

AGENDA
 CITY OF SHORELINE PLANNING COMMISSION
 REGULAR MEETING



Thursday, September 1, 2005
 7:00 p.m.

Shoreline Conference Center
 Board Room
 18560 1st Avenue NE

| | <u>Estimated Time</u> |
|----------------------------------|-----------------------|
| 1. CALL TO ORDER | 7:00 p.m. |
| 2. ROLL CALL | 7:01 p.m. |
| 3. APPROVAL OF AGENDA | 7:02 p.m. |
| 4. DIRECTOR'S REPORT | 7:03 p.m. |
| 5. APPROVAL OF MINUTES | 7:08 p.m. |
| a. August 4, 2005 | |
| 6. GENERAL PUBLIC COMMENT | 7:10 p.m. |

The Planning Commission will take public testimony 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 address.

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| 7. REPORTS OF COMMITTEES AND COMMISSIONERS | 7:15 p.m. |
| 8. STAFF REPORTS | 7:25 p.m. |
| <i>No new staff reports</i> | |
| 9. PUBLIC COMMENT | 7:25 p.m. |
| <i>No new staff reports – public comment should be provided in Item 6</i> | |
| 10. UNFINISHED BUSINESS | 7:25 p.m. |
| a. <i>Continued Cottage Housing Deliberations</i> | |
| <i>See also June 2 & June 16, 2005 Planning Commission Packets</i> | |
| 11. NEW BUSINESS | 9:30 p.m. |
| 12. AGENDA FOR September 15, 2005 | 9:35 p.m. |
| <i>Recommendation: Cottage Housing</i> | |
| 13. ADJOURNMENT | 9:40 p.m. |

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CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING**

August 4, 2005
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Harris
Vice Chair Piro (arrived at 7:10 p.m.)
Commissioner McClelland
Commissioner Kuboi
Commissioner Phisuthikul
Commissioner Hall
Commissioner Broili
Commissioner MacCully

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Andrea Spencer, Senior Planner, Planning & Development Services
Matt Torpey, Planner II, Planning & Development Services
Jessica Simulcik, Planning Commission Clerk

ABSENT

Commissioner Sands

1. CALL TO ORDER

The regular meeting was called to order at 7:04 p.m. by Chair Harris, who presided.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Commissioners Kuboi, Hall, MacCully, McClelland, Phisuthikul and Broili. Vice Chair Piro arrived at 7:10 p.m. and Commissioner Sands was excused.

3. APPROVAL OF AGENDA

The Commission discussed the importance of allowing time for everyone in the audience to address the Commission if they so desire. However, they agreed to delete Item 9 since all public comment could be accommodated as part of Item 6.

COMMISSIONER BROILI MOVED THAT THE AGENDA BE APPROVED AS AMENDED. COMMISSIONER MACCULLY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

4. DIRECTOR'S REPORT

Mr. Stewart referred the Commission to a copy of the memorandum he sent to the City Council regarding the Growth Management Act Growth Targets. He explained that the City Council recently discussed this issue, and a number of the Council Member candidates have also asked him for more information. He briefly walked the Commission through the numbers so that they have a clear understanding of where the City stands as far as growth targets, capacities, etc.

Mr. Stewart explained that the Growth Management Act requires the City of Shoreline to help accommodate the growth that is projected to occur in King County. The County has been given a population target, and through an elaborate process by the Growth Management Planning Council, the population was allocated amongst the cities and unincorporated areas. He reviewed that King County is expected to accommodate 151,000 new housing units between 2001 and 2022 and Shoreline's share is 2,651 new units. He noted that the target number was accepted by the Shoreline City Council in July of 2003.

Next, Mr. Stewart explained that the City is required to determine what their zoning capacity is under the current regulations. The Buildable Lands Report the City produced in 2002 stated that the City's capacity was 2,307. He said it is important for the Commission to understand that this report was completed immediately after the City adopted their Development Code and with limited empirical data. He said the bottom line is that the City has a gap of about 200 units between the target and buildable lands available. However, he said he does not have a significant concern about this gap for the following reasons:

- The City assumed that about 350 of the new units would be cottage housing. If the City were to limit or eliminate the opportunity for cottage housing, this number would be cut in half since the land could be developed as regular single family lots.
- The North City Sub Area has a capacity of 955 units, but this assumes the build out of North City and illustrates what the density could be if they really intensify and build urban neighborhoods. There is this same development potential in a number of other areas throughout the City. There are three special study areas identified.
- No additional capacity was assumed for areas of the City which have private covenants that prohibit any density increases. However, a court challenge could overturn the covenants, and additional capacity could be obtained in those areas, as well.
- There was no assumption that new units would be built in commercial zones, even though the development regulations would allow this to occur. It is assumed that over the 20-year period, the City would be able to easily produce more than 500 additional units in the commercial zones, which would easily cover the gap between the target and the City's buildable lands.

- There are currently three sub areas in the City (Paramount, Briarcrest and Ballinger), which have the potential of upzoning if the City goes through a planning process with the neighborhoods. No additional capacity was assumed for these neighborhoods.
- There are areas such as Fircrest, which also have the potential for additional housing units, but nothing has been assumed at this point.
- They did not assume any increase in capacity for affordable housing, even though the development code allows for a 50-percent bonus increase.

Commissioner Kuboi asked if studio apartments and other types of small apartments would be considered as one unit in meeting the growth targets. Mr. Stewart answered that any unit, regardless of size, would count as one unit.

Commissioner McClelland asked if the City knows for sure that Innis Arden and The Highlands developments have been built out. She said she has heard talk that there is vacant land in The Highlands. Mr. Stewart said that when restrictive covenants are placed on land, they are considered privately restricted development rights. The City has zoning that establishes buildable limits that are zoned and publicly controlled under police power. He emphasized that the City does not enforce private covenants since they are considered private matters between the property owners. However, the City does enforce zoning. For example, if a one-acre parcel had a private covenant that said it could not be further subdivided, but the zoning code allows four units, the City would approve a plat with four units. But the plat could be challenged in court because of the private nature of the agreement. When the City completed their projections in 2002, they were realistic and did not assume that any of the areas of the City that have private covenants would be further subdivided and developed.

With regard to housing being developed in commercial zones, Commissioner McClelland pointed out that now that the Central Shoreline Sub Area Plan has been adopted, additional housing could be constructed somewhere along Aurora Avenue. In addition, it appears that new housing would be developed at Echo Lake. Both of these areas are commercial zones. Mr. Stewart agreed and pointed out that the Echo Lake property was zoned as R-48, so there was already some assumed capacity in this location. Mr. Stewart cautioned that when units are lost as a result of new construction they must be deducted from the target number.

Mr. Stewart referred the Commission to the memorandum from Paul Cohen regarding the Cottage Housing deliberations. He asked that the Commissioners review this document and forward their questions and concerns to Mr. Cohen as soon as possible.

5. APPROVAL OF MINUTES

THE JULY 7, 2005 MINUTES WERE APPROVED AS DRAFTED. THE JULY 21, 2005 MINUTES WERE APPROVED AS AMENDED.

6. GENERAL PUBLIC COMMENT

Mike Jacobs, President of Innis Arden Club, spoke regarding the proposed changes to the tree conservation regulations. He recalled that Innis Arden has 52 acres of tree reserves. He reported that the club recently engaged in a survey of each significant tree, with the exception Boeing Reserve. A number of the significant trees have been identified as hazardous by the arborist they hired, and there have been situations in the past where trees have failed. He pointed out one particular situation that occurred in April of 2004 when a tree in the Bear Reserve snapped during a windstorm at 3:30 p.m. and landed within 20 feet of a child who was walking home from Sunset Elementary School. This was a maple tree, and it ended up taking down the power line, as well. Mr. Jacobs explained that, unlike the City, if the Innis Arden Club is aware of hazardous trees but fails to take action to cure the defect and someone is injured, they would be held liable.

Mr. Jacobs asked that the Commission consider amending Section 20.20.024.H since the definition does not include any language related to trees that pose a danger to individuals. He explained that residents of Innis Arden walk through the trails daily. If they cannot manage the reserves to eliminate hazardous trees along the trails, they risk jeopardizing the safety of the residents.

Next, Mr. Jacobs referred to Section 20.80.030.J and said the Innis Arden Board is firmly behind the Stewardship Plan as recommended by staff. He urged the Commission to recommend its approval. He explained that the Stewardship Plan would enable the Innis Arden Club to work with City staff to formulate a plan to manage the reserves. The plan would be based on ISA standards, best available science, etc. He summarized that enactment of the Stewardship Plan is critical to their community.

