, the regional plan developed by the Puget Sound Regional Council. Vision 2020 calls for directing future growth into existing urban centers and serving those centers with a regional transit system.

2029 Vision Statement

Imagine for a moment that it is the year 2029 and you are in the City of Shoreline. This vision statement describes what you will see.

Shoreline in 2029 is a thriving, friendly city where people of all ages, cultures, and economic backgrounds love to live, work, play and, most of all, call home. Whether you are a first-time visitor or long-term resident, you enjoy spending time here.

There always seems to be plenty to do in Shoreline -- going to a concert in a park, exploring a Puget Sound beach or dense forest, walking or biking miles of trails and sidewalks throughout the city, shopping at local businesses or the farmer's market, meeting friends for a movie and meal, attending a street festival, or simply enjoying time with your family in one of the city's many unique neighborhoods.

People are first drawn here by the city's beautiful natural setting and abundant trees; affordable, diverse and attractive housing; award-winning schools; safe, walkable neighborhoods; plentiful parks and recreation opportunities; the value placed on arts, culture, and history; convenient shopping, as well as proximity to Seattle and all that the Puget Sound region has to offer.

The city's real strengths lie in the diversity, talents and character of its people. Shoreline is culturally and economically diverse, and draws on that variety as a source of social and

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economic strength. The city works hard to ensure that there are opportunities to live, work and play in Shoreline for people from all backgrounds.

Shoreline is a regional and national leader for living sustainably. Everywhere you look there are examples of sustainable, low impact, climate-friendly practices come to life – cutting edge energy-efficient homes and businesses, vegetated roofs, rain gardens, bioswales along neighborhood streets, green buildings, solar-powered utilities, rainwater harvesting systems, and local food production to name only a few. Shoreline is also deeply committed to caring for its seashore, protecting and restoring its streams to bring back the salmon, and to making sure its children can enjoy the wonder of nature in their own neighborhoods.

A City of Neighborhoods

Shoreline is a city of neighborhoods, each with its own character and sense of place. Residents take pride in their neighborhoods, working together to retain and improve their distinct identities while embracing connections to the city as a whole. Shoreline's neighborhoods are attractive, friendly, safe places to live where residents of all ages, cultural backgrounds and incomes can enjoy a high quality of life and sense of community. The city offers a wide diversity of housing types and choices, meeting the needs of everyone from newcomers to long-term residents.

Newer development has accommodated changing times and both blends well with established neighborhood character and sets new standards for sustainable building, energy efficiency and environmental sensitivity. Residents can leave their car at home and walk or ride a bicycle safely and easily around their neighborhood or around the whole city on an extensive network of sidewalks and trails.

No matter where you live in Shoreline there's no shortage of convenient destinations and cultural activities. Schools, parks, libraries, restaurants, local shops and services, transit stops, and indoor and outdoor community gathering places are all easily accessible, attractive and well maintained. Getting around Shoreline and living in one of the city's many unique, thriving neighborhoods is easy, interesting and satisfying on all levels.

Neighborhood Centers

The city has several vibrant neighborhood "main streets" that feature a diverse array of shops, restaurants and services. Many of the neighborhood businesses have their roots in Shoreline, established with the help of a local business incubator, a long-term collaboration between the Shoreline Community College, the Shoreline Chamber of Commerce and the city.

Many different housing choices are seamlessly integrated within and around these commercial districts, providing a strong local customer base. Gathering places – like parks, plazas, cafes and wine bars - provide opportunities for neighbors to meet, mingle and swap the latest news of the day.

Neighborhood main streets also serve as transportation hubs, whether you are a cyclist, pedestrian or bus rider. Since many residents still work outside Shoreline, public transportation provides a quick connection to downtown, the University of Washington, light rail and other regional destinations. You'll also find safe, well-maintained bicycle routes that connect all of the main streets to each other and to the Aurora core area, as well as

convenient and reliable local bus service throughout the day and throughout the city. If you live nearby, sidewalks connect these hubs of activity to the surrounding neighborhood, bringing a car-free lifestyle within reach for many.

The Signature Boulevard

Aurora Avenue is Shoreline's grand boulevard. It is a thriving corridor, with a variety of shops, businesses, eateries and entertainment, and includes clusters of some mid-rise buildings, well-designed and planned to transition to adjacent residential neighborhoods gracefully. Shoreline is recognized as a business-friendly city. Most services are available within the city, and there are many small businesses along Aurora, as well as larger employers that attract workers from throughout the region. Here and elsewhere, many Shoreline residents are able to find family-wage jobs within the City.

Housing in many of the mixed-use buildings along the boulevard is occupied by singles, couples, families, and seniors. Structures have been designed in ways that transition both visually and physically to reinforce the character of adjacent residential neighborhoods.

The improvements put in place in the early decades of the 21st century have made Aurora an attractive and energetic district that serves both local residents and people from nearby Seattle, as well as other communities in King and Snohomish counties. As a major transportation corridor, there is frequent regional rapid transit throughout the day and evening. Sidewalks provide easy access for walking to transit stops, businesses, and connections to adjacent neighborhoods.

Aurora has become a green boulevard, with mature trees and landscaping, public plazas, and green spaces. These spaces serve as gathering places for neighborhood and citywide events throughout the year. It has state-of-the-art stormwater treatment and other sustainable features along its entire length.

As you walk down Aurora you experience a colorful mix of bustling hubs – with well-designed buildings, shops and offices – big and small – inviting restaurants, and people enjoying their balconies and patios. The boulevard is anchored by the vibrant Town Center, which is focused between 175th and 185th Street. This district is characterized by compact, mixed-use, pedestrian-friendly development highlighted by the Shoreline City Hall, the Shoreline Historical Museum, Shorewood High School, and other civic facilities. The interurban park provides open space, recreational opportunities, and serves as the city's living room for major festivals and celebrations.

