

AGENDA PLANNING COMMISSION REGULAR MEETING



Thursday, November 18, 2010
7:00 p.m.

Shoreline City Hall
Council Chamber
17500 Midvale Ave N.

	<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 COMMENTS	7:03 p.m.
5. APPROVAL OF MINUTES	7:08 p.m.
a. October 21 Regular Meeting	
6. GENERAL PUBLIC COMMENT	7:10 p.m.
<i>During the General Public Comment period, the Planning Commission will take public comment on any subject which is not of a quasi-judicial nature or specifically scheduled later on the agenda. Each member of the public may comment for up to two minutes. However, the General Public Comment period will generally be limited to twenty minutes. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Speakers are asked to come to the front of the room to have their comments recorded and must clearly state their first and last name, and city of residence.</i>	
7. STAFF REPORTS	7:15 p.m.
a. Study Session: Southeast Neighborhood Subarea Plan Implementation	
8. PUBLIC COMMENT	9:15 p.m.
9. DIRECTOR'S REPORT	9:25 p.m.
10. UNFINISHED BUSINESS	9:30 p.m.
11. NEW BUSINESS	9:32 p.m.
12. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	9:34 p.m.
13. AGENDA FOR December 2	9:38 p.m.
14. ADJOURNMENT	9:40 p.m.

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236.

WHO WE ARE

The Shoreline Planning Commission is a 7-member volunteer advisory body to the City Council. The purpose of the Planning Commission is to provide guidance and direction for Shoreline's future growth through continued review and improvement to the City's Comprehensive Plan, Development Code, shoreline management, environmental protection and related land use documents. The Planning Commission members are appointed by the City Council and serve a four year term.

WHAT IS HAPPENING TONIGHT

Planning Commission meetings may have several items on the agenda. The items may be study sessions or public hearings.

Study Sessions

Study sessions provide an opportunity for the Commissioners to learn about particular items and to have informal discussion with staff prior to holding a public hearing. The Commission schedules time on its agenda to hear from the public; however, the Chair has discretion to limit or extend time limitations and the number of people permitted to speak. The public is encouraged to provide written comment to the Commission; however, since Commissioners are volunteers and may not have time to check email every day, if written comments are not included in the agenda packet and are offered during a study session, they may not have time to read them until after the meeting.

Public Hearing

The main purpose of a public hearing is for the Commission to obtain public testimony. There are two types of public hearings, legislative and quasi-judicial. Legislative hearings are on matters of policy that affect a wide range of citizens or perhaps the entire jurisdiction and quasi-judicial hearings are on matters affecting the legal rights of specific, private parties in a contested setting. The hearing procedures are listed on the agenda. Public testimony will happen after the staff presentation. Individuals will be required to sign up if they wish to testify and will be called upon to speak generally in the order in which they have signed. Each person will be allowed 2 minutes to speak. In addition, attendees may want to provide written testimony to the Commission. Speakers may hand the Clerk their written materials prior to speaking and they will be distributed. For those not speaking, written materials should be handed to the Clerk prior to the meeting. The Clerk will stamp written materials with an exhibit number so it can be referred to during the meeting. Spoken comments and written materials presented at public hearings become part of the record.

CONTACTING THE PLANNING COMMISSION

Written comments can be emailed to plancom@shorelinewa.gov or mailed to Shoreline Planning Commission, 17500 Midvale Avenue N, Shoreline WA 98133.

www.shorelinewa.gov/plancom

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

October 21, 2010
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Wagner
Vice Chair Perkowski
Commissioner Behrens
Commissioner Broili
Commissioner Kaje

Commissioners Absent

Commissioner Esselman
Commissioner Moss

Staff Present

Steve Cohn, Senior Planner, Planning & Development Services
Miranda Redinger, Associate Planner, Planning & Development Services
Jill Mosqueda, Development Review Engineer
Joe Tovar, Director, Planning & Development Services (arrived at 8:30 p.m.)
Paul Cohen, Senior Planner, Planning & Development Services (arrived at 8:30 p.m.)
Flannery Collins, Assistant City Attorney (arrived at 8:30 p.m.)
Jessica Simulcik Smith, Planning Commission Clerk

CALL TO ORDER

Chair Wagner called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Wagner, Vice Chair Perkowski and Commissioners Behrens, Broili and Kaje. Commissioners Esselman and Moss were absent.

APPROVAL OF AGENDA

The Commission agreed to allow public comments after each of the study sessions. The remainder of the agenda was approved as submitted.

DIRECTOR'S COMMENTS

Mr. Cohn reminded the Commission that the purpose of the study sessions is for the Commission to craft a proposal, not necessarily that they agree with, but they are comfortable enough to move forward

with a public hearing. After the hearing, the Commission would have an opportunity to massage each of the proposals and prepare a recommendation for the City Council.

APPROVAL OF MINUTES

The minutes of September 16, 2010 and October 7, 2010 were approved as amended.

GENERAL PUBLIC COMMENT

Arthur Maronek, Shoreline, distributed a document that he felt would help the Commission with their discussion regarding Tree Regulations.

STUDY SESSION: SOUTHEAST NEIGHBORHOOD SUBAREA PLAN IMPLEMENTATION

Staff Report

Ms. Redinger reminded the Commission that the Southeast Neighborhoods Subarea Plan was adopted unanimously by the City Council on May 24, 2010. It contained a Comprehensive Plan Map, as well as policy recommendations. Implementation options were discussed by the City Council and the Commission in July and August, and staff held a community meeting on September 21st to discuss the options with residents of the subarea. She displayed the adopted subarea plan map and said staff is recommending that the existing zoning be retained for the bulk of the properties within the subarea. They are also recommending that a less-intense version of the Mixed Use Zone (MUZ) be created for parcels adjacent to 15th Avenue to the west and east, and staff is seeking guidance from the Commission on the following issues:

- Should the regulatory language for a version of Mixed Use appropriate in neighborhood commercial areas mandate a specific maximum density and height or contain a range of height and density bonuses as does the City's current MUZ zone?
- If redevelopment is to be encouraged, what are appropriate maximum heights and densities?
- What transition elements like setbacks and landscape buffering should be used?
- If height and density are tied to an incentive system, what amenities should be defined as incentives?

Ms. Redinger said that rather than creating a new R-36 residential zoning district, a Planned Area is proposed in the southeast corner between Bothell Way and 145th Avenue. She provided a map of the staff recommendation, and noted where the proposed zones would be located. She specifically pointed out the location of the Planned Area and briefly reviewed the elements of each of its proposed subdistricts (*See Staff Report*). She summarized that the vast majority of the subarea zoning would remain unchanged. The only exceptions are the mixed-use and planned areas, a small group of residential lots on 145th that the committee thought would be a good opportunity for additional density, and an area to the east of 15th where the committee recommended more thinly-sliced transition zoning.

Ms. Redinger referred the Commission to the comment letters, which raised the following issues:

- **Traffic.** There is the perception that existing safety issues would preclude additional development. The City's Traffic Engineers met with the neighborhood previously to identify existing problems, and most of the concerns have been addressed in the Briarcrest Neighborhood section of the 2006 Traffic Action Plan. While much of the plan has not been implemented due to funding, it does identify the neighborhood concerns.
- **Hydrology.** There is a perception that the groundwater table is high, which should preclude additional development. Jill Mosqueda, Development Review Engineer, is present to discuss the hydrology of the area.
- **Crime and Inter-Jurisdictional Coordination.** Because the southeast corner is patrolled by three different police departments (Shoreline, Lake Forest Park, and Seattle), there has been some discussion about communications planning, which would be done through the SEPA process. They have also discussed the idea of including lighting as a design standard in the Planned Area regulations.
- **Transition Zoning.** People have expressed concern that the policy recommendations related to transition and step down zoning that were adopted as part of the Subarea Plan were not necessarily reflected on the proposed map. There are several options to address this concern. The staff report provides some suggestions for how this issue could be addressed and requested the Commission provide additional guidance.
- **Transit-Oriented Development.** It has been suggested that transit-oriented development be incorporated into the Planned Area, particularly in the southeast corner where they are anticipating a more robust transit system in the future.

Ms. Mosqueda referred to the area that runs from 28th Avenue Northeast to Bothell Way and 150th Street south to 145th Street. She provided a map of the two basins in the area (Thornton Creek and West Lake Washington) but noted that the boundaries are not exact and they think the West Lake Washington Basin actually extends further south. She pointed out that the area is designated as Urban, which means it is almost built out and almost all of the impervious surfaces allowed under the existing land use code are already present.

