

# AGENDA PLANNING COMMISSION REGULAR MEETING



Thursday, June 16, 2011  
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. April 21 Regular Meeting	
b. May 5 Regular Meeting	
c. June 2 Regular Meeting	
6. GENERAL PUBLIC COMMENT	7:10 p.m.
<p><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. The rules for procedure for Public Hearings before the Planning Commission are further defined in Resolution No. 182.</i></p>	
7. PUBLIC HEARING <i>Legislative Public Hearing</i>	7:15 p.m.
a. <b>Town Center Subarea Plan and Development Code</b>	
1. Staff Overview and Presentation	
2. Questions by the Commission to Staff	
3. Public Testimony	
4. Final Questions by the Commission	
5. Deliberations and Final Recommendation	
7. Closure of Public Hearing	
8. DIRECTOR'S REPORT	9:15 p.m.
9. UNFINISHED BUSINESS	9:20 p.m.
10. NEW BUSINESS	9:23 p.m.
11. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	9:25 p.m.
12. AGENDA FOR July 7	9:29 p.m.
13. ADJOURNMENT	9:30 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](mailto:plancom@shorelinewa.gov) or mailed to Shoreline Planning Commission, 17500 Midvale Avenue N, Shoreline WA 98133.

[www.shorelinewa.gov/plancom](http://www.shorelinewa.gov/plancom)

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

April 21, 2011  
7:00 P.M.

Shoreline City Hall  
Council Chamber

---

### Commissioners Present

Chair Wagner  
Vice Chair Perkowski  
Commissioner Behrens  
Commissioner Broili  
Commissioner Esselman  
Commissioner Kaje  
Commissioner Moss

### Staff Present

Joe Tovar, Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
John Vicente, Capital Projects Administrator  
Jessica Simulcik Smith, Planning Commission Clerk  
Paul Cohen, Senior Planner (arrived at 8 p.m.)

### 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, Esselman, Kaje and Moss.

### APPROVAL OF AGENDA

The items listed under “New Business” were reversed.

### DIRECTOR’S COMMENTS

Mr. Tovar announced that the May edition of *CURRENTS* would feature a number of articles related to planning, including articles about the open space and park effort at the Aldercrest Annex, the Planning Commission, Sound Transit’s work in the north corridor, Town Center, Planning 101, Point Wells, Shoreline School District high schools, economic development and how it relates to comprehensive planning and regulation, directional signs, tree canopy, and the 2010 census. There will also be a full-page graphic explaining how the state, regional and local plans and regulations fit together.

## **APPROVAL OF MINUTES**

The minutes of April 7, 2011 minutes were approved as amended.

## **GENERAL PUBLIC COMMENT**

No one in the audience expressed a desire to provide general public comments.

## **QUASI-JUDICIAL PUBLIC HEARING ON STREET VACATION OF 256 SQUARE-FOOT SECTION OF AURORA AVENUE AT 18551 AURORA AVENUE NORTH**

Chair Wagner reviewed the rules and procedures for quasi-judicial public hearings. She reminded the Commissioners of the Appearance of Fairness Rules. She invited all those who wanted to participate in the hearing to swear and affirm that their testimonies would be the truth. She opened the public hearing and asked Commissioners to disclose any communications they may have received about the subject of the hearing outside the hearing. None of the Commissioners identified ex parte communications.

### **Staff Overview and Presentation of Preliminary Staff Recommendation**

Mr. Cohn advised that the proposal is to vacate an approximately 256 square foot section of Aurora Avenue North located adjacent to the McPherson Building at 18551 Aurora Avenue North. He provided pictures to illustrate the location of the subject right-of-way, which is located west of the soon-to-be-constructed retaining wall and outside the limits of the built infrastructure for the Aurora Corridor Improvement Project. The City does not foresee a need to retain this small piece of right-of-way. If the street vacation is approved as proposed, the property owner would have the right to purchase this area.

Mr. Cohn explained that a street vacation is a process by which an adjacent property owner can acquire public right-of-way for private use. He clarified that a public right-of-way is defined as any right-of-way where the City has the right to use the land for street purposes, whether or not the right-of-way has ever been improved as is the case with the current application. He noted that a good portion of the current unimproved right-of-way in the area would be developed as additional street and sidewalks. However, a small portion would not be used, and the Public Works Department has recommended that it be sold. He provided street view photographs to describe the location and topography of the subject right-of-way. The photographs were identified as Exhibit 6.

Mr. Cohn advised that when the building adjacent to the subject property was constructed in the late 1970's or early 1980's, a small portion of the building's footings were placed within the right-of-way. Because the City does not need the property, it would make sense to sell it to the building owner so they can own all the property the building stands on. As a condition of the sale, the City would require an easement because the tiebacks anchoring the retaining wall would be located within this area.

Mr. Cohn reviewed the criteria for street vacation approval (SMC 12.17.050) as follows:

1. **The vacation will benefit the public interest.** Staff analysis shows that the City has an interest in the efficient use of land and good right-of-way design. Aurora Avenue has been designed and will be built, and any excess property can be sold to the property owner. In this case, control of hazards or maintenance is more efficiently proposed by the owner.
2. **The proposed vacation will not be detrimental to traffic circulation, access, emergency services, utility facilities, or similar right-of-way purposes.** The subject right-of-way is physically isolated from the rest of Aurora Avenue North, and the vacation would have no effect on either automobile or pedestrian traffic. A sidewalk would be located within the remaining right-of-way.
3. **The street or alley is not a necessary part of a long-range circulation plan or pedestrian/bicycle plan.** Aurora Avenue North would be expanded to its furthest point after the improvements are completed, and there would be no reason to expand it further.
4. **The vacation is consistent with the adopted Comprehensive Plan and street standards.** The Comprehensive Plan contains policies related to making sure that traffic flows smoothly and that economic development happens along Aurora Avenue North. These policies all support the proposed street vacation.

Mr. Cohn concluded his report by recommending that the street vacation be approved with the condition noted in the Staff Report regarding an easement on the vacated property for purpose of maintaining the retaining wall. If the Commission agrees with the added condition, they should include it as part of their recommendation to the City Council.

#### **Questions by the Commission to Staff**

Commissioner Moss referred to Findings of Fact 10 and requested clarification about whether the subject property is located on the north or west side of Aurora Avenue. Mr. Cohn agreed that Findings of Fact 10 (Page 26 of the Staff Report) should be changed to indicate the property is located on the west side of Aurora Avenue. Commissioner Moss noted that the word “west” in the second sentence under Criteria 3 (Page 27 of the Staff Report) should be changed to “east.” She also noted that the word “has” should be deleted from the last sentence of Findings of Fact 13 (Page 26 of the Staff Report).

Commissioner Esselman requested clarification about the proposed easement and whether it would be temporary or permanent. Mr. Vicente answered that one of the easements would be temporary for the duration of construction. Once construction has been completed, the easement would expire. The easement for the retaining wall tiebacks would be permanent and extend for the life of the retaining wall.

Commissioner Behrens asked if the property owner has agreed to purchase the subject property. Mr. Vicente answered affirmatively. Commissioner Behrens asked who would pay the recording costs associated with the vacation. Mr. Vicente said that, typically, the City pays the recording fees for property transactions.

**Public Testimony**

No one in the audience expressed a desire to participate in the hearing.

**Final Questions by the Commission**

None of the Commissioners had additional questions.

**Deliberations**

**COMMISSIONER MOSS MOVED THE COMMISSION RECOMMEND APPROVAL OF THE PROPOSED STREET VACATION, WITH THE EASEMENT CONDITION AND AS AMENDED BY THE COMMISSION. COMMISSIONER ESSELMAN SECONDED THE MOTION.**

Because the petition was presented to the Commission in the form a resolution, Commissioner Kaje asked staff to explain the proper motion format to move the item forward to the City Council. Mr. Cohn explained that to move the street vacation petition forward, the Commission would need to recommend approval of the findings, conclusions and recommendation found attached to the Staff Report. Commissioner Kaje reviewed that Resolution 313 initiated the consideration of the vacation.

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

**THE MOTION CARRIED UNANIMOUSLY.**

Mr. Cohn explained that in order to adopt the Commission’s recommendation, the City Council would be required to adopt a formal ordinance.

**Closure of Public Hearing**

Chair Wagner closed the public hearing.

**DIRECTOR’S REPORT**

Mr. Tovar did not have any additional items to report

**UNFINISHED BUSINESS**

No unfinished business was scheduled on the agenda.

## **NEW BUSINESS**

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

Mr. Tovar advised that the main topics of discussion at the joint meeting will be the Comprehensive Plan update and the long-range planning work program. He reviewed that the Commission's work program for the next several months includes the Town Center Subarea Plan and zoning code, the tree regulations, and the Shoreline Community College Master Plan. At the end of the summer, the Commission would begin extensive work on the Comprehensive Plan update.

Mr. Tovar advised that as the only member on either the Planning Commission or City Council who participated in the 2005 Comprehensive Plan process, Deputy Mayor Hall has encouraged the City Councilmembers to clearly identify their priorities, direction and schedule at the front end of the Comprehensive Plan update process so they can avoid having to significantly amend the Planning Commission's recommendation because it is different than what they were looking for.

Mr. Tovar said the City Council has expressed concern that they are starting with a product that was largely written before the Vision Statement was adopted two years ago to provide specific goals and policies. The City Council is also concerned that much of the current text is either dated or provides more detail than necessary. They have indicated their desire to remove all regulatory text from the Comprehensive Plan and consider it for inclusion in the code. They also had a strong feeling that much of what is in the current Comprehensive Plan is data, analysis or inventory information. While it is important to be aware of and have access to this material, it does not need to be included in the actual Comprehensive Plan.

Mr. Tovar reminded the Commission that the City Council would like the Comprehensive Plan update to be completed in 2012. That means they need to get started soon. He suggested the City Council would be open to additional discussion about their direction related to the Comprehensive Plan update at the upcoming joint meeting.

Commissioner Broili asked how the update process would be similar and/or different from the process that was used to adopt the Comprehensive Plan in 2005. Mr. Tovar said the process would be very different. For example, the City worked with a consultant in 2005, and this time the work would all be done in house. In addition, the update would focus on implementation of the Vision Statement and Framework Goals. As per the City Council's direction, staff would begin the process by reviewing the existing Comprehensive Plan to identify pieces that are redundant, obsolete, look like regulation, or could live in another document. These pieces would be candidates for potential removal. The next step would be to identify language that needs to be added to better reflect the Vision Statement and Framework Goals or to incorporate new State and/or County mandates.

Mr. Tovar said the City Council is also considering the policy question of whether the City should become an urban center under the Puget Sound Regional Council's (PSRC) criteria. They directed staff to review the implications this would have for growth target expectations, such as making the City eligible or more competitive for transportation grant funding. Mr. Cohn advised that after a quick

analysis of the current criteria, staff believes that Town Center might be a good candidate for an urban center designation. However, at this time, neither King County nor the PSRC can answer the question of how this change would impact the City's growth target expectations.

Mr. Tovar announced that the Transportation Master Plan would be finished towards the end of 2011 and may contain policies that need to be reflected in the overall Comprehensive Plan and reconciled with the land use elements.

Mr. Cohn displayed an updated outline of the process for updating the Comprehensive Plan (Attachment 1 on Page 67 of the Staff Report). He noted that the main part of the Commission's work would not start until 2012. Most of the 2011 work would be done by staff. He particularly noted Task 14.11, which is the State Environmental Policy Act (SEPA) analysis. He reminded the Commission that staff has been doing traffic modeling for the current Comprehensive Plan forecast. However, if the decision is made to become a core city rather than a large city, the forecast would change and the traffic models would have to be rerun by a professional consultant.

The staff and Commission reviewed the Commission's Long Range Planning Work Program (Pages 68 and 69 of the Staff Report) as follows:

- Mr. Cohn explained that while staff originally anticipated the Commission would work on the compatibility and single-family dwelling unit scale Development Code amendments in 2011, the City Council has indicated their desire to postpone these two items.
- Mr. Cohn pointed out that design review would be part of the Commission's work related to Town Center.
- Mr. Cohn announced that staff would schedule a hearing on a Development Code amendment related to the permanent transfer of rezones and other quasi-judicial hearings as soon as possible after Town Center has been completed.
- Mr. Cohn advised that Planning and Public Works staff continue to meet with regional representatives and Sound Transit to discuss light rail alignment planning. Mr. Tovar added that the Sound Transit corridor work is already fleshing out some of the alternatives, and they will provide preliminary descriptions related to cost and travel time within the next several months. They will not have a preferred alternative at that point, but they will begin work on an Environment Impact Statement (EIS) that will look at the alternatives in great detail. Staff has asked them to consider two options in the I-5 alternative, one that comes up the east side of the I-5 right-of-way, one that comes up the west side or a combination of the two. Their preliminary work indicates that there could be implications upon single-family neighborhoods, and the City has asked them to consider an alignment that lessens the impact. They will not select an alternative until 2014. The implications for area planning around the station areas (145<sup>th</sup> and 185<sup>th</sup>) won't be known until after most of the Comprehensive Plan Major Update work has been finished. Stationary planning may be required at a later date, depending on the preferred alignment.



- Mr. Cohn announced that the Transportation Master Plan is still on track for adoption in September, and the Parks Master Plan is looking at final adoption in July. The Shoreline Master Program will probably slide an additional month, with Commission review in late September or early October. The State has been following the City's progress on their Shoreline Master Program, and they have indicated they are okay with what has been proposed so far. However, they want to reserve the right to actually review what is passed by the City Council. After City Council approval, the document would be forwarded to the State for review, and they could recommend changes. Commissioner Moss asked if the Transportation Master Plan would come back before the Commission for additional review. Mr. Cohn answered that the document would go straight to the City Council for review and final approval.
- Mr. Cohn said it is anticipated the Commission would make a recommendation to the City Council regarding the Town Center Subarea Plan and Zoning by late June. Mr. Tovar said they would like the City Council to adopt the Town Center Subarea Plan before it takes its August break. The fall schedule will be very busy.
- Mr. Cohn announced that the Southeast Neighborhoods Plan and Zoning Update would likely be pushed forward a bit. Staff will try to bring the item to the Commission in June or July.
- Mr. Cohn reported that a Master Development Plan for Shoreline Community College has been submitted. It is not a very large plan because funds are limited. They have done a good analysis of their proposal, and it is currently being reviewed by the Public Works staff because of implications to transportation, stormwater, etc. It is likely this item will come before the Commission sometime during the summer.

Chair Wagner noted that the Commission is scheduled to forward a recommendation regarding the permanent transfer of rezones, master plans, etc. from the Commission to the Hearing Examiner in June. Depending on the City Council's final decision regarding this item, the Shoreline Community College Master Development Plan may not come before the Commission for review.

The Commission took a break from 8:00 to 8:06 p.m.

### **Urban Tree Canopy**

Mr. Cohen explained that the purpose of the study session is to present and discuss the findings of the consultant's city-wide urban tree canopy survey (UTC) and analysis, which was also presented to the City Council on April 18<sup>th</sup>. The same presentation would be given to the Parks Board next week. He emphasized that the survey and analysis is being presented as information only, but the City Council would use the study on May 9<sup>th</sup> to provide direction to staff about if and how to modify the scope of the tree regulations. It is anticipated the Planning Commission would conduct public hearings on the tree regulations in the coming months.

Mr. Cohen advised that the purpose of the survey and analysis was to establish a baseline assessment of the City's current and past tree canopies. It also supports the direction given by the City Council in early 2009 to do an assessment every five years to gauge the effectiveness of the tree regulations. He reviewed that the assessment was done by AMEC Consultants and was funded by a grant from the Department of Natural Resources (DNR). The study provides a benefit matrix to assess the value of the current UTC. It also analyzes and contrasts historical tree canopy data.

Mr. Cohen reported that the consultant looked at three different years (1992, 2001 and 2009) and found that the UTC percentage is basically unchanged. The existing tree canopy (vegetation over 15 feet in height) is 30.6% and shrub coverage is 3.4%. Grass and vegetation coverage is 21.7%. Total vegetative coverage is about 55%. Water coverage is about .1% and impervious surfaces cover approximately 46.2% of the City. He noted that this survey was compared to surveys conducted in other jurisdictions within Western Washington and found that Shoreline's UTC is about average.

Mr. Cohen briefly described the process used by the consultant to collect the data. The majority (71%) of the existing UTC is located in low-density residential zones. About 10% is located in parks and public rights-of-way. He referred to a chart that identifies potential opportunities for additional UTC, particularly in areas where there is grass, ball fields, golf courses, etc. The study also indicates how the UTC could be improved if more trees were planted in impervious surface areas such as parking lots. He emphasized that the assessment of the existing UTC was very general, and the potential UTC projections are even more theoretical and academic and assume that trees are planted wherever there is ground available. He said the information was broken into land-use categories. The greatest potential for expanding the UTC is in the low-density residential zones and the rights-of-way. He said the consultant also reviewed the ecological benefits of UTC's such as air pollution removal, carbon storage or sequestration, stormwater retention, and water-quality improvements.

Mr. Cohen summarized that the review concluded that Shoreline has an existing 31% UTC, and there has been no change over the past 18 years. He reminded the Commission that the premise of the tree code project that started in early 2009 was the concern that there was a crisis in loss of canopy. However, the study found the City to be about average when compared to other cities in the Pacific Northwest.

Mr. Cohen reported that the American Forest Organization has recommended that a UTC of about 40% is possible for the Pacific Northwest, with its mixture of urban, suburban and open lands. While the City has not received any information to explain how they came up with that number, it is actually consistent with the City's Sustainability Strategy. He said it is important to keep in mind that there is potential to improve the canopy, and the City could influence how fast it can be done.

Mr. Tovar observed that the small map provided in the report makes it appear that there is much less than 31% tree canopy. When the map is enlarged, it is clear that the tree canopy is scattered throughout the City, and most of it is located in the single-family neighborhoods. He summarized that the survey indicates the trend line is essentially flat. When meeting with the City Council on May 9<sup>th</sup>, staff will point out that a decision to amend the tree regulations to be more restrictive should not be based on the assumption that the City is losing canopy. It should also be noted that stricter regulations would not

create more trees; the most they can do is prevent the loss of trees. If the City really wants to increase the canopy, staff should consider focusing efforts on education and outreach programs in the neighborhoods.

Mr. Tovar said that after the City Council's May 9<sup>th</sup> meeting, staff anticipates the scope of the tree regulation amendments would be significantly narrower because there is no crisis and loss of canopy. He emphasized that the survey only talks about the quantity of the canopy, and not the health and diversity of the canopy. The Parks Department has expressed concern that the forest is not as healthy and diverse as they would like.

Again, Mr. Tovar said the survey information would be used as background information when the Commission takes up the Comprehensive Plan chapters dealing with natural systems and the natural environment.

Commissioner Kaje asked how the consultant dealt with major areas of hardscape that are not owned by the City such as I-5, which does not have a land use designation. He suggested that if I-5 were counted as right-of-way, the tree coverage percentage for rights-of-way would go significantly down. He also commented that regardless of whether he supports the methodology used in the survey or not, the quantifiable information it provides is useful. Mr. Tovar agreed to provide an answer about how areas such as I-5 were factored into the calculations.

Commissioner Kaje observed that the consultant's report indicates that the amount of impervious surface increased from 36.6% in 1992 to 38.7% in 2001, which equates to a 6% increase from the 1992 base. It is important to keep in mind that while the City's UTC coverage is holding steady, impervious surfaces are increasing. Maintaining the existing tree canopy cannot compensate for the loss of function associated with increased impervious surfaces. He summarized that even though the canopy is staying relatively the same, the rest of the landscape around it is not. Commissioner Broili agreed this is an important issue to consider.

Commissioner Broili expressed his belief that they should talk about vegetative cover rather than tree canopy. Evergreen trees will provide the most benefit, and in a forested situation they intercept at least 40% to 50% of any rain event. However, because the City is an urban center, he is more concerned about having a diverse vegetative cover. He observed that building practices are changing rapidly. Five years ago, vegetative roofs were nearly unheard of, and now they are becoming popular. He pointed out that the only impervious areas that can never be fully vegetated are the rights-of-ways. However, even these areas can be mitigated to be more pervious using a variety of techniques.

Commissioner Broili said the most important information he saw in the Staff Report was on Page 10 of a document submitted by Boni Biery, which drives home the point that most municipalities talk about their vegetative cover as a negative cash flow. He said he does not believe that has to be the case. He referred to two firms in the City of Seattle that harvest street trees and turn them into high-end furniture and lumber for the architectural community. There are many ways to turn the vegetative cover into dollars that will help offset the cost of maintaining the programs.

Commissioner Broili questioned the point of presenting the report to the Commission because they will not be making a recommendation to the City Council. He recommended they should at least have a goal of 40% tree cover, which can be achieved fairly easily. They should maintain a five-year review of the tree cover until they reach the 40% goal. They should continue to work to diversify the rest of the vegetative cover to provide a greater bang for the buck wherever possible and reduce the impervious areas.

Commissioner Broili said he does not remember the Planning Commission putting the tree code amendments on hold in October of 2010 as stated on Page 33 of the Staff Report. He suggested that this decision was made by staff or someone else.

Chair Wagner asked staff to clarify the Commission's role in the tree regulation process and when and where the public should comment on the issue. Mr. Tovar clarified that the Commission is not being asked to take action or make a recommendation regarding the report at this time. Those present in the audience can speak on the issue and their comments would be recorded in the Commission's meeting minutes, but the comments would not be forwarded to the City Council because the Planning Commission is not being asked to provide a recommendation at this time.