Lastly, Mr. Jacobs provided a copy of other changes he would like the Commission to consider (see Exhibit 2). One change in particular was related to Section 20.50.320.D, which talks about removal of significant trees. He pointed out that while this section states that only six significant trees could be removed within a 3-year period, it does not specify a tract size. He said they would like to have this reduced to a 10,000 square foot tract. He noted that some of their reserves in non-critical areas are several acres in dimension. They also want to create views for members, and it is important that they be allowed to do so.

Dan Lyons, said he has lived in Shoreline for about 50 years and in Innis Arden for 35 years. He said he has great concern about the proposed changes and their impact to the Innis Arden reserves, which qualify as critical areas. While he recognizes that some changes must be made, it is important to make sure safeguards are put in place before authorization is given for widespread cutting of trees in the reserves. He said that, in the recent past, there have been objections expressed by some of the Board members that the City had no right to enter the reserves because they were private property. He said he believes this is ridiculous since the City has the responsibility of enforcing the rules. Mr. Lyons said he feels strongly about the provision that would allow six significant trees to be cut without any logical reason. He said this provision has been abused in the recent past, and trees have been cut only for view enhancement and no other purpose. He said they are counting on the City to create and enforce fair rules.

Al Wagar, said he recently retired as a Research Professor at the University of Washington College of Forest Resources, where he taught courses in urban forestry and wildland recreation, both of which emphasize the social as well as biological dimensions of forest management. In addition, he advised that he is a life member of the International Society of Arboriculture.

Mr. Wagar said he also participates on the Innis Arden Board of Directors where, in 1996, he worked with a fellow board member to develop a vegetation management plan for the ravines in Innis Arden. They sought a middle ground between those who felt any tree over six inches in diameter was sacred and those who felt any tree that blocks a portion of a view was an abomination. He expressed his belief that there is middle ground that would allow them to maintain the ravines as attractive, wooded areas that provide soil stability and wildlife habitat, while still allowing views over or through them.

Mr. Wagar urged the Commission to adopt the proposed changes to Section 20.80.030.J (Item 13 on the Matrix), which is a provision for Critical Areas Stewardship Plans. Doing so would provide reasonable flexibility in the management of critical areas while maintaining oversight by the City of Shoreline. However, because the term “no net loss of functions and values” would be impossible to quantify, he suggested that Item 1 be changed to read, “The Plan will maintain essential functions and values of each critical area.” Mr. Wagar explained that the reserves are dynamic systems that are in constant flux and have multiple functions and values, some of which are in conflict with each other, raising the issue of “net loss for which function.” For example, he pointed out that most niches for wildlife would be maintained by having vegetation of many different heights, creating a multi-layered canopy. But a multi-layered canopy is the most dangerous in terms of fire. Mr. Wagar pointed out that vegetation in many of the ravines is dominated by early-successional hardwoods (alder and big-leaf maple) that are beginning to deteriorate. But if these areas were allowed or encouraged to revert to nearly pure stands of conifers, they would go through a long stage of canopy closure during which their value for wildlife would be greatly diminished.

Regarding soil stability and hydrologic values, Mr. Wagar said the roots of nearly any kind of wood vegetation would hold the soil together, and the hydrologic regimes and erosion problems of the ravines result almost entirely from conditions in watersheds that lie outside of Innis Arden. He said massive planting of trees in these watershed areas could greatly improve the conditions in the ravines. But greatly increasing tree canopies in the last half mile to the Sound would not have any impact.

Finally, Mr. Wagar referred to the proposed changes for Section 20.50.310 (Item 16 on the Matrix), where International Society of Arboriculture methods are mentioned. He urged the Commission to use the words “tree risk assessment” in place of “hazard tree analysis.” He explained that some leading arborists prefer this terminology because it does not designate every tree analyzed as a “hazard tree” with the legal implications of being “on notice” that the tree must be taken down or there would be liability problems.

John Lombard, Executive Committee, Thornton Creek Alliance, Seattle, thanked the Commission for their thoughtful consideration of the issues the Alliance raised a number of months ago. He said the Alliance supports just about all of the actions the Commission took on the proposed amendments at their July 21st meeting, but he also has some concerns. Mr. Lombard said the Alliance appreciates the

Commission's decision to designate Puget Sound as a fish and wildlife habitat conservation area. However, he said it is not clear to him, from the materials he received, whether there would be any sort of buffer requirement attached. Secondly, Mr. Lombard said that if there were a delay in seriously considering the Department of Ecology's recommendations for wetland ratings and buffers, the Alliance would like to know what the schedule for this would be. He commented that, without dealing with this recommendation, the City would not be following best available science. Therefore, they would be open to appeals to the Growth Management Hearings Board.

Lastly, Mr. Lombard referred to the tree cutting provisions for view preservation. He said the Alliance supports the recommendations made by Commissioner Hall for essentially all of the issues. He challenged the Commission to provide an example of where tree cutting according to the provisions of the proposed ordinance could, in fact, allow for no net loss of the functions and values of critical areas, since this is the standard the Growth Management Hearings Board is looking for. He cautioned that if the City tries to follow through with the proposed language, they could be very open to challenge.

Alan Kohn, said he has lived in his home for the past 33 years. He said that he is also a biologist affiliated with the University of Washington. While he doesn't claim the expertise in as relevant of an area as Mr. Wagar, he has some of the same concerns. He referred to Section 20.80.030.J (Item 13 on the Matrix), and said that while Commissioner Hall's proposed amendment would improve the language, it would still not be adequate. He recommended that this proposed section be deleted because it is contradictory. In addition, it appears to be logically impossible that trimming or cutting large trees would result in no net loss in functions and values of a critical area. The functions and values are not really explicitly stated in the proposed amendments, but it is clear that they refer to the environmental services of living organisms. Trees remove pollutants and carbon dioxide from the atmosphere. He pointed out that a 40-year old Douglas Fir would remove about 35 gallons of pure carbon dioxide from the atmosphere every day. In addition, there are other functions and values of trees listed in the best available science section, such as mitigation of runoff, etc.

Mr. Kohn pointed out that a Stewardship Plan would require a very large investment of time, effort and money on the City's part. However, there is no way that the plan would be able to offset the loss of functions and values that necessarily comes with any trimming and removal of trees. Lastly, Mr. Kohn expressed his belief that any provision in the Critical Areas Ordinance that would provide a way to eliminate the rules of the ordinance would be widely perceived as undermining and subverting the Critical Areas Ordinance.

Michael Rasch, agreed with the comments and recommended changes proposed by Mr. Jacobs, and he asked that the Commission seriously consider adopting them. He recalled that the City proposed the amendment to Section 20.80.030.J (Item 13 of the Matrix) because there had been a lot of friction between Innis Arden residents and the City. The Innis Arden community was established based on views, and over the years before the Critical Areas Ordinance was adopted, people were cutting or coppicing trees in the reserves to maintain their views. Coppicing trees leaves the root ball in place to preserve and prevent erosion. Recently, he said the City allowed more coppicing of trees to occur in one of the reserves. It is clear that the trees are not dead and they are shooting out sprouts. He said that when the Critical Areas Ordinance came into effect, all of the trees that were coppiced shot out sprouts

and have now grown up and blocked views. He said it would not hurt to cut the trees back again to allow for views, even though some of the trees are located in critical areas. He expressed his belief that there is a solution for restoring and preserving views and maintaining the reserves so they don't erode and can continue to provide biodiversity. He said he believes the City's intent in proposing the Stewardship Plan as to allow the community to maintain its views and still protect the critical areas. No one wants the reserves to erode, but at the same time, they want to save their property values. There is a lot of money attached to having a view of the Sound. He asked that the Commission recommend adoption of the Critical Areas Stewardship Plan provision without Commissioner Hall's proposed amendments.

Elaine Phelps, Vice President for Responsible Management of Innis Arden, said she has been appointed to represent the group on environmental matters. She said she is a resident of Innis Arden and served on the Board for four years, so she is familiar with the issues that have been presented by both sides. Ms. Phelps said she supports the efforts of Commissioner Hall to try and find a reasonable resolution to the Critical Areas Ordinance language proposed by staff in Section 20.80.030.J (Item 13 on the Matrix). She summarized that the proposed language is staff's solution to their perceived problem that vegetation management plans were not always upheld by the courts or by hearing examiners. She urged the Commission to pay careful attention to the legacy that will come from the decisions they make now. She said some of the people who spoke about preserving views never had a view to start with. They have created a view by removing trees, and this tempers her ability to give credence to the goal of allowing further cutting in the reserves.

