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Commission Meeting Date: March 19, 2009

Agenda Item: 7.A

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## **PLANNING COMMISSION AGENDA ITEM**

CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Public Hearing on 2009 Comprehensive Plan Amendment Docket
<b>DEPARTMENT:</b>	Planning and Development Services
<b>PRESENTED BY:</b>	Joseph W. Tovar, FAICP, Director PADS Steven Szafran, AICP, Associate Planner Steven Cohn, Senior Planner

### **BACKGROUND**

The State Growth Management Act limits review of proposed Comprehensive Plan Amendments (CPAs) to no more than once a year. To ensure that the public can view the proposals within a citywide context, the Growth Management Act directs cities to create a docket that lists the amendments to be considered in this "once a year" review process.

The City Council, during its review, looks at the proposed amendments as a package, in order to consider the combined impacts of the proposals.

At this meeting, the Commission will be asked to recommend items for the 2009 CPA docket. The Commission will not be making recommendation on the substance of any of the items; rather, the recommendation is a statement that items on the docket merit more consideration in the Comprehensive Plan Amendment process.

### **ITEMS TO BE CONSIDERED FOR THE 2009 CPA DOCKET**

Comprehensive Plan Amendments usually take two forms: Privately initiated amendments and city initiated amendments.

The suggested amendments include:

#### **Privately Initiated Proposals**

Suggestion 1 (**Attachment 1**)

Proponent: Greg Logan

Summary: Suggestions to modify the Conditional Use section of the Development Code to a) add a definition for “compatibility”, b) add a criterion that land use shall not cause detriment to adjacent uses, c) add a criterion that land use shall not create a blight or trash Shoreline’s neighborhoods on behalf of special interests, and d) add a requirement that the City official charged with issuing a determination shall visit the adjacent property for which the determination is being made.

**Suggestion 2 (Attachment 2)**

Proponent: Les Nelson

Summary: Revise policy LU-17, LU-18, and LU-19 to clarify whether Regional Business zoning should permit residential development at density greater than 48 dwellings per acre. Also clarify in LU-19 why this location of 185-192<sup>nd</sup> was chosen for an RB Comprehensive Plan designation rather than a CB Comprehensive Plan designation.

**Suggestion 3 (Attachment 3)**

Proponent: Scott Becker

Summary: Change the designation of 346 N. 148<sup>th</sup> St. from LDR (Low Density Residential) to MU to allow for a rezone, which would be conducive to development of a mixed use structure on this site and an adjacent property that is currently designated MU.

**Suggestion 4 (Attachment 4)**

Proponent: Janne Kaje

Summary: Proposed changes to the “Shoreline Today”, “Neighborhoods”, “Commercial Areas” and other portions of narrative in the Comprehensive Plan to add or expand references to the Ballinger neighborhood and Ballinger Commercial Area in these sections.

Publicly Initiated CPAs

This year, staff is requesting that two CPAs be added to the 2009 docket:

1. Develop policy language that addresses development of the Point Wells site. Currently our Comprehensive Plan’s major source of a vision for future Point Wells development is LU-17, which states “The Mixed Use designation applies to a number of stable or developing areas and to the potential annexation area at Point Wells. This designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential uses.”

Staff intends to develop policy language that will add more direction, but not be proscriptive.

2. Modify the Vision and Framework Goals in the existing Comprehensive Plan. The Council directed the Planning Commission to work with the community to modify the Vision and Framework Goals in mid-2008. Since the 2008 docket had already been set, the Vision Update process has not been docketed. In accord with the State GMA, this is the opportunity to place it on the docket.

### **How might the Commission evaluate whether an item should be on the docket?**

Shoreline does not have adopted procedures for evaluating the suitability for placing items on the CPA docket. Staff intends to remedy this with a code amendment later this year. However, in the interim, staff suggests that the Commissioners consider the following questions, which are based on evaluation criteria used in other jurisdictions:

1. Is the proposed amendment likely to require additional review to identify environmental impacts that cannot be completed within the estimated timeframe for CPA review (Amendments are usually processed within the calendar year in which they are docketed).
2. Does the proposed amendment involve an area that will be part of a Subarea Planning process in the foreseeable future?
3. Has the proposed amendment been reviewed by Council within the last three years?
4. Does the proposed amendment violate any provision of GMA, or the goals and policies of the Comprehensive Plan or regional or Countywide Planning Policies?
5. Is the proposed amendment appropriate as a Comprehensive Plan Amendment or should it be addressed in the Development Code or another Shoreline Code or Plan?