Ms. Mosqueda quickly reviewed the natural hydrological cycle. She explained that when a property is in a forested condition, there is less than 1% runoff. Most of the precipitation goes to the trees and into the ground and open waters. With impervious surfaces, the water cannot infiltrate into the ground, and the surface water runoff increases by 20 to 30%. She advised that most of the existing development in the subarea occurred when no surface water controls were in place. In addition, many of the ditches have been filled in over time, and the streets do not provide a good conveyance system, either. This can cause basements and roads to flood and yards to become soggy. She provided a picture to illustrate the surface water drainage patterns for the subarea.

Ms. Mosqueda advised that any new development in Shoreline must meet the newly adopted surface water standards. The Department of Ecology issues the City a National Pollutant Discharge Elimination System (NPDES) Phase II Permit, which mandates that the City adopt a manual that is equivalent to the Department of Ecology's (DOE) Manual (See Shoreline Municipal Code 13.10). In adoption of this surface water manual, the City made low-impact development a requirement. She explained that each development in the subarea would be required to manage surface water on site. If water must be retained and released into the system, developers would have to provide the appropriate infrastructure to

hold and convey the water. She summarized that as a result of the new requirements, she anticipates that drainage in the area would improve when redevelopment occurs. A project would not be approved unless a development can manage stormwater on site and release it at the required rates.

Commission Discussion

Commissioner Kaje pointed out that there are very different standards for the percentage of hardscape allowed for single-family residential zones versus R-24 and R-48 zones. As the single-family lots are redeveloped into multi-family uses, the amount of impervious surface would be allowed to increase. He asked staff to estimate the anticipated impact of the proposed zoning changes if maximum build out of the residential zones were to occur. He also requested staff provide an analysis of whether the City's existing code requirements would adequately address surface water issues related to the proposed zoning changes.

Chair Wagner requested information about how the new surface water requirements would be applied to redevelopment and/or remodel projects that occur in the single-family residential zones. Ms. Mosqueda explained that single-family zones allow up to 50% impervious surface and 35% building coverage. If a developer adds more than 2,000 square feet of impervious surface, he/she would have to meet the minimum requirements for erosion prevention, sediment control, and managing surface water on site. Because low-impact development is required, most of the more recent residential projects have managed surface water on site, and very few connect to the City's system. Ms. Redinger agreed to provide more information about how the proposed changes would impact existing, non-conforming residential development.

Commissioner Behrens questioned how the City could require a developer to address drainage problems downstream when they do not have a clear map of the current groundwater system in the area to illustrate the existing problems. Ms. Redinger explained that the City requires geo-technical studies at the site-specific project level, which informs the Development Review Engineers of the ramifications of development on a particular site. Larger-scale drainage improvements can be done through site-specific developer mitigations and/or Capital Improvement Projects. Another option is to form a Local-Improvement District. She summarized that staff believes most of the existing groundwater issues are actually surface water problems. Mr. Cohn added that the same allegation came up with a project that was proposed on 32nd Avenue, yet drilling done by the applicant indicated that the water table was not high. The Thornton Creek Basin Study does not provide any analysis for the properties on the other side of 30th. They know there are flooding problems, and the City understands that this is caused by surface water and not groundwater so redevelopment as per code would actually improve the situation.

Commissioner Behrens said he is troubled by the idea of encouraging people to redevelop the property into more intense uses, only to find they are confronted with unanticipated issues because the City does not know exactly where the surface water problems are. Ms. Mosqueda said she found that all of the drainage complaints the City has received since 2001 have to do with water running from one neighbor's property to another or with catch basins that were not maintained. She noted that a hydrological study would require a developer to drill down to identify where the aquifer is and what the underlying layers are, and this is not typically done except for some very large projects. She said she

has heard concerns that placing a large building on a property would squish the water out, but this has not been supported by science. She expressed her belief that a developer who purchases property for redevelopment would do the required investigation and design the building to address surface water issues.

Commissioner Kaje observed that although many of the single-family residential homes in the subarea are single story, the maximum height (35 feet) allowed in the R-6 and R-24 zones is the same. The height limit does not increase to 45 feet until the R-48 zone. He recalled that significant concern has been expressed about the reality of having buildings that are much larger next to single-story, single-family homes. However, it is important to keep in mind that a much taller single-family home could be built next to a single-story home now. Rather than using just maximum height, he invited the public to comment on other ways to soften the transition between the single-family residential and more intense uses.

Commissioner Behrens referred to the mixed use zoning category that has been proposed for the parcels adjacent to 15th Avenue and asked how confident staff is that the existing infrastructure can accommodate the intensity of development that is being proposed. He also questioned who would be responsible for mitigating the impacts. He said it is important to keep in mind that when zoning is changed, property values increase and existing businesses could end up being taxed out of the neighborhood. Regarding staff's earlier question about whether regulatory language should mandate a specific maximum density and height or contain a range of height and density bonuses, Commissioner Behrens suggested this issue must be addressed on a neighborhood-by-neighborhood basis. What might be appropriate for density and height in one neighborhood might not be appropriate for another, and issues such as traffic capacity, transit availability, etc. must be part of the equation.

Vice Chair Perkowski asked staff to elaborate more on why they are recommending a base zoning of R-12 for Planned Area (PLA) 1c. Mr. Cohn said the Citizens Advisory Committee (CAC) agreed that at least the part close to single-family residential zoning should allow no more than what the existing highest density (R-12) would allow. However, there was also some discussion that cottages would be appropriate, which would require a higher density. Staff is suggesting that the base zoning be R-12, but cottage type development would be allowed at a slightly higher density if the property is at least 1/3 of an acre (2 lots) in size. Vice Chair Perkowski asked if R-12 zoning, without the incentive for cottage housing, would be inconsistent with the CAC's recommendation. Mr. Cohn said it would not necessarily be inconsistent, but it would not encourage cottage type development, which is also part of their recommendation. Ms. Redinger said the CAC's recommended map, particularly the R-12 section, was based on a compromise to allow greater densities in the southeast corner while protecting the single-family properties located across the street from 149th Street.

Chair Wagner noted that the impacts associated with additional density for cottage type development would not be adequately addressed by the traffic and height restrictions. She questioned if the goal is to protect the stylistic preference of a single-family home on a lot. Ms. Redinger said the intent was to protect the identified neighborhood character, which is single-family homes with a lot of trees. Chair Wagner observed protecting the identified neighborhood character is inconsistent with the statement that they want to encourage cottage style development. Ms. Redinger agreed there are some inconsistencies

between the policy recommendations and the map because the committee members had to compromise. The goal was that there not be too much change. Chair Wagner asked the Commissioners to keep in mind that there are arguments from both sides. Ms. Redinger said cottage housing was a stylistic preference that people felt more comfortable with.

Commissioner Kaje said it appears that some of the lots in proposed Subdistrict PLA1C are less than 1/6 of an acre in size, yet the R-12 zoning designation requires at least 1/6 of an acre in order to develop two units. He cautioned that they might want to reconsider this number if the vision is for the property to be somewhat more developed than it is today. Otherwise, they may create an unintended problem. Mr. Cohn agreed to research the issue.

Commissioner Behrens observed that, as proposed, approximately six cottage style homes could be constructed on a 1/3 acre lot, and the traditional R-12 zoning would only allow four units. Mr. Cohn said the idea is that cottage style development would be done in groups rather than as separate lots. A developer would be allowed to cluster the homes to provide for more green space elsewhere on the property. Ms. Redinger added that any cottage style housing proposal would have to meet specific regulations related to parking, open space, etc. Commissioner Behrens recalled that the last time the Commission talked about cottage style housing, the proposal would have allowed double the number of units. Mr. Cohn said the current proposal would allow a 50% increase in the number of units.

Public Comments

John Davis, Lynnwood, said he owns two properties on 31st Avenue Northeast. He provided staff with images to project onto the screen so he could share some of the information he included in his earlier letter. The first slide represented staff's proposal. There would be rows of single-family lots on 149th and 30th. He noted that the single-family lots on 30th Avenue Northeast are already across from R-18 and R-24 zones, whereas the single-family lots north of 147th Street are across from R-12 zones. He said it was stated earlier that the property owners across from 149th Street were seeking protection from the higher density, and he questioned why this particular group of single-family residents enjoy more protection than that afforded the families west of 30th Avenue Northeast.