Ms. Phelps stressed that the cumulative effect of cutting in the Innis Arden reserves is radically changing the environment, which is part of Shoreline and provides habitat for all kinds of wildlife. When Innis Arden was formed, one goal was to preserve the forested reserves. While Innis Arden does have some wonderful views, it is important to note that the lots located behind the reserves were less costly. So the people who are behind the reserves should understand that they are for all of Shoreline and not just for them to be able to cut to obtain better views. She agreed that hazardous trees that are located in areas that could have an impact on people should be removed, but when the hazardous trees are in the midst of a forest or grove, then perhaps their danger needs to be assessed more carefully.

Ms. Phelps said she worked with Mr. Wagar on the provisions for the vegetation management plan. While she was not totally satisfied with it, it was far better than no plan at all. Innis Arden doesn't have a plan now, so they cut trees regularly. She said it is important to think of the proposed Stewardship Plan language in the context of the entire City. If the City allows tree cutting in Innis Arden to protect views, they must allow it elsewhere in the City. She pointed out that the Critical Areas Ordinance has nothing to do with increasing the tax base or people's property values. Instead, it has to do with preserving and, if possible, improving critical areas. The Commission should carefully consider how the proposed Stewardship Plan would represent the goals of the Critical Areas Ordinance. Lastly, she thanked Commissioner Hall for his insightful approach to the language in this section. She urged the Commission to consider his recommended changes.

Maggie Taber, said she is a member of the Innis Arden Board and participates as the chair of the Reserves Committee. Ms. Taber strongly urged the Planning Commission to follow the staff's

recommendation regarding the Critical Areas Stewardship Plan. The Innis Arden Board desperately needs something to work with. They had a vegetation management program, but it was recently voided by the City. The Innis Arden Board must be able to manage the reserves for both view and safety. She said she took some of the Commissioners on a tour of the reserves, but Commissioner Hall was obviously not impressed with what she was trying to show as some of the hazardous trees. At that time there were some trees down in the paths that had not been cut up yet, and others have fallen since. The Innis Arden Board is trying to manage the situation as best they can.

Ms. Taber urged the Commission to include language in the hazardous tree recommendations regarding recreational areas, trails, children, etc. She pointed out that children use the trails to get to the school and the pool and to play in the woods. She said she would hate to have something happen to a child as a result of a hazardous tree. She pointed out that when trees are removed, they try to replace them. However, this is being done on a small scale because she has personally been providing the plantings. She said that, according to the arborist, there is a lack of diversity in the reserves. But the diversity has actually improved since some of the hazardous trees were removed. In addition, there has been growth of shrubs and berry producing habitat.

Ms. Taber said she moved to Innis Arden in 1998 because of the covenants and because her house had some view. Now her view is basically gone. Because of a few trees cut on private property, she has recovered a view of one mountain peak. She said she would like to see the water again, and this could be done by pruning some trees that have previously been cut to the ground and sprouted back. The arborist said that trimming the tree back 30 percent would not harm it.

Ms. Taber pointed out that the average lot size in Innis Arden is ½ acre. Elsewhere, the City is allowing five or six trees on 4,000 square foot lots to be cut to accommodate cottage housing, and all the water is coming down into the reserve areas. She wished the City could do something to at least slow this water before it gets to Innis Arden.

7. REPORTS OF COMMITTEES AND COMMISSIONERS

There were no reports of committees or Commissioners.

8. STAFF REPORTS

There were no staff reports scheduled on the agenda.

9. UNFINISHED BUSINESS

Continued Critical Areas Ordinance Update Deliberations

Mr. Torpey briefly reviewed the layout of the new matrix. He explained that left hand column identifies staff's proposed language, which is unchanged from the January 2005 edition. The middle column identifies the Planning Commission's recommended changes, and the right hand column identifies the changes that have been voted on by the Commission to date (Items 1-12). He recommended the

Commission start their deliberations with Item 13. He noted that three comment letters were included in the Commission's packet. An additional comment letter was provided to the Commission upon their arrival at the meeting.

Amendment 13 (Section 20.80.030.J – Exemptions)

VICE CHAIR PIRO MOVED THAT THE COMMISSION NOT AMEND SECTION 20.80.030 AS PROPOSED BY STAFF TO CREATE A NEW EXEMPTION FOR VIEW ENHANCEMENT WITH A STEWARDSHIP PLAN. COMMISSIONER HALL SECONDED THE MOTION.

Vice Chair Piro thanked the staff for their efforts to try and find some common ground on an issue that has very significant opposing views. However, he said he feels the proposed amendment is flawed on a number of counts, and he urged the rest of the Commissioners to join him in opposing it. He said he agrees with testimony provided by the public that the Growth Management Act makes it quite clear why critical areas are important and should be left as natural as possible. These are areas of environmental significance and it is important to preserve sensitive features, hazardous and steep slopes, soil stability, wildlife habitat, etc.

Vice Chair Piro said the proposed language could allow some undefined notion of view to undermine a key Growth Management Act prerequisite. The Commission should keep in mind that things are different in the community and in the State since the adoption of the Growth Management Act in 1990. It is very much a revolutionary piece of legislation and was not intended to maintain the status quo. In his view, he said he feels the Growth Management Act must trump view desires and things of that nature, and staff's proposed amendment would do just the opposite.

Vice Chair Piro said he is particularly concerned with how loose and undefined a lot of things are in the proposed language. For example, the term "view" is open ended. The Commission should keep in mind that the language would apply citywide and not just in covenant neighborhoods. Therefore, the term could mean anything depending on the location. Even if the Commission feels there should be some type of view exception provision in the ordinance, the proposed language is too ambiguous to be applied in any sort of meaningful way. He commended Commissioner Hall for thoughtfully reviewing the options regarding this issue, but at best, the language needs much more work before the Commission could support a concept of this type. He summarized his belief that the proposed language is a poor proposal and very much out of place to be part of the Critical Areas Ordinance.

Commissioner Broili said he would support Commissioner Hall's proposed amendment, not because he doesn't want to see view preservation in critical areas being addressed but because he would prefer to see a plan that addresses broader margins than just the individual reserves. He said it is his belief that forest or basin plans do not end at property lines. If the Commission wants to consider ways to manage these areas, they must look beyond just the area that is defined as the reserve. The function of a reserve does not end at the property line. The reserves must be reviewed as part of a much broader scope. He said he would support a better proposed approach to a management strategy that looks at the reserves in a more holistic perspective.

Commissioner Broili referred to a comment he made back in January with regard to the cutting of significant trees. He questioned how the City would even approach the issue of determining “net loss.” He cited that it is problematic that there would be a functional loss with each tree removed. The removal of six trees on most suburban lots would be considered significant. Even restored, there would be a net loss between the time of restoration and the functional maturity of the new planting. Even if the Commission were to recommend approval of a Stewardship Plan provision, he would be opposed to the cutting of six significant trees. It should only be done on the basis of a very structured, long-term, holistic strategy.

Commissioner McClelland said she is troubled by the complexity of the whole issue. However, it is important that the Commissioners remember that when the Growth Management Act was passed in 1990, it was not just about preserving, but was intended to balance, as well. Cities were asked to consider what rapid growth was doing to the State, not just to the natural environment, but the highways, etc. They were asked to consider how they could balance the need and desire for growth, which leads to the increase in property values and other benefits enjoyed by citizens of the region, with the need to reserve, conserve and respect the natural environment. She suggested that the Innis Arden Board work to write view preservation and environmental preservation guidelines for their reserves that is consistent with the State regulations that Shoreline is required to comply with. This would force them to really deal with the issue of balance on their own. It is possible that the private party and the public entity would then have documents that compliment each other.

Commissioner McClelland said it appears that people want to use the opportunity to remove a hazardous tree as a way to improve a view, and that is not what should be done. If a view is going to be created or preserved, it should be done in a legitimate way. There should be a provision to allow this without misusing or abusing a City regulation. She said she is leaning more towards the private property perspective than the intent of the Growth Management Act, just so they can get some balance and see if the community can work the issue out. She said she does not believe that tweaking a few policies would satisfy either side of the issue.

Chair Harris said he would vote against the motion because he supports the stewardship program that the staff and Innis Arden Club have worked to create. He said it is quite clear to him that the plan would result in no net loss in the functions and values of each critical area. The proponents of a Stewardship Plan would be required to call upon experts to create a plan, and these experts could judge whether or not a proposed plan is acceptable and follows the criteria outlined in the Critical Areas Ordinance. He summarized that he does not see the proposal as an open ended plan. It is quite explicit about what has to occur before a Stewardship Plan could be approved. He said he would support the staff’s proposed language as a good compromise.

Vice Chair Piro commended Commissioner McClelland for the good points she brought forward. He agreed that it is a challenge to balance the goals of the Growth Management Act. However, the design of the law really puts protection of critical areas above the other goals. The way the law is designed, the first thing a community must do is identify the critical areas and put regulations in place to preserve them. Then they are supposed to engage in balancing the remaining goals.