### **Staff recommendation**

In reviewing the above criteria in conjunction with the recently adopted work program, staff recommends the following:

1. Add publicly-initiated suggestions 2, 3, and 4 to the 2009 docket. It is likely that suggestion #2 will be subsumed in the RB discussion that will be addressed after the Vision Statement is adopted. Adding suggestion 2 to the docket ensures that the question of "Should maximum housing density in the RB zone be limited, and if so, to what extent?" is fully addressed. By adding suggestion #2 to the docket, if Comprehensive Plan changes flow from the RB discussion, they can be addressed this year.
2. Staff believes that suggestion #1 is more appropriately addressed as a Development Code Amendment. At the time this memo was written, the

proponent has not responded to staff's request to discuss whether the proponent agrees. If the proponent agrees, staff will bring the request forward as part of an upcoming code amendment package.

3. Staff recommends that the two staff-initiated CPAs (Point Wells and Vision) be added to the docket.

### **Next Steps**

The Commission will hold a public hearing and develop its docket recommendation for Council. Staff will send the recommendations to Council on Friday, March 20 so the Council can review the recommendations at its March 23, 2009 meeting.

If you have questions about the docket process or any item on the proposed docket, please contact Steven Szafran, [sszafran@shorelinewa.gov](mailto:sszafran@shorelinewa.gov) at 801-2512.

### **ATTACHMENTS**

1. Logan Suggestion
2. Nelson Suggestion
3. Becker Suggestion
4. Kaje Suggestion



COMPREHENSIVE PLAN—GENERAL AMENDMENT APPLICATION

Planning and Development Services

Amendment proposals may be submitted at any time, however if it is not submitted prior to the deadline for consideration during that annual amendment cycle, ending the last business day in January, the amendment proposal will not be considered until the next annual amendment cycle.

Please attach additional pages to this form, as needed.

A. Contact Information

If the proposal is from a group please provide a contact name.

Applicant: Greg Logan

Mailing Address: [REDACTED]

Telephone: [REDACTED] Fax: ( ) \_\_\_\_\_ E-mail: [REDACTED]

B. Proposed General Amendment – This can be either conceptual: a thought or idea; or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered. If specific wording changes are proposed please use underline to indicate proposed additions and ~~striketrough~~ to indicate proposed deletions. Please note that each proposed amendment requires a separate application.

① Compatibility is a key concept & a key criteria for land use decisions C&F CUP Decision Criteria  
HOWEVER THERE IS NO DEFINITION FOR COMPATIBILITY IN THE SDC.  
ADD A WORKING DEFINITION FOR COMPATIBILITY!!

C. Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable) – (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)

B. Cont

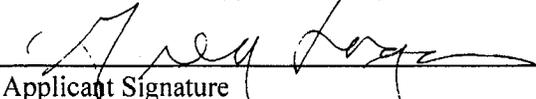
D. **Support for the Amendment** – Explain the need for the amendment. Why is it being proposed? How does the amendment address changing circumstances or values in Shoreline? Describe how the amendment is consistent with the current Shoreline Comprehensive Plan, if inconsistent, explain why. How will this amendment benefit the citizens of Shoreline? Include any data, research, or reasoning that supports the proposed amendment. (A copy of the Shoreline Comprehensive Plan is available for use at the Planning and Development Services Department, Shoreline Neighborhood Police Centers, and the Shoreline and Richmond Beach libraries).

② Land use shall NOT cause Detriment to adjacent uses,

③ Land use shall NOT create a blight or truth Shoreline's neighborhoods on behalf of special interests.

④ The City official charged with issuing a Determination SHALL VISIT the adjacent property for which the determination is being made.

E. **Signature** – An amendment application can not be accepted unless the signature block below has been completed. The applicant certifies that all of the aforementioned statements in this application, any exhibits and/or maps transmitted herewith are true and the applicant acknowledges that any amendment granted based on this application may be revoked if any such statement is false.

  
Applicant Signature

01/29/09  
Date

**PROPOSED AMENDMENTS WITHOUT THE REQUIRED APPLICATION INFORMATION MAY BE REJECTED OR RETURNED FOR ADDITIONAL INFORMATION.**



**Item 7.A - Attachment 2**  
**COMPREHENSIVE PLAN—GENERAL**  
**AMENDMENT APPLICATION**

**Planning and Development Services**

**Amendment proposals may be submitted at any time, however if it is not submitted prior to the deadline for consideration during that annual amendment cycle, ending the last business day in January, the amendment proposal will not be considered until the next annual amendment cycle.**

Please attach additional pages to this form, as needed.