Mr. Tovar suggested the Commissioners should offer their ideas to the City Council at their joint meeting on April 25<sup>th</sup>. In addition, the Commission would have an opportunity to voice their concerns and recommend changes as part of their review of the Comprehensive Plan Update. However, setting a 40% tree cover target would be a major policy decision that would require significantly more discussion and research. He suggested the discussion could start at the joint meeting, and then be carried forward as part of the Comprehensive Plan update.

Commissioner Behrens said he found Boni Biery's presentation to be well thought out and addressed a number of issues. If the City is going to effectively implement a tree management plan, it is important to have integration amongst the different departments of the City. He said he made a similar suggestion at the last joint meeting with the City Council. The City must develop a coordinated approach to address the tree issue.

Commissioner Behrens observed that the aerial photographs do not actually measure the types and sizes of the trees that have been removed. While it indicates there is approximately the same number of trees on the ground, it does not speak to the type, size or function of the trees. Large trees have more ecological value, and they should be protected through a permit process that allows the City to keep track of trees that are removed. A visual snapshot from the sky does not provide this information.

Mr. Tovar explained that the City did not have funding to pay for a very detailed survey, and they actually received more information from the consultant than they anticipated. A very detailed inventory would be a major cost for the City. Again, he suggested the Commission share their concerns with the City Council. Commissioner Behrens clarified he is not asking for a costly inventory. He is asking for a way to identify which trees are being removed and from where. A permit process would make this information relatively simple to obtain. Mr. Tovar summarized that Commissioner Behrens is suggesting that having a permit requirement would help the City build a data base to identify when and

what types of trees are removed. This is a major policy choice the Commission could consider as part of their review of the tree regulations.

Vice Chair Perkowski suggested it would be possible to analyze the tree cover map with an overlay of critical areas. Some trees are protected by the critical areas regulations, and the tree regulations should not be credited with saving those trees. Mr. Tovar agreed to discuss this option with staff. Vice Chair Perkowski suggested that if the City is going to rely on the study to move forward, random sampling ground verification would be worthwhile. They should not think of all trees over 15 feet tall as the same. For example, coniferous trees provide significantly more function than deciduous trees. Mr. Cohen said they discussed this option with the consultant, but it was outside of the scope of work based on available funding.

Vice Chair Perkowski observed that 30% tree coverage might appear to be acceptable on a citywide scale. However, some areas have a lot of trees, and other areas have far fewer trees. He suggested they consider tree canopy on a smaller, neighborhood scale. He emphasized that restoration and rehabilitation is always more costly than protection. If 30% tree cover is the City's goal, it is much more cost effective to have regulations to protect the existing trees than to have to rehabilitate if they find the canopy has decreased after 10 years.

Commissioner Broili said the report discusses a per year monetary value of \$1.36 million for trees based on four criteria: air quality, carbon sequestration, stormwater storage capacity, and reduction in stormwater pollutants. He questioned what the dollar value would be for each percent of increase to the forest cover. He noted this does not even address other values such as aesthetics and property values. Mr. Cohen said the benefits are based on the existing trees compared to no trees. He said it would fairly easy to identify an approximately value for each percent of increase. Commissioner Broili suggested many times, cities fail in the way they present information to the public. Economic value always draws the public's attention, but the value of what they are protecting is also important to consider. It is important to emphasize the value trees provide to the City.

**Fran Lilliness, Shoreline**, said the study points out that the low-density residential areas of the City are providing most of the tree canopy. She suggested the City also needs trees along the main corridors and even along Interstate 5 where the cars create the heaviest pollution. She noted that these are areas where the trees would do the most good to provide shade in the hot summer and absorb some of the surface water runoff during the winter rainy season. She thanked the Commission for their efforts to serve the community.

**Dan Meyers, Shoreline**, said that while he is glad the City finally has some data about the tree canopy in Shoreline, he believes it is misleading for the study to conclude there has been no net loss of canopy over the past few decades because the study used a different methodology than what was used in 1992. He said it is also important to acknowledge that the land is still healing from when most of the forest was cut about 100 years ago. Rather than calling the current tree canopy a baseline, it should be considered an arbitrary point in time. He also expressed concern that the study assumes that all trees provide the same value. It does not distinguish between those trees that provide habitat and those that destroy it. Trees that provide food and habitat for community members are also an important aspect of

sustainability. While the study suggests that it would cost \$12 million (\$264 per tree) plus maintenance costs to bring the tree canopy to the maximum level of 44%, it is important to keep in mind that trees are important to the citizens of Shoreline. It is not farfetched to imagine a situation where citizens volunteer to do this work. He reminded the Commission that trees do not eat money; they eat water and sunlight.

### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

Commissioner Kaje announced that he attended the Transportation Master Plan Open House on April 20<sup>th</sup>. The meeting was informative and approximately 30 members of the public were in attendance. The consultants and staff provided some great maps and resources, as well as opportunities for the public to ask questions and provide comments about specific parts of the plan.

### **AGENDA FOR NEXT MEETING**

Mr. Cohen announced that a public hearing for the Town Center Subarea Plan and zoning code has been scheduled for May 5<sup>th</sup>. The topic would be continued to the June 2<sup>nd</sup> meeting for Planning Commission deliberation and final recommendations to the City Council. Mr. Cohn added that staff has other items to bring before the Commission, if they complete their work on the Town Center Subarea Plan and zoning code sooner than anticipated.

### **ADJOURNMENT**

The meeting was adjourned at 9:00 P.M.

---

Michelle Linders Wagner  
Chair, Planning Commission

---

Jessica Simulcik Smith  
Clerk, Planning Commission

## **April 21, 2011 TIME STAMP**

- 9:55 QUASI-JUDICIAL PUBLIC HEARING ON STREET VACATION OF 256 SQUARE-FOOT SECTION OF AURORA AVENUE AT 18551 AURORA AVENUE NORTH**
- 11:52 Staff Overview and Presentation of Preliminary Staff Recommendation**
- 20:13 Questions by the Commission to Staff**
- 24:59 Public Testimony**
- 25:18 Final Questions by the Commission**
- 25:28 Deliberations**
- 28:47 Vote by Commission to Recommend Approval or Denial or Modification**
- 29:39 Closure of Public Hearing**
- 29:50 Director's Report**
- 29:55 Unfinished Business**
- 31:10 New Business: Prepare for Joint Meeting with City Council**
- 59:58 Break**
- 1:07:11 New Business: Urban Tree Canopy**
- 1:52:27 Public Comments**

**Reports of Committees and Commissioners/Announcements**

**Agenda for Next Meeting**

**Adjournment**

This page intentionally blank



## CITY OF SHORELINE

### SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

May 5, 2011  
7:00 P.M.

Shoreline City Hall  
Council Chamber

---

#### **Commissioners Present**

Vice Chair Perkowski  
Commissioner Behrens  
Commissioner Broili  
Commissioner Esselman  
Commissioner Kaje  
Commissioner Moss

#### **Staff Present**

Joe Tovar, Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
Paul Cohen, Senior Planner, Planning & Development Services  
Jessica Simulcik Smith, Planning Commission Clerk

#### **Commissioners Absent**

Chair Wagner

#### **CALL TO ORDER**

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

#### **ROLL CALL**

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

#### **APPROVAL OF AGENDA**

The agenda was approved as presented.

#### **DIRECTOR'S COMMENTS**

Mr. Tovar did not provide any comments during this portion of the meeting.

## **APPROVAL OF MINUTES**

No minutes were available for Commission's approval.

## **GENERAL PUBLIC COMMENT**

**Ken Howe, Shoreline**, said he has participated on numerous citizen committees and has lived in the City for 30 years. He expressed concern that the Transportation Master Plan proposes amendments that would change his neighborhood into a series of arterials, yet the changes were never discussed by either the neighborhood transportation committee or the citywide pedestrian bicycle committee, both of which he participated on. He said it is critical that Linden Avenue between 175<sup>th</sup> and 185<sup>th</sup> Streets be classified as a neighborhood street, and the City has given assurance that this would be the case throughout the entire Town Center Subarea process. He suggested that either the Transportation Master Plan work was never coordinated with the Town Center Subarea Plan work or there has always been a plan to ignore the input from the citizens. He asked the Commission to remember that this portion of Linden Avenue is the dividing line between neighborhoods and commercial properties. Forcing this portion of the street to become an arterial would have a significant impact on the neighborhood.

## **LEGISLATIVE PUBLIC HEARING ON TOWN CENTER SUBAREA PLAN AND DEVELOPMENT CODE**

Vice Chair Perkowski reviewed the rules and procedures for the legislative public hearing. He emphasized that the hearing would be continued to June 2<sup>nd</sup>, and most likely to June 16<sup>th</sup>, as well. However, the Commission may choose to limit new testimony on those dates to specific items or issues. He explained that at the conclusion of tonight's hearing, the Commission would decide what limits, if any, they would place on the written or oral testimony that would be accepted following the hearings. He opened the public hearing.

### **Staff Overview**

Mr. Tovar referred to the Staff Report and briefly reviewed the process that has taken place over the past four years to reach the point of a public hearing before the Commission on the proposed Town Center Subarea Plan and Development Code. He reported that a draft Environmental Impact Statement (EIS) was completed and staff would spend the next few days editing the document. It would then be posted on the City's webpage and forwarded to the Commissioners. It would be entered into the record when the public hearing continues on June 2<sup>nd</sup>. He informed the Commission that the next edition of *CURRENTS* incorrectly states that the hearing would be continued to May 19<sup>th</sup>. A new notice would be published to announce the correct date for the June 2<sup>nd</sup> continued hearing.

Mr. Tovar advised that, aside from providing a map to identify the boundaries of the Town Center Subarea as requested by the Commission, no substantive changes have been made to the subarea plan since the last time it was reviewed. Therefore, staff would not spend a significant amount of time reviewing the document prior to the hearing. Instead, Mr. Cohen would focus most of his presentation on the changes made to the Development Code.

Mr. Cohen, Project Manager, reminded the Commission of the City Council's Goal 1, which calls for implementing the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods and businesses. He also referred to the criteria for adopting Comprehensive Plan amendments and pointed out that the Growth Management Act, the county's planning policies, and the City's Comprehensive Plan all support the concept of city centers (urban centers) that condense sprawl, encourage efficient use of transportation, and incorporate transportation-oriented design. The City's newly adopted Vision Statement and Framework Goals also support the city center criteria. The criteria for Development Code amendments talk about consistency with the Comprehensive Plan.

Mr. Cohen reported that the Town Center Development Code proposal has not changed since it was last presented, but a number of issues were raised by the Commission. He reviewed each one as follows:

- Transition Overlay – Mr. Cohen explained that the overlay is applied to the Town Center where adjacent property is zoned R-4 or R-6. The purpose of the overlay is to provide buffers and transitions between Town Center and the adjoining single-family neighborhoods by modifying building bulk, landscaping requirements, access, etc. He recalled that the Commission raised the issue of how the transition overlay would remain applicable if adjoining parcels were to be rezoned. To answer this question, staff is recommending a section be added to the transition overlay (20.92.040.B) that states that “the transition overlay shall be applied to all Town Center zones that abut or that are directly across the streets from R-4 or R-6 zoning. . .” He explained that, as proposed, the transition overlay would change if a rezone occurs.

Mr. Cohen said the Commission also raised a concern about the few isolated parcels on Midvale Avenue that are zoned R-6, even though the majority of the area is zoned R-8. He explained that these two lots are access easements tracts and cannot be developed as single-family. He suggested they keep the transition overlay intact no matter how small the adjacent parcels are.

Commissioner Behrens asked if the transition overlay would provide protection to the four, single-family lots that abut a three-story commercial building (dentist's office) at the corner of 188<sup>th</sup> Street and Firlands Way if redevelopment were to occur. Mr. Cohen answered affirmatively.

Commissioner Kaje asked staff to display Figure 1 (20.92.020) on the overhead screen. He noted that the copy provided in the Staff Report is in black and white, and it is difficult to see the transition overlay. Commissioner Moss said that while she understands the maps are available to view online, it would be helpful for staff to provide copies of colored maps to the Commissioners so they can have a clear understanding of the scale. Mr. Cohen used the map to point out the location of the single-family properties referenced earlier by Commissioner Behrens. He commented that the transition overlay has been applied wherever there is single-family zoning across the street or adjacent to the subarea. He said the transition area standards would also apply to the TC-4 portion of the subarea, which has mostly R-8 zoning across the street, to designate it as a zone that only allows residential types of development.

Commissioner Moss used Figure 1.20.92.020 to identify the location of the R-6 parcels along Midvale Avenue north of North 185<sup>th</sup> Street that are actually access easement tracts. She asked for further clarification about how the transition overlay would be applied to these very small parcels. Mr. Cohen acknowledged that the situation would be awkward. The proposed language would apply the transition overlay to all zones that abut or are directly across the street from R-4 and R-6 or have residential development potential, and these two small tracts do not have residential development potential. Commissioner Moss suggested there is at least some residential development potential if and when adjacent properties are redeveloped at some point in the future. Mr. Cohen noted the developments are fairly new, and the tracts are essential to provide access to the houses at the far end of the development. He acknowledged that far off into the future the properties could redevelop and the lots could be reconfigured, but the transition overlay would be applied directly to the portion of the subarea that is located across the street from the isolated R-6 lots.

Commissioner Kaje suggested that, because neither of the access easement tracts has homes located on them, perhaps the zoning could be changed to match the zoning of the single-family development for which they provide access. This would avoid a potential future complication. He noted that the transition overlay would not provide protection to the single-family homes, just the two small access easements. Mr. Tovar agreed this situation could become a problem, and no purpose is served by having single-family zoning on parcels that can never be developed as such. He suggested the Commission could recommend the City Council add rezoning the subject property to match the adjacent single-family zoning to their long-term work program.

- Parking Standards – Mr. Cohen said the Commission noted that the proposed parking requirement is less than the current requirement in the Mixed-Use Zone (MUZ). For example, the proposed parking ratio of .75 stalls per bedroom is half the requirement of studio and one-bedroom units in the MUZ zone, but is equivalent for 2 and 3 bedroom units in MUZ. In addition, the proposed parking requirement for commercial space is between 25% and 40% less than the current requirements. He noted that more one-bedroom apartments are being constructed now than any other size. He recommended the parking standards revert to the current standards but keep the proposed criteria to reduce the parking requirements as incentive to reduce traffic and encourage other forms of transportation.

Mr. Cohen said the Commission also noted that the criteria allows the parking standard to be reduced for development located within ¼ mile of a transit stop. The Commission raised concern because a ¼-mile radius would be measured by a straight line and rarely is there a straight line between where someone lives and a transit stop. He noted that the width of the Town Center Subarea from Linden Avenue to Stone Avenue is just over ¼ mile. That means anything within Town Center would have access to transit along Aurora Avenue North, and would therefore, meet the criteria. He recommended the standard be changed to use a more standard practice of calculation based on the ratio of straight-line distance divided by the actual walking-route distance. He suggested another option would be to remove the radius and require that the transit access must be within a certain walkable distance using approved surfaces.

Commissioner Kaje commented that being located near a transit stop should not be considered a legitimate incentive for reducing parking standards when it applies to every property within the Town Center Subarea. He suggested that some of the incentives seem appropriate for residential development, but not for commercial. He recalled that at their last meeting he expressed concern that if they reduce the amount of parking required for multi-family development because there is a commercial parking lot nearby, residents could end up parking in the commercial parking areas for days at a time. He said he hopes the Commission can improve upon the incentive concept as the public hearings move forward. He said he is not opposed to well-thought-out incentives for reducing parking, but they need to be matched to commercial and residential development. They should eliminate those criteria that all properties can meet.

Commissioner Behrens observed that, as currently worded, all properties within the subarea would meet the criteria of being located within ¼ mile radius of a transit stop. That means a developer would only need to meet one additional criterion in order to obtain a reduction in the parking requirement. He agreed with Commissioner Kaje that the incentives that qualify a developer for a parking reduction should be meaningful and provide an actual benefit to the community. He said he is not sure the proposed incentives are enough to outweigh the potential burden to the community of having insufficient parking places.

Commissioner Behrens recalled that at a previous meeting, he suggested that impacts be one topic of discussion at the required neighborhood meetings. However, staff did not provide a response. He said he would like Section 20.92.060.E.1.h to be stringently reviewed at the public meeting to ensure there are no negative impacts to the neighborhood. He recalled there are several situations in the City where development has resulted in overspill parking. Mr. Cohen noted that Item 4 on Page 10 of the Staff Report address traffic impact studies for individual developments. Commissioner Behrens said it only speaks about neighborhood traffic, which is a legitimate issue that needs to be addressed. However, his concern is more specifically oriented towards what happens to neighborhood streets when adjacent large residential developments do not provide enough parking and people end up parking on the streets. Mr. Cohen said he understands Commissioner Behrens' point.

Commissioner Moss said it does not appear that most of the information in the proposed Town Center Development Code (Exhibit 4) has changed since the last time it was reviewed by the Commission. Mr. Cohen clarified that the Staff Report is intended to provide an overview of proposed changes, but no changes have been made yet. The proposed language would be adjusted once the Commission has provided further direction to staff. The next Staff Report would clearly identify the changes. Mr. Tovar encouraged the Commissioners to share their suggestions and concerns and request additional clarification, but he emphasized no final judgment or conclusion about the proposed language would be made by the Commission until after the public hearings have concluded.

Commissioner Moss said she believes there is value in the Commission discussing the parking standards and the radius distance index that gives a value as to how walkable it is. However, she questioned how "walkability" would be measured. For example, if multi-family housing is built

along Stone Avenue, would the City determine that the north end of the complex would meet the criteria but the south would not?

Commissioner Moss referred to the map in Section 20.92.030, which identifies street types and pedestrian circulation. There are several through connections identified on the west side of Aurora Avenue North, but none on the east side. Mr. Cohen explained that North 178<sup>th</sup>, North 180<sup>th</sup>, and North 183<sup>rd</sup> would continue the through connections identified on the west side of Aurora, but they would be located on actual streets where there would be ample pedestrian facilities to connect the neighborhoods to the Town Center Subarea. Mr. Tovar suggested that perhaps it would be helpful to carry the brown lines all the way from Linden Avenue to Stone Avenue. Commissioner Moss agreed. She summarized that the circulation would extend all the way from Stone Avenue to Linden Avenue. However, the connections on the east side would be storefront streets, and the connections on the west would have a more residential feel. Mr. Cohen advised that Stone Avenue would have Green Link Street Standards, which would continue up the side streets until they blend into the storefront street standards. All will have pedestrian facilities. Mr. Tovar suggested they come up with some other type of symbol to identify the Green Link Streets.

- Full Site Improvements Threshold – Mr. Cohen explained that when a proposal is of large enough scale or value, the City needs clear thresholds to identify when full site improvements are required. He specifically referred to one of the thresholds in Section 20.92.015 (expand the square footage of an existing structure by 20%, as long as the original building footprint is a minimum size of 4,000 square feet). He said staff is proposing to remove this criterion in Town Center because it does not take into consideration the size of the entire lot and the proportionality of required full site improvements. For example, a minimal 800 square foot addition (20% of 4,000 square feet) on a 130,000 square foot site would require full site improvements. He reminded the Commission that the intent of this threshold is to prevent incremental development from avoiding full site improvements. However, staff is not convinced of this threshold's standard or effectiveness.

Vice Chair Perkowski expressed concern that the language in Section 20.92.015 is vague and offers an opportunity for developers to find loopholes. He asked if staff has solicited information about how other jurisdictions handle site improvement thresholds for town center type developments. He noted the proposed language does not identify a time frame. In addition, the word "completely" could offer a loophole. Mr. Cohen said the 50% valuation is used widely, but he agreed to conduct a small survey of other jurisdictions. He suggested it would be helpful for him to provide three examples, using the proposed criterion. Staff agreed to provide examples of what other jurisdictions do in their town centers to provide a range of choices for the Commission to consider.

- Traffic Impact Study – Mr. Cohen referred to the Commission's earlier suggestion that the proposed language should provide more clarity about when a traffic study would be required. He agreed that the language in Item E (Traffic Impacts) in Section 20.92.040 (Neighborhood Protection Standards) does seem vague. He explained that the Transportation Master Plan and

EIS would analyze the impacts of traffic for the Town Center Subarea overall. In addition, all individual developments that generate more than 20 vehicle trips during the PM peak hour would be required to submit a traffic study. The intent of the required traffic study is to analyze whether additional traffic is projected to flow onto non-arterial streets, in which case mitigating measures can be required by the City Engineer. He suggested the language be changed to clearly articulate this intent.

Commissioner Behrens commented that parking should be considered when identifying traffic impacts. He specifically referred to the parcel on 192<sup>nd</sup> Street adjacent to the Echo Lake development. He pointed out that the street has been narrowed due to the addition of a sidewalk and the string of cars that park along the street on busy Saturdays. There is one section where the road is literally down to one lane, and the Interurban Trail crosses right in the middle of this section. There is also an access out of the back end of Sky Nursery. The trucks, pedestrian traffic, parking, additional traffic, and a street light create a very difficult situation. He has noticed that the majority of houses on one side of 192<sup>nd</sup> Street have all been sold since the Echo Lake development went in. He recalled a written comment from a gentleman about a traffic plan for that particular street. He suggested it is important to make sure the small streets that connect Stone and Midvale Avenues and potentially Meridian Avenue are not made too narrow because cars are allowed to park on both sides. A traffic/parking plan could identify where cars should and should not park so that traffic and parking problems are not compounded.