A Healthy Community

Shoreline residents, city government and leaders care deeply about a healthy community. The city's commitment to community health and welfare is reflected in the rich network of programs and organizations that provide human services throughout the city to address the needs of all its residents.

Shoreline is a safe and progressive place to live. It is known region wide for the effectiveness of its police force and for programs that encourage troubled people to pursue positive activities and provide alternative treatment for non-violent and nonhabitual offenders.

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In Shoreline it is believed that the best decisions are informed by the perspectives and talents of its residents. Community involvement in planning and opportunities for input are vital to shaping the future, particularly at the neighborhood scale, and its decision making processes reflect that belief. At the same time, elected leaders and city staff strive for efficiency, transparency and consistency to ensure an effective and responsive city government.

Shoreline continues to be known for its outstanding schools, parks and youth services. While children are the bridge to the future, the city also values the many seniors who are a bridge to its shared history, and redevelopment has been designed to preserve our historic sites and character. As the population ages and changes over time, the City continues to expand and improve senior services, housing choices, community gardens, and other amenities that make Shoreline such a desirable place to live.

Whether for a 5-year-old learning from volunteer naturalists about tides and sea stars at Richmond Beach or a 75-year-old learning yoga at the popular Senior Center, Shoreline is a place where people of all ages feel the city is somehow made for them. And, maybe most importantly, the people of Shoreline are committed to making the city even better for the next generation.

Framework Goals

The original framework goals for the city were developed through a series of more than 300 activities held in 1996-1998. They were updated through another series of community visioning meetings and open houses in 2008-2009. These Framework Goals provide the overall policy foundation for the Comprehensive Plan and support the City Council's vision. When implemented, the Framework Goals are intended to preserve the best qualities of Shoreline's neighborhoods today and protect the City's future. To achieve balance in the City's development the Framework Goals must be viewed as a whole and not one pursued to the exclusion of others.

Shoreline is committed to being a sustainable city in all respects.

FG 1: Continue to support exceptional schools and opportunities for lifelong learning.

FG 2: Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.

FG 3: Support the provision of human services to meet community needs.

FG 4: Provide a variety of gathering places, parks, and recreational opportunities for all ages and expand them to be consistent with population changes.

FG 5: Encourage an emphasis on arts, culture and history throughout the community.

FG 6: Make decisions that value Shoreline's social, economic, and cultural diversity.

FG 7: Conserve and protect our environment and natural resources, and encourage restoration, environmental education and stewardship.

FG 8: Apply innovative and environmentally sensitive development practices.

FG 9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.

FG 10: Respect neighborhood character and engage the community in decisions that affect them.

FG 11: Make timely and transparent decisions that respect community input.

FG 12: Support diverse and affordable housing choices that provide for Shoreline's population growth, including options accessible for the aging and/or developmentally disabled.

FG 13: Encourage a variety of transportation options that provide better connectivity within Shoreline and throughout the region.

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- FG 14: Designate specific areas for high density development, especially along major transportation corridors.
- FG 15: Create a business friendly environment that supports small and local businesses, attracts large businesses to serve the community and expand our jobs and tax base, and encourages innovation and creative partnerships.
- FG 16: Encourage local neighborhood retail and services distributed throughout the city.
- FG 17: Strengthen partnerships with schools, non-governmental organizations, volunteers, public agencies and the business community.
- FG 18: Encourage Master Planning at Fircrest School that protects residents and encourages energy and design innovation for sustainable future development.

ORDINANCE NO. 549

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, MODIFYING INTERIM REGULATIONS ON THE FILING OR ACCEPTANCE OF CERTAIN APPLICATIONS FOR RESIDENTIAL DEVELOPMENT OF LAND WITHIN THE REGIONAL BUSINESS LAND USE DISTRICT

WHEREAS, under the provisions of the Growth Management Act the City has adopted development regulations implementing the City of Shoreline Comprehensive Plan; and

WHEREAS, the Regional Business (RB) land use district allows residential development, but does not place an absolute limit on the permitted number of dwelling units per acre; and

WHEREAS, the Shoreline City Council found that, pursuant to Ordinance 505, the continued acceptance of development applications proposing new residential development utilizing existing Regional Business (RB) zone density provisions may allow development that is incompatible with nearby existing land uses and circulation systems, leading to problematic traffic conditions and an erosion of community character and harmony established a moratorium and interim regulation for development in the RB zoning district; and

WHEREAS, the City Council held public hearings on October 13, 2008 and April 6, and extended the moratorium until until November 12, 2009 by Ordinance 535; and

WHEREAS, the public hearing on April 6 also took testimony for an amendment of the RB interim regulation for a target area along Midvale Ave. N between N. 175th and N. 185th and the Council deferred action on the amended interim regulation for further study and the amended interim regulation for the Midvale target area are resubmitted with this ordinance; and

WHEREAS, there is a need to adopt a technical amendment to Ordinance 546 adopted May 11, 2009, now therefore

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as findings of the City Council.


Section 2. Interim Regulation Amended. The interim regulation for the Regional Business Zone (RB) and Section 2 of Ordinance No. 505 are amended to read as follows:

Moratorium and Interim Regulation Adopted.