Mr. Davis said his primary concern is the lack of smooth transition. He moved to his second slide and noted that the areas in green (R-48 zones) are located in a nice band that is closer to the higher traffic regions within the neighborhood. There is also a row of R-18 and R-24 zoned properties on the far west. The staff report identifies a group of R-12 zoned properties between what is mostly R-18 zoning to the west and R-48 zoning to the east. He suggested they reduce the zoning in the middle of the eastern R-48 zoned properties to R-24. This would result in a smooth transition from R-48 to R-24 to R-18 to R-8 going west. From the south, they could also go from R-48 to R-24 to R-18 to R-8. These changes would allow a modest increase in density, but he asked the Commission to remember that the size of the lots will be a limiting factor. Even with an R-24 zoning designation, a property owner would be doing well to get four units. An R-24 zoning designation would not result in huge complexes because the lot sizes are restrictive.

He referred to a third slide and said that he was told before he purchased his properties that it would be easy to obtain a rezone to R-24. However, if he can't get R-24, he could live with R-18 at least on the southern most lot. Once again, the transition would be smoother by going from R-48 on the south to R-18. He noted there is existing R-18 zoning on both sides of the street. His southernmost lot is currently zoned R-12, and it is located right against a parcel that staff is recommending for R-48. He summarized that his proposals would offer much smoother transitions.

Sarah Kay, Shoreline, inquired if the Commissioners received her written comments, and Chair Wagner answered affirmatively. She offered to answer questions regarding her written comments. She asked staff to respond to Mr. Davis' comment that he was promised a higher-density zoning. Mr. Cohn said the current Comprehensive Plan land use designation on Mr. Davis' properties is high-density residential. Although the zoning is R-12, the designation would allow anything up to R-48. When property owners ask what they can do with their properties, staff informs them of the Comprehensive Plan land use designation, as well as the potential and more likely zoning options. It was very clear to staff that R-48 was not a likely option. However, staff could have said that R-24 would be a likely zoning option, but not a promise. Rezone applications go before the Hearing Examiner for review, and applicants must make a case to support their proposal. Chair Wagner added that, in some situations, staff recommendations are denied by the Planning Commission and City Council.

Diana Herbst, Shoreline, said that although the zoning may be R-18, the properties are not developed to this level now. Regarding the proposal to change one side of 32nd Avenue Northeast to R-48, she noted that the traffic pattern is such that you can only make a right onto Bothell Way or 145th Street. The first light you can get to is 30th Avenue Northeast. That means the traffic goes around and down 30th, or right past the R-6 zoned properties. This change would create significant traffic impacts. She said she participated on the traffic committee that Ms. Redinger referred to earlier. However, there was absolutely no discussion about development. Instead, their responsibility was to identify the existing traffic problems. They made no plans for additional density.

Ms. Herbst referred to Page 27 of the Thornton Creek Watershed Report, which refers to the area as wetlands. There is a year-round, open stream. Where the apartment complex is located at the corner of 148th Street was previously a wetland and horse pasture, and there is also a lot of hardpan in the area. She noted that many of the property owners on 30th Avenue Northeast have installed French drains, and other techniques to address groundwater issues. She pointed out that there are a lot of grassy areas in the single-family zoned properties. If they change the zoning code to allow row houses, there would be significantly more impervious surface.

Commissioner Behrens suggested that since numerous people have referred to the Thornton Creek Watershed Study, perhaps it should be added as an attachment in the record. Chair Wagner reminded the Commission that if the study is added to the record, all Commissioners would be obligated to read the document versus asking staff to summarize it. Mr. Cohn said the document is actually called, Thornton Creek Wetlands: A Historical Analysis and Overview of Land Use Changes over the Years. It should not necessarily be considered a technical study. Staff has never seen the document, which came from the City of Seattle. However, City staff also prepared a study that only went to 28th Avenue

Northeast, and staff has reviewed this document. He agreed that staff could review both documents and identify how they differ.

Chair Wagner asked if additional traffic study data points were done that could be added to the record. Ms. Redinger recalled that the traffic engineers and transportation planners spoke to the CAC and provided actual traffic counts that were collected by the traffic engineers. In addition, a traffic engineer participated on the committee. The consensus was that the internal streets are currently under capacity. Chair Wagner requested additional information about the traffic impacts related to 30th Avenue Northeast. Ms. Redinger explained that in addition to a geotechnical study, a developer would be required to complete a traffic impact analysis if a development exceeds a certain threshold. The developer would also be required to mitigate the impacts that are identified as part of the analysis.

Bertilinn Brown, Shoreline, said the southeast area is currently beridden with poverty, and the area south of 145th Street is an area of hopelessness. The people have nothing that allows them to be contributors in society. This is apparent when you walk the streets in this particular area, as well as those to the south. People are groping for a sense of their own identity. Whatever happens on either side of 145th Street will impact these people, as well as the residents in the subarea. She reminded the Commission that they are dealing with interjurisdictional issues. The cemetery is located in Lake Forest Park, and their staff has agreed to host the next public meeting. They have a wonderful facility to do so and they would like to be involved.

Ms. Brown said it is important to talk about styles of homes. She said she recently spoke to Linda Pruitt who designed and built the homes in the Greenwood Avenue Cottage project. Darlene Feikema who used to be a member of the Briarcrest Neighborhood now lives there, and a group of people from the Briarcrest Neighborhood have toured the cottage development. Both of these individuals have indicated their willingness to talk to the Commission about the possibilities of incorporating different design review ideas for homes.

Continued Commission Discussion

Commissioner Broili said he would like staff to provide a comparison between the historic wetland study from Seattle and the City's own Thornton Creek Watershed Study. He would also like more information about when the documents were created and if they provide scientific information or not.

Commissioner Behrens summarized that property owners within the subarea have indicated a desire for consistency in style and design. If redevelopment in the R-12 and R-24 zones is visually cohesive in design and style with existing development in the single-family zones, it might make the neighborhood feel more connected. He asked that staff consider this opportunity further.

Commissioner Kaje expressed concern about moving forward with the public hearing because they haven't had significant discussion about the proposed zoning for 15th Avenue Northeast and they haven't addressed each of the questions staff posed at the beginning of the discussion. He reminded the Commission that whatever they decide for 15th Avenue Northeast could potentially have implications for many other neighborhoods in the City. He suggested the Commission needs more time to consider

this particular aspect of the proposal prior to moving forward to a public hearing. Chair Wagner said she would also like more information about what the actual Planned Area regulations would look like. While staff has provided some general ideas, it might be very challenging to work through the proposal in a public hearing setting. The Commission agreed to continue their discussion on November 18th. The main focus of the discussion would be the proposed mixed-use zoning on 15th Avenue Northeast. In addition, staff would respond to the other questions raised by the Commission.

THE COMMISSION TOOK A BREAK AT 8:28 P.M. THE MEETING WAS RECONVENED AT 8:36 P.M.

STUDY SESSION: TREE REGULATIONS

Staff Report

Mr. Cohen reminded the Commission that staff presented the proposed tree code amendments at a study session on July 1st, and much of their discussion focused on the minimum tree credit system. The Planning Commission raised the following key issues: incentives for existing large tree preservation, adequacy of the proposed tree replacement requirement, and administration of tree removal permits.

Mr. Cohen explained that the proposal talks about using tree sizes as small as 2 inches in diameter as a part of the tree credit system. The rationale is that if the City is going to require people to put replacement trees (minimum 2 inches) in as a part of meeting their tree credits, the replacement trees should count and have some protection under the minimum credit system. A property owner could also use also existing smaller trees (2 to 3-inch) as a part of their replacement requirement.

Mr. Cohen said that based on the proposed minimum tree size of 2-inch diameter, the Commission discussed the difficulty of requiring permits for small tree removal. They talked about making it easier for the City to monitor whether or not a site has the minimum tree credits. One approach is to require no permit for removal of trees less than 8 inches in diameter. Instead, a property owner could be required to submit a simple declaration of code compliance and a survey of tree credits remaining on the property. The declaration would become part of the City's data base and provide staff with information when responding to future complaints about illegal tree removal. Another approach would be to exempt all trees under 8 inches in diameter, which is consistent with the current code language. The anticipated amount of staff time required for staff to handle a declaration, file it, and respond if there is a complaint or violation is approximately one hour. Staff recommends the City exempt all trees less than 8 inches in diameter from the permit requirement.

Commissioner Discussion

Chair Wagner asked how frequently the City's Customer Response Team receives calls about issues related to tree removal. Mr. Cohen noted that this information was provided at the July 1st meeting. He summarized that in 2008, approximately 160 known significant trees were removed, including approved, hazardous and illegal trees. He noted that it takes a fair amount of staff time to follow through on each of the complaints.