- Property Tax Exemption – Mr. Cohen recalled the Commission raised the question about whether property tax exemptions would be applied before or after development. The answer is that the property tax exemptions would apply to the assessed value of the new development. Commissioner Kaje said the question was actually if it would be to the increment of increased property value or to the total new property value. He said he has seen it handled in different ways. A property owner may be eligible for an exemption for the increased value of a property, but they would continue to pay the tax on the value they started with. Mr. Tovar said the City's only experience with the property tax exemption is in North City. He agreed to request additional information from the Economic Development Manager and provide a response to the Commission.
- Subarea Plan Area Map – Mr. Cohen reported that, as requested by the Commission, a map was inserted into the Town Center Subarea Plan to identify the subarea's boundaries and streets.
- Land Use Table – Mr. Cohen said the Commission asked that specific uses be listed under each of the land use categories. Staff suggests the land use chart should directly refer to the Development Code General Land Use Table 20.40.120, with the exception that conditional and special-use permits would not be required. Mr. Tovar explained that the only reason to go to Table 20.40.120 would be to look at the use listing, and not to determine if a use on the table would require a conditional or special-use permit.

Chair Perkowski announced that since the Staff Report was prepared, the City received a comment letter from Janet Way, President of the Shoreline Preservation Society, dated May 5, 2011. The letter was identified as Exhibit 7.

### **Questions by the Commission to Staff**

Commissioner Broili referred to Item B.1.g of the State Environmental Policy Act (SEPA) Environmental Checklist (Exhibit 5), which refers to the entire subarea as urban and developed and nearly 100% impervious. He reminded the Commission of the information they received at their last meeting regarding the City's current tree canopy and the comment he made at the joint City Council/Commission meeting about the 10% increase in impervious surface since 1992. While the proposed language addresses a lot of issues, it does not address the reduction of impervious surfaces. He suggested language be added to address this issue as part of the design and building standards in the proposed Town Center Development Code. Mr. Tovar observed there is a lot of language in the subarea plan that talks about sustainability and natural systems, but the proposed Development Code language does not include similar standards. Staff recently became aware of work that is being done in Seattle that could be used as a model. He suggested staff bring back additional language to address the Commission's concerns related to impervious surfaces. The public could be invited to comment on this new language at the continued hearing on June 2<sup>nd</sup>.

### **Public Testimony**

**Vicki Westburg, Shoreline**, said she was present to comment on the historical aspects of Town Center. She suggested that Town Center needs to be a destination for residents and tourists, and many things will make it just that. The red brick road will turn 100 years old in 2012, and the idea of a centennial walk over historical bricks would enhance the system of walking trails in the City by adding a unique dimension. In addition, Firlands Way could have a special designation, such as a pedestrian/bicycle only street with amenities such as informational signage that would point out historic sites of interest, shops, and other businesses. She observed that this would involve the uncovering of the old red brick road and extending it in each direction from where it appears now at 175<sup>th</sup> Street. She explained that the point is to revitalize the area, and surely they can do this; but not at the expense of the historical elements, a sense of pride in our past, or future income through the business of heritage tourism.

Ms. Westburg reminded the Commission that there are many historic sites, and their irretrievable loss would be devastating. She summarized that the exact boundaries of the Town Center are from 170<sup>th</sup> Street to 188<sup>th</sup> Street and from Stone Avenue to Linden Avenue. Although the Ronald School Building, the Historical Museum and the Masonic Lodge are some examples of what is not officially a part of the Town Center Subarea Plan, they are right at the edge of it and would have a visual and physical presence within easy reach. They should, therefore, be kept in mind as plans are drawn. She said the presence of such sites lends a great deal to the overall essence and purpose of a town center where visitors can be informed and residents can be truly proud of.

**Boni Biery, Shoreline**, referred to a letter she submitted previously to the Commission, which is her best attempt to address her concerns about the residential properties located northwest of 185<sup>th</sup> Street and



Aurora Avenue North. She expressed her belief that the transition overlay is wonderful, but she is very concerned about the potential of a 70-foot high building in this location, which is what is currently allowed. She noted that this happens to be her fence line, and she lives in a single-story home. She proposed that the Commission go back to their original proposal of five zones, with a separate zone for this unique area. She noted that the properties adjacent to the dentist office are single-family homes that are primarily one story in height. Ms. Biery referred to the idea raised by Ms. Westburg about lifting the pavement and exposing the brick on Firlands Way. She said that putting in 70-foot buildings in this location would compromise the historic scale of the street. Again, she proposed that that a separate zone be created that allows the same uses as the TC-3 zone, as well as the protections that are afforded the residential properties on Stone Avenue.

**Ken Howe, Shoreline**, referred to the Fred Meyer remodel, which had a horrendous impact to the surrounding residential properties. They violated the noise regulations every night. The most offensive was that the City allowed them to use semi-truck containers along the back side of the building for storage, and stuff was even stacked on top of the containers. He said it is important to tighten the standards for remodel projects so they are not offensive to adjacent residential property owners.

**Scott Becker, Shoreline**, underscored the comments made by Commissioner Broili about the need to implement sustainability goals. The new Shoreline City Hall made a statement in terms of sustainability, and this came about through community awareness and participation. He suggested that part of sustainability is finding a more systemic way of looking at the transportation system within the urban ecology of Town Center they are working to create. He commented that the Sketch Up Models are a good step towards helping the City get beyond the traditional way of planning. However, it is also important to show public places and connective tissue, as well as pedestrian walkways, etc.

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

Commissioner Esselman asked if some of the east/west connections would be pedestrian only. She pointed out that Aurora Avenue splits the Town Center Subarea. Therefore, it is important to have activity on either side by providing good connections and attractive facades. They could also create activity pockets (sculpture, benches, kiosk, etc.) to draw people in either direction.

Commissioner Moss referred to Item B.8.i of the SEPA Checklist (Exhibit 5) on Page 85 of the Staff Report, which states that approximately 1,200 new jobs would be added to the subarea over the next 20 years. She noted that while a fair amount of attention has been given to housing issues, the proposed language does not specifically talk about how the additional jobs would be created. She asked staff to provide clarification about how the City would accomplish this goal. Mr. Tovar responded that some of the information about the types of jobs could be contained in the EIS, which will be available next week. Staff could also provide more information at the continued hearing if it is not adequately addressed in the EIS. Mr. Tovar explained that it is much easier to answer the question of how many people would work on the site if there is a real project. But this is a non-project action subarea plan and code for a large area that they are not sure what actually is going to be built. He emphasized that the EIS is not intended to be a forecast of what the City expects to happen or can force to happen. Instead it is

intended to describe the maximum impact that might occur given what is allowed by the proposed action.

Commissioner Moss noted that the Town Center vision talks about being a good place to work, live and play. If that is the case, there needs to be a mix of services and jobs. She agreed it would be helpful to have more information about what staff envisions the jobs would be. Mr. Tovar said they could describe possibilities and provide some numbers. However, he recalled that one philosophy of this type of form-based code is to let the market decide what the uses will be. The proposed code language is permissive in many ways and does not presume that the City can predict what the balance will be. The bookend of 1,200 jobs and 1,200 households is intended to represent a maximum impact scenario. Commissioner Moss recognized that the staff cannot provide this precise information, but she is looking for a sense of types of businesses that would be allowed.

Commissioner Broili requested clarification of how Section 20.91.040 would be applicable to the Town Center Subarea. He also asked who would be responsible for design review. Mr. Tovar answered that the proposed design review process is outlined in Section 20.30.297. Sections 20.91.021 and 20.91.040 attempts to make design review consistent everywhere, whether a property is located in the MUZ zone, the Ridgecrest Planned Area, etc.

Commissioner Kaje asked the width of the transition overlay. Mr. Cohen explained that a transition overlay's depth is determined by requirements on building bulk and step backs. By the time you can get to the full development potential of 70 feet, the transition overlay would be 80 feet. Commissioner Kaje said Ms. Biery's letter points out some interesting factors about how the north edge is fundamentally different from other places where the transition overlay would be applied. For their next hearing, he asked staff to provide a mock up of what development in this overlay zone could look like. He said he appreciates Ms. Biery's concern about potential height. However, he hesitates to put too much weight on the fact that the homes there are primarily one-story today because the single-family zones allow development up to 35 feet in height. Because there would be no street between potential developments and the existing single-family homes in this area, he felt it would be appropriate for the Commission to discuss Ms. Biery's suggestion that these properties should have a zoning designation that is fundamentally different, with perhaps lower height limits. Mr. Cohen agreed to provide a mock up drawing. He pointed out that the setbacks for the transition area from single-family creates the same 20-foot backyard dimension that is required of single-family. He also pointed out that the height of the building would initially start at 35 feet, which matches the potential height of the single-family zone. The height could increase for the portion of the building that is further back into the site. Commissioner Kaje expressed his belief that the step back requirement would make a huge difference in terms of solar exposure and sight line.

Commissioner Behrens pointed out that while there would be a 20-foot buffer between the residential property and the potential commercial development, the back of the building, as it abuts the residential lot, could reach a height of 70 feet because there is no street setback. Mr. Cohen clarified that the height of the commercial development would start at 35 feet, and taper up as you move away from the residential properties. Commissioner Behrens suggested this is not clear in the proposed language.

Because Ms. Biery's property is a corner lot, Commissioner Broili questioned which would be considered the backyard. He also asked staff to refresh his memory as to why this area was changed from TC-5 to TC-3. Mr. Cohen agreed to check his notes. Commissioner Broili said Ms. Biery raised a good point, especially about the historical aspects of Firlands Way. This is a unique area, and he is not clear that it mimics the Midvale Avenue scenario. He suggested perhaps they should consider the option of going back to five Town Center zones. Mr. Tovar said staff would come back to the next meeting with an answer to the setback questions with respect to Ms. Biery's property. They could also work with Ms. Biery to prepare a proposal of what a TC-5 zone might look like. The Commission could consider this as an alternative at the next hearing.

Commissioner Behrens pointed out that Policy TC-23 (Page 27 of the Staff Report) states that the City should "celebrate the heritage of the community through preservation, education and interpretation of artifacts and places in or near the Town Center." He said he had a conversation with Mr. Cohen via Plancom regarding the potential of designating the red brick road as historic. He said he would be interested in knowing if a historic road designation would aid the City in obtaining funding to expose the bricks and remodel the road. He observed that one thing he finds missing in the plan is a community center; and the Masonic Temple, which is located directly across the street from the Historical Museum and adjacent to Town Center, seems to be a custom-made location for this type of use. There is potential for grant funding to remodel the building because it is historic. He suggested that, at some point, they should have a discussion about whether it would be appropriate to recommend the City Council consider the red brick road and the Masonic Lodge in their long-term plans.

Mr. Tovar explained that none of the discussion or proposed language has included the historic properties that are next to town center. However, he recognized there is a relationship between the historic properties and Town Center, and the properties could be included as part of a heritage walk. But that does not mean the properties are part of Town Center, and expanding the land use area to include the historic properties could cause confusion and delay. He recommended the Commission be careful about acknowledging or talking about properties that are located outside of the Town Center other than referencing their obvious relationship. He cautioned against conveying to the public that the Town Center Subarea Plan would regulate what can and cannot happen on properties that are outside of the subarea. They could forward a recommendation to the City Council to consider the concept of a community center in the Masonic Lodge, but this discussion should take place outside of the Town Center Subarea Plan discussion.

In response to Commissioner Behren's comment, Mr. Cohen said there is a provision in the proposed language that requires that the brick road underneath Firlands Way be exposed and restored when the area is improved. If restoration of the brick road is unfeasible and/or cannot meet City road standards, the City would design a slow-traffic street where pedestrians and cars could mix. Mr. Cohen further explained that actual funding to do the work would not be addressed as part of the Development Code. However, the City could take this on as a project. Commissioner Behrens said he did not intend for the brick road and Masonic Lodge to be included as part of the Town Center Subarea Plan. However, the plan does refer to the historical context of adjacent properties. His intent was to point towards a potential source of income or revenue for the City to actually restore or improve these sites by designating them as historic. Mr. Tovar agreed that adding language regarding the brick road underneath

Firlands Way would be appropriate for inclusion in the Development Code language because it is located within the Town Center Subarea.

Commissioner Broili suggested that if they do not want to include anything related to historic structures outside of the Town Center Subarea, they may want to strike the words “or near” from Policy TC-23. Mr. Tovar explained that the current language allows the City to acknowledge that there are adjacent historic buildings that may be related to the identity of the Town Center. His concern is that the City not convey that the land use would change on these properties as a result of the subarea plan. He suggested that if Policy TC-23 is eventually adopted, the Commission could forward a recommendation to the City Council regarding the future adjacent historic properties.

Commissioner Esselman pointed out that Section 20.92.060.B.1.b states that 60% of the ground floor facade on storefront streets must be transparent window. Green Link Streets require that 15% of the entire facade must be transparent window. Boulevard Streets allow a developer to use either Storefront or Green Link Street Standards. Mr. Cohen agreed that is what the language says, but he is not sure that is the intent. He agreed to review this issue further and report back.

Commissioner Kaje recalled that throughout the Commission’s discussions about the Town Center Subarea Plan over the past two years, the properties along Firlands Way have jumped out to him as having great potential. He said he finds the idea of creating a type of pedestrian/bicycle boulevard with businesses on both sides appealing. However, he cautioned that this would likely require developing the entire square as part of one vision as opposed to a property-by-property approach. He said he is leaning towards at least exploring the option of bringing back the TC-5 zone. He asked if it would be possible to include language that would allow the City to entertain this possibility should there be the opportunity in the future. Mr. Tovar agreed that staff could propose language to accomplish this goal. He referred to a policy statement that talks about the potential future relocation of the intersection at 182<sup>nd</sup> Street to 180<sup>th</sup> Street, contingent upon property owner assembling property and wanting to do it. This same type of language could be composed for Firlands Way. Mr. Cohen observed that the City has control of this street right-of-way, which is larger than a typical right-of-way. Commissioner Kaje said he understands that the City has the ability to designate the type of street. However, if the properties are owned and redeveloped parcel-by-parcel, it would be difficult to implement the concept and still provide adequate access to the properties. Again, he said it would be difficult to implement a pedestrian/bicycle vision absent of a larger scale comprehensive development plan for the corner. Mr. Tovar agreed that a policy statement that talks about the possibility would be appropriate, but it would not be necessary to add a lot of additional language to the development code language if the TC-5 zone is reinstated.

Vice Chair Perkowski pointed out that Policy TC-15 talks about considering the creation of new rights-of-way or the vacation of other rights-of-way in order to facilitate better vehicular and pedestrian circulation. It also encourages parcel aggregation and more comprehensive site development designs. This is consistent with the concept brought forward by Commissioner Kaje. He asked if there is language in the proposed development code that encourages parcel aggregation. Mr. Tovar explained that, typically, the City has used increased development intensity to encourage developers to do certain things. However, because much of the philosophy of the Town Center Development Code language is to describe the building envelope and step backs and then let the market do what it wants, increased density

would not really be considered an incentive. He explained that another option would be to offer a right-of-way vacation as a potential incentive to encourage the aggregation of private parcels.

Commissioner Moss referenced Section 20.92.070.B.4, which would require buildings that exceed 150 feet in length along the street front to have a minimum 30-foot wide section that is offset at least by 20 feet through all floors. While this requirement appears to make perfect sense, she questioned how it would be applied to buildings that are very long. Mr. Tovar clarified that an offset would be required for every 150 feet of building façade. A 450-foot long building would require three offsets. Commissioner Moss expressed concern that the intent is not clear in the proposed language. Mr. Tovar agreed to insert “for each 150 feet” at the end of the sentence.

Commissioner Moss noted that Section 20.92.070.B.5 talks about window trim that is of a color that contrasts with the façade color. She questioned if the City has the ability to enforce a mechanism about painting after the original development. Mr. Tovar agreed that it is very difficult to control these situations because the City does not require permits for painting. The City would only be able to enforce the standard when a building is remodeled or developed. Commissioner Moss questioned if it would be appropriate to create code language that provides the desired façade articulation upfront so the City does not have to rely on color in the future. Mr. Cohen said he also noted this concern. Because the City cannot control color into the future, he agreed they should look for other ways to get the articulation. Mr. Tovar recommended they delete “or a color that contrasts with the façade color,” recognizing a developer could suggest a design departure and make a case using paint to provide the articulation. This would require the developer to sign a covenant that that the contrast would continue when the building is painted in the future.

Commissioner Broili said that while he understands Commission Moss’ concern about enforcement, using paint to provide the contrast would model good behavior. He recognized that a property owner would have the ability to change the paint and eliminate the contrast, but at least there would be a clear example of what it could and should be.

Commissioner Esselman pointed out that buildings less than 60-feet wide would be exempt from the façade articulation requirements. Mr. Cohen said the idea is that these buildings would be small enough that their impact on the overall street front would be minimal. Commissioner Esselman questioned if the impact to the overall street front would be impacted more significantly if two or more small buildings were constructed next to each other. Mr. Cohen said the exemption would only to apply to small buildings on separate lots. Two small buildings on a single lot would require the developer(s) to work together as one development.

## **2<sup>nd</sup> Public Hearing on June 2, 2011**

Vice Chair Perkowski reminded the Commissioners and the public that another public hearing would be held on June 2<sup>nd</sup>.

Commissioner Kaje noted that the Commission raised a lot of issues and perhaps some interesting ideas will come forth at the next hearing. Therefore, he did not believe it would be appropriate to limit the

scope or comments provided by the public at the hearing on June 2<sup>nd</sup>. The remainder of the Commission concurred that it would be appropriate to invite the public to comment on any item related to the proposed Town Center Subarea and Development Code.

## **DIRECTOR'S REPORT**

Mr. Tovar recalled that at the last meeting he reported that the May issue of *CURRENTS* would include many articles related to planning activities, including a picture and article about the Planning Commission, as well the Aldercrest Master Development Program, Town Center Subarea Plan, Point Wells, Tree Canopy Study, how to interact with the City and the Planning Commission on various land use matters, and public notice signs.

Mr. Tovar clarified that while *THE SEATTLE TIMES* indicated that Snohomish County has issued a permit for the Point Wells Development, it is not true. He explained that a permit application has been made by the developer, and it is currently being processed. The Growth Hearings Board decision invalidated the County's urban center plan designation for Point Wells for numerous reasons. The Board concluded that Point Wells is not the proper location for an urban center under the County's own definition and the Puget Sound Regional Council's definition for a regional growth center. They also noted the amount of traffic that would be generated from the property into the City's road network. The Board emphasized that allowing the property to be developed as an urban center would make the City of Shoreline's capital facilities element non-conforming with the Growth Management Act (GMA) because the level of service standard would be exceeded.

Mr. Tovar further announced that the Growth Hearings Board found that Snohomish County's Urban Center code was compliant with the requirements of the GMA but noncompliant with the goals of the GMA. He said he found it interesting that the Board could find the code regulations compliant with GMA when they are based on a plan that has been invalidated for noncompliance with the requirements of the GMA goals. He announced that today the City and the group, Save Richmond Beach, have filed a petition asking the Growth Hearings Board to reconsider their findings. The motion would be posted on the City's webpage. He explained that language stating that local codes must be consistent with their comprehensive plans is repeated three times in Section .040 of the GMA. However, the petition filed by the City of Shoreline, the Town of Woodway and Save Richmond Beach used an incorrect citation. The request for reconsideration suggests that this is a harsh and extreme outcome given that the error was marginal and technical. He said the group also reasserted their request that the Board invalidate the urban center code since they previously concluded that it does not comply with the goals. Mr. Tovar explained that if the Board rules in favor of the motion for reconsideration, Snohomish County and/or the developer may file an appeal, which would be forwarded to the judicial system. He cautioned the Commission against making any public pronouncements about the entire issue. At some point in the future, they may be asked to consider amendments to the City's policies which describe what can and cannot happen at Point Wells.

Mr. Tovar announced that on May 9<sup>th</sup> the City Council would conduct a study session on the tree regulations. He recalled that at their joint meeting with the Council, some Commissioners questioned if the 31% tree cover identified by the study is accurate as a flat trend line. He summarized that the City

Council's general sense was that there does not appear to be an alarming upward trend of loss of canopy. As the City Council discusses what the scope of the regulations should be, staff will recommend that the question of tree canopy be referred to the Comprehensive Plan update. Staff believes that more work and discussion should take place to identify a specific target number. Pervious surface could also be part of this discussion. He said staff would also raise the issue of whether or not the City should pursue volunteer efforts as one way to increase the tree canopy in the residential parts of the City.

Commissioner Moss said she recently spoke to a friend who lives in the City of Seattle, who mentioned that she voluntarily conducted a tree inventory for her neighborhood. She pointed out that while talking to her neighbors, she was able to raise awareness about the value of trees. She suggested the City of Shoreline consider this as one option to encourage public knowledge about the tree inventory. Mr. Tovar explained that the life cycle of the City over the past 15 years was very much focused on capital projects. Now that most of the projects have been completed, staff will suggest to the City Council that the focus should shift to programs that build community and offer opportunities for the citizens to volunteer their services.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

#### **Planning Commission Retreat Agenda**

Mr. Cohn referred the Commission to the proposed agenda for their retreat, scheduled for May 19<sup>th</sup>. The focus of the discussion will be how the Planning Commission can work better together and develop a more functional Planning Commission by focusing on interaction with each other, the public and staff.