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**A. Contact Information**

If the proposal is from a group please provide a contact name.

**Applicant:** Les Nelson

**Mailing Address:** [REDACTED]

**Telephone:** [REDACTED] **Fax:** ( ) - E-mail: [REDACTED]

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- B. Proposed General Amendment** – This can be either conceptual: a thought or idea; or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered. If specific wording changes are proposed please use underline to indicate proposed additions and ~~strikethrough~~ to indicate proposed deletions. **Please note that each proposed amendment requires a separate application.**

See attached <sup>pdf</sup> ~~word~~ document

- C. Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable)** – (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)

Land Use, page 30-31

D. **Support for the Amendment** – Explain the need for the amendment. Why is it being proposed? How does the amendment address changing circumstances or values in Shoreline? Describe how the amendment is consistent with the current Shoreline Comprehensive Plan, if inconsistent, explain why. How will this amendment benefit the citizens of Shoreline? Include any data, research, or reasoning that supports the proposed amendment. *(A copy of the Shoreline Comprehensive Plan is available for use at the Planning and Development Services Department, Shoreline Neighborhood Police Centers, and the Shoreline and Richmond Beach libraries).*

This amendment will remove the confusion and misinterpretation caused by the passage of Ordinance 276 and will allow our current land use planning to conform to the EIS as required by law.

E. **Signature** – An amendment application can not be accepted unless the signature block below has been completed. The applicant certifies that all of the aforementioned statements in this application, any exhibits and/or maps transmitted herewith are true and the applicant acknowledges that any amendment granted based on this application may be revoked if any such statement is false.

Les Nelson 1-29-09  
Applicant Signature Date

**PROPOSED AMENDMENTS WITHOUT THE REQUIRED APPLICATION INFORMATION MAY BE REJECTED OR RETURNED FOR ADDITIONAL INFORMATION.**

### Proposed Comprehensive Plan Amendment, January 2009

The part of the Comprehensive plan that I propose updating is Land Use policy, LU18, the Community Business land use designation. In addition LU19 needs to be clarified as to intent.

LU18 needs to be revised to clarify the intent of the "RB" as an allowed zoning. As the City Council discovered in review of documents in 2008, related to Ord 238, and Ord 276, the intent in 2000 and 2001 was NOT to create a change in the existing base density of 48du/acre density. Historical documents revealed that one approach was to revise the RB zoning to CB zoning, but it was decided that it would be simpler to just allow the (then current) RB zoning to "co-exist" in a CB land use area. This was clarified in a statement made in correspondence that density would not be revised.

The allowance of density higher than 48du/acre was not provided for in the Comprehensive Plan nor planned for in the accompanying EIS, and to date there has not been any additional EIS to address a higher density.

Since the EIS and 1998/2005 Comprehensive Plan there has not been a specific Comprehensive Plan Amendment to revise the density above 48du/acre.

Allowing RB zoning to exist in a CB land use area is not a conflict, so long as the density is limited to that established as acceptable for the underlying land use... "CB"= 48du/acre. This was defined as High Density Residential in the Comprehensive Plan, and carried a base land use maximum of 48 du/acre.

If any clarification of the original intent is needed, then the documentation is available in meeting notes from Council and Planning Commission meetings where Ord 238 in 2000 and Ord 276 in 2001 were discussed.

Additional clarification should be also applied where RB appears as an allowed zoning in the Mixed Use (LU17) and Regional Business (LU19) Land use designations. Again, adding clarification that density may not exceed the base land use intensity for each specific land use area will greatly improve clarity of intent of the Comprehensive Plan.

Clarification of LU19 needs to address why the location of 185th to 192nd was chosen and what specifically is different from this area as opposed to CB land use areas.

The next page provides pertinent sections of the present Comprehensive Plan for reference, where definitions of High density residential, LU17, community Business LU18, and Regional Business LU19, are found. (Pages 30, 31)

Les Nelson  
15340 Stone Ave North  
Shoreline, WA 98133

### 2005 City of Shoreline Comprehensive Plan, Land Use designations:

#### Residential Land Use...

**LU14:** The High Density Residential designation is intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted.

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

#### Mixed Use Land Use

**LU17:** The Mixed Use designation applies to a number of stable or developing areas and

to the potential annexation area at Point Wells. This designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential uses.