Commissioner Behrens noted that, at this time, it is only illegal to remove a significant tree if more than six are removed within a three-year period or if it is located within a critical area. The current proposal would make it a violation to remove a tree of more than 8 inches in diameter without a permit. He questioned how the City would enforce the permit requirement for removal of trees that are greater than 8 inches in diameter. Mr. Cohen answered that the method of finding violations would not change. It would still be a matter of the City staff seeing the violation or a citizen filing a complaint with the Customer Response Team. Mr. Tovar added that, under the current code, the City has no way of knowing if a property owner has exceeded the number of trees that can be cut within a three-year period. Using the proposed method, if it appears that a significant tree is being cut, the City could enforce the regulations for that particular tree rather than having to figure out how many trees have been cut within the last three years.

Commissioner Behrens observed that an 8-inch tree would be outside of the range of the average person with a chain saw to remove. He suggested the City require tree removal companies to obtain a permit before they perform work in the City. The City could hold the professional liable for following the code. He said that while he does not want to obligate a property owner to use a professional tree cutting service if they can legally remove a tree from their lot themselves, the probability of that occurring within the City is low. There are so many impediments that removing a large tree will require professional people and equipment. He suggested they may be putting the City at risk by not making this a requirement. Mr. Tovar said any regulatory scheme that is significantly different than what people are used to will require a major public outreach program. Commissioner Behrens suggested that the best place to start is to inform all of the professional tree removal companies of the new requirements.

Commissioner Broili felt Commissioner Behrens' proposal would be fairly easy to implement since the City requires anyone doing business in the City to obtain a license. He asked how many code enforcement personnel are on staff with the City. Mr. Cohen answered that they have one code enforcement person, as well as three people on the Customer Response Team who are assigned different sections of the City. Commissioner Broili expressed his belief that this is insufficient staff to adequately enforce the code requirements. He questioned the viability of making the code more restrictive, with just one full-time code enforcement person. With the current economy, he does not foresee additional staff in the near future. Commissioner Behrens' proposal offers a more realistic way to obtain compliance and better control of tree removal.

Chair Wagner suggested the Commission focus their initial discussion on whether or not they want to regulate the removal of trees that are less than 8 inches in diameter. She reminded the Commission of the juxtaposed values they are trying to codify: the function and value of the overall forested landscape and the unique individual characteristics of heritage and/or landmark trees. She suggested the Commission address these two issues separately.

Commissioner Broili clarified that while he has repeatedly pushed for a forest management plan, he never intended to imply that it should be an alternative to a tree code. They need to have both. The code deals with how trees are managed in the City, and a forest management plan provides a much larger landscape perspective. However, because the City will not likely implement a forest management

plan in the very near future, they need to get the tree code in place as soon as possible. They will have the ability to alter the tree code later as they develop a forest management plan.

Vice Chair Perkowski agreed that property owners should not be allowed to cut very large trees by themselves for safety reasons. He suggested that establishing a requirement that trees over a certain threshold be removed by professionals and making the professionals responsible for obtaining the necessary permits would make the system more enforceable, more feasible and easier to implement.

Commissioner Broili summarized that staff is recommending that tree removal permits only be required for trees that are larger than 8 inches in diameter. Trees that are smaller would be exempt from the requirement. Commissioner Behrens asked staff to provide information on how tall various types of trees would be if they are 8-inches in diameter. Mr. Cohen reported that he asked the City's contracted arborist this question, and he was unable to give a clear answer because it depends on species, microclimatology, location, etc. He suggested the code should allow for this variability to ensure that most trees fit within the threshold and can be adequately protected.

Chair Wagner said she understands that significant portions of the City were clear cut and have now regrown, and there is some anticipation that there would still be significant trees even if the City does not do much to regulate tree removal. She expressed concern that requiring property owners to meet a certain standard over what is currently required could be seen as an imposition of someone else's preference for what their yard should look like. She said she does not believe it would be a great policy decision to require a property owner to replace a tree that is 8 inches in diameter with six smaller trees. Mr. Cohen explained that the proposed code is based on activity that takes place on a property. For example, if an applicant proposes to add more than 1,000 square feet of impervious surface, the City would require him/her to meet the minimum tree credit requirement. The City would only require property owners who want to remove a few trees without significantly changing the amount of impervious surface to replace the credits that are being removed if they are below the threshold. Chair Wagner expressed concern that a number of trees may be required to replace a large tree that is removed. The replacement trees will grow and overtime will become significant, as well.

Commissioner Broili said he sees the current proposal as an interim step to stop any further degradation of the City's environmental service opportunity in this category. Once the tree code is in place, they need to start talking about a forest management plan. From a citywide forest management strategy standpoint, there may be areas in the City where it is appropriate to have more clearing and less trees. Seldom is there a monocrop in a natural forested situation, and a forest management plan strategy would address these types of issues. In addition to the tree code amendments, Mr. Cohen suggested the Commission could forward a recommendation to the City Council for a citywide forest management plan.

Commissioner Behrens said he had a unique opportunity to meet with Vicky Westberg from the Museum, who provided maps of what the City looked like in the 1890's. It's a misconception to say that the City was ever clear cut. The Indians did "forest burnings" to plant berries and fruit. Most of the larger trees that exist in the City now are present because there was not enough density of large trees in the area to make it economically feasible for logging companies to cut. The reason they have the forest

canopy they have today is the effect of the Indian burning and not clear cutting. Clear cutting was only done in Innis Arden where there was significant forest coverage to make it worthwhile.

Commissioner Broili suggested that a subcommittee of Commissioners and Parks Board Members could be formed to discuss the current proposal, as well as the concept of a citywide forest management plan. Commissioner Kaje asked staff to clarify how the current proposal would impact parks. Mr. Cohen said only the rights-of-way would be exempt from the current proposal. The Commission agreed it would be appropriate to form a subcommittee of Parks Board and Planning Commission Members. Commissioner Broili and Vice Chair Perkowski agreed to serve on the subcommittee. Chair Wagner indicated she would be willing to serve on the subcommittee if neither of the two absent Commissioners are available. Mr. Tovar agreed to work with Commissioner Broili and Vice Chair Perkowski to articulate a scope of work for the subcommittee. He would also meet with the Parks Director to work out the logistics. Chair Wagner recommended that the subcommittee scope be limited to one or two working sessions, and the remainder of the Commission concurred. Mr. Cohen reported that staff recently provided an update to the Parks Board regarding the tree code amendments, and they have been invited to share written and/or oral comments with the Planning Commission.

Public Comments

Arthur Maronek, Shoreline, said he was present to represent the Highland Terrace Neighbors. He said the document he provided earlier provides a history of the development that has been proposed in the past, as well as identification of all the significant trees on a .96 acre parcel. As per the proposed language, 46 total tree credits would be required. The 46 tree credits could be met just by the trees within the front yard setback. The remaining 54 significant trees could be removed. Alternatively, if just 14 of the smaller trees clustered in another location on the property are retained, the remaining trees on the site could be removed. He summarized that, based on the current proposal, more trees would be removed and fewer retained than the current code requires. He suggested it would be most appropriate to save the trees located in the setback areas where no development is allowed. For the sample property, if the setback areas are subtracted from the total lot size calculation, only 36 tree credits would be required. Given all the trees on this parcel, this would be an easy job for any developer to do. However, it would allow the City to save the more significant trees. He agreed to share more of his thoughts with the Commission in writing.

Bonni Biery, Shoreline, said she likes the idea of protecting trees that are located within the setback areas. She said she believes there is also a lot of merit in the concept of restricting the cutting of large trees to professionals, who must first obtain a permit from the City. She felt this would make the regulations easier and less costly for staff to enforce. If they are going to manage their tree canopy, it is important to know what they currently have, and this is one way to accomplish their goal. It is also important to require that trees that are removed are safely cut. She agreed with Commissioner Broili that a forest management plan is the best approach, but they have not reached this point yet. She said she would also like the trees in public rights-of-way to be handled as consistently as possible with the code that addresses all other trees in the City.

Steve Johnston, Shoreline, questioned why the City is going to the effort and expense to redo their tree regulations if the tree canopy has not changed over the past ten years. There is still a 38% canopy. He expressed his belief that it is inappropriate to use significant City resources to address a problem that may not even exist. He observed that there are numerous trees in the City that are larger than 8 inches in diameter, and it appears the City is doing a good job now. He suggested they shelf the effort and allow the trees to continue to grow. He summarized that he does not see that the “sky is falling” as far as trees go.