- A. Except for properties included under subsection B, A moratorium is adopted upon the filing of any application for residential development within the Regional Business (RB) zoning district of the City, which exceeds 110 dwelling units per acre, unless a neighborhood plan, subarea plan or special district overlay plan authorizing a higher density has been approved.
- B. For property zoned Regional Business (RB) that abuts Midvale Ave.N. between N 175th and N. 185th Streets, a moratorium is adopted upon the filing of any application for residential development which does not:
1. Limit the maximum building height within 100 feet of the property line between RB and R-8 and R-12 zoned properties to 45', and limit the maximum building height between 100-200 feet of the property line to 55' ~~Limit building height at least 200 feet from property lines to 45', abutting all residential districts except R-48;~~ and
 2. At a minimum, meet "3-star" construction standards plus independent verification under King County Built Green standards as amended, or equivalent standard approved by the director; and
 3. Include electric vehicle plug-in facilities in parking areas; and
 4. Make a provision for the developer holding a neighborhood meeting with city staff in attendance to identify traffic impacts coming from building occupants and discuss appropriate mitigation measures. Meetings will be advertised by mailings to property owners and occupants within 500 feet of the property; and
 5. Demonstrate compliance with design standards of SMC 20.91.050 with the following modification, unless a design departure approval is obtained under SMC 20.91.040. The modification is: development will provide contiguous commercial space covering at least 2/3 of street frontage (not including openings into buildings) or an equivalent contiguous space on the 1st floor with an entrance onto Midvale; and
 6. Limit housing unit density to a maximum 150 du/acre.
 7. All buildings and required parking shall be located on the RB-zoned property and not off-site.
- C. No land use development proposal or application may be filed or accepted which proposes a development that does not comply with this section.

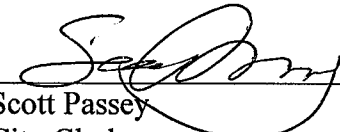
Section 3. Publication, Effective Date. This ordinance shall take effect five days after publication of a summary consisting of the title in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON MAY 26, 2009.



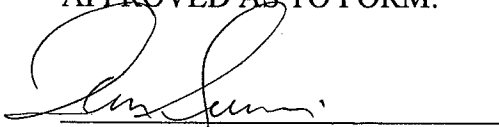
Mayor Cindy Ryu

ATTEST:



Scott Passey
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: May 29, 2009
Effective Date: June 3, 2009



Memorandum

DATE: June 11, 2009

TO: Shoreline Planning Commission

FROM: Joseph W. Tovar, FAICP, Director P&DS
Steven M. Cohn, Senior Planner

SUBJECT: Scoping of Regional Business Zone Permanent Regulations

On May 12, 2008, the City Council adopted Ordinance 505, which placed interim regulations on residential development in Regional Business zones throughout Shoreline and limited residential density to a maximum of 110 dwellings/acre. The interim regulations have been extended twice pending completion and adoption of the Vision Statement and Framework Goals. The most recent extension was adopted April 6, 2009. It will expire on November 12, 2009.

Prior to staff bringing the Commission its proposal for permanent regulations for the Regional Business zoning, we want to present some of our current thinking on this matter. We look forward to a dialogue with the Commissioners to hear your perspective on our thoughts and the ideas you think should be considered as part of the RB discussion.

The purpose of tonight's discussion is to

1. Discuss the context for the RB discussion and staff's initial thoughts on the scope/approach to refining the RB zone.
2. Define additional questions/comments/ concepts that the Commission would like to study.

Context of the RB Discussion

1. There is a citywide RB moratorium which limits residential density to 110 du/acre except in the Midvale Demonstration Area which can go to 150 du/acre as a tradeoff for providing specific amenities. The moratorium will expire in mid-November. The Council directed the Planning Commission to develop permanent RB regulations for their consideration to adopt before the moratorium expires.
2. The moratorium doesn't impact height or control development potential for retail or office uses. The current height limit is 65 feet.

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3. Design transition standards apply to all RB and CB zones. These standards provide more stringent rules regarding setbacks and stepbacks as compared to the previous regulations about setbacks.
4. There is a proposed CPA on the docket that would limit residential development in RB zones to 48 du/acre
5. There has been a lot of confusion created by the fact that the term “Regional Business” and its abbreviation “RB” is used both as a Comprehensive Plan designation and as a zone on the map and text of the development code. In addition, the term “regional” implies that uses are limited to those with a regional market (which is incorrect) while the term “business” implies that the exclusive use in this district is commercial as opposed to residential (also incorrect).

What are staff’s preliminary thoughts on the scope?

Staff has identified six concepts to keep in mind while considering the scope of the RB zoning code amendment:

1. The Council has already twice extended the interim regulations.
2. Regional Business zoning is not limited to the Aurora Corridor.
3. The council has provided some direction to the process
4. Permanent regulations, though intended to provide a degree of certainty to Shoreline’s residents and potential developers, are not written in stone.
5. To eliminate the confusion between identical terms in the plan and code, it may be wise to simply re-name the zoning designation to something else.
6. Discussion of the regulations should include a conversation about whether a density limit of 48 dus/acre is appropriate in an RB zone, either as a base density or as a maximum. This option is one that the Council placed on the Comprehensive Plan Amendment docket and deserves consideration along with other options.

Elaborating on the five concepts

The Council has already twice extended the interim regulations.

It is unlikely that they will want to do so again. To allow the Council enough time to consider and adopt new permanent regulations by mid-November, staff suggests that the Commission to develop a recommendation by early October.

Staff recommends that the Commission strive to develop permanent regulations that are straightforward to understand and apply, and aim to develop regulations built around existing code language rather than developing a brand new code (such as the Ridgecrest Planned Area code.)

Regional Business zoning is not limited to the Aurora Corridor.

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Though the bulk of it is located on or near the Aurora, there are existing pockets of RB zoning in Ballinger and near Lake City Way. The Comprehensive Plan would permit RB zoning on sites that are currently designated CB or RB

Staff cautions the Commission not to focus on specific sites or proposals when developing the regulations. They need to be applicable citywide.

The council has provided some direction to the process in adopting the Vision and Framework Goals and the Midvale Demonstration Area. (Attachments 1 and 2)

The Vision and Framework Goals (excerpted in Attachment 1) call for a mixture of higher and lower intensity uses. They also call for vibrant mixed use residential areas. The Midvale Demonstration Area (Ord. 546 and 549) is an exception to the interim regulations that would allow additional density, but requires design review and public amenities.