Appropriate zoning designations for the area include, Neighborhood Business, Community Business, Office, Regional Business, Industrial, R-8, R-12, R-18, R-24 and/or R-48.

#### Commercial Land Use

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

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

**Time line for Land Use and Zoning code**

There are two major areas of continued misunderstanding between regional Business Land use (RBLU), Community Business Land Use (CBLU), which are both Comprehensive Plan Land Use designations depicted on the Comprehensive Plan Land Use Map LU-1, and regional Business Property Zoning (RBZ), and Community Business Property Zoning, (CBZ).

The following Timeline shows changes/revisions to these starting with the adoption of the 1998 Comprehensive Plan and EIS.

**ALLOWED MAXIMUM DENSITY in Dwelling Units/Acre, du/ac**

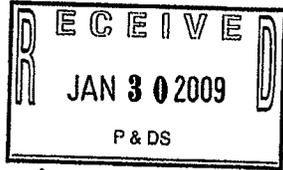
		1998	2000	2001	2005
Complan	CBLU	48	48	48	48
Land Use	RBLU	48	48	48	48
Zoning	CBZ	18	48	48	48
Designation	RBZ	36	No Max (1)	No Max (1)	No Max (1)
Action/Date		Nov.1998 Complan adopted	Ord 238 adopted (1) June 2000	Ord 276 Adopted (2) July 2001	2005 Complan adoption to present

**Notes**

(1) When Ord 238 adopted the new development code zoning table was revised to allow CB zoning up to 48 du/ac which agreed with the Complan Land Use max of 48 du/ac. The new "No max" for RB zoning could be in conflict with the Comprehensive plan but only if a proposal was accepted to allow higher than the 48 du/ac allowed as a base Land Use density.

(2) Ord 276 added "RB" as an allowed Zoning to exist in Community Business Land Use. Since "RB" allows density at 48 units per acre, or less, this would not conflict unless higher densities were permitted on a specific project.

There has never been a Comprehensive Plan amendment increasing CBLU or RBLU above 48 du/ac!!



**Item 7.A - Attachment 3**  
**COMPREHENSIVE PLAN—GENERAL**  
**AMENDMENT APPLICATION**

Planning and Development Services

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Please attach additional pages to this form, as needed.

**A. Contact Information**

If the proposal is from a group please provide a contact name.

**Applicant:** Scott Becker AIA, Principal, Fourfold Architecture, PLLC

**Mailing Address:** [REDACTED]

**Telephone:** [REDACTED] **Fax:** [REDACTED] **mail:** [REDACTED]

**B. Proposed General Amendment** – This can be either conceptual: a thought or idea; or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered. If specific wording changes are proposed please use underline to indicate proposed additions and ~~strike through~~ to indicate proposed deletions. **Please note that each proposed amendment requires a separate application.**

The proposal is intended to provide land use provisions allowing the adjacent properties at 14800 Westminster and 346 N 148<sup>th</sup> (owned in common) to support a viable future mixed use establishment, potentially a mix of residential units and commercial space with adequate on-site parking. This change will bring these properties into conformance with the community's envisioned use along Westminster.

**C. Reference Element of the Shoreline Comprehensive Plan (required) and page number (if applicable) –** (e.g. Land Use, Transportation, Capital Facilities, Housing, etc.)

The proposed Comprehensive Plan Amendments are as follows:

<u>Property</u>	<u>Comprehensive Plan</u>
<u>14800 Westminster</u>	<u>MU (unchanged)</u>
<u>346 N. 148th St.</u>	<u>MU (currently LDR)</u>

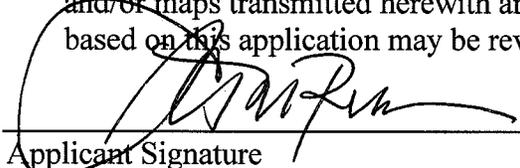
**Item 7.A - Attachment 3**

D. **Support for the Amendment** – Explain the need for the amendment. Why is it being proposed? How does the amendment address changing circumstances or values in Shoreline? Describe how the amendment is consistent with the current Shoreline Comprehensive Plan, if inconsistent, explain why. How will this amendment benefit the citizens of Shoreline? Include any data, research, or reasoning that supports the proposed amendment. *(A copy of the Shoreline Comprehensive Plan is available for use at the Planning and Development Services Department, Shoreline Neighborhood Police Centers, and the Shoreline and Richmond Beach libraries).*

We believe the proposed changes will enable the subject properties to help fulfill potential for both new community business and multi-family residential housing opportunities, or true “mixed use” appropriate to the transit conduit of Westminster, connecting the vibrant North Greenwood neighborhood of Seattle with the Aurora Corridor of Shoreline. We understand that these improvements are consistent with the goals of the GMA to make provision for density in areas appropriate to such growth.