Continued Commission Discussion

Commissioner Broili agreed that the “sky isn’t falling” presently and there is not a lot of development going on. However, this is a temporary situation. As population continues to grow, development will continue, as well. As redevelopment occurs, it is important to protect environmental services, which are free and help the City manage stormwater and other amenities (aesthetic and functional). He said he supports a revision of the tree code to make it stronger so redevelopment can be managed in a long-term, holistic way that protects the environmental services that vegetation and trees afford. If they wait until it is broken, it will cost much more to fix the problem.

Commissioner Behrens said he previously reviewed the history to point out that a lot of the large substantial trees (10 to 18 inches in diameter) date back 130 to 200 years. Trees are a resource that cannot be replaced on a short-term basis. The goal is to look 200 years into the future, and see what they will leave behind.

Commissioner Behrens recalled that, at one point in their discussion, the proposal included a provision to preserve the trees within the setback areas. Mr. Cohen answered that trees within the setback and outside of the range of excavation and footings can be used as part of the tree credit calculation for any particular site. These will likely be the most viable trees for a developer to retain. The current proposal provides incentive but does not require a developer to retain all of the trees in the setback. Commissioner Behrens suggested the Commission consider the option of requiring a developer to retain all trees within the setback. Mr. Tovar said this is one option to consider, but it is also important to keep in mind that sometimes the trees around the perimeter are not the best and healthiest trees to retain. In addition, some trees within the setback areas may have to be removed to provide access to the property. Perhaps staff could come up with some criteria to balance these factors. He agreed that retaining trees on the perimeter of the property would be preferred.

Mr. Cohen said if the Commission wants to require that existing trees in the setback be preserved, revisions can be made to suggest how that might be done. However, the key is to allow enough flexibility for a property owner to reasonably alter a site by removing trees to provide solar access, address a safety issue, accommodate utilities, etc. Mr. Tovar suggested that it would be possible to have a standard that trees located within setback areas be retained. However, they should also include a provision that allows for a departure from the standard if an applicant can provide sufficient evidence to support the request.

Commissioner Broili expressed his belief that the proposed tree code is not perfect, but it is much better than what they have now. He suggested they recommend to the City Council that the City continue to pursue a vegetative management plan, which is a multi-layered vegetation strategy. As this plan is developed, further adjustments to the tree code, design standards, etc. would also be necessary. He summarized that after some small tweaks and after the Parks Board has had an opportunity to provide input, he is ready to move the proposed language forward to a public hearing.

Commissioner Kaje said he previously shared a story about a neighbor across the street from him who removed seven significant trees, nearly all the trees on the property. He said he was upset and contacted the City to learn that they were allowed to remove six of the trees and the seventh was deemed hazardous. However, since that time, the neighbors have created the most amazing, lush food garden that covers their entire yard. He now realizes that it was necessary for them to remove the trees to provide adequate solar access to their home. He recalled his earlier suggestion that people who don't want to replant enough trees on their property to meet the tree credit requirement could be allowed to pay into a fund that purchases and plants trees elsewhere in the City. However, he agrees with former Commissioner Hall's comment that the fund should be used to plant extra trees that are not already required by the code as part of development. He expressed his belief that this type of a program would not be that difficult to implement and would make the code requirements much more reasonable. Mr. Tovar agreed that staff could research the option further and report back to the Commission.

Vice Chair Perkowski said that while some may think it is unreasonable and inflexible, he believes the proposal he submitted (see desk packet) addresses many of the issues his fellow Commissioners have raised. He said the current proposal on the table is too complex; it provides incentives to retain large trees, but incentives do not always work. His proposal is consistent with the idea of exempting smaller trees (less than 6 inches). A property owner would be allowed to cut up to two significant trees per year, but a permit would be required. His proposed language also includes a threshold where replacement would be required at a ratio of 2:1. However, if a property owner can meet the threshold, no replacement trees would be required. He expressed concern that "replacement" appears to be the answer to all tree problems in the staff's proposed language, but many of the replacement trees will not likely survive to become large trees.

Vice Chair Perkowski summarized that his proposal is intended to be very pragmatic. It makes it clear that the most cost-effective thing to do is preserve the trees. Restoration and mitigation are costly, risky and uncertain. The talk that there will ultimately be trees 100 years from now to replace the ones that are removed does not address the 100-year span where the benefits have been lost. Puget Sound is in trouble now. They are talking about spending millions of dollars to protect and restore Puget Sound, and it makes no sense to not protect the existing resources. He concluded that the City does not have to choose between preservation of large trees and increasing the citywide canopy. Both can be accomplished.

Commissioner Broili expressed concern that the present tree code allows a property owner to remove up to six significant trees in a 3-year period regardless of the size of the lot. Vice Chair Perkowski agreed that the threshold should be based on lot size, but his proposal has not reached that level of detail yet. Commissioner Broili said he would like to pursue Vice Chair Perkowski's proposal further.

Mr. Cohen said he would summarize and provide additional information regarding the issues raised by the Commission. He would forward the summary to the Commissioners via email. Mr. Tovar said staff would schedule a meeting with representatives from both the Parks Board and the Planning Commission to continue the discussion. He said staff is also interested in considering Vice Chair Perkowski's proposal further. He said he would like to research the amount of staff resources necessary to credibly implement Vice Chair Perkowski's concept as compared to the staff's proposal. Vice Chair Perkowski expressed his belief that his proposal would actually require less staff time than staff's proposal.

DIRECTOR'S REPORT

Mr. Tovar announced that the Commission's joint meeting with the City Council has been postponed to November 8th. This would be a dinner meeting to discuss the work program and the progress they have made since the last joint meeting and to identify any changes in priorities. He noted that depending on the results of the upcoming election, the resources available to implement the work program may change. If the levy does not pass, the Commission may have to go through a prioritization exercise on November 3rd in preparation for the joint meeting.

He advised that the Commission and City Council would also discuss the long-range Citywide Comprehensive Plan update at the joint meeting. He noted that some Councilmembers have expressed a desire to provide direction to the Commission early in 2011 about things that should be considered early in the process.

Mr. Tovar announced that a Town Center Subarea Plan Open House has been scheduled for Tuesday, November 16th. At that time, staff would provide a report to the public regarding the draft subarea plan and implementing code language. They will continue their outreach to other stakeholder groups and talking to property owners and businesses in the area. They have received several emails from citizens with additional ideas to consider, and some of the ideas will be folded into the draft that is presented on November 16th. He recalled that the Commission made a number of comments when they reviewed the 80-page draft, which has now been reduced to 39 pages. The goal is to graphically convey what they are after rather than just relying on words.

Mr. Tovar announced that staff is working with an intern to create some hypothetical models of different buildings, masses and configuration to plug into the Sketch Up model. A draft will be available at the open house to give the public an idea of what build out might be using the proposed concepts for height, setback, bulk, etc. He invited the Commissioners to attend the open house.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

No new business was scheduled on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Broili recalled that the Commission spent a considerable amount of time at their retreat talking about how they could connect better with the world at large. One of the ideas was the web-based *Shoreline Area News* Blog. He suggested the Planning Commission be added to the series of bullets on the home page. This would provide a link to information about what is going on with the Commission and would be an excellent way for the Commission to reach out.

AGENDA FOR NEXT MEETING

Mr. Cohn announced that two public hearings are scheduled for November 4th. The first hearing would be on the Development Code amendments, including the amendment related to SEPA appeals. The second hearing would be on the miscellaneous Comprehensive Plan amendments the Commission discussed at their last meeting. As per the Commission's earlier discussion the public hearing that was tentatively scheduled for November 18th would now be a study session.

ADJOURNMENT

The meeting was adjourned at 10:06 P.M.

Michelle Linders Wagner
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission



Memorandum

DATE: October 21, 2010

TO: Shoreline Planning Commission

FROM: Joseph W. Tovar, FAICP, Planning and Development Services
Director
Steve Cohn, Project Manager, Senior Planner
Miranda Redinger, Project Manager, Associate Planner *MR*

SUBJECT: Southeast Neighborhoods Subarea Plan Implementation Proposal

Background

On October 21, staff offered some initial thoughts about implementing the SE Neighborhoods Subarea Plan. These ideas included:

1. Existing zoning is retained for the bulk of the properties;
2. Creation of a Neighborhood Mixed Use Zone; and
3. A proposed Planned Area in the SE corner of the Subarea

Most of the October 21 meeting focused on the proposal for the planned area in the SE corner of the Subarea. This meeting will focus on the proposals for the 15th Avenue corridor, and also address some of the concepts that the Commission asked staff to cover in more detail.