Vice Chair Piro said he would be interested in seeing a proposal that goes beyond the one proposed by staff to address the significant issues. While a Stewardship Plan might still be the best approach, the proposed language is too arbitrary and subjective. Again, he reminded the Commission that the language would be applied citywide and not just in the Innis Arden community.

Commissioner Hall pointed out that, throughout the hearings, the Innis Arden community has been deeply divided on this issue. However, no one from outside of Innis Arden testified in favor of the Critical Areas Stewardship Plan. When the Commission considers regulations that impact the entire City, he urged them not to just focus on a heated topic that has divided one neighborhood. Instead, they should think about how the proposal would impact the City's ability to regulate all critical areas.

Commissioner Hall said it is important to remember why the City is regulating the critical areas. Many people think this is about just protecting the wildlife and natural environment. But when preparing his proposed language, he was more interested in slope stability, erosion control, water quality, hydrology, etc. He pointed out that steep slopes are regulated under the geologic hazards portion of the Critical Areas Ordinance. The purpose of regulating development on geologically hazardous sites is not primarily to protect the ecosystem. It is primarily because development on steep slopes causes landslides and has an impact on human life and health. As much as it troubles citizens to allow government to regulate private property rights, some of the regulations are in place for the public's own good. When trees are on steep slopes, the City has an obligation to regulate private property to protect the health and safety of people who live in the community.

Commissioner Hall said that while he would support the motion, he would like to revisit the issue in the near future. There has got to be a solution to the problems in Innis Arden. Again, he said the City has the responsibility to regulate activities on steep slopes, and if the Commission tries to split off tree clearing in certain areas from other areas of the city without a very careful look, they could end up in trouble. He said he would rather not include the staff's proposed Stewardship Plan. Instead, they should stick with the current code language for now and then try again in the future.

Vice Chair Piro pointed out that there are very clear and understandable exemptions in the Critical Areas Ordinance for situations such as hazards and emergencies that would take care of trees that could potentially present some harm to the public.

Commissioner Broili said he doesn't want the Commission to be forced into becoming the arbitrator in a community dispute. Whatever decision the Commission makes must be outside of that realm. He said he would vote against the motion if he were confident there was a basin-wide plan that had teeth. He expressed his concern that the issue has not been resolved under the present regime, yet a vegetation plan provision was in place for a number of years prior to the City rescinding it. While he doesn't support the staff's proposed language, he would support a plan that looks at the issue from a holistic point of view that provides discriminately for views. They must first define "view," which has not been done in the proposed language. He said he would support the motion, but with the hope that the Commission would work in the near future to come up with a better approach that addresses the community needs and concerns, and at the same time, protects the reserves and all of Innis Arden.

THE MOTION CARRIED 7-1, WITH CHAIR HARRIS VOTING IN OPPOSITION.

Commissioner Piro commended Commissioner Hall for his work in preparing an alternative proposal for the Commission's consideration. His proposal was extremely well thought out.

Amendment 14 (Section 20.80.030.P – Exemptions)

COMMISSIONER HALL MOVED THAT THE COMMISSION NOT RECOMMEND APPROVAL OF STAFF'S PROPOSED LANGUAGE FOR SECTION 20.80.030.P. VICE CHAIR PIRO SECONDED THE MOTION.

Commissioner Hall expressed his opinion that the language in Section 20.80.030.P was more narrowly written than Section 20.80.030.J. It at least has some built in control to allow for the removal of up to six trees. However, they have heard from citizens that this may or may not seem equitable given different lot sizes. People who have argued in favor of this proposed amendment have spoken about hazards, but he pointed that the ordinance already includes an exemption that allows hazardous trees to be removed. When he visited the reserves, he noticed that this exemption has perhaps been used too liberally to create views. Commissioner Hall reminded the Commission that the language in this section is related to trees in critical areas that are not considered to be hazardous. He said he would prefer not to add a loophole in the ordinance by accepting the staff's proposed amendment.

Vice Chair Piro said a major flaw with the proposed language is that it doesn't provide any definition regarding the size of a buffer, and it is too arbitrary.

THE MOTION CARRIED 7-1, WITH CHAIR HARRIS VOTING IN OPPOSITION.

Amendment 15 (Section 20.80.030.J)

This amendment was addressed as part of Amendment 13 above.

Amendment 16 (Section 20.50.310 – Exemptions From Permit)

Mr. Stewart pointed out that Item A.5 in Section 20.50.310 should be deleted as per the Commission's earlier decision to eliminate the sections in the ordinance related to a Critical Areas Stewardship Plan.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE STAFF'S PROPOSED AMENDMENTS TO SECTION 20.50.310.A, WITH THE EXCEPTION OF ITEM 5. VICE CHAIR PIRO SECONDED THE MOTION. THE MOTION CARRIED 7-1, WITH CHAIR HARRIS VOTING IN OPPOSITION.

Final Commission Action on Critical Areas Ordinance Update

Commissioner Hall emphasized that the regulations for critical areas exist for multiple purposes. He explained that the functions and values the City should protect in a fish and wildlife habitat area are

different, in many cases, than the functions and values that should be protected in a wetland. He recalled that the Growth Management Act defines five types of critical areas, and three of them are concerned solely with protecting human health, life and property (geologic hazard areas, frequently flooded areas, critical aquifer recharge areas). Wetlands provide both a natural ecosystem and a human safety benefit. The fish and wildlife habitat areas regulations are primarily concerned with ecosystem functions and values. He said it is very difficult to regulate development in a way that protects five different things in ten different ways.

Commissioner Hall said he believes Shoreline's existing Critical Areas Ordinance has served the City well and has not been fundamentally flawed. However, there are things that could be emphasized more such as low-impact development approaches, a basin-wide planning approach, etc., to give the ordinance a more holistic look. Before the City updates the ordinance again, this is definitely something the Commission should consider. He summarized, however, that the staff has worked hard to propose amendments to resolve a lot of issues that have come up. The goal of the ordinance is to regulate development under the police power of the City in order to protect values that citizens all hold in common. The amendments proposed by both the staff and Commission will improve the ordinance so it can continue to serve the City well in the future.

Commissioner Hall thanked the citizens who provided comments and suggestions regarding the Critical Areas Ordinance. There were scores of people who testified regarding the ordinance, and appropriate decorum and courtesy were maintained throughout the process. He said he values being part of a community that can have a quality debate of this type.

Chair Harris said that Commissioner Sands indicated to him that, if he were present, he would have voted against the main motion to approve the Critical Areas Ordinance Update as amended by the Commission because he felt it was too far reaching. Chair Harris said that while he supported all of the amendments accepted by the Commission up until tonight's actions, he would vote against the main motion because of the amendments that were just approved. He said he believes the Critical Area Stewardship Plan proposal was adequate and should have been approved as part of the ordinance. He noted that the Stewardship Plan would have required an applicant to prove that the functions and values would be protected through the plans and testimony of an expert. He expressed his belief that the proposal to provide for a Stewardship Plan would have been adequate as proposed by staff.

Commissioner McClelland clarified that the Commission agreed to eliminate the provision related to a Critical Areas Stewardship Plan, not because they didn't think a Stewardship Plan was a good idea, but because they did not think the one proposed would address all of the issues. The Commission reserved the right to reconsider a Stewardship Plan provision in the future.

Commissioner MacCully said that while the Commission would like to be able to preserve views, it is important to remember that views constantly change from the time a property is clear cut and developed. He reminded the Commission that the City's goal should be to improve the environment and not just keep pace. While it would be nice to be able to preserve views, there is also a higher value that must be considered for the City as a whole.

Chair Harris suggested there might be better ways to improve the environment than just maintaining the status quo. Commissioner Broili agreed. He clarified that the City is located within an urban environment, and there will not be old growth forests in Shoreline. However, if they carefully plan, they can achieve a basin-wide management strategy that looks at how to work within a built environment to mimic the natural models in a way that allows the citizens to live the lives they have become accustomed to, but not at the detriment of the system that supports and sustains them. While they can preserve some of the views, this must be done carefully and discretely from a more holistic approach. This will take careful, thoughtful and slow strategies.

THE MAIN MOTION (PAGE 5 OF THE JULY 21, 2005 MINUTES) TO ADOPT THE CRITICAL AREAS ORDINANCE UPDATED AS AMENDED BY THE COMMISSION WAS APPROVED 7-1, WITH CHAIR HARRIS VOTING IN OPPOSITION.

10. NEW BUSINESS

Commissioner Hall offered his home for the Planning Commission and Planning Department staff to hold a going away event for Mr. Stewart. However, he cautioned that during the event, the Commission should not discuss any future business of the Planning Commission. The Commission agreed to hold a going away party for Mr. Stewart on August 18th at Commissioner Hall's home.