Staff concludes that the Council direction provides flexibility to the Commission to consider that some areas of RB could allow more intensity or density than other RB areas.

Permanent regulations, though intended to provide a degree of certainty to Shoreline's residents and potential developers, are not written in stone. We foresee that the Town Center Subarea Plan will modify the RB regulations in some form (The initial discussion with the Planning Commission on Town Center will occur at your July 9 meeting.) It is possible that different regulations might also be considered for other areas, such as the Sears site.

This conclusion, together with the relatively short time frame, leads staff to reiterate its objective to keep this set of regulation relatively simple. Future subarea or Planned Area processes will provide time to develop more geographically specific regulations, taking into account specific topography etc.

Discussion of the regulations should include a conversation about whether a density limit of 48 du/acre is appropriate in an RB zone, either as a base density or as a maximum. This option is one that the Council placed on the Comprehensive Plan Amendment docket and deserves consideration along with other options.

Because the Council has directed that an RB limit of 48 du/acre to be studied as part of the 2009 CPA docket, the Commission should add this as an option.

Current direction of staff recommendation.

Staff continues to believe that a form-based code is a valid objective and that the RB zone in the Aurora Corridor is a reasonable place for that to occur. Currently,

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staff is considering development of a proposal that would reduce the allowable density/intensity on smaller or narrower sites and allowing more density/intensity on larger sites. This would be accomplished by limiting building height on smaller sites and allowing greater height on larger sites.

Staff would expect that the effect of this proposal is to concentrate larger development onto a few geographic areas on Aurora—probably portions of the Town Center, Sears and Aurora Village sites. Other parts of Aurora would have development, but it would be on a smaller scale.

For sites with access to Aurora, staff is mulling over whether to place a limit on allowable density, allowing the height limit and parcel size to control it. For sites that don't have direct access to Aurora (including sites on Ballinger and other parts of the City), staff would definitely consider a density limit.

In addition, staff is mulling over the question of developing a new zoning category that doesn't permit retail uses. This zone might be appropriate on sites that are located between an intense RB zone and a single-family zone.

Next Steps

Staff will discuss these ideas with you in greater detail at the June 18 meeting. We are looking for your reactions as well as your ideas about other concepts to consider.

If you have questions or comments prior to the meeting, please discuss them with Steve Cohn at 206-801-2511 or email him at scohn@shorelinewa.gov.

Attachments

1. Excerpts from the Vision Statement/Framework Goals
2. Excerpts from Ord. 549 (Midvale Demonstration Project)

ATTACHMENT 1

Excerpts from the Vision Statement

Aurora Avenue is Shoreline's grand boulevard. It is a thriving corridor, with a variety of shops, businesses, eateries and entertainment, and includes clusters of some mid-rise buildings, well-designed and planned to transition to adjacent residential neighborhoods gracefully. Shoreline is recognized as a business-friendly city. Most services are available within the city, and there are many small businesses along Aurora, as well as larger employers that attract workers from throughout the region. Here and elsewhere, many Shoreline residents are able to find family-wage jobs within the City.

Housing in many of the mixed-use buildings along the boulevard is occupied by singles, couples, families, and seniors. Structures have been designed in ways that transition both visually and physically to reinforce the character of adjacent residential neighborhoods.

The improvements put in place in the early decades of the 21st century have made Aurora an attractive and energetic district that serves both local residents and people from nearby Seattle, as well as other communities in King and Snohomish counties. As a major transportation corridor, there is frequent regional rapid transit throughout the day and evening. Sidewalks provide easy access for walking to transit stops, businesses, and connections to adjacent neighborhoods.

Aurora has become a green boulevard, with mature trees and landscaping, public plazas, and green spaces. These spaces serve as gathering places for neighborhood and citywide events throughout the year. It has state-of-the-art stormwater treatment and other sustainable features along its entire length.

As you walk down Aurora you experience a colorful mix of bustling hubs – with well-designed buildings, shops and offices – big and small – inviting restaurants, and people enjoying their balconies and patios. The boulevard is anchored by the vibrant Town Center, which is focused between 175th and 185th Street. This district is characterized by compact, mixed-use, pedestrian-friendly development highlighted by the Shoreline City Hall, the Shoreline Historical Museum, Shorewood High School, and other civic facilities. The interurban park provides open space, recreational opportunities, and serves as the city's living room for major festivals and celebrations.

Framework Goals

Shoreline is committed to being a sustainable city in all respects.

- FG 1: Continue to support exceptional schools and opportunities for lifelong learning.
- FG 2: Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.
- FG 3: Support the provision of human services to meet community needs.
- FG 4: Provide a variety of gathering places, parks, and recreational opportunities for all ages and expand them to be consistent with population changes.
- FG 5: Encourage an emphasis on arts, culture and history throughout the community.
- FG 6: Make decisions that value Shoreline's social, economic, and cultural diversity.
- FG 7: Conserve and protect our environment and natural resources, and encourage restoration, environmental education and stewardship.
- FG 8: Apply innovative and environmentally sensitive development practices.
- FG 9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.
- FG 10: Respect neighborhood character and engage the community in decisions that affect them.
- FG 11: Make timely and transparent decisions that respect community input.
- FG 12: Support diverse and affordable housing choices that provide for Shoreline's population growth, including options accessible for the aging and/or developmentally disabled.
- FG 13: Encourage a variety of transportation options that provide better connectivity within Shoreline and throughout the region.
- FG 14: Designate specific areas for high density development, especially along major transportation corridors.

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- FG 15: Create a business friendly environment that supports small and local businesses, attracts large businesses to serve the community and expand our jobs and tax base, and encourages innovation and creative partnerships.
- FG 16: Encourage local neighborhood retail and services distributed throughout the city.
- FG 17: Strengthen partnerships with schools, non-governmental organizations, volunteers, public agencies and the business community.
- FG 18: Encourage Master Planning at Fircrest School that protects residents and encourages energy and design innovation for sustainable future development.