15th Avenue Commercial Zoning Implementation

Staff's recommendation is to designate the area on the east and west sides of 15th Ave. (as shown in Attachment 1) as a Neighborhood Mixed Use Zone. The proposed zone is based on the existing MUZ zone, but is a version that is more appropriate for a neighborhood commercial area, and is intended to promote redevelopment by enhancing the economic viability of long-term investment.

Staff's current view is that the Neighborhood MUZ would have the following characteristics:

1. Maximum height -50 feet. Maximum height only attainable if it is developed in a mixed use structure (same as current Neighborhood Business zone)
2. Base Height -35 feet (same as current NB zone)
3. Base allowable density – 48 du acre (current NB allows 24 du/acre)
4. Max density if in a mixed use building – 65 du/acre
5. Transition standards/design review for portions of the development within 100 feet of R-6 and R-8 density

Other items of note for the area adjacent to or near 15th Avenue NE:

1. For the residential area to the east of the commercial district on 15th, consider proposing an R-24 zone as transition rather than a series of zones that each encompass only one property. R-24 is a townhouse zone, which is a reasonable transition, used elsewhere in the city.
2. Neighborhood Business is retained in some areas as a transitional commercial zone. This will tend to have lower intensity development, though that is not assured because NB does allow 50 ft. tall buildings. However, as noted, NB is the existing zoning on these sites.

Questions for the Commission to consider tonight

In considering the approach to creating new zoning categories, staff requests that the Commissioners discuss and provide direction on the following questions at the November 18 meeting:

1. *Should the regulatory language for a version of Mixed Use appropriate in neighborhood commercial areas mandate a specific maximum density and height or alternatively be based on incentives?*
2. *If redevelopment is to be encouraged, what are appropriate maximum heights and densities? Should setbacks and landscape buffering be used? If so, should it only be as a transition to non-commercial areas?*
3. *If height and density is tied to an incentive system, what amenities should be defined as incentives-- open space, affordability, green building, public art? Other?*

4. *How does the Commission want to approach the goal of the subarea plan to provide a variety of housing options? Potential ideas to be considered include:*
 - a. *Permitting a higher percentage of hardscape if residences are made physically accessible from the outside to those with mobility constraints (to allow for ramps, which are considered hardscape).*
 - b. *Encouraging affordable units in multifamily structures by allowing a density bonus for units under a certain size (i.e. one-bedroom or studio).*
 - c. *Providing incentives for cottage housing such as accelerated review in addition to a small density bonus.*
 - d. *Should these options be available throughout the subarea or implemented as a pilot project in a smaller area, such as PLA1C?*

5. *Should developers be encouraged to aggregate lots (either by providing greater density/intensity) or conversely, limiting density on smaller lots, particularly for densities that are unlikely to be achieved on smaller lots?*

Staff responses to questions raised at the previous discussion about Plan implementation

1. **PLA1C-** Commissioner Kaje asked about minimum lot size for R-12 zone. Minimum lot size in 2500 sq. ft, but density requirements are the controlling factor in this case. For example, if you are developing an 8300 square foot lot, you would be limited to a maximum of 2 dwellings on the site. Because of rounding rules, it would require a 9100 square foot lot to obtain 3 dwelling units. If you bought a neighboring lot of 8300 square feet, you could build 5 units on the combined lots in an R-12 zone.

Staff has attached a proposal for cottage housing based on work completed several years ago when a revised city-wide cottage housing ordinance was under consideration (See Attachment 2). Our initial analysis shows that it would be unlikely that 18 units/acre could be realized given lot size and proposed requirements for parking and open space. However, the density could slightly exceed 12 du/acre, so it is possible that some density bonus could be crafted to encourage cottage housing development if the Commission opts to do so.

2. **PLA1B-** Staff continues to think about appropriate zoning for small lots. Preliminary analysis also shows that because of parking requirements and the prohibitive cost of underground parking for small developments, it is difficult to achieve densities greater than 35 units/acre on smaller lots (and that would require stacked units, i.e., apartments or condos). If an area is developed as townhouses, 24-26 du/acre is more likely.

Does the Commission wish to revisit the creation of a zone in between R-24 and R-48, which may be a more realistic development target? An alternative option (as noted in question 5 above) is to only allow higher density on an aggregation of lots, and limit density on smaller lot sizes.

3. **What is a reasonable estimate of development over the next 10-15 years?**

- a. On the 15th Avenue corridor, if the nursing home is redeveloped into another use, there could be in the neighborhood of 200 units on that site; if the Goodwill redevelops, there could be another 100-115. If neither of them redevelop, maybe 1/3 to 1/2 that number might be developed somewhere else along 15th. This would suggest total development of 100-150 units if developed as mixed use or 75-100 units if developed as residential. Because this area is currently developed and the developments are producing income to the property owners, it is unlikely that additional properties would develop in a 10-15 year timeframe if the nursing home or the Goodwill sites redevelop as residential.
- b. Along Bothell Way, there could be about 75-80 new units if McDonalds doesn't redevelop, but some of the other sites do.
- c. In the interior of the SE corner, it is likely that only a portion of the sites would redevelop (for the most part they are under separate ownerships so it will be difficult to consolidate parcels). Staff estimates that the west side of 32nd could redevelop with approximately 26 new units (compared with 20 that could be developed under current zoning), 31st with 26 units (compared with 20 under today's zoning), and the east side 30th with 5-6 units, compared with 4-5 under today's zoning. Under this scenario, traffic would increase somewhat over current levels.

Note: To clarify a point that was made at the last meeting, staff pointed to the Briarcrest Neighborhood Traffic Action Plan as having identified public safety issues in the area. Diana Herbst noted that the study did not consider the impact of additional development in the area. When there is a proposal for public hearing, staff will take another look at potential impacts of development in terms of traffic, and include that information in its staff report on the proposal. When or if a potential development trips certain thresholds, an owner would be required to perform a more specific traffic analysis, and mitigate impacts.

4. What threshold would require an existing single-family home to meet current standards for Low-Impact Development with regard to stormwater?

In preparation for code changes that went into effect with the adoption of the Dept. of Ecology Stormwater Manual, staff prepared two technical guidance pamphlets, one for small impact projects, and one for medium. Generally, a small project is one on a property with less than 35% impervious surface coverage, which involves less than 2,000 sq. ft. of new and/or replaced impervious surface, and disturbs less than 7,000 sq. ft. of land. A small impact project is required to construct stormwater (erosion) pollution prevention, while a medium impact project is required to do that in addition to preparing stormwater site plans, controlling pollutant sources, preserving natural drainage systems and outfalls, and managing stormwater onsite. The Medium Impact Drainage Technical Guidance Pamphlet covers how to develop a drainage plan and includes information about best management practices. Staff can make these available to Commissioners.

5. How does the document *The Thornton Creek Watershed: A Historical Analysis, An Overview of Land Use Changes Through the Years* compare to other documents that reference the Thornton Creek Watershed?

Jill Mosqueda, P.E. prepared a summary of the different documents that discuss this watershed in relation to the SE Neighborhoods Subarea, which is included as Attachment 2. In summary, she notes that the Thornton Creek Historical Analysis did not address this area, but other

studies have. These studies do not indicate any historic or existing streams, wetlands or bogs in the SE portion of the subarea.

6. How could a cottage housing ordinance and design standards be adapted for use in the SE Neighborhoods Subarea?

Attachment 3 contains a draft version of the cottage housing code that could be adopted and Attachment 4 contains a draft version of the design standards developed for Town Center and adapted for the subarea.

Next Steps

Staff requests that the Planning Commission provide specific direction with regard to the questions and options posed in this report so staff may prepare a detailed recommendation for a public hearing on implementation of the SE Neighborhoods Subarea Plan.

Attachments:

Attachment 1 - Proposed Zoning map of area around 15th Ave.