11. AGENDA FOR NEXT MEETING

Because the Commission completed their review of the Critical Areas Ordinance Update, the regular August 18th meeting was cancelled.

12. ADJOURNMENT

The meeting was adjourned at 8:47 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

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

AGENDA TITLE: Continued Deliberations to Cottage Housing Regulations

DEPARTMENT: Planning and Development Services Department

PRESENTED BY: Paul Cohen, Senior Planner *plc*

BACKGROUND

On June 16, 2005 the Planning Commission made a recommendation to the City Council to extend the current moratorium on cottage housing 6 months until February 19, 2006. The intent was to provide more time for the Planning Commission to study the issue. On July 18, 2005 the City Council adopted the Commission's recommendations. Since the June 16th meeting commissioners have requested that certain issues be addressed which were outlined by staff in your August 4, 2005 memorandum (Attachment A). On August 22 the City Council discussed a Council initiated alternative for public review of cottage housing. The Council confirmed the process initiated in January 2005, which is mostly complete, but did add a joint Council sponsored community workshop with the Planning Commission to discuss the Planning Commission's recommendation.

DISCUSSION

Public Participation Location (Attachment A)

Overall, we received 62 comments and had 61 participants in meetings. Approximately 48% came from the vicinity of Hopper Cottages on 8th Ave. NW, 15% came from the vicinity of the Greenwood / Fremont / Madrona cottages cluster, 8% came from the vicinity of the Ashworth / Meridian Park cottage cluster, and 3% came from the vicinity of the Reserve Cottages. The remaining 26% participation came from outside the vicinity of any cottages developments.

Design Review of Cottages

In past meetings the Planning Commission has been concerned with the issue of development quality and the compatibility of cottages in single family neighborhoods. In the June 2, 2005 staff report staff described the authority of the Planning Commission to conduct design reviews and the cottage housing processes of other jurisdictions.

Currently, the City relies on the Type B - Conditional Use Permit process and the Index Supplemental Use Criteria to review cottage housing (Attachment B). The CUP does not have any specific design criteria and is administered entirely by the city staff. The

However, the Supplemental Index Criteria for cottage housing does contain some specific design requirements. If appealed, an appeal hearing before the Hearing Examiner is required. Our current administrative process is very similar to the processes that Bellevue and Redmond use for their cottage housing. Kirkland has a pilot project where they allowed a few initial projects through the approval of the City Council. These other cities have either similar or somewhat more demanding development standards.

The first option is to amend the cottage housing regulations with improved standards (Attachment C) and supplemental criteria to the existing Conditional Use Permit criteria that address the issues of compatibility and design that the City believes needs to be addressed.

A second option is to transfer the decision on cottage housing proposals from an administrative Type "B" permit to a quasi-judicial Type "C" permit issued by the City Council after Planning Commission review and recommendation. It is likely that new criteria will need to be developed and adopted for a Cottage Housing Type C permit. The existing Type C - Special Use Permit purpose and criteria is primarily for locating regional land uses such as transfer stations and jails.

A third option is to adopt code amendments that require a Design Review Board, process, and criteria. Currently, there is no design review process required by code. The SMC 2.20.060.D (Attachment D) states that the Planning Commission shall perform design review where required unless it is formally delegated to other bodies or city staff.

A fourth option is to authorize the Director to refer a proposed project to the Planning Commission for design review based upon new criteria. The projects could continue to be applied for under a Type B permit. For example, new language might be added "to authorize the Director to refer a Cottage Housing Development Proposal to the Planning Commission for design review, if the Director determines that the community would benefit from such review. The Planning Commission's design review recommendations shall then be considered by the Director in issuing administrative or ministerial permits. The target timeline for projects subject to design review shall be extended by 45 days."

Analysis of Cottage Housing Benefits for Shoreline

Comprehensive Plan - In 1998 Shoreline adopted its comprehensive plan. In the plan there are policies that support cottage housing as well as alternative housing choices.

Housing Element Goal HI: Provide sufficient development capacity to accommodate the 20 year growth forecast in appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.

Policy H1: Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the city.

Goal LU III: To have adequate residential land and encourage a variety of quality residential buildings and infrastructure suitable for the needs of Shoreline's present and future residents.

Policy LU27: Allow cottage housing in residential areas if they go through design review and adhere to the following characteristics:

Common open space

Reduced parking areas

Detached homes

Common amenities (e.g. garden plots, play areas, storage buildings, orchard)

Policy LU27 was recently re-adopted with by the Council in the 2005 Comprehensive Plan update. In the adoption the Council removed language that allowed cottage housing specifically in "R6 zones and up".

Cottage Housing Rational - These goals and policies were the basis of the 1999 Shoreline Planning Academy's recommendation for the City's 2000 Development Code. The Academy favored less density and modest sized single family homes that fit in the neighborhoods. The dilemma was how to have less density and achieve the GMA mandates for housing growth. The proposed solution was to increase the minimum lot size from 5,000 to 7,200 square feet while allowing cottages with higher density. The condition was that density could be increased for cottages as long as the overall size, setbacks, lot coverage, design, and open space are compatible and comparable to the surrounding neighborhood. The final regulations included a provision to require a conditional use permit in all R4 and R6 zones which require neighborhood noticing and adherence to the Supplemental Index Criteria.

Comparison to Single Family - Cottage housing is not the same as but is physically comparable to the impacts of single family development. Cottage housing must meet many of the same development standards as single family development including lot coverage. The cottage housing setbacks are similar with a 10 foot average interior lot setback (minimum of 5 feet); single family the side setbacks can be 5 and 10 feet and the rear of 15 feet - averaging about 10 feet overall. Front yards have 15 foot setbacks for cottages versus 20 feet for single family. The building height potential is 10 feet less than single family and the building bulk is comparable with 2 cottages together having 2000 square feet versus a single family typically built over 2000 square feet with no upper limit. A single family home can have up to 6 cars per home whereas 2 cottages are limited to 4 cars. Based on the input of public opposition, these comparisons have not been significant enough to outweigh the concern that cottages do not look like normal homes and that they are built at higher density than R6 development.

State GMA Targets - Under the Growth Management Act, and the King County Countywide Planning Policies, the City of Shoreline is obligated to plan for population growth. The King County Countywide Planning Policies have established a target for 2618 new dwelling units for the period 2001-2022. The Buildable Land Analysis estimated of that total about 350 units of Cottage Housing could be constructed under the current Shoreline Municipal Code (SMC). If cottage housing is eliminated, our estimated capacity would be reduced by about half of these 350 units, because redevelopment could be expected, but without a density bonus. Additional capacity may be available as we conduct an update of the Buildable Land Analysis in 2006-2007.

ATTACHMENTS

- Attachment A: Public Participation Map
- Attachment B: Conditional Use Permit Criteria and Supplemental Index Criteria
- Attachment C: Proposed Cottage Housing Amendments
- Attachment D: SMC 2.20.060.D



Cottage Housing Participation Map

Location Of Existing Cottage Housing

- ASHWORTH COTTAGES
- FREMONT COTTAGES
- GREENWOOD COTTAGES
- 4 HOPPER COTTAGES
- 5 MADRONA COTTAGES
- MERIDIAN PARK COTTAGE HOMES
- RESERVE COTTAGES