ATTACHMENT 2

ORDINANCE NO. 549 (Excerpt)

Section 2. Interim Regulation Amended. The interim regulation for the Regional Business Zone (RB) and Section 2 of Ordinance No. 505 are amended to read as follows:

Moratorium and Interim Regulation Adopted.

- A. Except for properties included under subsection B, A moratorium is adopted upon the filing of any application for residential development within the Regional Business (RB) zoning district of the City, which exceeds 110 dwelling units per acre, unless a neighborhood plan, subarea plan or special district overlay plan authorizing a higher density has been approved.
- B. For property zoned Regional Business (RB) that abuts Midvale Ave.N. between N 175th and N. 185th Streets, a moratorium is adopted upon the filing of any application for residential development which does not:
1. Limit the maximum building height within 100 feet of the property line between RB and R-8 and R-12 zoned properties to 45', and limit the maximum building height between 100-200 feet of the property line to 55' ~~Limit building height at least 200 feet from property lines to 45', abutting all residential districts except R-48;~~ and
 2. At a minimum, meet "3-star" construction standards plus independent verification under King County Built Green standards as amended, or equivalent standard approved by the director; and
 3. Include electric vehicle plug-in facilities in parking areas; and
 4. Make a provision for the developer holding a neighborhood meeting with city staff in attendance to identify traffic impacts coming from building occupants and discuss appropriate mitigation measures. Meetings will be advertised by mailings to property owners and occupants within 500 feet of the property; and
 5. Demonstrate compliance with design standards of SMC 20.91.050 with the following modification, unless a design departure approval is obtained under SMC 20.91.040. The modification is: development will provide contiguous commercial space covering at least 2/3 of street frontage (not including

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openings into buildings) or an equivalent contiguous space on the 1st floor with an entrance onto Midvale; and

6. Limit housing unit density to a maximum 150 du/acre.
7. All buildings and required parking shall be located on the RB-zoned property and not off-site.

C. No land use development proposal or application may be filed or accepted which proposes a development that does not comply with this section.

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

June 18, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Hall
Vice Chair Wagner
Commissioner Behrens
Commissioner Broili
Commissioner Kaje
Commissioner Kuboi
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services

Commissioner Broili inquired if the City would be guaranteed a source of water from SPU if they were to establish their own water district. Mr. Tovar clarified that the City is looking into the possibility of purchasing SPU's assets, which would then be managed by the City's new water department. He summarized that numerous organizational details must be put in place before the acquisition could occur. The people who currently depend upon water from SPU have some legal rights to have water provided to them by the City of Seattle, which owns the franchise. A grey area exists as to whether the City of Seattle has a duty under the Growth Management Act or any other law to have their water system support Shoreline's land use plan. If they were a special district, they would clearly have to be consistent and support the City's land use plan.

Commissioner Behrens asked if staff is comfortable that the City Council would eventually adopt a Goals document that is very similar to the draft that is currently before the Commission. Mr. Tovar expressed his belief that the City Council would likely adopt the document prior to the Commission's next discussion regarding the Comprehensive Plan Update.

Commissioner Pyle referred to Goal 8, which is to develop a Fircrest Master Plan, and questioned why the City should target Fircrest when there are other campuses in the City where the master plan concept could be applied. Chair Hall reminded the Commission that the purpose of tonight's discussion is to talk about their process for updating the Comprehensive Plan. Attachment B is a working document of the City Council and was provided to the Commission simply for information. He suggested the Commission allow the City Council to finish their exercise and adopt a final document before they request additional information from staff.

Project Scope of Permanent Regulations for Regional Business Zone

Mr. Cohn referred to the Staff Report, which outlines some of staff's preliminary thoughts for refining the code language for the Regional Business (RB) zone. In addition, staff would like feedback from the Commission about additional questions and concepts they would like to study. He suggested that as the Commission reviews the current language to identify problems and opportunities, they should keep in mind that the City Council has extended the interim regulations twice. He recommended the Commission complete their work by mid October so the City Council can adopt permanent regulations before the November 12th deadline. He referred to Commissioner Behren's email which could provide a good starting point for the Commission's discussion.

Commissioner Kaje recalled that when the Commission reviewed a request for RB zoning a few weeks ago, they discussed the concept of transition. They specifically discussed physical transition and how to soften a proposed development by limiting the allowed building envelope, setting the building back a greater distance from adjoining properties, etc. However, given that RB is the City's most intensive zoning designation, the Commission must also consider transition from a land use and zoning perspective. He referred to Vice Chair Wagner's earlier comment about the need for additional zoning designations that are less intense than RB. In addition, the Commission needs to have a discussion about what types of zones the RB designation can be located next to. For example, the City could consider R-24 to be an appropriate transitional zone between lower densities and RB so RB would not be allowed next to R-12 zones. While R-12 is often considered to be a higher-density, he said he does

not think that is what citizens would consider an appropriate transitional zoning for the RB zone. He recognized there may be unique circumstances where the City must rely on more of a physical transition because they have already zoned poorly. However, he suggested the City would continue to fight the same concerns over and over again unless they come up with some guidance as to what uses will be allowed in medium buffer zones. That is one reason why he expressed opposition to the previous proposal that would allow RB zoning in close proximity to R-6 and R-12 zones.

Commissioner Pyle agreed with Commissioner Kaje that the Commission must figure out what types of zoning RB should be surrounded by. However, in order to know what and how large the buffer should be, the Commission must have a clear understanding of what the RB zone would allow. He observed that one of the problems with the current RB language is that people have some fear of density and where and how it is located. The Commission should first discuss what the appropriate RB density should be, coupled with a discussion on how the density should be transitioned into the neighborhoods. The two issues go hand in hand. He said his interpretation of the Comprehensive Plan and the current RB regulations is that there is no density limit. However, just because it doesn't say there is a limit, does not mean it is not contemplated. It is merely a matter of dimensional standards, or how many units you can fit in a box given the parking, transportation, and other requirements. Whatever is allowed in RB zones has an impact on the surrounding neighborhoods. The Commission has a responsibility to protect the neighborhoods, but also to allow the City some flexibility and diversity as to what can be developed on an RB site.