Mr. Cohn specifically noted that the Commission would have a discussion on how formal their deliberations should be. He recalled that some Commissioners have commented that past discussions have been awkward. He invited the Commissioners to provide their comments to staff so they could be included as part of the discussion and staff could be prepared to respond. He said the Commission will also discuss their role during deliberations to ensure the discussions stay on task. It is also important that the Commission's conclusions are clearly outlined after each discussion. He invited the Commissioners to share their thoughts about the proposed agenda.

Regarding the issue of how formal deliberations should be, Commissioner Kaje said he suggested they could benefit from a refresher course on the use of Robert's Rules of Order. Ms. Simulcik Smith said the Commission's Bylaws state that the current edition of Robert's Rules of Order shall provide the basis for meeting structure and official decisions shall be made by motion and vote of the Commission. Commissioner Broili noted there are several levels of Robert's Rules of Order. While he would not want the Commission to use the formal version, it is helpful to use the abbreviated version to keep the process focused and moving forward. Mr. Cohn said staff would provide some suggestions to facilitate the Commission's retreat discussion.

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

None of the Commissioners provided reports during this portion of the meeting.

**AGENDA FOR NEXT MEETING**

The Commission's retreat is scheduled for May 19<sup>th</sup>.

**ADJOURNMENT**

The meeting was adjourned at 9:35 P.M.

---

Ben Perkowski  
Vice Chair, Planning Commission

---

Jessica Simulcik Smith  
Clerk, Planning Commission



Time Stamp  
May 5, 2011

**00:16**      **ROLL CALL**

**00:38**      **APPROVAL OF AGENDA**

**00:50**      **DIRECTOR'S COMMENTS**

**01:01**      **GENERAL PUBLIC COMMENT**

**03:45**      **LEGISLATIVE PUBLIC HEARING ON TOWN CENTER SUBAREA PLAN AND DEVELOPMENT CODE**

**05:23**      **Staff Overview**

**01:04:28**      **Questions by the Commission to Staff**

**01:10:13**      **Public Testimony**

**01:19:06**      **Discussion and Final Questions by the Commission**

**02:05:55**      **Continue Public Hearing to June 2, 2011**

**02:06:27**      **DIRECTOR'S REPORT**

**02:23:42**      **UNFINISHED BUSINESS**

**02:23:52**      **NEW BUSINESS – PLANNING COMMISSION RETREAT**

**02:32:30**      **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

**02:32:35**      **AGENDA FOR NEXT MEETING**

**ADJOURNMENT**

This page intentionally blank

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

June 2, 2011  
7:00 P.M.

Shoreline City Hall  
Council Chamber

---

### Commissioners Present

Chair Wagner  
Vice Chair Perkowski  
Commissioner Behrens  
Commissioner Broili  
Commissioner Esselman  
Commissioner Kaje  
Commissioner Moss

### Staff Present

Joe Tovar, Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
Paul Cohen, Senior Planner, Planning & Development Services  
David Levitan, Planner, Planning & Development Services  
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. She recognized the attendance of Mayor McGlashan.

### ROLL CALL

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

### APPROVAL OF AGENDA

Approval of the minutes of April 21<sup>st</sup> and May 5<sup>th</sup> was removed from the agenda because the minutes were not included as part of the Commission’s packet. The remainder of the agenda was approved as presented.

### DIRECTOR’S COMMENTS

Mr. Tovar distributed copies of a new handout containing the Vision 2029 portion of the Comprehensive Plan. He advised that while the vision statement and framework goals contained in the document are not new, they have been reformatted to make the document more useful and easier to read. He suggested that the Commissioners place the document in the front of each of their Comprehensive Plan binders.

Vice Chair Perkowski questioned how the document would be used. Mr. Tovar answered that at their recent retreat, the City Council talked about how to make the vision statement and framework goals more evident to the citizens. They agreed to reformat the document and distribute in a number of ways. It will be available on the City's webpage, and copies will be provided at each of the Commission meetings. Staff is also developing a large poster format, including graphics, which can be used as a prominent display at City Hall. Also at their retreat, the City Council members each read a section of the document, which helped them focus on the balance of the subjects at their retreat. This exercise was so useful that they discussed the idea of creating a video involving a reading of the document. He concluded that the goal is to put the document out into the the public so they have a clear understanding of the vision statement and Comprehensive Plan update. He invited the Commissioners to share their ideas, as well.

### **GENERAL PUBLIC COMMENT**

**Laethan Wene, Shoreline**, said he and his neighbors are tired of being kept awake at night as a result of the Aurora Corridor Project. He suggested it is time for the City to establish a noise ordinance to prevent these situations in the future.

### **LEGISLATIVE PUBLIC HEARING ON TOWN CENTER SUBAREA PLAN AND DEVELOPMENT CODE**

Chair Wagner reviewed the rules and procedures for the legislative public hearing and noted that at the conclusion of tonight's meeting, the hearing would be continued to June 16<sup>th</sup>. She then opened the hearing.

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

Mr. Tovar advised that Paul Cohen, project manager, would walk the Commission through the materials contained in their Commission packet, as well as the desk packet they received just prior to the meeting. David Levitan, project manager for the preparation of the draft Environmental Impact Statement (EIS) on the Town Center Subarea Plan Development Code, was also present to answer the Commission's questions about the draft EIS. He noted that written comments related to the draft EIS can be submitted until June 9<sup>th</sup>. He emphasized that the Planning Commission and City Council will use the Draft EIS and Final EIS as a tool in making decisions about the Town Center Subarea Plan Development Code. He noted that the responses to comments on the EIS would be available for Commission review at the continued hearing on June 16<sup>th</sup>. If necessary, the Commission could continue the public hearing/Commission deliberations to their regular meeting on July 7<sup>th</sup>. Another option would be to schedule an extra Commission meeting on June 30<sup>th</sup>. He advised that the City Council would like to receive the Commission's recommendation sometime in July so they could potentially take final action before their break in August.

Because the Commission has spent a fair amount of time reviewing the proposal on previous occasions, Mr. Tovar suggested they focus their comments on new items and perhaps provide some preliminary

direction to staff in preparation for the continued public hearing on June 16<sup>th</sup>. He suggested that rather than crafting specific language now, the Commission could provide direction for staff to compose the appropriate language for their future review. He invited Commissioners to also meet or talk individually with staff to prepare draft language, as well.

Mr. Tovar referred to a letter from Carter Subaru dated June 1<sup>st</sup>, requesting an opportunity to meet with staff to discuss their concerns and consider some options. They may also address the Commission during the hearing; however staff is not prepared to provide a response tonight about what they asking the Commission to consider. They will provide this response on June 16<sup>th</sup>.

Mr. Cohen referred to the feedback and questions presented by the Commission on May 5<sup>th</sup> and provided the following response:

1. Computer Videos.

Mr. Cohen presented two, short-animated videos that staff prepared for the Van Guard/Interurban Building and Fred Meyer/Ice Arena sites. He noted that the computer models were presented previously to the Commission, but they have been refined. He cautioned that neither rendering represents actual proposals by the property owners to develop the sites. Rather, they represent two of multiple possibilities assembled by staff using the proposed development code. Mr. Tovar added that the purpose of the videos is to illustrate form and possibilities under the standards of the draft code. The uses within the building envelopes are speculative. The form-based concept would leave use decisions to the market. Mr. Cohen noted that both videos are available for the public to view on the City's website.

2. Green Factor

Mr. Cohen recalled that at their May 5<sup>th</sup> meeting, staff raised the possibility of using a concept similar to that used by the City of Seattle called the "Green Factor." It uses a scoring system to grade a development on the types of sustainable development techniques that are implemented. After further research staff concluded that it is not advisable for Shoreline to implement a program of this type. He reminded the Commission that the City's goal is to streamline their review processes, and implementing this concept would be complicated. In addition, staff believes it would be redundant in light of the fact that the City has or will soon have code standards that address many sustainability issues such as:

- The Town Center Development Code proposes a tree preservation requirement. Currently, there are no tree preservation requirements in any commercial zones.
- The City's Storm and Surface Water Comprehensive Plan has been updated to include an emphasis on low-impact development, higher standards, and more flexibility. The standards will likely be updated again in the future to require that stormwater be dealt with on site.
- The Commission discussed the parking standard for the Town Center subarea, specifically the provision that would allow the director to reduce the parking requirement up to 50% if a developer can meet specific criteria. This is another way to support sustainable development by encouraging fewer cars whenever possible.
- Town Center Policy TC-18 directs the City to support adoption of the International Green Building Code, which should occur in 2012.

- The bus rapid transit program will be implemented in 2013.

Mr. Cohen said staff is recommending the City pursue the above mentioned provisions, but not necessarily the Green Factor program that is used by the City of Seattle.

Commissioner Broili asked staff to share examples of how implementing the Green Factor program would be complicated. Mr. Tovar answered out that the program is outlined in an extensive amount of text, maps and charts, and it would take a significant amount of effort to review and implement a similar program in Shoreline. Mr. Cohen clarified that implementing this program would be another layer on top of all the other processes and code requirements.

### 3. Survey of Development Thresholds

Mr. Cohen recalled that staff is proposing a development threshold that would require full site improvements in the Town Center Subarea for any completely new development and any development where the construction valuation is greater than 50% of the assessed property and buildings. The Commission asked staff to research how this issue is addressed in other jurisdictions. He reported that Mill Creek, Redmond, Edmonds, Lynnwood and Covington, Kirkland, Mountlake Terrace and Bothell all indicated that they do not have specific development thresholds for when full site improvements are required. Staff has concluded that the City is likely ahead of other cities in developing this concept, and they are confident that the City's existing provision has worked well.

Commissioner Kaje asked if these other jurisdictions require site improvements automatically for all development. Mr. Levitan said some cities automatically require site improvements and others allow the City the discretion to discuss the requirement with developers but have no specific requirement on the books. Many indicated that site improvements have not been an issue because redevelopment has occurred wholesale, requiring the developer to redo everything. Commissioner Behrens questioned how cities can apply the site improvement requirements fairly if they have no established standards and decisions are made on an informal basis. Mr. Tovar agreed this would be staff's concern, as well. Mr. Tovar said it is always good to look at what others do; but just because Shoreline's provision is unique, does not mean it is wrong. Staff recommends they maintain the current provision for site improvement requirements.

### 4. Transition Overlay

Mr. Cohen recalled that at their last meeting, the Commission raised questions about the proposed transition overlay between commercial and single-family residential zones. They requested additional information to help them decide whether the current proposal is equitable and provides enough protection for the two different scenarios in the transition areas. Staff is now recommending two types of transition overlays that have different yet equitable standards:

- **Transition Area 1** would apply to all properties within the subarea that directly abut single-family residential properties such as Firlands Way and behind City Hall. As currently proposed, the overall transition width would be 100 feet. Type I landscaping would be required in the first 20 feet adjacent to the single-family residential properties. The first edge of the building could be located 20 feet from the property line and permit a height of up to 35 feet. The building

height would be allowed to increase by 10 feet for every additional 20 feet a portion of the building is stepped back from the property line.

- **Transition Area 2** would apply to all properties within the subarea that are located across the street from single-family residential properties such as Linden Avenue and south of Top Foods. A 15-foot setback would be required. The building height at the setback line would be limited to 35-feet, and additional 10 feet of height would be allowed for every additional 10 feet that a portion of the building is stepped back from the property line.

Commissioner Behrens said he visited the site that is currently being designated as Transition Area 1, and he is concerned that future development could result in a massive building that would cover about two-thirds of the length of Firlands Way. Even without acquiring adjacent properties, the building on the existing lot within the triangle could be much larger than what is illustrated in the drawing. Chair Wagner noted that the current code language would already allow the building to be significantly larger than what currently exists. She asked staff to identify the delta between what is currently allowed and what is proposed to be allowed. Mr. Cohen answered that the property is currently zoned Office, with Mixed Use zoning on the southern end of Firlands Way. The current height limit is 35 feet for office uses, but in a mixed use building, residential development would be allowed a height of up to 50 feet. While there would be some setback requirements, it would not be as substantial as the proposed 20-foot landscaped setback area. No step back would be required under the current code. He summarized that the current zoning would allow for a taller building with a larger building envelope than what currently exists.

Commissioner Behrens asked staff to prepare a mock up drawing of what the lot would look like under maximum development based on the current and proposed code requirements. Chair Wagner suggested that because the geography of this particular scenario is unique, the mock up should broadly take grade changes into consideration. Commissioner Broili specific asked that the mock up identify the sharp elevation change along the west to east property line of properties 0045, 0040, 0035 and 0030 that are noted in the drawing.

Mr. Cohen shared a cross section drawing to illustrate the property line that separates the single-family zone from Town Center. The drawing identifies the potential size and height of what could be built on the single-family lot. It also identifies the potential height and size of a building that could be constructed on the Town Center side and the required landscape buffer. He noted that the building height would be limited to 35 feet at the 20-foot setback line, with the potential of increased height the further the building is setback from the property line. The portion of the property located outside the transition area allows for building heights of up to 70 feet. The intent of the transition zone is to mirror the type of development that is allowed in the abutting single-family residential zone.

Commissioner Broili noted that the triangular property on Firlands Way is a corner lot. He recalled that at the last meeting there was some confusion about which property line would be considered the rear and which would be the side. Mr. Cohen said the property along Firlands Way would be the front yard, and the code allows the director to determine the rear yard on odd shaped lots. Everything else would be considered a side yard. Commissioner Moss requested clarification about how the front, side and rear yard setbacks would be defined in the transition areas. Mr. Cohen pointed out that the proposed dimensional standards treat the side and rear setbacks within transition areas the same (20 feet). Mr.

Tovar added that there is flexibility in the code to administratively allow setback averaging to address unique situations. He observed that the 20-foot landscape requirement on the north side of the triangular property would effectively be a “front yard” that has trees in it.

Commissioner Behrens pointed out that the location of the access to the triangular property can have a significant impact on the abutting single-family residential properties. If the driveway is established along the northern border, the impact to the residential properties would be much greater than if the access were provided on the southern end. The same would be true for parking, garbage enclosures, etc. They should try to move these impacts as far away from the single-family residential development as possible. Mr. Tovar recalled that when discussing zoning for the Aldercrest site, the Commission talked about the notion of requiring the driveways to be placed a certain distance from the single-family residential property line. Mr. Cohen pointed out that the driveway would not be allowed within the 20-foot landscape buffer.

Mr. Cohen provided two drawings to illustrate there would be 115 feet between the maximum height allowed in the single-family residential zones (35 feet) and the maximum height allowed in the proposed Transition Overlay 1 zone in the Town Center Subarea. The distance would be 125 feet for the proposed Transition Overlay 2 zone. He summarized that the separation and height are quite similar in both overlay zones. However, in Transition Overlay 2, the buildings would be separated by approximately 60 feet of right-of-way with traffic. The separation in Transition Overlay 1 would be less, but there would be a 20-foot landscaped area with no traffic. The step back requirement in Transition Overlay 1 would be 20 feet compared to 10 feet in Transition Overlay 2. That means the height would increase more gradually in Transition Overlay 1.

Commissioner Kaje said he supports staff’s argument that the step back requirement should be different in the two proposed transition overlay zones because of the right-of-way presence in Transition Overlay 2. He observed that the Seattle City Light right-of-way is actually 100 feet instead of 60 feet, so the separation would be even greater in this one location. However, staff is still recommending a 10-foot step back requirement. Mr. Cohen concurred.

Vice Chair Perkowski asked where the step back requirements for the two transition overlay zones is covered in the text of the proposed Development Code language. Mr. Cohen answered that staff is seeking feedback from the Commission before incorporating the Transition Overlay 2 concept into the proposed language. Table 20.92.020(B) describes the Transition Overlay 1 zone, and another column would be added for the Transition Overlay 2 zone.

Commissioner Esselman said she supports the concept of requiring a greater setback in transition areas that immediately abut single-family residential zones. As a result of the required step backs, the maximum 70-foot height of buildings within the transition area would not be visible from the single-family residential properties.

Commissioner Kaje observed that the concept outlined in Transition Overlay 1 is consistent with the transition overlay identified in the Aldercrest zoning, which provides 125 feet from the single-family residential property line before a proposed building can reach its maximum height of up to 65 feet. He



said he would prefer to use a similar approach as opposed to creating a new and perhaps biased approach for different parts of the City.

Chair Wagner suggested that the residential properties on Linden Avenue might expect a slightly more intense use, particularly since there is already commercial development located across the street. She said it seems almost flip to her that someone who is already living across from commercial development would have a further distance to go before the maximum height is reached.

#### 5. Creation of a TC-5 Zone and Firlands Way Policies

Mr. Cohen recalled that at their May 5<sup>th</sup> meeting, the Commission heard a proposal to create a TC-5 zone for the area around Firlands Way that would have a 35-foot height limit throughout. The Commission asked staff to explain why they decided to eliminate the TC-5 zone from their proposal. After further review, he clarified that the original proposal never identified a TC-5 zone for Firlands Way. Instead, it identified a TC-5 zone for properties on Stone Avenue and a TC-4 zone for properties on Linden Avenue. Upon further review, staff did not feel a separate zone was needed for the properties on Linden Avenue because of the proposed transition area. The TC-4 zoning designation was removed from Linden Avenue and placed on Stone Avenue. The TC-5 zoning designation was eliminated.

Chair Wagner asked if staff believes the creation of Transition Overlay 2 would adequately respond to the concerns that were raised specific to the Firlands Way properties. Mr. Cohen said the rationale for proposing a TC-5 zone for these properties was to respect the historic heights of buildings that used to exist in the area and improve views of area trees. He also recalled that a Commissioner commented that the greater building height would diminish pedestrian activity at the street level. Staff recommends against creating a TC-5 zone with limited heights because they believe pedestrian activity is determined by what is happening at the ground floor, and not what is happening above. They also believe that having a residential population in the area would actually feed the street activity and help the businesses to thrive. He suggested that more activity on the street level would draw even more people. However, he cautioned that pedestrian activity also depends on how you treat the first floor level, and many of the street and frontage improvement requirements proposed for both Midvale Avenue and Firlands Way (TC-3 zone) are oriented towards this goal (i.e. sidewalks, commercial standard spaces, slower traffic, back-in parking). He specifically noted that Policy TC-17 talks about Midvale Avenue being a slower street, and he suggested they include Firlands Way in this policy, as well. Regarding the desire to respect what historically was located on the site, it is important to keep in mind that the original development consisted of one and two-story buildings that were farm houses and some commercial buildings. He noted that the proposed design standards would have to be changed in order to be consistent with how the site was historically developed.

Commissioner Broili said that while he understands staff's point regarding height and historic aspect, he would support the creation of a TC-5 zone for the property on Firlands Way to address the issues listed under Item 5 on Page 11 of the Staff Report that are unrelated to height and historic issues. Mr. Cohen said if the Commission recommends a TC-5 zone, it would be helpful to identify specifically how the standards would differ from the other proposed zones. Commissioner Broili expressed his belief that the potential opportunities for redevelopment of properties along Firlands Way are much different than the Midvale Avenue area. He pointed out that Firlands Way is an unusual diagonal street, and the access

coming from Aurora Avenue North and 185<sup>th</sup> Street is strange, as well. In addition, there may be opportunities to create incentives to achieve a more walkable area in this location that serves the City's long-term goals and opportunities much better.

Commissioner Broili referred to the last sentence in Item 5 on Page 11 of the Staff Report in which staff states their belief that an incentive approach would "deter future development rather than encourage it." He said he is not sure he agrees with this statement, and he has a concern about development being given precedent over the long-term goals, interests and services that might be engendered from a different approach to the area. He recalled that staff earlier stated that it would be a disincentive to envelop this property under the Green Factor, as well. He cautioned against having a blanket policy of not considering standards or requirements that deter development of any kind. He said he is opposed to giving away something just to get a property developed without considering the full weight of the potential opportunity that may exist. He would like this property to be zoned separately to allow the City more flexibility to deal with this unique area.

Mr. Tovar clarified that staff is suggesting two different ways to articulate the uniqueness of the properties on Firlands Way. They could talk about the City's aspirations for this area explicitly in the subarea plan, or they could address the area's unique circumstances in the Development Code language. If the Commission supports the concept of creating a TC-5 zone, they must identify specifically how the TC-5 zoning standards would be different than the TC-3 zoning standards. He agreed that the diagonal location of Firlands Way offers an interesting place-making opportunity. If the Commission believes this opportunity would primarily take place within the right-of-way by way of pedestrian improvements, street furniture, or special marketing for the history of the bricks, they could address this goal as a policy statement in the subarea plan rather than creating a separate TC-5 zone. Commissioner Broili said he would support this approach, as long as the opportunities are protected. Staff agreed to propose policy language for the Commission's consideration at the continued hearing.

Mr. Cohen pointed out that in Item 5 on Page 11 of the Staff Report, staff recommends that Policy TC-23 be amended to include a list of things they consider historic in this general area. In addition, the proposed language in Section 20.92.050 talks about street frontages and includes a specific provision that the City should try to expose the old brick road on Firlands Way where feasible and possible. Staff is hoping that both of these changes would further emphasize that Firlands Way is a historic area.