Attachment 2 - Draft cottage housing code

Attachment 3 - Draft design standards

Attachment 4 - Summary of documents relating to Thornton Creek Watershed



Proposed Zoning for Areas Near 15th and 145th

- | | | | | |
|-------------------|------------------------|----------------------------------|----------------------------------|------------------------------------|
| City Boundary | Principal Arterial | Park | R-24; Residential, 24 units/acre | PA; Planned Area |
| Open Water | Minor Arterial | Unclassified Right of Way | R-48; Residential, 48 units/acre | C; Campus |
| Planning Area | Collector Arterial | Tax Parcel | Planned Area 1-A | NCBD: North City Business District |
| Outside Shoreline | Neighborhood Collector | Proposed Zoning | Planned Area 1-B | O; Office |
| Interstate | Local Street | R-4; Residential, 4 units/acre | Planned Area 1-C | CB; Community Business |
| | | R-6; Residential, 6 units/acre | Planned Area 1-D | NB; Neighborhood Business |
| | | R-18; Residential, 18 units/acre | Planned Area 1-E | I; Industrial |
| | | R-8; Residential, 8 units/acre | Mixed Use Zone | CZ; Contract Zone |
| | | R-12; Residential, 12 units/acre | Mixed Use Zone Residential | |



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Amendments to Section 20.40.300 Cottage Housing

Regulations

- A. For the definition of cottage housing see SMC 20.20.014. The intent of cottage housing is to:
- Place the burden on the developer for the highest quality development rather than the minimum standards and for the City to deny proposals that do not meet this intent;
 - 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 minimum main floor area for an individual cottage housing unit shall be 700 square feet.
- C. Up to 1.25 cottage housing units may be allowed in place of each single-family home allowed by the base density of the zone.
- D. Cottage housing developments shall have a minimum of four units and a maximum of eight units, not including community buildings.
- E. The height limit for all cottages shall not exceed 18 feet. Cottage 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.
- F. Cottages shall be oriented around a common open space using covered porches and entries. Cottages fronting on streets shall have an additional entry facing those streets.

The common open space shall be at least 250 square feet per cottage and landscaped primarily with ground cover. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space. Cottages and community building shall be separated at least 30 feet when separated by required open space.

- G. Cottages shall provide a minimum private open space of 250 square feet. Private open space that is less than 10 feet wide shall not be included in the area calculation. Private open space should be contiguous to each cottage, directly accessed from the porch or private walk, 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 two feet in height.
- 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 ten 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 shall be provided as follows:
- Two parking stalls for each cottage housing unit and one quest stall for every two units shall be provided. Tandem parking is allowed.
 - Clustered and separated from the private and common area and cottages by landscaping and architectural screen under four feet in height with trellis above six feet in height. Screened from public streets and adjacent residential uses by landscaping and architectural screen.
 - Set back a minimum 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 enclosed.

- K. Setbacks for all structures from the abutting property lines shall be an average of ten feet, but not less than five feet, except 15 feet from a public Right-of-Way or public sidewalk, whichever is greater.
- L. Architectural 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 are allowed.
- M. Minor modifications to the Development Code may be approved if they result in a more successful cottage development.

Review Process

1. **Pre-application Meeting** – A meeting with the developer and staff is required prior to application to give initial feedback on cottage housing proposals and to explain the review process and City expectations.
2. **Proposals** – Proposals should include information, such as illustrated and accurate building elevations, cross sections through the property and neighboring property, site/landscape plans, existing site conditions, and site plans and photo elevations of the surrounding property and streetscapes. Construction drawings and permits may be submitted after Design Commission approval.
3. **Neighborhood Meeting** – The developer, architect, and site planner/landscape architect of the selected proposal shall conduct a meeting to facilitate discussion of site and neighborhood analysis, alternative design solutions, and concerns with neighbors to address compatibility. Neighbors that border or across the street from the proposed site are invited. Staff shall attend. Written comments shall be collected and will be included as part of a staff analysis.

Review Criteria

Neighborhood Compatibility – Cottage development proposals must analyze how it will have similar impacts as potential single family development on the same site in terms of lot coverage, floor area, building bulk, setbacks, and parking. It must also illustrate the site and cottages with the surrounding properties and their houses through a site plan and elevations.

Low impact/Green Building Practices – Cottage development proposals must show how storm water will be handled to reduce run-off to predevelopment levels and to minimize the need for on-site detention system by incorporating storm water dispersion and infiltration on site. Proposals with building materials that are energy and resource-efficient will be considered an asset.

Tree Preservation – Cottage development proposals must minimally incorporate 20% of existing, significant, and non-hazardous trees as much as possible into the over-all site design. Other significant trees that will be removed will be replaced with native, 12 foot tree species. All open space areas that are not required by the cottage code shall be preserved or restored with native plant material.

Southeast Neighborhoods Subarea Plan

DRAFT Design Standards

SE Neighborhoods Subarea Design Standards

A. Purpose

This chapter implements the City of Shoreline Comprehensive Plan and Southeast Neighborhoods Subarea Plan and its policies through land use regulations.

B. Applicability

The use and design standards within this chapter apply to all uses and development proposals within the Southeast Neighborhoods Subarea, as delineated on the official zoning maps. Some standards within this chapter apply only to specific types of development and districts as noted. Standards that are not addressed in this chapter will use other sections of the Shoreline Development Code. In the event of a conflict between standards, the standards of this chapter shall prevail.

C. Administrative Design Review

The following development applications in the SE Neighborhoods Subarea shall be subject to an Administrative Design Review (ADR) decision per SMC 20.30:

- Completely new development; or
- Expanding the square footage of an existing structure by 20 percent, as long as the original building footprint is a minimum size of 4,000 square feet; or
- The construction valuation is 50 percent of the existing site and building valuation; or
- Design departures from the following standard within this Chapter will be approved if it is consistent with the purpose of each subsection and it meets or exceeds the standard.
- Administrative Design Review is defined as a Type B decision. SMC Chapter 20.30 sets forth the procedures, decision criteria, public notification, and timing for all Type B decisions.

Criteria for ADR Decisions

1. The design meets the purpose of the applicable code subsection.
2. The design contributes to the SE Neighborhoods Subarea by improving the function, continuity, connection, or pedestrian interest from building to building and site to site.
3. The choice of materials, colors, or architectural elements is compatible or complementing of other development completed under the SE Neighborhoods Subarea design standards.

4. A departure from the design standards creates an interesting or unique development or exceeds the design standards.
5. The proposed development has unusual site constraints so that meeting the design standards is a hardship.
6. The proposed development meets all other development, building, and fire codes.
7. The proposed development is compatible with the Comprehensive Plan.
8. The proposed development will not be materially detrimental to other improvements or development in the vicinity.

SE Neighborhoods Subarea and Uses

A. SE Neighborhoods Subarea Zones

In order to implement the vision of the Comprehensive Plan: SE Neighborhoods Subarea, a Planned Area with five districts.

Districts. Five districts are delineated within the southeast corner of the subarea between Bothell Way to the east, NE 145th St. to the south, 30th Ave. NE to the west, and NE 149th St. to the north that have general and specific designs.

- a. PLA1A: This district is to allow for mixed use development that is compatible with the immediately adjacent residential uses.
- b. PLA1B: This district is to allow for transition between the more intense residential and commercial uses along Bothell Way and the lower residential densities to the north and west.
- c. PLA1C: This district is to allow for cottage housing or other compatible infill uses. The base density shall be limited to 12 dwelling units per acre, with a density bonus of 25% (15 du/acre) if developed as cottage housing according to Development Code Section ___ with a minimum lot size of 1/3 acre.
- d. PLA1D: This district is to allow for compatible infill housing options, while limiting base density to 18 du/acre.
- e. PLA1E: This district is to allow for compatible infill housing options, while limiting base density to 24 du/acre.

B. SE Neighborhoods Subarea Use Table.

(Placeholder)

SE Neighborhoods Subarea Dimensional Standards

A. Dimensions

Table ___ specifies densities and dimensional standards for permitted development in the SE Neighborhoods Subarea.

(Placeholder)

Single Family Neighborhood Protections

A. Purpose

Minimize negative impacts of SE Neighborhoods Subarea development on adjacent single family neighborhoods, while encouraging development of amenities, jobs, connections, etc.

B. Applicability

Unless specifically noted, the standards herein apply to properties within the SE Neighborhoods Subarea, and various Planned Area designations contained therein.

Site Design Standards

A. Purpose

1. Promote and enhance public walking and gathering with attractive and connected development to:
 - b. Promote distinctive design features at high visibility street corners.
 - d. Provide safe routes for the pedestrian and disabled person across parking lots, to building entries, and between buildings.

B. Site Frontage

Site design standards for landscaping, walkways, public places, and open space may be combined if their separate purposes and functions are not compromised.

Development abutting street frontages as designated within the subarea shall meet the following standards. If the building occupies a corner site, then other than building entry, standards apply to both streets.

1. Storefront Street buildings shall be placed at the property line. Buildings may be setback from the property line if a plaza (as specified in SMC 20.92.140) is included between the sidewalk and the building.
 - a. Minimum, ground level, interior space dimension is 12-foot height and 20-foot depth;
 - b. Minimum transparent window area is 60 percent of the ground floor facade between the heights of 30 inches and 8 feet above the ground;
 - c. The primary building entry shall be on a street frontage and, if necessary, recessed to prevent door swings over sidewalk;
 - d. Minimum weather protection at least five feet in depth, along at least 80 percent of the facade width, and over building entries; and
 - e. Surface parking along Storefront Streets is not more than 65 lineal feet of the site frontage. Surface parking along Boulevard Streets is not more than 50% of the site frontage. Parking lots are not allowed at street corners. No parking or vehicle circulation is allowed between the right-of-way and the building front facade. Sites with less than 80 feet lineal feet of frontage are exempt from this standard. See figure 20.92.070(B)(1)(b) for parking configurations. See 20.92.060(F)(3) for parking lot landscape standards.