Vice Chair Wagner said she was intrigued by the idea of coming up with multiple RB zones because the current RB zoning designation does not seem to fit all situations. She noted they have already drawn a line around the Town Center Subarea Plan, and perhaps they could do the same for the RB zones that are located to the north and south of Town Center. She questioned if the current Comprehensive Plan language would allow the Commission to go that direction.

Mr. Tovar agreed it would make sense from a long-term perspective to create different types of RB zoning designations. However, he questioned if this would be legally possible without some kind of policy basis. He summarized that a Framework Policy was provided in the Comprehensive Plan to draw a line around the Town Center (between 175th and 195th). However, there is no policy basis for determining that RB zoned sites located to the north and south of Town Center should be zoned at a different height or density. He recalled that a few years ago, staff proposed the concept of breaking Aurora Avenue North down into logical subsets, and perhaps this concept could be revisited as part of the Comprehensive Plan Update. While he cautioned against getting too detailed in the Comprehensive Plan, he suggested it would be appropriate to propose some framework policies for each of the subsets of Aurora Avenue North. He agreed to seek additional direction from the City Attorney.

Commissioner Behrens observed that there is a huge block of land that lies along Aurora Avenue, but some of the parcels are totally unusable for intensive development for a number of different reasons. He suggested a better approach would be to identify a baseline density, and then write Development Code language that allows additional density if certain important elements can be provided (i.e. located on a major corridor, adjacent to a bus line, adequate water supply, sidewalks, transition areas, green elements, underground parking, trees retention, parks and open spaces, etc. This would allow greater

density on properties that are large enough to be developed in a way that benefits the City. He suggested it is unrealistic to tell a developer he has a piece of RB land with unlimited density when in reality the parcel is not useable at the density the zoning code allows.

Commissioner Behrens pointed out that the initial concept of RB was for business and commercial development only, and residential uses were not allowed. He suggested that if RB is going to be used as a residential zone, the language should be located in the residential section of the Development Code. Once this change has been made, the Development Code could determine how much density would be allowed based on the list of elements he previously identified. Instead of coming up with one-size-fits-all language, they should provide incentives that encourage good development and growth.

Mr. Tovar agreed with much of what Commissioner Behrens suggested. However, the Commission should keep in mind that they have less than 2½ months to forward a recommendation for permanent regulations to the City Council for final adoption. Even if the City Council adopts permanent RB regulations, nothing would prevent the Commission from dealing with the regulations again as part of their Comprehensive Plan Update, and providing greater differentiation. However, this will take more time since policies would have to be adopted into the Comprehensive Plan to provide a basis for making distinctions in the RB zone.

Chair Hall agreed with Mr. Tovar that the Commission is somewhat limited in what they can address as part of their current effort. He agreed there are no two parcels in which a minutely detailed regulation could address all of the issues, and that is the purpose of allowing some flexibility.

Chair Hall reminded the Commission of their earlier discussion about using the Framework Goals and Vision Statement to guide their decisions. He observed that the Vision Statement calls out Shoreline being a sustainable city in all respects within the City boundaries, as well as the City's role in the region. He suggested the Commission should consider the relationship between sustainability goals and the RB business regulations. He pointed out that traditional exclusionary zoning ends up driving residents to use their cars for transportation because where you live is not where you work, shop or play. He suggested the Commission take this opportunity to recognize that because of location, RB zones create an opportunity for mixed use at a variety of densities. The question is how best to control and regulate the mixed uses, which becomes an issue of compatibility. He referred to Commissioner Kaje's earlier comments about transition and noted that when an RB zone is located next to an R-6 zone, effective transition could include up zoning the R-6 residential neighborhood to R-24, down zoning part of the RB zoned area, or requiring some kind of transition. While any of these tools would work, he said he is neither a proponent of up zoning which has a negative impact on neighborhoods nor down zoning that takes away private property rights. He cautioned the Commission that these two options must be done very carefully.

Chair Hall said he would prefer that the Commission's discussion focus on impacts to the neighborhood and compatibility instead of the number of units allowed. He reminded the Commission of previous discussions where they learned that because of demographic shifts, 2,600 square foot homes in single-family neighborhoods often have more cars per acre than smaller cottage homes that are generally occupied by one or two people. He summarized that the City's demographics are shifting, and in order

to create a balance, the City needs a larger number of smaller units. This can be accomplished by regulating traffic, parking and compatibility rather than the number of units. The design standards can address building envelope issues such as solar access and visual compatibility. He observed that parking and traffic have a greater impact on neighborhoods than the actual number of people living in a development. He concluded by saying he likes the concept of allowing a mixture of uses in the RB zone and allowing developments to be regulated based on their impacts and not the number of units.

Commissioner Piro said he would like to further discuss a point raised at their last meeting by Vice Chair Wagner about whether or not there is a gap between what is allowed in the R-48 and RB zones that may cause them to consider additional zoning designations that do not currently exist.

Commissioner Broili observed that the greater the intensity of the zoning, the more levels of scale and treatment will be necessary. For example, RB zoning may require three to five levels of zoning that have different treatments, and mixed use should be part of the scenario. He suggested that once the Commission has addressed the RB regulations, applying the same concept to other zoning levels would provide effective tools to fit future development into the landscape of the neighborhoods.