Commissioner Broili said he would like to pursue the concept of developing incentives to aggregate properties along Firlands Way. He recalled that at a previous meeting, a Commissioner articulated the vision of this area being a walkable, open street fair area, which he supports. He felt this concept is embraced by the Town Center goals and policies, as well.

Commissioner Kaje said that while the proposed new Transition Overlay 2 zone addresses some of his concerns related to the Firlands Way properties, he also shares Commissioner Broili's concern about protecting the unique attributes of these properties. He said he would support the staff's recommendation that the vision for this area can be accomplished using the code language proposed for the TC-3 zone. However, he felt the proposed policy statement revision is insufficient. He recommended an additional policy statement be created to specifically focus on the uniqueness of the

setting and the opportunities that exist. For example, he would not want a future City Council or Commission to alter the right-of-way in such a way that they lose some of the dynamic opportunity.

Mr. Tovar agreed to work with staff to create additional policy language to address the Commission's concerns. He cautioned that the policy statement should use modest action verbs such as consider, examine, and promote as opposed to dictating that the City allocate significant funding to redo Firlands Way. Commissioner Behrens suggested staff research what the City of Bothell has done to recognize the historic nature of their downtown. Chair Wagner suggested the street front standards for Firlands Way should be consistent with the historic charm of the area.

## 6. Industrial Uses

Mr. Cohen recalled that at their last meeting, the Commission asked if the prohibition on industrial uses in the Town Center Subarea would also prohibit non-polluting manufacturing uses such as software development or small computer hardware assembly. He explained that the City uses the North American Industry Classification System (NAICS) Manual, which uses the term "manufacturing" instead of "industrial" uses. Manufacturing uses can range from heavy, polluting types to light, non-polluting types. Staff is recommending that the land use chart be amended to either specify the types of exempt manufacturing or be more general and exempt light manufacturing that is non-polluting and requires no outdoor storage. He said would prefer the latter approach, and the proposed code language was actually changed to implement this concept. Commissioner Moss said she supports the idea of being more general. The code language could remain in place for many years. Using a more specific approach would require frequent updates since the types of industrial uses will change over time.

Chair Wagner suggested that light industrial should be identified as a permitted use, so it is explicit that the use is allowed in all of the Town Center zones. Commissioner Kaje said that to be consistent, perhaps light industrial uses should be allowed in the TC-1, TC-2 and TC-3 zones, but not in the TC-4 zone. He noted that the proposed language already lists uses that are prohibited in the TC-4 zone. The majority of the Commission concurred. The majority also concurred with the more general approach that was recommended by staff.

## Public Testimony

**Boni Biery, Shoreline**, recalled that the concept of having a separate zoning designation for the Firlands Way area was eliminated at the design charette when someone suggested that Midvale Avenue and Firlands Way were the same and should not have separate zoning designations. The change was made immediately with no opportunity for further comment and she remembers because she was furious. Ms. Biery noted that, as per the proposed code language, a building on Firlands Way could be 0 to 10 feet from the front property line. She asked if the maximum building height of 70 feet would apply from the front of the property, with step backs as the building gets closer to the single-family residential development. She said she would like clear information about what a potential building could look like compared to what currently exists and what would be allowed by the current code.

Ms. Biery asked if the code addresses the issue of balconies. She said her property is about one story below the ground level of nearby business properties. The back yards of her home and those of her

neighbors are currently entertainment for the people that use the building, which is very disquieting. She agreed that Firlands Way has always been a combination of mixed-uses, and the pictures she submitted provide evidence that there were storefronts and small homes that were setback from the property line. Nothing was over two stories. She said it would be worthwhile to keep the height limit at 35 feet.

Chair Wagner suggested that Ms. Biery speak with Mr. Cohen regarding the potential size of a proposed building and what the setbacks would be. She said she also appreciated the comments Ms. Biery made about the origin of the TC-5 zone and how it was eliminated. However, rather than merely suggesting there needs to be a specific zone for the Firlands Way area, the Commission would appreciate information about how the new zone should be different than the proposed TC-3 zone. She invited Ms. Biery to submit these comments in writing.

**Kristine Wilson, Perkins Coie**, said she represented Carter Subaru. She expressed appreciation for staff's willingness to talk to them and address their questions, and they look forward to meeting with staff again soon. She referred to a letter that was submitted yesterday on behalf of Carter Subaru, which was included in the Commission's desk packet. She summarized that Carter Subaru is very pleased to be part of the City's Town Center. However, they do have some concerns about how some of the design standards would be applied to existing uses going forward. They believe design review is an appropriate process to take into account the specifics of the design code as it is applied to particular uses, but they want the Director to have sufficient authority to consider specific impacts. As requests for design departures are made, it is important that the purpose and intent of allowing the use as a permitted use is considered. Ms. Wilson emphasized that outdoor vehicle display is important to successful vehicle sales and leasing uses, so they are particularly concerned with respect to how the proposed street frontage, lighting, parking and circulation standards would be applied to their permitted use. She said they look forward to continuing to work with the City staff in the coming weeks, and they support continuing the open public hearing to allow these discussions to move forward.

**Laethan Wene, Shoreline**, disagreed with Mr. Cohen's comments about pedestrian-friendly access on Linden Avenue. He felt that Linden Avenue should be included because it is used by pedestrians.

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

The staff and Commission reviewed the proposed Development Code language as follows:

- Mr. Cohen advised that **Table 20.92.020(A)** was amended to add "shipping containers" as a prohibited use. While shipping containers are allowed in commercial areas with a conditional use permit, staff is recommending they be prohibited throughout Town Center.

Chair Wagner asked how prevalent the shipping container problem is. She suggested that if they are currently in use by a business, there may be a reason to allow them for at least a short period of time. Mr. Cohen said that shipping containers that are legally located would be allowed to remain as legal non-conforming uses, but no new shipping containers would be allowed. Mr. Tovar asked for an opportunity to discuss this issue further amongst staff before making a final recommendation. He

explained that Mr. Cohen's recommendation is in response to concerns and complaints the City has received from the residential neighborhood on the west side of Linden Avenue related to noise, aesthetics, etc. Their issues are legitimate, but he has also heard from property owners who need the containers and would like other options for dealing with the concerns without actually prohibiting the use. He suggested perhaps it would be better to approach the issue via screening and performance standards.

Commissioner Broili said he tracks innovative design throughout the world and some very creative things have been done using old shipping containers as actual structures, etc. He expressed concern that they not limit the opportunity for these types of creative design.

- Vice Chair Perkowski noted that **Table 20.92.0209(A)** makes reference to **Table 20.40.120**, which talks about conditional and special uses. He recalled previous discussion that language should be added to make it clear that they are only talking about the uses and not the processes identified in Table 20.40.120. Staff agreed to make this change.
- Mr. Cohen said **Section 20.92.040.E** was amended to make it clear when traffic studies are required and how impacts identified in the studies would be addressed. As currently proposed, developers would be required to complete a traffic impact study if the proposal exceeds the threshold. Additional traffic that is projected to use non-arterial streets would be required to implement traffic mitigation measures, which are approved by the City's Engineer in collaboration with the abutting neighborhoods.

Commissioner Kaje noted that the proposed language would be clearer if the words "and developed" were inserted after "traffic engineer." This would make it clear that the neighborhoods would help to define the types of mitigation measures that are most appropriate, but they would not be involved in the final approval.

Commissioner Moss noted that the language related to cut-through traffic and parking impacts was deleted from Section 20.92.040.E. She asked if the proposed language would require the City and the neighborhood to agree upon a reasonable way to mitigate the impacts or would the City Engineer be able to make the final decision if a compromise cannot be agreed upon. Mr. Cohen clarified that the City Engineer would make the final decision on how to mitigate the impacts. While the neighborhood would be invited to participate in the process, they would be choosing the ultimate solution.

Chair Wagner suggested the language be amended further to make the neighborhood collaboration process clearer. Mr. Tovar said the intent of the proposed language is to provide an opportunity for the public to understand the issue and try to persuade the outcome. He asked the Commission to provide feedback about whether or not the City Engineer's decision should be appealable to the Hearing Examiner. This would give more weight to the neighborhood's sentiment. He reminded them that the goal is to balance the Traffic Engineer's technical judgment with the need to fairly consider people's opinions. Chair Wagner suggested that before they make a decision regarding appeals, the language should be expanded to identify the threshold that would trigger the study requirement, as well as decision criteria. Mr. Tovar suggested that perhaps the decision should be administrative, appealable to

the Hearing Examiner. Allowing the City Engineer to make the final decision with no appeal would be a more direct way to deal with the issue, but it would be less responsive to the neighborhood input.

Commissioner Behrens suggested they utilize the Neighborhood Safety Committee to consider the traffic impacts and work with the City Engineer to mitigate the issues. Mr. Cohen said the spirit of the proposed language was that the neighborhoods would be consulted, and he agreed that it would be appropriate to invite the Neighborhood Safety Committee to organize the neighborhood meetings. Commissioner Behrens recalled a public meeting he attended in which 125 people voiced opposition to a particular proposal, yet it was approved by the City anyway. He cautioned that a neighborhood's role in the final decision should be clearly defined. Again, Mr. Tovar suggested there must be clear decision criteria. Commissioner Behrens suggested staff invite the Traffic Engineer to help create measurable criteria. Mr. Cohen agreed to contact the Traffic Engineer for additional information.

- Mr. Cohen pointed out that **Section 20.92.060.2** was amended to require transparent windows on 60% of the first floor façade on boulevard streets.

Mr. Cohen said that, as per the amendment, both storefront and boulevard streets would require that 60% of the ground floor façade be placed in windows at certain heights. Green streets are a separate category that requires 15% transparent windows.

- Commissioner Behrens referred to the map in **Section 20.92.030**, which identifies 178<sup>th</sup>, 180<sup>th</sup>, and 183<sup>rd</sup> Streets as storefront streets, which require 10-foot sidewalks. He reminded the Commission that the right-of-way on these streets is only 40 feet. A 10-foot sidewalk, along with a 6-foot parking strip on both sides of the street would result in only an 8-foot lane width.

Mr. Cohen clarified that while the existing road width might be less now, the actual right-of-way ownership is 60-feet wide. This would allow space for 10-foot sidewalks on each side of the street, as well as two travel lanes. Commissioner Behrens said he measured the streets from setback to setback and found the rights-of-way to be 40-feet wide. Commissioner Broili pointed out that it is not possible to measure the rights-of-way unless you have clear information about where the actual property lines are located. Mr. Cohen agreed to meet with Commissioner Behrens to review the right-of-way widths.

- Commissioner Esselman referenced **Section 20.92.060.C.2.a**, which calls for a 20-foot beveled building corner with entry and 80% of the first floor in transparent glass. She suggested that perhaps the 80% requirement is too much considering the structure of a building and 60% would be a better number. Also, if the intent is to require that 60% of the corner be transparent in addition to the 60% required for the building façade, then **Section 20.92.060.B.2.a** should also be amended.

Mr. Cohen said the intent is that transparency should be emphasized on the street corner. Commissioner Esselman noted that, depending on the size of a building, a developer could put all the transparency on the corner and have none on the rest of the building. Mr. Cohen said the language would require an average of 60% transparency over the entire first floor façade of a building. However, the corner facades could be no less than 60%. Commissioner Esselman suggested the language should require an

additional amount at the corner. Mr. Cohen agreed to discuss the issue further with Commissioner Esselman and come up with language to address her concerns.

- Commissioner Esselman referenced **Section 20.92.060.C.3** and suggested that a simpler approach would be allow whichever street specification has the highest requirements to dictate what happens at the corner.

Mr. Cohen noted that sometimes there is a combination of street fronts that culminate at a corner. As per Commissioner Esselman's suggestion, the requirements would be based on the street specification that has the greatest requirements. The Commission agreed this change would be appropriate.

- Mr. Cohen referred to **Section 20.92.060.E.1**, which originally proposed different parking standards for residential, office and retail uses. The standards have been amended to use the City's current city-wide parking standards. Modifications would be allowed based on the criteria identified in the proposed language.

Mr. Cohen recalled that a Commissioner suggested that the criteria that any developer could meet merely by being located within the Town Center Subarea should be removed because they could not be considered incentives. Therefore, Items d (a transit stop within ¼-mile radius) and e (an off-street public parking lot within ¼-mile radius) were eliminated. Item h (neighborhood meeting to discuss impacts of traffic and parking) was also removed because it did not really have any teeth to it and traffic and parking impacts are already addressed in the transition area standards.

Commissioner Moss pointed out that staff is proposing to eliminate the two items that reference a ¼-mile radius because all properties within the subarea would meet these criteria. She reminded the Commission that she asked staff to apply the radius index concept to see if that would still be the case.

- Commissioner Kaje said the commute trip reduction program in **Section 20.92.060.E.1.e** sounds nebulous. While he is an advocate for commute trip reduction programs, he suggested they either need to define some standards for the program or eliminate it. He said he is in favor of incentives that result in benefits to the community.

Mr. Cohen said there is a staff person who coordinates commute trip programs for businesses over a certain size in the City, and there are applicable standards. Commissioner Kaje suggested that reference be made to the City's existing program. He asked staff to provide information about the City's existing standards. Commissioner Moss said the State also provides guidelines for commute trip reduction programs. However, she is not sure the businesses currently located in the Town Center Subarea would trip the threshold for these standards. Mr. Cohen agreed that only City Hall would meet the threshold.

- Commissioner Moss referenced **Section 20.92.060.E.1.c**, which appears to require one parking space per 4,300 net square feet of retail/office space.

Mr. Cohen said the strike out is not visible over the 4. The requirement would be one parking space for every 300 square feet of retail/office.

- Mr. Cohen advised that **Section 20.92.060.I.2** was amended to include improved design standards for screening roof and ground-mounted mechanical equipment. Rather than just allowing them to be painted gray, they would like to increase the requirement so there is a separate screen that matches the architecture of the building.

Commissioner Broili said the language is fairly specific that the screening must be constructed using the main building façade material, and he is not sure that actually accomplishes the intended goal. He suggested a better approach would be to require screening that is complimentary to the overall design. He said he can see cases where using the same siding around the rooftop mechanical equipment would look odd. The goal is to mask and/or hide the equipment so it is not an eyesore. Mr. Tovar agreed that the proposed language is a good first attempt, but it needs to say more.

- Chair Wagner noted that **Section 20.92.070.B.1** makes reference to “two architectural features listed below.” There are actually three. She also noted that earlier in the same paragraph references is made to Items a and b only. There is no mention of Item c.

Commissioner Moss pointed out that the picture provided in this section breaks up the text, making it more difficult to read. She agreed that the language should be amended to be clearer.

- Mr. Cohen advised that **Section 20.92.070.B.4** was amended to clarify that a building would be required to have a minimum 30-foot wide section that is offset at least by 20 feet through all floors for each 150 feet in length along the street front.

Chair Wagner referred to a situation where an entryway extends over the sidewalk to the street edge, with space for people to walk through. She felt this approach would break up the façade of the building and would not be out of context with the spirit of still allowing sidewalk through passage. She suggested this should be allowed as an exemption. Commissioner Broili said perhaps they could allow a developer to push the modulation out instead of back. The developer could offer environmental opportunities as a trade off. Mr. Cohen noted that the proposed language does not say whether the offset has to go forward or backwards. Chair Wagner pointed out that if a development is required to be setback from the property line by a certain distance, any modulation would have to be pushed back rather than forward unless there is a specific exemption that allows them to push forward into the right-of-way.

Mr. Cohen suggested that the provision that requires developers to provide plaza space would allow the feature described by Chair Wagner to be built over top of the plaza space. Covered plaza space would be allowed as long as it is open air.

- Mr. Cohen advised that the language in **Section 20.92.070.B** was amended to eliminate the option of using color to provide the window trim contrast. T

Mr. Cohen explained that the rationale for the amendment is that colors can change over time, and the contrast could potentially be eliminated. There are other options for providing this contrast.



- Mr. Cohen referred to **Section 20.30.297** and recalled that the language presented to the Commission in May included four criteria. However, staff is recommending that Criteria 2 and 3 be deleted because they are difficult to define and difficult for the developers and the community to understand what they can expect.

Mr. Cohen explained that requiring a development to use materials and architectural elements that are compatible with the context of other development in the vicinity (Criteria 3) may not be desirable, particular where there is older development that is inconsistent with the goals of the Town Center Subarea. He noted that this would likely be the case in the majority of situations.

### **Final Questions by Commission**

Commissioner Moss referred to the written comments she sent to her fellow Commissioners a few hours earlier. Rather than debating the issues she raised, her intent was to bring them to the attention of the Commission and perhaps generate conversation at the continued public hearing. She particularly noted the following items:

- There is currently no mention about bicycling in the Vision Statement. However, some of the Town Center Subarea Plan policies mentioned the activity as something that is important. Was this omission intentional?
- Has the City actually adopted Engineering Development Design Criteria? Mr. Cohen answered affirmatively.
- What is the articulation for bench and wall seating and how is it addressed in the code?

Commissioner Moss said she did some research on the correct use of the term “foot-candle,” which is defined as the amount of light that is put off from one candle at one foot away. She suggested that instead of “foot-candle” the proposed language should use terms that are current, straightforward and easy to measure. She reminded the Commission that the goal is to prevent light from becoming disruptive to neighboring buildings or residential houses across the street. Mr. Cohen agreed to research the latest standards for measuring illumination. Commissioner Moss pointed out that the American National Standards Institute states that “foot-candles” is an antiquated term that should be replaced.

Commissioner Moss expressed her belief that **Section 20.91.040** creates confusion because it talks about the Ridgecrest Planned Area. While she understands that the language was changed for consistency when the Ridgecrest Planned Area was adopted, she suggested staff provide preface language to explain the rational for including the language as part of the Town Center zoning.

Commissioner Moss complimented Mr. Levitan for the draft EIS. However, as she reviewed the document, she was unsure how important it was that the information in the draft EIS match exactly with the language in the proposed Town Center zoning language. Mr. Levitan said the intent of the draft EIS was to evaluate the proposed Town Center Subarea Plan and code language. It was largely written in March and April. Since that time the proposal has been changed in some areas, such as the parking requirements. These changes would be addressed as part of the final EIS. If there had been no changes since the draft EIS was prepared, the fact sheet would be the only requirement. If there are minor changes, an addendum could be done to explain the changes. An addendum could also be done as a

separate process to an existing environmental document. In the case of the parking requirement changes, the impacts would be less because the parking requirements have been increased and the impacts decreased. While the change would not be considered minor, it would be identified as a net benefit that could be captured by an addendum to the draft EIS rather than a re-write of the entire transportation chapter.

Commissioner Broili referred to **Section 20.92.050.1**. He said he understands that lighting is necessary for safety. However, they are learning more about the intrusiveness of lighting and keeping it task specific so it does not violate another person's space. He suggested there should be some reference in the propose code language that talks about this aspect of lighting standards. Mr. Cohen said the code has a general standard that requires shielding of outdoor lighting so that no direct light enters adjacent property. He suggested this general language could be added to the proposed Town Center zoning code, as well.

Vice Chair Perkowski pointed out that **Section 20.30.297.2** makes reference to **Table 20.92.030**, which does not exist. The correct reference is **Table 20.92.020**, which contains the dimensional standards.

Vice Chair Perkowski referenced **Section 20.92.040.G** and recalled the Commission's discussion about the rationale for not using the Green Factor. Tree preservation is specifically sited and he questioned if staff has done any analysis to identify the number of significant trees on proposed TC-4 parcels and Transition Overlays 1 and 2. While he supports tree preservation, he suggested this statement may not be meaningful. He suggested there be some sort of vegetation requirement if the 20% preservation requirement is not pertinent. Commissioner Broili agreed it would be appropriate to talk about vegetation preservation as opposed to tree preservation. Mr. Cohen noted that this provision is the current standard for single-family residential zones. It is a high number, and he agreed that there are only a few parcels in the Town Center Subarea that have sufficient trees for the provision to be applicable. He reminded the Commission that the landscaping standards in the general code would apply. The landscaping, street trees and buffer requirements would ensure that vegetation is planted. Vice Chair Perkowski agreed, but suggested that tree preservation should not be used as a meaningful rationale for why the City should not implement the Green Factor concept.

Commissioner Esselman referred to Town Center Policy TC-5, which talks about having retail, service, grocery and restaurants for people that live, work or can walk to the town Center. However, the Vision Statement also talks about providing these services for people who live elsewhere in Shoreline or who pass through Shoreline. This is not addressed in the proposed code language. Mr. Tovar agreed this would be a good point to address. It might also be appropriate to address what will happen when the bus rapid transit (BRT) program is fully implemented on Aurora Avenue in 2013. People within walking distance of Aurora Avenue North would be able to get to get to Town Center without using a car. In their recent research, the Urban Land Institute found that in Snohomish County, many of the trips on the Swift BRT are local trips within a two or three mile travel shed of Aurora Avenue North. It may be important to point out in the Subarea Plan that access to the goods, services and amenities in Town Center will be made available to people within the City. Some will be driving cars, but many will arrive on foot by using the BRT. Staff agreed to come up to language to address this issue, as well as a separate policy statement that addresses the desire for the Town Center Subarea to become a regional destination, as well.

Mr. Tovar asked if the Commission would like the staff to propose possible language for their recommendation to the City Council as a starting point for their continued discussion. The Commission agreed that would be appropriate. Chair Wagner encouraged the Commissioners to review the proposal again and submit their additional comments to staff by June 7<sup>th</sup>.