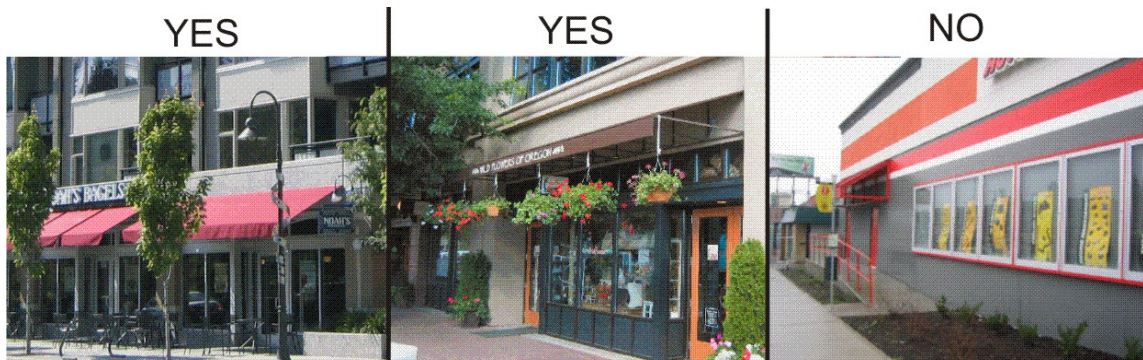


Figure 20.92.070(B)(1)(a). Boulevard and Storefront examples.

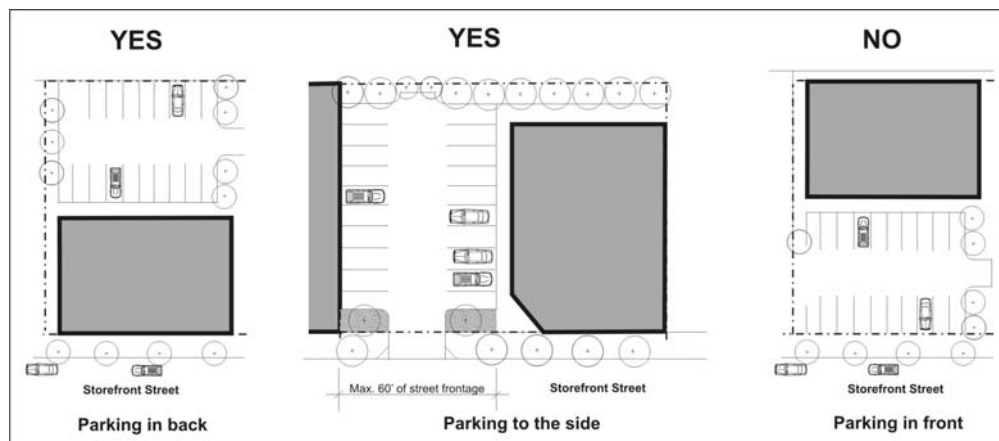


Figure 20.92.070(B)(1)(b). Parking lot locations along Storefront and Boulevard Streets.

C. Vehicle Parking

1. Minimum Off-street Parking

See SMC 20.50.390 for applicable standards. Reductions up to 30% may be approved using combinations of the following criteria.

- On-street parking along the parcel's street frontage.
- A mass transit stop within ¼ mile radius.
- An off-street public parking lot within ¼ mile radius.
- Shared parking agreement with adjoining parcels that has land uses that do not conflict.
- Commute trip reduction program.
- High occupancy vehicle parking.

20.92.070 Building Design Standards

A. Purpose

1. Emphasize a quality building articulation, detailing, and durable materials.
2. Reduce the scale of large buildings and add visual interest.

B. Façade Articulation

1. At least two of the following methods must be employed:
 - a. Use of window and/or entries that reinforce the pattern of 40-foot storefront spaces.
 - b. Use of weather protection awning that reinforce 40-foot storefronts.
 - c. Change of roofline per subsection 4 below.
 - d. Use of revealed vertical piers.
 - e. Change in building material or siding style.



Figure 20.92.180(B). Good and bad storefront articulation examples.

C. Multifamily Buildings

All multifamily buildings and residential portions of mixed-use buildings shall provide at least three of the following articulation features at intervals minimally every 35 feet of facades facing a street, park, and plaza, gathering public places or common open space.

- a. Repeat distinctive window patterns at intervals less than the required interval.
- b. Vertical building modulation 18 inches deep and 4 feet wide if combined with a change in color or building material or roofline modulation as defined in subsection E below. Otherwise, minimum depth of modulation is 10 feet and minimum width for each modulation is 15 feet. Balconies may be used to meet modulation. .
- c. Above 40 feet, upper level step-backs at least 5 feet and used consistently with other articulation elements along at least 50 percent of the façade.
- d. Distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

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Summary of Surface Water References Applicable to SE Corner of the SE Neighborhood

**1. The Thornton Creek Watershed: A Historical Analysis
An Overview of Land Use Changes Through the Years**

Prepared for Seattle Public Utilities

Contract Nbr. R00-24-07-01

Prepared By: Patrick Trotter, PhD, Alan W. Johnson, Kelvin Andrews

Natural Systems Design LLC, Seattle, WA

2009

The report does not mention any wetlands, bogs, or streams in the SE portion of the subarea plan. The SE portion is not included in the Thornton Creek basin; probably because a large portion is part of the Hamlin Creek sub-basin. As an added note, this document does not purport to be a basin study of the hydrology, but rather an historical overview of changes to the basin, mostly within the Seattle city limits.

Report covers the following topics.

A Historical Overview

Focus Areas of the Watershed

The Knickerbocker Reach

The Confluence Reach

Hamlin Creek

Northgate and North Seattle Community College

Ronald Bog

Findings are:

- Prior to development, coniferous forest and wetlands dominated the basin.
- Development progressed through four phases from logging to urbanization.
- Basin hydrology was completely altered by logging and draining of wetlands.
- Increases in impervious surfaces further changed stream hydrology.
- Fish communities vanished or diminished with changes in the basin.

2. Revised Draft Basin wide Flow Control Plan (Prepared for Seattle)

Thornton Creek

Seattle, Washington

Entranco

April 19 2001

Page 3-1 Littlebrook contributes to North Branch Thornton Creek within Seattle city limits. All figures show Littlebrook beginning in Seattle, south of N 145th St. Shows a Littlebrook Creek at about 30th in Seattle Figure 3.1, Figure 4.6. SE area in sub-basin LB-01 Figure 3.2

3. Thornton Creek and West Lake Washington Basins

Characterization Report

City of Shoreline

May 2004

Tetra Tech/KCM

References other studies:

Thornton Creek Watershed Characterization Report, SPU, 2000

Thornton Creek Riparian Corridor Maps, SPU 1999

King County Sensitive Areas Map Folio, 1990

Thornton Creek tributary Flood reduction Study – Preliminary Draft, OTAK, December, 2001.

Presents diagnostic first steps for stream and wetland designations. Specific identification would occur during development review. Figure 2-2 shows the SE neighborhood lying within sub-basin TC-A (Thornton Creek A) and WLW-A (West Lake Washington Basin A) but does not indicate any historic or existing streams, wetlands or bogs in this area. Geology discussion does not mention peat in this area. The West Lake Washington basin does not have above-ground drainages.

4. City of Shoreline

Stream and Wetland inventory and Assessment

Appendices

May 2004

Tetra Tech/KCM, Inc.

Indicates there are no streams, wetlands, or bogs in SE neighborhood.

5. Thornton Creek Watershed Plan

City of Shoreline, Washington

November 2009

R.W. Beck

nhc Northwest Hydraulic Consultants

The Watershed Company

EnviroIssues

Study limited to areas of Thornton Creek with creeks and wetlands. The study does not include the SE neighborhood because Thornton Creek does not run through the SE Neighborhood.

6. City of Shoreline
Surface Water Master Plan
2005
RW Beck

The Master Plan indicates that the area from 28th Av NE to Bothell Way and NE 150th St to NE 145th St. has no major water courses within the City limits. Note that the West Lake Washington Basin boundaries include part of the SE neighborhood.