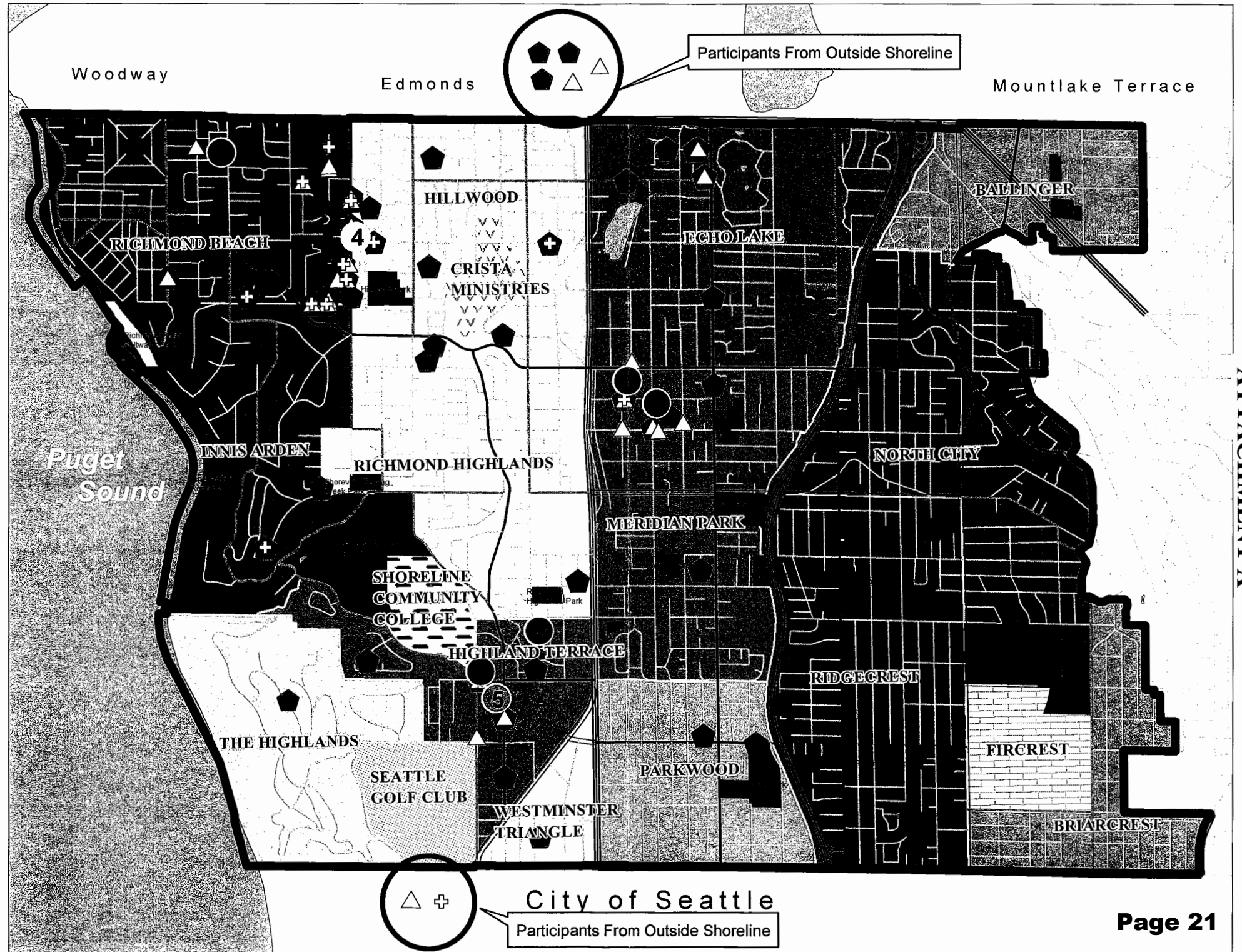
Location Of Participant Residence

- ⊕ Signed In to Speak at June 2nd Hearing
- Signed In at May 11th Meeting
- △ Submitted Written Comment

Based on information provided on meeting sign in sheets where participant provided address. Some participants/commentors may have provided more than one comment. Some comments represent more than one participant.



0 750 1,500 3,000 4,500 6,000 Feet



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- b. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surrounding of the subject property in order to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
- c. The granting of such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same zone or vicinity. (Ord. 238 Ch. III § 7(a), 2000).

20.30.300 Conditional use permit-CUP (Type B action).

A. Purpose. The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.

B. Decision Criteria. A conditional use permit shall be granted by the City, only if the applicant demonstrates that:

1. The conditional use is compatible with the Comprehensive Plan and designed in a manner which is compatible with the character and appearance with the existing or proposed development in the vicinity of the subject property;
2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
5. The conditional use is not in conflict with the health and safety of the community;
6. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
7. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
8. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities. (Ord. 238 Ch. III § 7(b), 2000).

20.30.310 Zoning variance (Type B action).

A. Purpose. A zoning variance is a mechanism by which the City may grant relief from the zoning provisions and standards of the Code, where practical difficulty renders compliance with the Code an unnecessary hardship.

20.40.260 Boarding houses.

- A. Rooming and boarding houses and similar facilities, such as fraternity houses, sorority houses, off-campus dormitories, and residential clubs, shall provide temporary or longer-term accommodations which, for the period of occupancy, may serve as a principal residence.
- B. These establishments may provide complementary services, such as housekeeping, meals, and laundry services.
- C. In an R-4 or R-6 zone a maximum of two rooms may be rented to a maximum of two persons other than those occupying a single-family dwelling.
- D. Must be in compliance with health and building code requirements.
- E. The owner of the rooms to be rented shall provide off-street parking for such rooms at the rate of one parking stall for each room.
- F. Boarding houses require a boarding house permit. (Ord. 352 § 1, 2004; Ord. 238 Ch. IV § 3(B), 2000).

-C-

20.40.270 Cemeteries and columbariums.

Cemeteries and columbariums:

- A. Columbariums only as accessory to a church; provided, that required landscaping and parking are not reduced.
- B. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones. (Ord. 238 Ch. IV § 3(B), 2000).

20.40.280 Community residential facilities I and II.

Repealed by Ord. 352. (Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

20.40.290 Conference center.

Permitted in a residential zone as accessory to a park or in a building listed on the National Register as an historic site or designated as a King County landmark or as a conditional use. (Ord. 238 Ch. IV § 3(B), 2000).

20.40.300 Cottage housing.

- A. For the definition of cottage housing see SMC 20.20.014. The intent of cottage housing is to:
 - Support the growth management goal of more efficient use of urban residential land;

- Support development of diverse housing in accordance with Framework Goal 3 of the Shoreline Comprehensive Plan;
 - Increase the variety of housing types available for smaller households;
 - Provide opportunities for small, detached dwelling units within an existing neighborhood;
 - Provide opportunities for creative, diverse, and high quality infill development;
 - Provide development compatible with existing neighborhoods with less overall bulk and scale than standard sized single-family detached dwellings; and
 - Encourage the creation of usable open space for residents through flexibility in density and design.
- B. The total floor area of each cottage unit shall not exceed 1,000 square feet. Total floor area is the area included within the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet. The maximum main floor area for an individual cottage housing unit shall be as follows:
- For at least 50 percent of the units in a cluster, total floor area shall not exceed 650 square feet;
 - For no more than 50 percent of the units in a cluster, the floor area may be up to 800 square feet.
- C. The following number of cottage housing units shall be allowed in place of each single-family home allowed by the base density of the zone:
- If all units do not exceed 650 square feet on main floor:
2.00
 - If any unit is between 651 and 800 square feet on main floor:
1.75
- D. Cottage housing units shall be developed in clusters of a minimum of four units to a maximum of 12 units.
- E. The height limit for all structures shall not exceed 18 feet. Cottages or amenity buildings having pitched roofs with a minimum slope of six and 12 may extend up to 25 feet at the ridge of the roof. All parts of the roof above 18 feet shall be pitched.
- F. Cottage housing units shall be oriented around and have the covered porches or main entry from the common open space. The common open space must be at least 250 square feet per cottage housing unit. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.
- G. Each cottage housing unit shall be provided with a private use open space of 250 square feet with no dimension of less than 10 feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space.

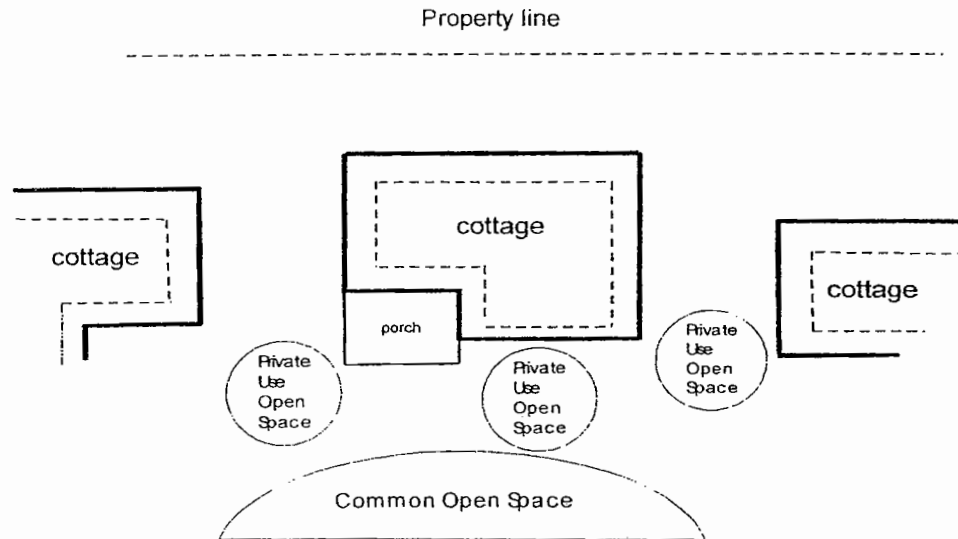
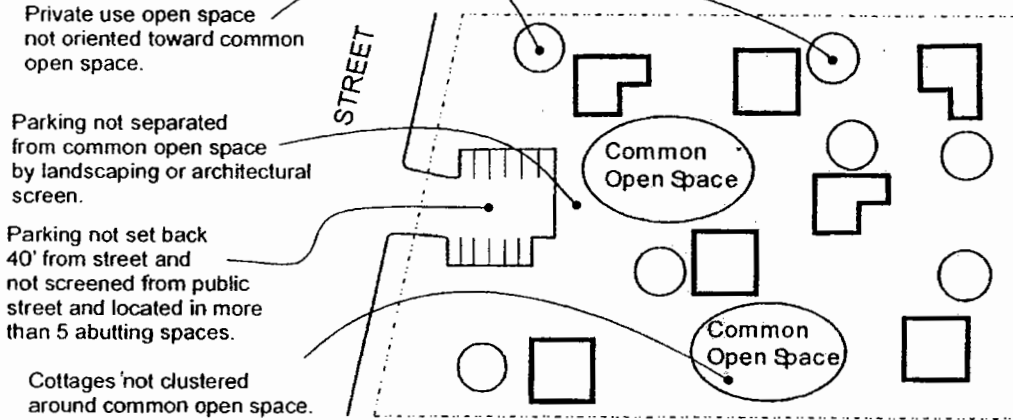