**Continuation of Public Hearing**

**COMMISSIONER KAJE MOVED THAT THE PUBLIC HEARING ON THE DRAFT TOWN CENTER SUBAREA PLAN AND ZONING CODE BE CONTINUED TO JUNE 16, 2011. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**DIRECTOR'S REPORT**

Mr. Tovar did not have any additional items to report to the Commission.

**UNFINISHED BUSINESS**

No unfinished business was scheduled on the agenda.

**NEW BUSINESS**

No new business was scheduled on the agenda.

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

Commissioner Behrens said he recently had a conversation with two people from the Masonic Temple who indicated they would be doing a major remodel on the building. He asked if staff had been contacted by these individuals to obtain more information about their historical status and how this could help them obtain funding for the building redesign. Mr. Cohen answered that he has not been contacted yet.

**AGENDA FOR NEXT MEETING**

Chair Wagner noted that the agenda for June 16<sup>th</sup> would be the continued hearing for the Town Center Subarea Plan and Zoning Code.

**ADJOURNMENT**

The meeting was adjourned at 10:00 P.M.

---

Michelle Linders Wagner  
Chair, Planning Commission

---

Jessica Simulcik Smith  
Clerk, Planning Commission

**TIME STAMP**  
**June 2, 2011**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA: 0:34**

**DIRECTOR'S COMMENTS: 1:29**

**APPROVAL OF MINUTES: none**

**GENERAL PUBLIC COMMENT: 6:50**

**LEGISLATIVE PUBLIC HEARING ON TOWN CENTER SUBAREA PLAN AND  
DEVELOPMENT CODE: 7:55**

**Staff Overview and Presentation of Preliminary Staff Recommendation and Questions by the  
Commission to Staff and Applicant: 9:32**

**Public Testimony: 1:45:11**

**Final Questions by Commission: 1:53:24**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 2:58:25**

This page intentionally blank

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

<b>AGENDA TITLE:</b>	<b>Continued Public Hearing on Town Center Subarea Plan and Development Code</b>
<b>DEPARTMENT:</b>	<b>Planning and Development Services</b>
<b>PRESENTED BY:</b>	<b>Joseph W. Tovar, FAICP, Director Paul Cohen, Senior Planner</b>

**I. RECOMMENDATION**

On June 16, the Planning Commission will hold its continued public hearing on the Town Center Subarea Plan and Code. At the hearing, staff will present comments on the Draft SEIS and potential revisions and edits based on your discussion at the June 2 hearing. Following the staff presentation, the Commission will hear public testimony and then begin deliberations on a recommendation to the City Council. When deliberations are complete the Commission should close the hearing, vote on amendments to the draft Subarea Plan and Code, and forward its recommendation to the City Council.

**II. BACKGROUND**

Background information was printed in the June 2 packet and is available at <http://shorelinewa.gov/index.aspx?page=180>.

The City Council, in its Goals for 2010-2011, has identified as a major priority adoption of amendments to the Comprehensive Plan such as the Town Center Subarea Plan, as well as creating permit processes that are more timely and predictable.

The staff and Planning Commission have attempted to embody this policy direction in the current draft of the Town Center Subarea Plan and Code. The overall objective is to create an attractive, compact, walkable and mixed-use center that meets the City's goals for economic and environmental sustainable, as well as social equity.

**III. ANALYSIS OF THE PROPOSED ACTIONS**

The proposed Town Center Subarea Plan and Code have been reviewed pursuant to the requirements of the State Environmental Policy Act (SEPA), RCW 43.21C. The Planning Commission will also review the actions for compliance with the provisions of SMC 20.30.340 as to the subarea plan and SMC 20.30.350 as to the Development Code. These analyses are presented below.

Approved By:

Project Manager 

Planning Director 

On May 10, the City issued a Draft SEIS to evaluate the likely environmental consequences of the Town Center Subarea Plan and Town Center Code. The City proposes to adopt these documents as a SEPA “Planned Action”, per RCW 43.21C.031. The purpose of a Planned Action is to shift environmental review forward from the time a permit application is made to an earlier phase in the development process. Future development proposals within the Town Center boundaries that are consistent with the development assumptions of the Planned Action would be exempt from SEPA. However, future development proposals would be subject to all applicable processes, codes, and regulations.

#### **A. Comprehensive Plan Amendment Criteria – 20.30.340**

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or

*The amendment is supported by state, county, and city goals and policies. The GMA supports urban growth, reducing sprawl, economic development, housing, transportation, and citizen participation. Countywide policy FW-11 supports concentration of development in urban growth areas and accommodation of the 20-year population projection and employment forecast including to promote a land use pattern than can be served by public transportation.*

*Several Shoreline Comprehensive Plan policies support the amendments, including*

- *Goal LU VIII – Change the Aurora Corridor from a commercial strip to distinctive centers with variety, activity, and interest by:*
  - Balancing vehicle, transit, and pedestrian needs*
  - Creating a “sense of place” and improving image for each center*
  - Protecting neighborhoods*
  - Encouraging thriving businesses*
  - Using sound marketing principles*
- *Policy LU25: Pursue opportunities to improve the City’s image by creating a sense of place on the Aurora Corridor for doing business and attracting retail activity.*
- *Policy LU27: Ensure street design and urban design is distinctive in the center part on the Aurora Corridor, from 175<sup>th</sup> through 185<sup>th</sup>.*



2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or

- *2009 Shoreline City-wide Vision Statement and Framework Goals:*

*“You’ll also find safe, well-maintained bicycle routes that connect all of the main streets to each other and to the Aurora core area, as well as convenient and reliable local bus service throughout the day and throughout the city. If you live nearby, sidewalks connect these hubs of activity to the surrounding neighborhood, bringing a car-free lifestyle within reach for many.”*

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

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

- *FG 2: Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.*
- *FG 4: Provide a variety of gathering places, parks, and recreational opportunities for all ages and expand them to be consistent with population changes.*
- *FG 9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.*
- *FG 10: Respect neighborhood character and engage the community in decisions that affect them.*
- *FG 14: Designate specific areas for high density development, especially along major transportation corridors.*

3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare. (Ord. 238 Ch. III § 7(f), 2000).

*The amendment will benefit the community by focusing much of future growth into a district that is best served by transit, pedestrian circulation, is central to Shoreline, and provides centralized, convenient pedestrian access to public events, amenities and services.*

#### **B. Development Code Amendment Criteria – 20.30.350**

1. The amendment is in accordance with the Comprehensive Plan; and

*See Comprehensive Plan Amendment Criteria above.*

2. The amendment will not adversely affect the public health, safety or general welfare; and

*The amendment is planned to mitigate potential impacts while providing a safe, attractive, pedestrian accessible district that directs most of the future growth away from the single family neighborhoods.*

3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline. (Ord. 238 Ch. III § 7(g), 2000).

*The amendment is consistent with the majority of the citizens and property owners who commented, were surveyed, and participated in Town Center community meetings. The major intent is to provide a neighborhood district for the entire city that encourages economic vitality and serves nearby neighborhoods and the community.*

### **PLANNING COMMISSION AND PUBLIC COMMENT TO DATE**

#### **A. Items Discussed at the June 2 Meeting**

As a follow up to the June 2 meeting, staff prepared a series of edits and revisions for the Commission's consideration as amendments to the Town Center Development Plan and Development Code. The amendments, in Attachments 3 and 4 are highlighted in color for your reference and to reflect their genesis:

- YELLOW – Potential Revisions: These came from the June 2 discussion and reflect Commission direction and staff follow-up work.
- BLUE – June 2 No-Comment Edits: These were presented at the June 2 meeting as non-topical. The Commission had no comments at that time. Staff assumes

that implies Commission support, however, these are noted because they have to be formally added to the plan through a motion.

- GREEN – Commissioner Moss Edits: These were suggested by Commissioner Moss to staff after the June 2 meeting.

Staff suggests that the Commission complete review of the suggested revisions and edits and then take action on the ones to be incorporated in the recommendation you will forward to the Council.

## **B. Public Comment to Date**

There has been no additional comment received on either the proposed Subarea Plan or Development Code since the June 2 public hearing. All public comments regarding Town Center, since the beginning of the project in 2007, are available on the City's website on the Town Center project page: <http://shorelinewa.gov/index.aspx?page=180>.

## **IV. NOTICE AND SCHEDULE**

The continuation of the hearing to this June 16 meeting was announced at the June 2 meeting. No additional notice has been provided, however, the project website was updated to reflect the hearing continuation to June 16.

The DSEIS has been available for public review since May 10, 2011 and has been provided to the Planning Commission. The DSEIS comment period ended on June 9, 2011. Staff has received only one comment on the DSEIS, included in the previous Commission packet as Exhibit 14.

The City Council is scheduled to review your recommendations on July 5, July 11, and July 25. If the Council is comfortable with the proposal, we anticipate its adoption on July 25th.

If you have questions or comments on the staff report, please contact Paul Cohen, Project Manager, at [pcohen@shorelinewa.gov](mailto:pcohen@shorelinewa.gov) or 206-801-2551.

## **V. ATTACHMENTS**

Attachment 1 - Updated List of Exhibits

Attachment 2 - Updated Proposed Town Center Subarea Plan, dated 6/9/11 - **To Be Mailed Separately on Friday June 10<sup>th</sup>** (Exhibit 20)

Attachment 3 - Updated Proposed Town Center Development Code, dated 6/9/11 (Exhibit 21)

Attachment 4 - *REVISION* to Transition Overlay #1 Site Plan and Cross Section (Exhibit 22)

This page intentionally blank



**PUBLIC HEARING RECORD**  
**Town Center Subarea Plan and Zoning**  
*May 5, 2011 / List of Exhibits*

- Exhibit 1** May 5, 2011 Staff Report “Public Hearing on Town Center Subarea Plan and Development Code”
- Exhibit 2** Notice of May 5, 2011 Public Hearing
- Exhibit 3** Proposed Town Center Subarea Plan, dated 4/29/11
- Exhibit 4** Proposed Town Center Development Code, dated 3/31/11
- Exhibit 5** SEPA Checklist
- Exhibit 6** Letter from Boni Biery, dated 4/22/11
- Exhibit 7** Letter from Janet Way, President, Shoreline Preservation Society, dated 5/5/11
- Exhibit 8** Written testimony from Vicki Westberg, submitted at 5/5/11 Public Hearing

*June 2, 2011 / List of Exhibits*

- Exhibit 9** Notice of June 2, 2011 Public Hearing
- Exhibit 10** June 2, 2011 Staff Report “Second Public Hearing on Town Center Subarea Plan and Development Code”

- Exhibit 11** Transition Overlay comparisons and proposed TC-5  
*Transition Overlay 1 Revised in Exhibit 17*
- Exhibit 12** Proposed Town Center Development Code, dated 5/25/11
- Exhibit 13** Town Center Subarea Planned Action - Draft Supplemental  
Environmental Impact Statement, May 2011
- Exhibit 14** Email comment regarding Draft Town Center Subarea Planned  
Action SEIS from Michael U. Derrick, Ronald Wastewater  
District, sent 5/10/11
- Exhibit 15** Letter from Carter Subaru, dated 6/1/11
- Exhibit 16** Email from Rick Stephens, sent 6/1/11
- Exhibit 17** *REVISION* to Transition Overlay #1 Site Plan and Cross  
Section (in Exhibit 11)
- Exhibit 18** Letter from Boni Biery, dated 6/2/11

*June 16, 2011 | List of Exhibits*

- Exhibit 19** June 16, 2011 Staff Report “**Continued Public Hearing on Town  
Center Subarea Plan and Development Code**”
- Exhibit 20** Updated Proposed Town Center Subarea Plan, dated 6/9/11
- Exhibit 21** Updated Proposed Town Center Development Code, dated  
6/9/11
- Exhibit 22** *REVISION* to Transition Overlay #1 and #2 Site Plan and Cross  
Section (in Exhibit 11 and 17)

Attachment 2 – Updated Proposed Town Center Subarea Plan, dated  
6/9/11 – To Be Mailed Separately on Friday June 10<sup>th</sup> (Exhibit 20)

This page intentionally blank



**6/9/11**

**YLW** – Potential Revisions

**BLU** – June 2 no-comment Edits

**GRN** – Comm Moss Edits

## Town Center **District Zone**

- 20.92.010 Purpose
- 20.92.020 Zoning, Land Use, and Form
- 20.92.030 Street Types and Pedestrian Circulation Map
- 20.92.040 Neighborhood Protection Standards
- 20.92.050 Street Frontage Design Standards
- 20.92.060 Site Design Standards
- 20.92.070 Building Design Standards
- 20.92.080 Sign Design Standards
  
- 20.30.297 Design Review Approval
- 20.50.021 MUZ Design Review Amendments
- 20.91.040 Ridgecrest Design Review Amendments
- 20.20 Definitions

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.010 Purpose.**

- A. Establish standards for the Town Center **District Zone**. These standards implement the policies of City of Shoreline Comprehensive Plan and Town Center Subarea Plan through code requirements for use, form, design, and process.
- B. ~~Some standards within this chapter apply only to specific types of development and zones as noted. Standards that are not addressed in this chapter will be supplemented by the development standards in Chapter 20.50 SMC. In the event of a conflict between standards, the standards of this chapter shall prevail.~~
- B. Set forth a procedure designating certain land use actions within the boundaries of the geographic area described in the Town Center **Zone** Subarea Plan as Town Center **District Zone** as “planned actions” consistent with RCW 43.21.031, WAC 197-11-164 to 197-11-172, and SMC 20.30.640.
- C. Planned action projects that are within the scope of the planned action EIS determination shall not require a SEPA threshold determination and shall be reviewed as ministerial decisions by applying the provisions of the Development Code. Proposed projects that are not within the scope of the planned action EIS shall require environmental review under SEPA
- D. Design Review Approval under SMC 20.30.297 is required for all development proposals prior to approval of any construction permit. A permit applicant wishing to modify any of the standards in this chapter may apply for a design departure under SMC 20.30.297.

Comment [p1]: District is the entire town center and zones TC-1 thru 4

Comment [p2]: Moved to 20.92.020.3

**20.92.015 Threshold – Required for site improvements.**

The purpose of this section is to determine how and when the provisions for site improvements cited in the Town Center District development standards apply to development proposals. Full site improvements are required if the development is:

- **C**ompletely new development; or
- The construction valuation exceeds 50 percent of the existing site and building valuation.

**A development proposal shall not, however, be required to comply with the Town Center District development standards if and to the extent such development proposal is a repair or reconstruction for purposes of SMC 20.30.280(C)(3).**

Comment [p3]: Potential Revision #1

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.020 Zones, Land Use, and Form.****A. Town Center District Zones**

In order to implement the vision of the Comprehensive Plan's Town Center Subarea Plan, there are Town Center (TC) zones established as shown in Figure 20.92.030.

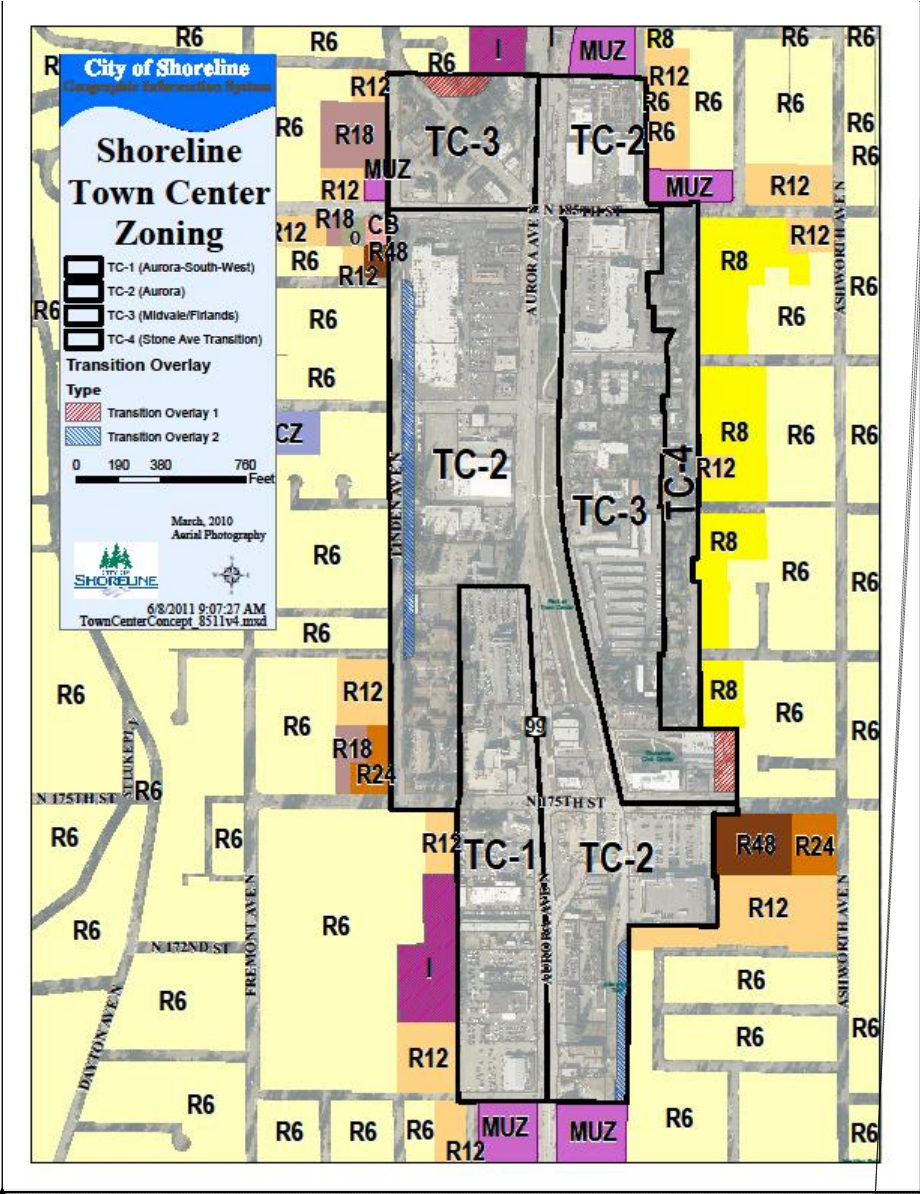
1. Four zones are delineated within the Town Center that ~~has~~ **have** general and specific design standards.
  - a. TC-1: This zone allows for a broad range of uses similar to TC-2 with the exception to allow vehicle sales, leasing, and servicing.
  - b. TC-2: This zone includes property fronting on Aurora Avenue, N. 175<sup>th</sup> and N. 185<sup>th</sup> streets and provides the widest range of uses and development potential with pedestrian activity primarily internal to the sites.
  - c. TC-3: This zone is oriented toward smaller arterials with a wide range of uses that focus pedestrian activity primarily along street frontages.
  - d. TC-4: This zone is oriented around Stone Avenue and limits the residential heights, uses and vehicle circulation to protect the adjacent single family neighborhoods.

2. **Transition Overlays 1 and 2: These is-overlays provides a-transitions from** higher intensity development to lower intensity uses and protects ~~adjoining~~ single family neighborhoods from large building heights, traffic, and inappropriate land uses.

3. **Some standards within this chapter apply only to specific types of development and zones as noted. Standards that are not addressed in this chapter will be supplemented by the development standards in Chapter 20.50 SMC. In the event of a conflict between standards, the standards of this chapter shall prevail.**

Comment [p4]: Potential Revision #2

YLW – Potential Revisions    BLU – June 2 no-comment Edits    GRN – Donna Moss Edits



- Comment [p5]: SE Corner -Transition Overlay 2 needs to be adjusted west off SCL.
- Comment [p6]: New Map with Transition Overlays 1 and 2
- Field Code Changed

Figure 1. 20.92.020

YLW – Potential Revisions      BLU – June 2 no-comment Edits      GRN – Donna Moss Edits

B. Table 20.92.020(A) lists general categories of permitted land uses for each of the Town Center zones. The general categories for permitted uses include all of the specific uses listed in the corresponding tables cited, except for those listed in this table as “prohibited uses.” **Permitted uses do not include the approval processes in the general categories.** If further clarification is required, the Director shall issue an administrative determination consistent with the provisions of this Chapter and the policy guidance of the Town Center Subarea Plan.

Comment [p7]: Potential Revision #3

**Table 20.92.020(A) Land Use Chart**

General Land Use Category	Specific uses listed in Table	TC-1	TC-2	TC-3	TC-4
		Aurora SW	Aurora	Midvale /Firlands	Stone Ave Resid.
Detached Single Family	20.40.120				
Duplex, Apt, Single Family Attached	20.40.120				
Group Residences	20.40.120				
Lodging	20.40.120	<b>PERMITTED USES</b>			
Health Facility	20.40.140				
Government Facility	20.40.140				
Automotive fueling and service Stations	20.40.130				
Retail / Service other than for Automotive or Boat ; Eating, and Drinking	20.40.130				
Light Manufacturing – Non-polluting and no outside storage	20.40.130				
Personal and Business Services	20.40.130				
Motor Vehicle and Boat Sales, Automotive Rental and Leasing, and Automotive Repair and Services (2)	20.40.130				

Comment [p8]: Potential Revision #4

Comment [p9]: Potential Revision #5

Comment [p10]: Potential Revision #6

YLW – Potential Revisions    BLU – June 2 no-comment Edits    GRN – Donna Moss Edits

Gambling Uses				
Wrecking Yards	<b>PROHIBITED USES</b>			
General Manufacturing Industrial Uses				
Adult Use Facility				

Comment [p11]: Potential Revision #7

Table 20.92.020(A)

Table 20.92.020(B) Form.