Commissioner Behrens observed that the RB zoned properties have been a topic of discussion since the City was incorporated, and he thanked staff for proposing the current moratorium, which has given the staff, City Council, Commission and citizens an opportunity to realistically review the regulations. However, he cautioned against being in a big hurry to resolve the issues. He noted that most of the City Councilmembers and citizens recognize this issue is tremendously important and will define what the City will look like in the future. If necessary, he suggested they extend the moratorium, particularly recognizing there is not a great demand for development at this time. This would give the Commission an opportunity to adequately address the issues and resolve them appropriately. Chair Hall reminded the Commission that the City has already limited the property rights of everyone who owns property in RB zones for 18 months, and these people are becoming frustrated. Mr. Tovar explained that the City Council has asked the Commission to recommend language for permanent regulations by November 12th. While they do have the option of continuing the moratorium, they have indicated they would rather not. However, he reminded the Commission that they would still have the ability to recommend changes in the future.

Mr. Tovar suggested the Commission consider renaming the zone from RB to something else such as Business Residential (BR), which would allow opportunities for business or residential. They could further refine the zone to allow varying levels of density. He recommended the Commission move their discussion away from the term Regional Business since it implies that it is intended for only regional business uses, which is not the case. He suggested the Commission make a recommendation to the City Council by November 12. At that time, they could also recommend the City Council allow them to further refine the zone to differentiate the varying levels of density, building height, uses, etc. However, he cautioned that it would be better to regulate based on groups of parcels rather than parcel-by-parcel.

Chair Hall summarized that the Commissioners were in support of changing the name of the current RB zone and recognizing the potential for mixed uses (residential and commercial). In addition, addressing

issues related to compatibility and transition should be a priority. Commissioner Pyle said it also appears the Commission has agreed to move away from using a unit cap approach that is intended to fit all of the sites because of the variable conditions that exist. He suggested the Commission focus on the qualitative issues related to access, parking, etc.

Commissioner Behrens expressed concern that not identifying a maximum unit count could mislead developers who purchase property thinking they can develop to a certain level, only to discover later there is not adequate infrastructure, such as water pressure, to build anything close to the number they had projected based on the code. Chair Hall pointed out there are areas in the City where there are not adequate water lines available to meet the fire flow standards for multi-family development. However, even if a unit count were identified as part of the zoning language, there may still be places where developers would be unable to obtain sufficient fire flow to develop a site to its fullest potential allowed by the code. Commissioner Behrens suggested the unit count be set at a level where the City can ensure there is adequate infrastructure. Commissioner Pyle suggested rather than a unit count, the code language could put in place mechanisms that adapt to site conditions. He said he works in development review, and the fact is people purchase properties without doing due diligence, but that is their issue to resolve.

Chair Hall summarized that the Commission generally agrees they don't want to have an arbitrarily set unit count that is intended to fit all RB zones. Instead, design requirements, site conditions, etc. would constrain development to an appropriate level. The Commission agreed it is important to make the constraints clear in the code language.

Commissioner Broili asked if density or unit count could be controlled by code regulations as well as function. Mr. Tovar answered there are ways to address intensity (density) such as a floor area ratio, standards for lot coverage, building envelope, etc. He recalled that the theory behind the form-based code concept is to regulate things the City cares the most about, which could include varying levels of floor area ratio. It would be up to the developer to do due diligence to find out exactly what the market, current infrastructure, etc. would support. Commissioner Broili summarized that the City would have the ability to implement form-based zoning without setting a unit count or density requirement and issues could be adequately addressed by the Development Code regulations. Mr. Tovar agreed that a unit count would not be necessary to regulate density. Commissioner Broili cautioned that because they are considering opportunities for mixed use, it is important to discriminate between the terms "density" and "unit count." The Commission should keep in mind that more intense uses with low unit counts can have just as much impact as less intense uses with higher unit counts. He summarized that both intensity and unit count could both be controlled through good code and regulations. Chair Hall recognized this could be a controversial issue, but the Commission has generally concluded they do not want to identify a maximum density count. He emphasized that as discussed by the Commission, density could be limited by other regulations related to parking, traffic, building size, etc.

Commissioner Kaje suggested the Commission not only consider the 300 acres that are currently zoned RB, but also those that are identified in the Comprehensive Plan as a Community Business (CB) land use category. He reminded the Commission that the Comprehensive Plan states that RB is an acceptable zone for properties identified on the land use map as CB. Throughout their discussion, the Commission

must remain cognizant of where the new rules might apply as they consider issues such as floor area ratios, heights, etc. They should keep in mind all of the locations that have the potential of being rezoned to RB.

Chair Hall agreed this would become even more important as the Commission considers future planning in the area of the future transit stations. It is likely they will conclude that the higher intensity development should be located near transit stops. However, they must also keep in mind that the neighborhoods are currently zoned as single-family residential. While it would not be appropriate to recommend rezoning single-family neighborhoods to RB in the near future, they may very well want to adopt a Comprehensive Plan designation that says as things redevelop they expect the area to become as intense as RB. This transition would then occur over many years. He summarized that it is not uncommon to have zoning designations that are below the maximum density allowed by the Comprehensive Plan in order to protect existing property owners. However, as the properties in this vicinity redevelop, it is likely the Commission would be asked to consider rezoning the properties.

Commissioner Behrens suggested it is somewhat unfair to allow property owners to rezone to RB and compete with people who own property that is already zoned RB. He suggested the City should encourage development of the existing RB zoned properties rather than encourage people to seek rezones for property that might not fit completely into the RB concept and then attempt to transition it. They have a tremendous amount of unused RB zoned property in the City, and the City should encourage these property owners to move forward.

Commissioner Wagner expressed concern about requiring developers of RB zoned properties to provide additional step backs or setbacks in order to reduce the impacts if it is likely that adjacent properties would be redeveloped into a more intense use in the near future. She suggested the Commission carefully consider if they want to require step backs and setbacks if they expect the properties they are intended to buffer to be developed with a higher density in the next five to ten years. She observed that this might not be the highest and best use of the land in the long-term.