In keeping with good urban design practice, we hope to ensure the site will contribute a positive presence to the “street wall” frontage of Westminster while preserving pedestrian scale on adjacent sidewalks, and simultaneously provide a buffer to transit noise. We believe the “flat iron” shape of the site with a taller building will provide visual interest from Westminster and 148th St. alike, while in meeting zoning design guidelines create an appropriate step-down transition to the low density residential properties to the east.

E. **Signature** – An amendment application can not be accepted unless the signature block below has been completed. The applicant certifies that all of the aforementioned statements in this application, any exhibits and/or maps transmitted herewith are true and the applicant acknowledges that any amendment granted based on this application may be revoked if any such statement is false.

  
Applicant Signature

1.20.09

Date

**PROPOSED AMENDMENTS WITHOUT THE REQUIRED APPLICATION INFORMATION MAY BE REJECTED OR RETURNED FOR ADDITIONAL INFORMATION.**

December 31, 2008

To: Steve Cohn, Planning & Development Services

From: Janne Kaje

Re: Proposed changes to Comprehensive Plan regarding the Ballinger Neighborhood

Dear Steve,

The current version of the City's Comprehensive Plan lacks a description of the boundaries of the Ballinger Neighborhood and a description of the Ballinger commercial district. Please accept these proposed, minor additions and revisions for consideration in the 2009 review cycle.

**p. 28 – SHORELINE TODAY**

Commercial development stretches along Aurora Avenue, with other neighborhood centers located at intersections of primary arterials, such as N 175th Street at 15th Avenue NE, N 185th Street at 8th Avenue NW and Ballinger Way between 15<sup>th</sup> and 19<sup>th</sup> Avenues NE.

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**p. 19-20 NEIGHBORHOODS**

If kept in alphabetical order, the following description of Ballinger should be inserted first into the list. Note that I do not have the annexation date – that will need to be filled in by staff.

***Ballinger.** This neighborhood in the northeast portion of the City was annexed in . It is bound by Interstate 5, 30<sup>th</sup> Avenue NE, NE 205<sup>th</sup> Street (which is also the County line) and an irregular southern boundary that roughly follows NE 195<sup>th</sup> Street. The Ballinger neighborhood is bordered on its north side by the City of Mountlake Terrace and on its eastern flank by the City of Lake Forest Park.*

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***North City.** Founded around the late 1930s and early 1940s, this neighborhood is located in the northeastern portion of Shoreline and is bounded by I-5, NE 175th Street and the eastern edge of the City.*

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**p. 22 – COMMERCIAL AREAS**

Other commercial areas include North City, Ridgecrest, Richmond Beach and Ballinger. The North City business district is located on 15th Avenue NE between N 170th and N 185<sup>th</sup> Streets. This district serves the local community and neighboring communities. The Hillwood/Richmond Beach commercial area is located on NW 185th Street and 8th Avenue NW. It serves the City's northwest neighborhoods including Hillwood, Richmond Beach, Richmond Highlands, and Innis Arden. The Ridgecrest Business

## Item 7.A - Attachment 4

District is located at 145<sup>th</sup> Avenue NE between 15th Avenue and Lake City Way NE. It serves the City's southeast neighborhoods including Ridgecrest and Briarcrest. *The Ballinger commercial area is located along Ballinger Way and extends from 15<sup>th</sup> Avenue NE to approximately 22<sup>nd</sup> Avenue NE. The diverse mix of businesses in the district serves not only the local neighborhood but also the residents of neighboring Mountlake Terrace and Lake Forest Park.*

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p.30 COMMERCIAL LAND USE

**LU18:** The Community Business designation applies to areas within the Aurora Corridor, North City and along Ballinger Way NE.

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p. 148

Ballinger Way NE and 19th Avenue NE: Northbound and Southbound at LOS F

Deleted: Road

p. 149

Ballinger Way NE and 19th Avenue NE

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