	TC-1 Aurora SW	TC-2 Aurora	TC-3 Midvale/ Firlands	TC-4 Stone Ave Res	Transition Overlays 1 and 2
Minimum Front Yard Setback (1)(2)(3)	0-10 ft (6)	0-10 ft	0-10 ft	15 ft	15 ft
Minimum Side Yard Setback from Nonresidential Zones (4)	0 ft	0 ft	0 ft	5 ft (5)	5 ft (5)
Minimum Rear Yard Setback from Nonresidential Zones	0 ft	0 ft	0 ft	5 ft	0 ft
Minimum Side & Rear Yard (Interior) Setback from R-4 & R-6	15 ft	15 ft	15 ft	5ft	20ft
Minimum Side & Rear Yard Set- back from R-8 through R-48 and TC-4	15 ft	15 ft	15 ft	5 ft	15 ft
Maximum Height (5)	70 ft	70 ft	70 ft	35 ft	35 ft
Maximum Hardscape Area	95%	95%	95%	75%	75%

Comment [p12]: Potential Revision #8

Comment [p13]: Already has underlying zoning with hardscape requirement

Exceptions to Table 20.92.040(A).

- (1) Unenclosed porches and covered entry features may project into the front yard setback by up to 6 feet. Balconies may project into the front yard setback by up to 2 feet.
- (2) Additional building setbacks may be required to provide right-of-way and utility improvements.
- (3) Front yard setbacks are based on the applicable street designation. See figure 20.92.020 for the street designation and SMC 20.92.070(B) for applicable front yard setback provisions.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

*(4) These may be modified to allow zero lot line developments for internal lot lines only.*

*(5) See section 20.92.050.C for height step-back standards.*

*(6) Front yards may be used for outdoor display of vehicles to be sold or leased in the TC-1 zone.*

**20.92.030 Street Types and Pedestrian Circulation.**

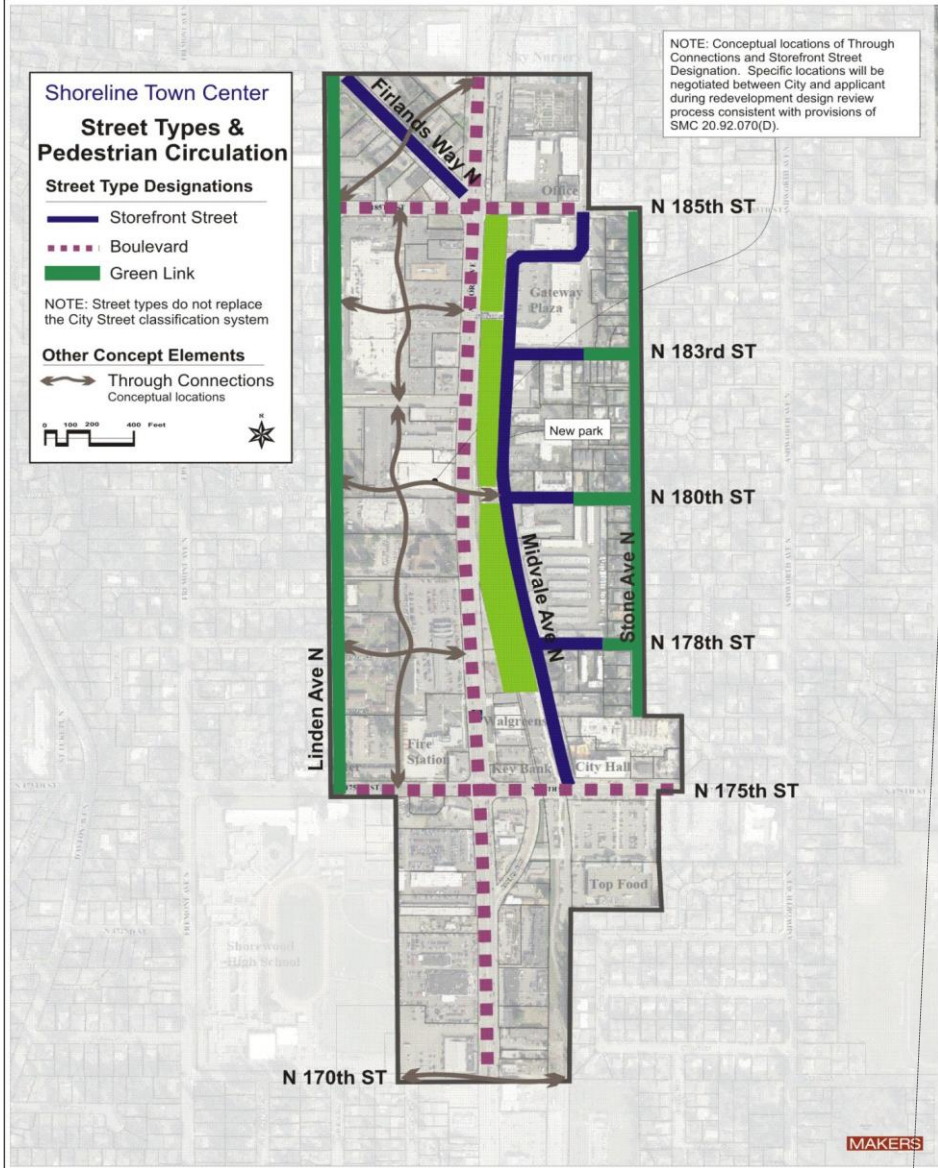
This map illustrates site-specific design elements to be implemented by code for street types and Through Connections.



YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Comment [p14]: Will be revised to extend Storefront Streets to Stone Avenue. Mid-block street abutment of two different street sections do not work.

20.92.040 Neighborhood Protection Standards.

A. Purpose



YLW – Potential Revisions      BLU – June 2 no-comment Edits      GRN – Donna Moss Edits

- Minimize negative impacts of Town Center development on adjacent single family neighborhoods.
- Enhance residential neighborhoods on both sides of Linden and Stone Avenue North.

B. Applicability

Unless specifically noted, the standards herein apply to properties within zone TC-4 and the Transition Overlay identified in the Town Center Zoning Map in figure 20.92.030 and other Town Center properties that are directly adjacent to those zones.

C. Building Heights

1. TC-4 zone maximum building heights are 35 feet.

2. Transition Overlay 1 is 100 feet wide and from adjoining R-4 or R-6 zoned property lines. From the adjoining property line it requires 20 feet of Type I landscaping and building setback with a maximum height of 35 feet for the next 30 feet and then additional 10 feet of building height for each additional 20 feet of setback until the maximum building height of the underlying zone is obtained.

Comment [p15]: Potential Revision #9

3. Transition Overlay 2 is overall 50 feet in depth and from adjoining Rights-of-Way across from R-4 or R-6 zoned property lines. From the Rights-of-Way line, it requires 15 feet of Type II landscaping and building setback with a maximum height of 35 feet for the next 10 feet and then additional 10 feet of building height for each additional 10 feet of setback until the maximum building height of the underlying zone is obtained.

The maximum building height is 35 feet for the first 50 horizontal feet from the front property line. For each subsequent 20 feet from the property line an additional 10 feet in height is allowed up to the maximum height of the underlying zoning.

Comment [p16]: May be modify if 2 transition overlay types are used.

D. Site Access

Direct commercial vehicular and service access to a parcel shall not be from Stone or Linden Avenues unless no other access is available or practical as determined by the City.

E. Traffic Impacts

All development in the Town Center shall conduct a traffic impact study per city guidelines. Any additional traffic that is projected to use non-arterial streets shall and implement traffic mitigation measures which are approved by the city's traffic engineer and developed in collaboration with the abutting neighborhoods that are directly impacted through the City's Neighborhood Traffic Safety Program. to mitigate potential cut through traffic or parking impacts to single family neighborhoods.

Comment [p17]: Specific when a study is required .

Comment [p18]: Potential Revision #10

Comment [p19]: Collaboration with the neighbors is key to finding a satisfying solution.

F. Setbacks and Buffers

Buildings in zones TC-2 and TC-3 shall have a 20-15-foot wide, Type I landscape with an 8-foot solid fence or wall adjacent to zone TC-4 and R-6 parcels in addition to any required open space.

G. Tree Preservation

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

20 percent of all healthy, significant trees for each parcel must be preserved in TC-4 and Transition Overlays portions of private property per SMC 20.50.290.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.050 Street Frontage Design Standards.**

## A. Purpose

- Enhance the appeal of street frontages to encourage people to walk and gather.
- Establish frontage standards for different streets to:
  - Reinforce site and building design standards in each zone.
  - Provide safe and direct pedestrian access within the Town Center and from adjacent neighborhoods.
  - Minimize conflicts between pedestrians, bicyclists, and vehicular traffic and parking.

## B. Applicability

The standards in this section apply only to the sidewalks and the amenity zone in the public rights-of-way. These standards shall meet the City's Engineering Development ~~sign~~ design criteria lines. Where there is a conflict, the Director shall determine which applies.

## C. Design

1. In accordance with the Master Street Plan of the Transportation Master Plan, Storefront and ~~Greenlink, and Boulevard~~ Street frontages, as depicted on Figure 20.92.030, shall have:

## a. Street frontage dimensions for the following streets are:

- (1) Midvale Ave. N. – eastside: 10 foot sidewalks and 5 foot amenity zone. Westside: 17-foot back-in parking (Seattle City Light) with 30-foot street cross-section.
- (2) N 178<sup>th</sup>, N. 180<sup>th</sup>, N. 183<sup>rd</sup> Streets on both sides - 8-foot sidewalks and 5-foot amenity zones with a 36-foot street cross-section.
- (3) Stone Avenue on both sides – 8-foot sidewalks and 5-foot amenity zones with a 32-foot street cross-section.
- (4) Linden Ave N. – eastside: 8-foot sidewalks and 5-foot amenity zone. Westside: 5-foot sidewalks and 5-foot amenity zone with a 38-foot street cross-section.
- (5) Firlands Way on both sides – 10-foot sidewalk, 5-foot amenity zone, and 17-foot back-in parking with 24-foot street cross-section.
- (6) All frontage dimensions shall include 6-inch curbs and minimum 6-inch separation between buildings and sidewalks
- (7) All street sections include on-street, parallel parking except where back-in parking is designated.

## a. A minimum 10 feet for Storefront streets, 8 feet for Greenlink streets and 7 feet for Boulevard streets of unobstructed sidewalk widths and all streets with 5 additional feet of amenity zone widths on all streets:

- b. Storefront, Boulevard, and Greenlink streets shall have street trees spaced on average 30 feet either in tree pits and grates, or in an amenity zonestrips.
- e. ~~Storefront and Green Link streets may have~~ except for breaks in the amenity zone strip and tree distribution to allow for driveways, sightte distancing, ADA access, utilities, crosswalks, bike racks, on-street parking, and benches, and or sitting walls.

Comment [p20]: Potential Revision #11

YLW – Potential Revisions      BLU – June 2 no-comment Edits      GRN – Donna Moss Edits

In place of amenity ~~zones/strips~~, ~~street trees~~ ~~pits and in~~ ~~grates~~ ~~pits~~ are required, ~~parallel to street parking~~;

e.c. Each development on a Storefront street shall provide a minimum 8 feet of bench or sitting wall;

e.d. Both sides of Storefront and Green ~~Linklink~~ Streets shall have on-street parking. ~~Midvale will have back-in parking on its west side and Firlands Way will have back-in parking on both sides, and curb bulb-outs at block ends and pedestrian crossings. On-street parking is optional only if adequate street rights-of-way width do not exist.~~

Comment [p21]: Potential Revision #12

f.e. Utility appurtenances such as signal boxes, hydrants, poles, or other obstructions shall not be placed in the public sidewalk; and

g.f. When improved, Firlands Way within the Town Center shall expose and restore the brick road bed underneath. If restoration of the brick road is unfeasible or cannot meet City road standards then the City shall design a ~~slow~~-street that allows traffic and pedestrians to mix ~~safely~~.

2. Rights-of-Way Lighting

a. One to two ~~footcandles~~ and ~~between 10-foot and maximum~~ 15-foot ~~in~~ height for sidewalk areas. Lighting ~~may shall~~ be located ~~within the public Rights-of-Ways~~, on private property, or mounted on building facades.

b. ~~Street light standards shall be a Mn~~ maximum 25-foot height for street light standards, designed using the Aurora Avenue model and color, modified to meet the 25-foot maximum height, and spaced to meet City illumination standards.

~~b.c. Lights shall be shielded to prevent direct light from entering adjoining property.~~

Comment [p22]: Potential Revision #13

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.060 Site Design Standards.****A. Purpose**

- Promote and enhance public walking and gathering with attractive and connected development to:
  - a. Promote distinctive design features at high visibility street corners.
  - b. Provide safe routes for pedestrians ~~and and disabled~~ people with disabilities across parking lots, to building entries, and between buildings.
- Promote economic development that is consistent with the function and purpose of the permitted uses within and promotes the vision for the Town Center Subarea Plan that is reflected in the Comprehensive Plan.

Comment [p23]: Potential Revision #14

**B. Site Frontage**

Site design standards for on-site landscaping, walkways, public places, and open space may be combined if their separate minimum dimensions and functions are not compromised. Development abutting street frontages as designated within the Town Center per figure 20.92.030 shall meet the following standards.

**1. Storefront Streets**

- a. Buildings shall be placed at the property line or at the back of planned sidewalk, if on private property. However, buildings may be setback ~~farther~~ if Public Places (as specified in SMC 20.92.070(F)) are included or a utility easement is required between the sidewalk and the building;
- b. Minimum transparent window area is 60 percent of the ground floor facade placed between the heights of 30 inches and 8 feet above the ground for each front facade;
- c. The primary building entry shall be located on a street frontage and, if necessary, recessed to prevent door swings over sidewalk, or an open entry to an interior plaza or courtyard from which building entries are accessible;
- d. Minimum weather protection at least five feet in depth, along at least 80 percent of the facade width, including building entries; and
- e. Surface parking along Storefront Streets is not more than 65 lineal feet of the site frontage. Parking lots are not allowed at street corners. Except as otherwise provided in SMSC 20.92.020(B)(6), no parking or vehicle circulation is allowed between the right-of-way and the building front facade. Sites with less than 100 feet lineal feet of frontage are exempt from this standard. See 20.92.070(E)(2) for parking lot landscape standards.

Comment [p24]: Potential Revision #15



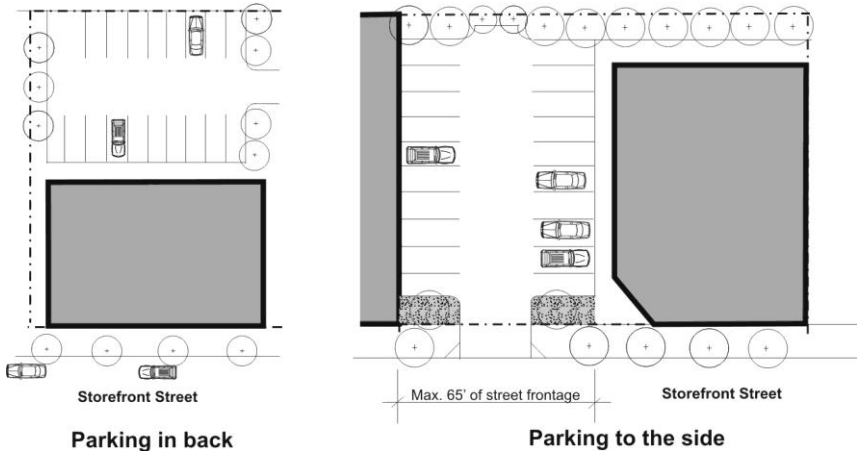
YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Storefront and Boulevard buildings



Parking lot locations along Storefront streets.

- 2. Green Link Streets
  - a. Minimum front yard setback is 15 feet. Porches and entry covers may project 6 feet into the front yard setbacks;
  - b. Transparent window area is 15 percent of the entire façade;
  - c. Building entries shall be visible and accessible from a street front sidewalk. An entrance may be located on the building side if visible;
  - d. Minimum weather protection is 5-foot deep over building entries;

YLW – Potential Revisions      BLU – June 2 no-comment Edits      GRN – Donna Moss Edits

- e. Landscaped front yards may be sloped or terraced with maximum 3 foot high retaining walls; and
- f. Surface parking is no more than 65 lineal feet of the site frontage and setback 10 feet from property line. 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. See 20.92.060(F)(3) for parking lot landscape standards.

3. Boulevard Streets

- a. Minimum transparent window area is 60 percent of the ground floor facade placed between the heights of 30 inches and 8 feet above the ground for each front facade.
- b. Minimum weather protection at least five feet in depth, along at least 80 percent of the facade width, including building entries; and
- c. Maximum front yard setback is 15 feet

a.d. Surface parking along Boulevard Streets shall not be more than 50 percent of the site frontage. Parking lots are not allowed at street corners. No parking or vehicle circulation are allowed between the right-of-way and the building front facade. Sites with less than 100 lineal feet of frontage are exempt from this standard. See 20.92.070(E)(2) for parking lot landscape standards.

a. Developments abutting Boulevard Streets have the option of using Storefront Street or Green Link Street standards or a combination of both standards.

Comment [p25]: Greenlink street standards are inappropriate for Boulevard st other than greater setbacks. e



Landscaped yards

C. Street Corners Sites

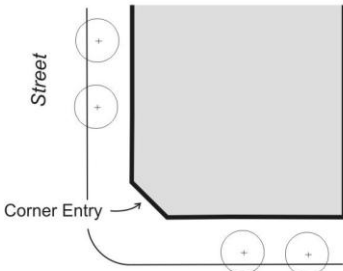
- 1. All development proposals located on street corners and Through connection sites shall include one of the following three design treatments on both sides of the corner.
  - a. Locate a building within 15 feet of the street corner. All such buildings shall comply with building corner standards in paragraph (2) below;
  - b. Provide public places, as set forth in SMC 20.92.070(F) at the corner leading directly to building entries; or

Comment [p26]: Added because a Trough-connection will create corners.

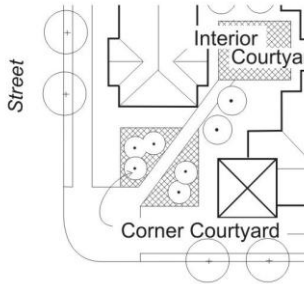


YLW – Potential Revisions    BLU – June 2 no-comment Edits    GRN – Donna Moss Edits

- c. Landscape 20 feet of depth of Type II landscaping for the length of the required building frontage. Include a structure on the corner that provides weather protection or site entry. The structure may be used for signage (SMC 20.92.100).



Building placed up to the street corner with entry



Public place adjacent to the corner

**Corner Developments**

- 2. **Corner buildings on Boulevard and Storefront Streets** using option 1.a above shall provide at least one of the elements listed below for 40 lineal feet of both sides from the corner:

- a. 20-foot beveled building corner with entry and 60% of the first floor in transparent glass (included within the 80 lineal feet of corner treatment).
- b. Distinctive façade (i.e. awnings, materials, offsets) and roofline design above the standards for these items in other code section of Town Center
- c. Balconies on all floors above the ground floor.
- ~~d. Minimum 15-foot dimension sculpture or building-mounted artwork~~
- ~~de. —Other unique treatment as determined by the Director.~~

Comment [p27]: Added to further distinguish from the remainder of the façade.  
 Comment [p28]: Potential Revision #16

- e. **Corner buildings on Green Link Streets and Through-connections** using option 1.a above shall minimally provide 10-foot beveled building corners.

Comment [p29]: New to Add Green Link and Through-connections but with scaled down requirements.

- ~~b.f. Corner buildings on a combination of Green Link Streets or Through-connections and Boulevard or Storefront Streets shall meet the greater requirement on their side of the corner.~~

Comment [p30]: Potential Revision # 17

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



*Building corners*

D. Through-connections and Walkways

1. Developments shall include internal walkways that connect building entries, public places, and parking areas with the adjacent street sidewalks and Interurban Trail. A public easement for pedestrian access through properties and city blocks between streets shall be provided for Through-connections, as generally illustrated in the Town Center Concept Plan (SMC 20.92.030).