Commissioner Wagner also expressed concern that the current RB zoning language allows for unlimited types of uses. She suggested it might be appropriate to prohibit certain uses, particularly in conjunction with residential uses. Mr. Tovar agreed that the City could not expect residential neighborhoods to thrive in mixed use areas if incompatible commercial uses are allowed to occur. He suggested it may be appropriate to impose specific regulations in certain RB zones where they hope to have residential areas grow.

Chair Hall summarized that the next step would be for staff to prepare some proposals to present to the Commission for further discussion. The Commission would have an opportunity to review the proposals at least one more time before a public hearing is scheduled in the fall. Again, he emphasized the importance of linking their discussion regarding RB regulations to the newly adopted Vision Statement and Framework Goals. He particularly called out Framework Goal 10, which says "respect neighborhood character and engage the community in decisions that affect them." He observed that respecting neighborhood character will be an important factor to consider when addressing the issue of

transition. Development in RB zones should not be allowed to severely impact adjacent residential neighborhoods.

Chair Hall recalled Commissioner Behrens suggestion that they start with base regulations and then provide greater incentives for environmentally friendly development, underground parking, affordable housing, etc. He noted that Framework Goals 7 and 8 speak to the City's natural resources and environmentally sensitive development practices. If they move towards a regulation that is based on floor area ratio, then creating regulations similar to those used for the Ridgecrest Neighborhood might be an option. He recalled that the Ridgecrest Neighborhood indicated favorable support for incentives to encourage public gathering spaces, and Framework Goals 4, 5 and 6 speak to gathering spaces, parks, recreational opportunities, plazas, arts, culture and history, etc. He summarized that some good things were done with the Ridgecrest Neighborhood as far as building envelope and transition zoning to address neighborhood compatibility. Using this approach, along with adding some incentives as discussed earlier, would go a long way towards having an acceptable, fairly high-intensity, mixed-use zone.

Commissioner Wagner recalled that when the Commission worked on their recommendation for the Ridgecrest Neighborhood, they expressed disappointment that it was not possible to add residential units on top of Gateway Plaza because there was not sufficient infrastructure in place at the base. She suggested the Commission consider the feasibility of including a requirement that developers consider potential future up building so that the necessary infrastructure is in place to support the addition of residential units on upper stories at some point in the future. Chair Hall agreed the Commission should be concerned about preserving more open space by using land more efficiently, and this relates back to being sustainable and environmentally friendly. When large sites are developed as 1-story buildings, the City loses a tremendous opportunity to have a more sustainable development that can house more people.

PUBLIC COMMENTS

Les Nelson, Shoreline, recalled that the original RB zoning designation did not allow any housing density. By the time the zoning was adopted by the City of Shoreline, the RB and CB zones allowed R-24 and R-36. He encouraged the Commission to review the Council's research related to Ordinances 238 and 276, which were adopted in 2000. He noted the process never really addressed whether or not the public was informed of anything above R-48. He recalled that the City Council previously directed that R-48 was to be the standard density limitation.

Mr. Nelson said that he likes the idea of applying a floor area ratio concept to allow development to go higher. However, he is against allowing a mid-rise height for residential units everywhere. He noted that discussions related to the RB zone were initially focused on those properties located along Aurora Avenue North, but now it seems the more intense housing density would be located along Interstate 5 and 185th and 145th near the proposed new transit stations. If that is the case, they should not place all of the housing on Aurora Avenue, since this would remove all of the business opportunities. He said he lives 1 block from Aurora Avenue, and he would like to see a mixture of uses. He said that if the City were to stick with a maximum density of R-48 then placing a 220-unit building on one acre would

require a developer to designate three other acres for parks or businesses. This would require a developer to come up with a better plan to make it work.

Mr. Nelson disagreed with Chair Hall's comment related to down zoning and the concern that property rights would be taken away. He said he does not believe a property owner would prevail in a claim against the City if the City were to set a maximum density of 48 units per acre and then establish incentives that allow greater density and height. He referred to all the development that is taking place on Martin Luther King Way related to the Sound Transit Project. He encouraged the Commission to visit this area to see what they did to accommodate the major transit facility. He suggested that CB and RB land uses should govern the Commission's decision about how a particular property should be used in the future because RB zoning has always been whatever anybody wants it to be.

Commissioner Kaje clarified that Mr. Nelson is opposed to mid-rise developments that are residential only. Mr. Nelson is asking the Commission to think of ways to specifically encourage multiple uses in the RB areas as opposed to strictly residential uses. Mr. Nelson observed that it is difficult to force developers to include retail space as part of a residential building. However, this same effect would result if the City were to create a situation where in order to get the height and the density they want, developers have to give up another property or portion of a property for business. He said he does not want the City to give up a substantial portion of their business district to accommodate residential units.

DIRECTOR'S REPORT

Mr. Cohn advised that the Commission's packet included sample multi-family regulations from the City of Seattle. They have been working on the document for several years, and it is very readable and has some interesting ideas. He suggested the Commission review the information and keep it in mind as they consider multifamily regulations in the future. He advised that the packet also included updated sections of the Comprehensive Plan, which incorporates all of the amendments that have been adopted over the past few years. Updated materials were provided for the Development Code, as well.

Mr. Cohn reminded the Commission that they agreed to cancel their July 2nd meeting and meet on July 9th instead. Staff is suggesting the Commission reschedule their second meeting in July from the 16th to the 23rd. He advised that staff anticipates scheduling a driving or walking tour of town center. The Commission agreed to reschedule the July 16th meeting to July 23rd, and staff indicated they would be willing to schedule an additional tour for Commissioners who are unavailable on July 23rd.

Mr. Cohn announced that the City would receive a new population estimate at the end of July, and his informed guess is that the population would be more than the currently identified 53,000.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.