Figure 20.40.300(G): Private use open space should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented towards the common open space.

- H. Cottage housing units shall have a covered porch or entry at least 60 square feet in size with a minimum dimension of six feet on any side.
- I. All structures shall maintain no less than 10 feet of separation within the cluster. Projections may extend into the required separation as follows:
- Eaves may extend up to 12 inches;
 - Gutters may extend up to four inches;
 - Fixtures not exceeding three square feet in area (e.g., overflow pipes for sprinkler and hot water tanks, gas and electric meters, alarm systems, and air duct termination; i.e., dryer, bathroom, and kitchens); or
 - On-site drainage systems.
- J. Parking for each cottage housing unit shall be provided as follows:
- Units that do not exceed 650 square feet on main floor:
1.5
 - Units that exceed 650 square feet on main floor:
2.0
- K. Parking shall be:
- Clustered and separated from the common area by landscaping and/or architectural screen. No solid board fencing allowed as architectural screen.
 - Screened from public streets and adjacent residential uses by landscaping and/or architectural screen. No solid board fencing allowed as architectural screen.
 - Set back a minimum of 40 feet from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50 percent of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from a public street.
 - Located in clusters of not more than five abutting spaces.

- L. Setbacks for all structures from the property lines shall be an average of 10 feet, but not less than five feet, except 15 feet from a public street.
- M. All fences on the interior of a lot shall be no more than 36 inches in height. Fences along the property line may be up to six feet in height subject to the sight clearance provisions of SMC 20.70.170, 20.70.180 and 20.70.190(C). No chain link fences allowed.

DON'T DO THIS



DO THIS

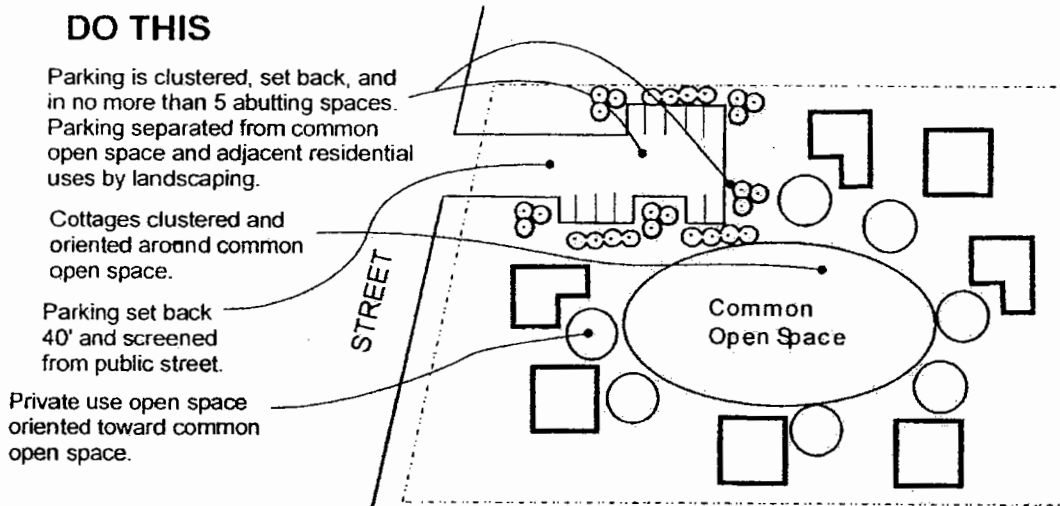


Figure 20.40.300: Avoid large clusters of parking, set back parking from the street, create functional common and private use open space, provide for screening of parking from cottages and common open space. The site should be designed with a coherent concept in mind.

(Ord. 321 § 1, 2003; Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

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EXISTING COTTAGE HOUSING CODE WITH AMENDMENTS ADDED

20.40.300 Cottage housing.

A. For the definition of cottage housing see SMC 20.20.014. The intent of cottage housing is to:

Support the growth management goal of more efficient use of urban residential land;

Support development of diverse housing in accordance with Framework Goal 3 of the Shoreline Comprehensive Plan;

Increase the variety of housing types available for smaller households;

Provide opportunities for small, detached dwelling units within an existing neighborhood;

Provide opportunities for creative, diverse, and high quality infill development;

Provide development compatible with existing neighborhoods with less overall bulk and scale than standard sized single-family detached dwellings; and

Encourage the creation of usable open space for residents through flexibility in density and design.

AMENDMENTS #

1. No more than 8 cottage housing units shall be located within 1,000 feet from any single point in the City. A proposed cottage development application shall meet this requirement from the property of a previously vested application, issued permit, or built cottage development under the SMC.

2. The total floor area of each cottage unit shall not exceed 1,000 square feet. Total floor area is the area included within the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet. The ~~minimum~~^{maximum} main floor area for an individual cottage housing unit shall be 700 square feet as follows:

~~For at least 50 percent of the units in a cluster, total floor area shall not exceed 650 square feet;~~

~~For no more than 50 percent of the units in a cluster, the floor area may be up to 800 square feet.~~

3. ~~Up to 1.75~~ The following number of cottage housing units may shall be allowed in place of each single-family home allowed by the base density of the zone.:

~~If all units do not exceed 650 square feet on main floor:~~

~~2.00~~

~~If any unit is between 651 and 800 square feet on main floor:~~

~~1.75~~

- ~~4. Cottage housing developments shall have units shall be developed in clusters of a minimum of four units and to a maximum of 12 8 units not including community buildings.~~
- ~~5. The height limit for all cottages structures shall not exceed 18 feet. Cottages or amenity buildings having pitched roofs with a minimum slope of six and 12 may extend up to 25 feet at the ridge of the roof. All parts of the roof above 18 feet shall be pitched. Parking structures and community buildings shall not exceed 18 feet.~~
- ~~6. Each cottage housing units shall be oriented around and have the covered porches or main entry from the common open space. Units fronting on streets shall have an additional entry facing those streets. The common open space shall must be at least 250 square feet per cottage housing unit and landscaped primarily with ground cover. Open space with a dimension of less than 220 feet shall not be included in the calculated common open space. Cottage units and community building shall be separated at least 40 feet when separated by required open space.~~
- ~~7. Each cottage housing unit shall be provided with a minimum private use open space of 250 square feet. Private open space with a dimension of less than 10 feet shall not be included in the area calculation. with no dimension of less than 10 feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space. Fencing or hedges bordering private open space shall not exceed 2 feet in height.~~

Property line

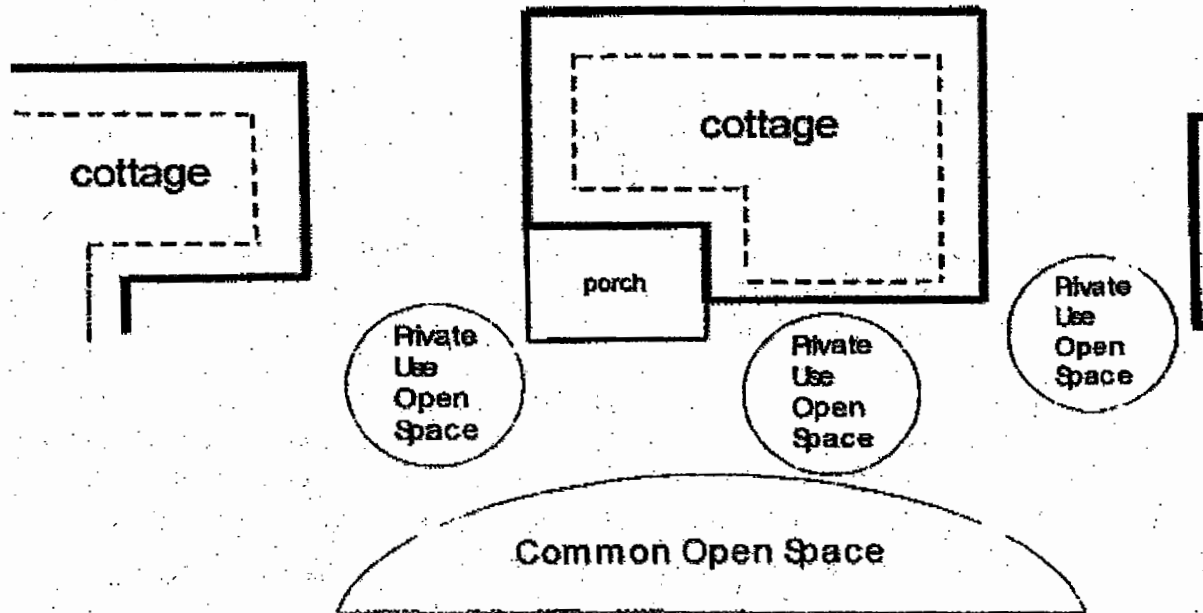


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- I. All structures shall maintain no less than 10 feet of separation within the cluster. Projections may extend into the required separation as follows:
 - Eaves may extend up to 12 inches;
 - Gutters may extend up to four inches;
 - Fixtures not exceeding three square feet in area (e.g., overflow pipes for sprinkler and hot water tanks, gas and electric meters, alarm systems, and air duct termination; i.e., dryer, bathroom, and kitchens); or
 - On-site drainage systems.

J. ~~Parking for each cottage housing unit shall be provided as follows:~~

- ~~• Units that do not exceed 650 square feet on main floor:~~
1.5

~~Units that exceed 650 square feet on main floor:
2.0~~

8. Parking shall be:

- Two parking stalls for each cottage housing unit and 1 guest stall for every 2 units shall be provided. Tandem parking is allowed.

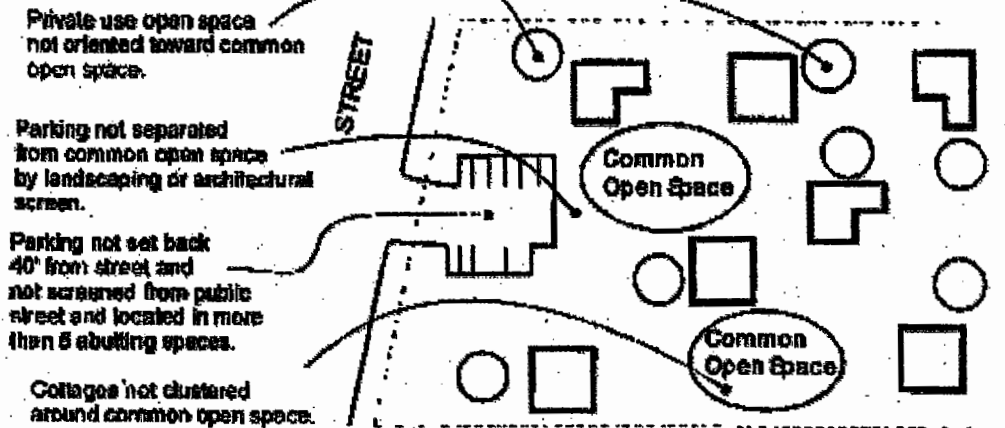
~~Clustered and separated from the private and common area and cottage units by landscaping and/or architectural wall under 4 feet in height with trellis above 6 feet in height screen. No solid board fencing allowed as architectural screen.~~

- Screened from public streets and adjacent residential uses by landscaping and/or architectural screen. No solid board fencing allowed as architectural screen.
- Set back a minimum of 40 feet from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50 percent of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from a public street.
- Located in clusters of not more than five abutting spaces.
- A minimum of 50% of the parking space shall be covered.

9. Setbacks for all structures from the property lines shall be an average of 10 feet, but not less than five feet, except 15 feet from a public street, Right-of-Way or public sidewalk, whichever is greater.

10. ~~All fences on the interior of a lot shall be no more than 36 inches in height. Architectural Fences screens along the property line may be up to six feet in height subject to the sight clearance provisions of SMC 20.70.170, 20.70.180 and 20.70.190(C). No chain link or solid board fences allowed.~~

DON'T DO THIS



DO THIS

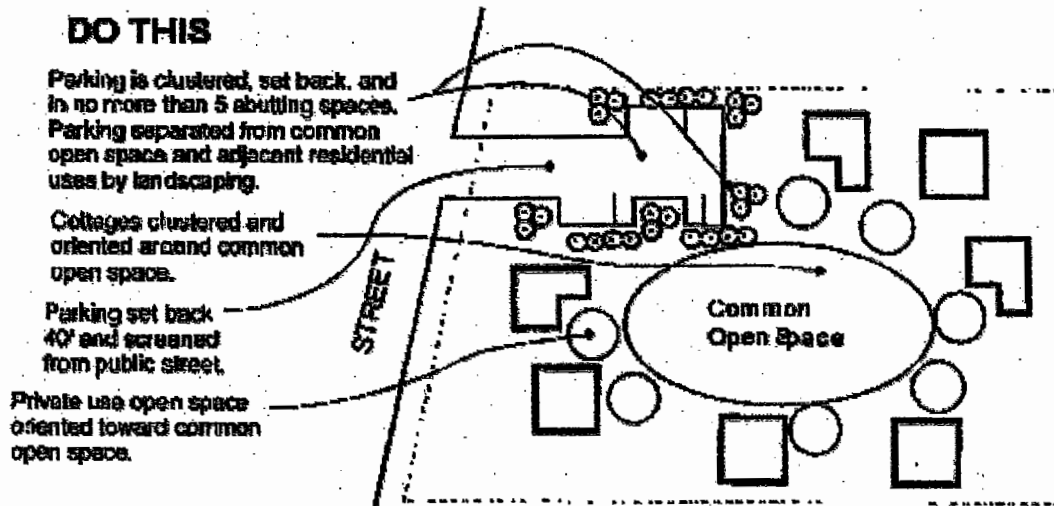


Figure 20.40.300: Avoid large clusters of parking, set back parking from the street, create functional common and private use open space, provide for screening of parking from cottages and common open space. The site should be designed with a coherent concept in mind.

(Ord. 321 § 1, 2003; Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

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C. The commission shall adopt such rules and regulations as are necessary for the conduct of its business and shall keep a taped record of its proceedings and such written notes as the commission may from time to time direct. The taped record and any written notes shall be a public record. [Ord. 36 § 3, 1995]

2.20.040 Staff support.

Administrative staff support to the planning commission shall be provided by the city manager or designee. [Ord. 36 § 4, 1995]

2.20.050 Rezone hearings.

The planning commission shall conduct public hearings and make a recommendation to the council on rezones in the city of Shoreline. [Ord. 36 § 5, 1995]

2.20.060 Duties – Responsibilities.

A. The planning commission shall direct the preparation of a comprehensive plan and development regulations in compliance with Chapter 36.70A RCW. This includes establishing procedures providing for early and continuous public participation in the development and amendment of the comprehensive land use plan for the city and the development regulations implementing the plan and make recommendations concerning these matters to the city council.

B. The planning commission shall review land use management, shoreline management and environmental protection ordinances and regulations of the city and make recommendations regarding them to the city council.

C. The planning commission shall review potential annexations to the city as requested by the city council, and make recommendations concerning them.

D. Where design review is required by land use ordinances of the city, the planning commission shall perform such design review unless that review is delegated to some other appointed body or city staff.

E. The planning commission shall recommend, establish priorities for, and review studies of geographic subareas in the city.

F. The planning commission shall submit written periodic reports annually to the city

council setting forth its progress in completing its work program for the current fiscal year.

G. The planning commission shall be encouraged to maintain liaison with the planning staff of the city.

H. The planning commission may hold public hearings in the exercise of its duties and responsibilities as it deems necessary.

I. The planning commission shall make recommendations to the city council regarding the subdivision of land pursuant to RCW 58.17.100 and in conformity with other ordinances of the city.

J. The planning commission shall have such other duties and powers as may be conferred upon the commission from time to time by ordinance, resolution or motion of the city council.

K. Unless otherwise assigned by ordinance to another body, all public hearings required to be held in the course of adoption or amendment to the comprehensive plan, the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shorelines management and environmental protection regulations shall be heard by the planning commission. [Ord. 36 § 6, 1995]