Walkways and Through-connections shall be connected and may be combined as long as standards of both can be met. The east-west connection aligned with N.180th may be a combination of vehicle access or street and a pedestrian Through-connection. North-south connections can be used as alley access or as a Storefront Street.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



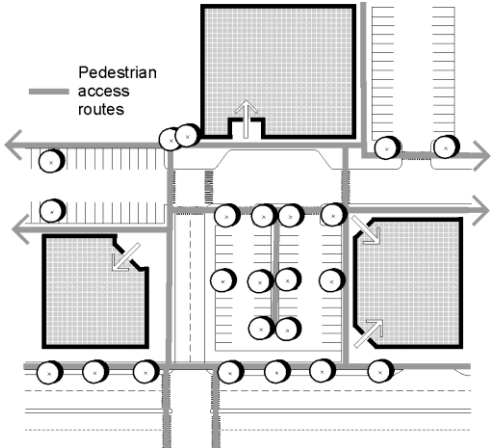
***Through-connections***

- a. All buildings shall have visible, clear, and illuminated walkways between the main building entrance and a public sidewalk. The walkway shall be at least eight feet wide;
- b. Continuous pedestrian walkway shall be provided to the entries of all businesses and the entries of multiple commercial buildings;
- c. For sites abutting underdeveloped land, the Director may require walkways and Through-connections stub-outs at property lines so that future, adjoining development can connect with the pedestrian system;

YLW – Potential Revisions

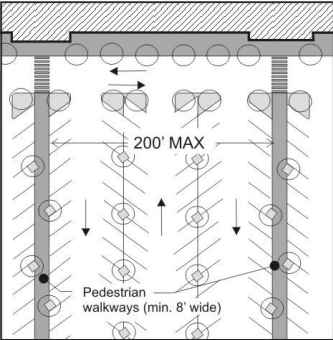
BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Well-connected walkway network

- d. Raised walkways at least 8 feet in width shall be provided for every three, double-loaded aisle or every 200 feet of parking area. Walkway crossings shall be raised a minimum 3 inches above drives;
- e. Walkways shall conform to the Americans with Disabilities Act (ADA); and



Parking lot walkway

- f. Internal walkways along the front facade of buildings 100 feet or more in length must meet Storefront or Boulevard Street standards set forth in SMC 20.92.060(C).

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Internal walkways adjacent to storefronts should be designed to look and function like public sidewalks, including walkway widths and amenity areas.

g. ~~g.~~ Deciduous street-rated trees shall be provided every 30 feet on average in graded tree pits if the walkway is 8 feet wide or in planting beds if walkway is greater than 8 feet wide. Pedestrian scaled lighting shall be provided.

~~e.h.~~ All walkway requirements for Through- connection areas used for vehicle display as authorized in SMC 20.92.020(B)(6) shall be determined by the Director through design review under SMC 20.30.297.

Comment [p31]: Potential Revision #18

E. Vehicle Parking and Landscaping

1. Minimum Off-street Parking

Parking shall be provided at the following rate:

a. Residential ~~75-1.2 spaces for studios, 1.5 spaces for 1+ bedroom, 1.8 spaces for 2 bedrooms, and 2.0 for 3 bedrooms+~~ units.

Comment [p32]: Changed to match current city standards.

b. Retail/Office – 1 space / 4300 net square feet.

Comment [p33]: Potential Revision # 19

~~e.~~ Civic / Office – 1 space / 500 net square feet.

Reductions up to 50 percent may be approved by Director using combinations of the following criteria.

a. On-street parking along the parcel's street frontage.

~~b.~~ A transit stop within ¼ mile radius.

Comment [p34]: Removed criteria that all TC can meet.

~~c.~~ An off-street public parking lot within ¼ mile radius.

~~d.b.~~ Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demand.

~~e.c.~~ Commute trip reduction program per State law.

Comment [p35]: Potential Revision #20

~~f.~~ Neighborhood meeting to discuss impacts of traffic and parking.

Comment [p36]: Removed toothless gesture. Redundant of 20.92.040.E

~~g.d.~~ High-occupancy vehicle (HOV) parking.

~~h.e.~~ Conduit for future electric vehicle charging spaces equivalent to the number of required handicapped parking spaces.

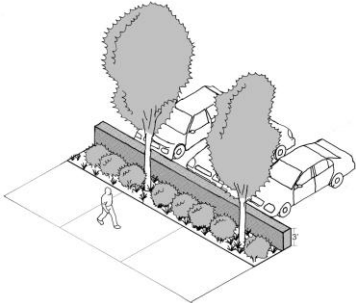
YLW – Potential Revisions    BLU – June 2 no-comment Edits    GRN – Donna Moss Edits

2. Parking lot landscaping

The following provisions shall supplement the landscaping standards set forth in Subchapter 7 of SMC 20.50.450. Where there is a conflict, the standards herein shall apply. All parking lots, vehicle display, and loading areas shall meet the following requirements.

- a. Provide a 5-foot wide, Type II landscape that incorporates a continuous masonry wall between 3 and 4 feet in height. The landscape shall be between the public sidewalk or residential units and the wall (see SMC 20.50.460 for details); or
- b. Provide at least 10-foot wide, Type II landscaping.
- ~~c. Vehicle display areas are not required to landscape with trees or shrubs. Transparent security fencing is permitted up to 8 feet. Fencing shall be made of metal other than chain link, razor, barbed, or cyclone material.~~
- ~~c.~~ Trees shall be placed interior to parking lots at a ratio of one every 10 parking spaces in curbed planters with a minimum dimension of 5 feet.
- d. All parking lots shall be separated from residential development by the required setback and planted with Type I landscaping.
- e. Landscape requirements for vehicle display areas as authorized in SMC 20.92.020(B)(6) shall be determined by the Director through design review under SMC 20.30.297. Such vehicle display areas shall be framed by appropriate landscape construction materials along the front property line. While assuring that the vehicles on display remain plainly visible from the public rights-of-way, these materials shall be configured to create a clear visual break between the hardscape in the public rights-of-way and the hardscape of the vehicle display area. Appropriate landscape construction materials may include any combination of low (3 feet or less in height) walls or earthen berms with ground cover, shrubs, trees, trellises, or arbors.

Comment [p37]: Potential Revision #21

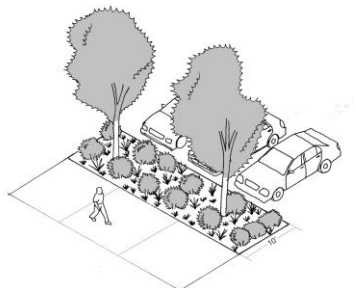


2a. Parking lot planting buffer with low wall.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



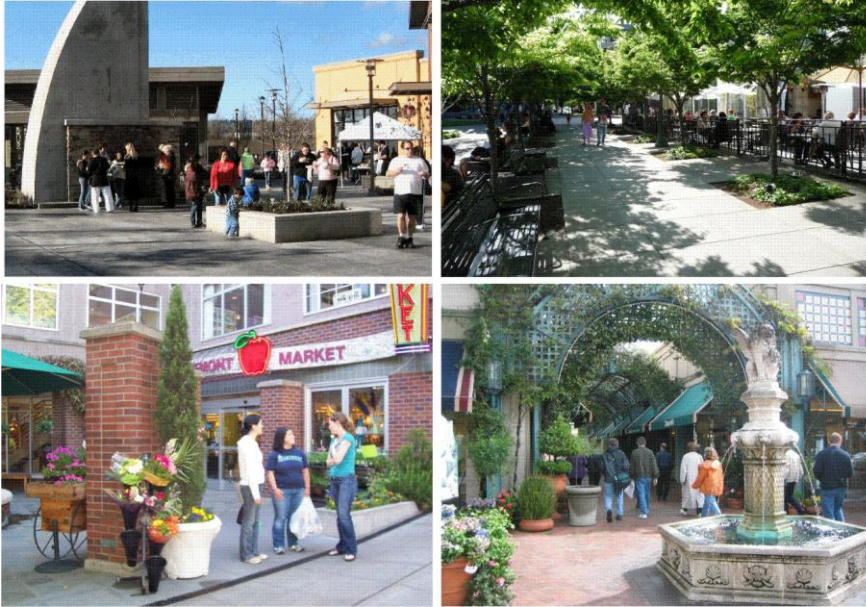
**2b. 10-foot parking lot buffer with Type II landscaping.**

#### F. Public Places

1. Public places are required on parcels greater than ½ acre with commercial or mixed use development at a rate of 1,000 square feet per acre. Public places may be covered but not enclosed. This standard can also be used to meet the standards of walkways as long as the function and minimum dimensions of the public place are met.
2. On parcels greater than 5 acres;
  - a. Buildings border at least two sides of the public place;
  - b. **The** public place shall be at least 5,000 square feet with no dimension less than 40 feet; and
  - c. 80 percent of the area shall be with surfaces for people to stand or sit on.
3. On parcels between 1/2 and 5 acres;
  - a. **The public place shall be at least 2,500 square feet with a** ~~are required to have a~~ minimum dimension of 20 feet; and
  - b. 80 percent of the area shall have surfaces for people to sit or stand on.
4. The following design elements are required for public places:
  - a. Physically accessible and visible from the public sidewalks, walkways, or Through-connections;
  - b. Pedestrian access to abutting buildings;
  - c. Pedestrian-scaled lighting (subsection H below);
  - d. Seating and landscaping with solar access at least half of a day, year-round; and
  - e. Not located adjacent to dumpster or loading areas.

Comment [p38]: Added minimum plaza size for this category of parcel size.



YLW – Potential RevisionsBLU – June 2 no-comment EditsGRN – Donna Moss Edits

*Public Places*

G. Multifamily Open Space

1. All multifamily development shall provide open space.
  - a. Provide 800 square feet per development or 50 square feet per unit of open space, whichever is greater;
  - b. Other than private balconies or patios, open space shall be accessible to all residents and include a minimum 20-foot dimension including park, playground, roof-top decks or courtyards. This standard can also be used to meet the standards of walkways as long as the function and minimum dimensions of the open space are met;
  - c. Required landscaping can be used for open space if it does not prevent access or reduce the overall landscape standard. Open spaces shall not be placed adjacent to parking lots and service areas without screening; and
  - d. Open space shall provide seating that has solar access at least half of a day, year-round.



YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

*Multi-family open spaces*

#### H. Outdoor Lighting

1. All publicly accessible areas on private property shall be illuminated as follows:
  - a. Minimum of one half-footcandles and maximum 25-foot pole height for vehicle areas;
  - b. One to two-footcandles and maximum 15-foot pole height for pedestrian areas;
  - c. Maximum of four-footcandles for building entries with the fixture placed below second floor; and
  - d. All private fixtures shall be full cut-off, dark sky rated and shielded to prevent direct light from entering neighboring property.

#### I. Service Areas and Mechanical Equipment

1. All developments shall provide a designated location for trash, and recycling storage and collection, and shipping containers. Such elements shall meet the following standards:
  - a. Located to minimize visual, noise, odor, and physical impacts to pedestrians and residents;
  - b. Paved with concrete, non-vegetated screened with, and covered in materials or colors that match the building; and
  - c. Located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic nor require that a hauling truck project into any public right-of-way.

Comment [p39]: Potential Revision # 22

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Trash/recycling closure with consistent use of materials and landscape screening.

2. Utility and Mechanical Equipment

a. Utility equipment shall be located and designed to minimize their visibility to the public. Preferred locations are off alleys, service drives, within, atop, or under buildings or other locations away from the street. Meters and similar equipment shall not intrude into required pedestrian areas.



Utilities consolidated and separated by landscaping elements.

b. All exterior mechanical equipment shall be screened from view by integration with the building's architecture through such elements as parapet walls, false roofs, roof wells, clerestories, equipment rooms, materials and colors. Painting mechanical equipment is not permitted.

All rooftop mechanical equipment shall be screened, or colored to be an integral element of the building and minimize visual impacts from the ground level of adjacent streets and properties.

Comment [p40]: Potential Revision #23

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.070 Building Design Standards.**

A. Purpose

- Emphasize quality building articulation, detailing, and durable materials.
- Reduce the apparent scale of buildings and add visual interest.
- Facilitate design that is responsive to the commercial and retail attributes of permitted uses within the respective Town Center zone.

Comment [p41]: Potential Revision #24

B. Façade Articulation

1. All building facing Storefront Streets per Figure 20.92.020 shall include one of the two articulation features set forth in (a) ~~or~~ (b) ~~or~~ (c) below no more than every 40 lineal feet facing a street, parking lot, or public place. Building facades less than 60 feet wide are exempt from this standard.



*Storefront articulation*

All buildings facing Boulevard Streets per Figure 20.92.020 shall include one of the two articulation features below no more than every 80 lineal feet facing a street, parking lot, or public place. Building facades less than 100 feet wide are exempt from this standard.

- a. For the height of the building, each façade shall be offset at least 2 feet in depth and 4 feet in width if combined with a change in siding materials. Otherwise, the façade offset shall be at least 10 feet deep and 15 feet wide.
  - b. Vertical piers at the ends of each façade section that project at least 2 inches from the façade and extend from the ground to the roofline.
4. ~~2.~~ All multifamily buildings or residential portion of a mixed use building facing any street shall provide the following articulation features at least every 35 feet of facade facing a street, park, ~~and~~ public place, or open space.
    - a. Vertical building modulation 18 inches deep and 4 feet wide if combined with a change in color or building material. Otherwise, minimum depth of modulation is 10 feet and minimum width for each modulation is 15 feet. Balconies may be used to meet modulation; and

YLW – Potential Revisions    BLU – June 2 no-comment Edits    GRN – Donna Moss Edits

- b. Distinctive ground or first floor façade, consistent articulation of middle floors, and a distinctive roofline or articulate on 35 foot intervals.



*Multi-family building articulation*



*Multi-family building articulation*

Comment [j42]: New Picture

5. 3.—Roofline Modulation

Rooflines shall be modulated at least every 120 feet by emphasizing dormers, chimneys, stepped roofs, gables, or prominent cornices or walls. Rooftop appurtenances are included as modulation. Modulation shall consist of a roofline elevation change of at least four feet every 50 feet of roofline.

6. 4.—Maximum Façade

A building exceeding **For each** 150 feet in length along the street front **a building** shall have a minimum 30-foot wide section that is offset at least by 20 feet through all floors.



*Façade widths using a combination of façade modulation, articulation, and window design.*

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

7. 5. — Windows

Buildings shall recess or project individual windows above the ground floor at least two inches from the façade or incorporate use window trim at least four inches in width, or a color that contrasts with the façade color.



*Window trim design*

8. 6. — Secondary Entry

Weather protection at least 3 feet deep and 4 feet wide is required over each secondary entry;



*Covered secondary public access*

9. 7. — Façade Materials

a. Metal siding shall have visible corner moldings and trim and shall not extend lower than six feet above grade. Masonry, concrete, or other durable material shall be incorporated between the siding and the grade. Metal siding shall be factory finished, with a matte, non-reflective surface.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



**Masonry or concrete near the ground and proper trimming around windows and corners.**

- b. A singular style, texture, or color of concrete block shall not comprise more than 50 percent of a façade facing a street or public space.



**The left image uses smooth gray blocks on the vertical columns and beige split-faced blocks above the awnings. The storefront in the right image uses gray split face and some lighter, square, smooth-faced blocks below the storefront windows.**

- c. Synthetic stucco must be trimmed and sheltered from weather by roof overhangs or other methods and are limited to no more than 50 percent of façades containing an entry and shall not extend below 2 feet above the grade.



YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



Concrete near the ground level and a variety of other surface materials on the façade.

10. 8. — Prohibited exterior materials.

- a. Mirrored glass, where used for more than 10 percent of the façade area.
- b. Chain-link fencing, unless screened from view and within limited areas approved by the Director under SMC 20.30.297. No razor, barbed, or cyclone material shall be allowed.
- c. Corrugated, fiberglass sheet products.
- d. Plywood siding.

Comment [p43]: Potential Revision # 25

C. Minimum, ground level, interior building space dimension is 12-foot height and 20-foot depth.

Comment [p44]: Potential Revision # 26

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.92.080 Sign Design Standards.****A. Purpose**

- Require signage that is both clear and of appropriate scale for the project.
- Enhance the visual qualities of signage through the use of complementary sizes, materials, and methods of illumination.
- Require signage that contributes to the character of Shoreline's Town Center.

**B. Applicability**

The sign standards herein shall supplement the provisions of SMC 20.50.540. Where there is a conflict, the provisions herein shall apply.

**C. Permitted Illumination**

1. Channel lettering or individual back-lit letters mounted on a wall or individual letters placed on a raceway, where only light shines through the letters.
2. Opaque cabinet signs where light only shines through letter openings.
3. Shadow lighting, where letters are backlit, but light only shines through the edges of the letters.
4. Neon signs
5. Externally lit signs



*Individual backlit letters (left image), opaque signs where only the light shines through the letters (center image), and neon signs (right image).*

**D. Monument Signs**

1. One sign is permitted per frontage, per property, and regardless of the number of tenants. An additional monument sign is permitted on a property if the frontage length is greater than 250 feet and the signs are at least 150 feet apart.
2. Use materials and architectural design elements that are consistent with the architecture of the buildings.
3. Signs in Zone TC-3: Maximum height: 6 feet and maximum area: 50 square feet per sign face.
4. Signs in zones TC-1 and TC-2 when placed along Aurora Avenue, N. 175th or N. 185th streets. Maximum height: 12 feet and maximum area: 100 square feet per sign.



YLW – Potential Revisions      BLU – June 2 no-comment Edits      GRN – Donna Moss Edits

- 5. Signs may be placed up to the front property line if site distancing and public safety standards are met.
- 6. Signs shall be setback from the side property lines at least 20 feet.



*Monument sign*

E. Building Signs

- 1. Each tenant or commercial establishment is allowed one building sign - wall, projecting, marquee, awning, or banner sign per facade that face the adjacent streets or customer parking lot.
- 2. Building signs shall not cover windows, building trim, edges, or ornamentation.
- 3. Building signs may not extend above the parapet, soffit, the eave line, or on the roof of the building.
- 4. Each sign area shall not exceed 25 square feet for Zone TC -3 and 50 square feet for zones TC-1 and TC-2.
- 5. The sign frame shall be concealed or integrated into the building's form, color, and material.



*Signs are centered on architectural features of the building.*

- 6. Projecting, banner, and marquee signs (above awnings) shall clear sidewalk by 9 feet and not project beyond the awning extension or 8 feet, whichever is less. These signs may project into public rights-of-way for storefront buildings, subject to City approval.

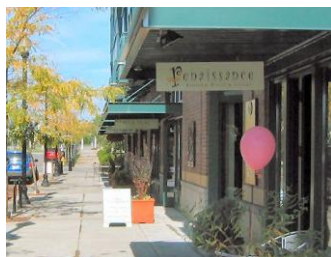
YLW – Potential RevisionsBLU – June 2 no-comment EditsGRN – Donna Moss Edits

*Projecting sign*

#### F. Under-awning Signs

1. Not extend within 1-foot of the awning outer edge and the building façade;
2. Minimum clearance of 9 feet between the walkway and the bottom of the sign;
3. Not exceed 2 feet in height; and
4. One sign per business.

#### G. Windows signs are exempt from permits but cannot exceed 25 percent of the window area



*Under-awning signs*

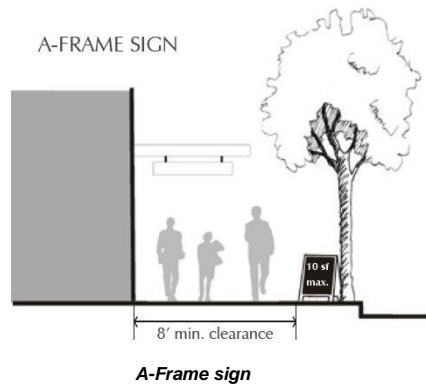
#### H. A-Frame or Standing Signs

1. One sign per business;
2. Must be directly in front of the business;
3. Cannot be located within the 8 foot sidewalk clearance on designated Storefront Street and 5 feet on all other sidewalks and internal walkways;
4. Shall not be placed in landscaping, within 2 feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps.
5. Shall not exceed 6 square feet per side; and
6. No lighting of signs is permitted.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits



#### I. Transition Overlay and Zone TC-4 Signs

All signs in the Transition Overlay and Zone TC-4 shall meet residential sign standards of SMC 20.50.540(B).

#### J Prohibited signs

1. Pole signs.
2. Billboards.
3. Electronic changing message or flashing signs.
4. Backlit awnings used as signs.
5. Other signs set forth in SMC 20.50.550.

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**Table 20.30.040** – Summary of Type A Actions and Target Time Limits for Decision, and Appeal Authority

Action Type	Target Time Limits for Decision	Section
<b>Type A:</b>		
1. Accessory Dwelling Unit	30 days	20.40.120, 20.40.210
2. Lot Line Adjustment including Lot Merger	30 days	20.30.400
3. Building Permit	120 days	All applicable standards
4. Final Short Plat	30 days	20.30.450
5. Home Occupation, Bed and Breakfast, Boarding House	120 days	20.40.120, 20.40.250, 20.40.260, 20.40.400
6. Interpretation of Development Code	15 days	20.10.050, 20.10.060, 20.30.020
7. Right-of-Way Use	30 days	12.15.010 – 12.15.180
8. Shoreline Exemption Permit	15 days	Shoreline Master Program
9. Sign Permit	30 days	20.50.530 – 20.50.610
10. Site Development Permit	60 days	20.20.046, 20.30.315, 20.30.430
11. Deviation from Engineering Standards	30 days	20.30.290
12. Temporary Use Permit	15 days	20.40.100, 20.40.540
13. Clearing and Grading Permit	60 days	20.50.290 – 20.50.370
14. Planned Action Determination	28 days	20.90.025
15. Design Review	28 days	20.30.297

An administrative appeal authority is not provided for Type A actions, except that any Type A action which is not categorically exempt from environmental review under Chapter 43.21C RCW or for which environmental review has not been completed in connection with other project permits shall be appealable. Appeal of these actions together with any appeal of the SEPA threshold determination is set forth in Table 20.30.050(4). (Ord. 531 § 1 (Exh. 1), 2009; Ord. 469 § 1, 2007; Ord. 352 § 1, 2004; Ord. 339 § 2, 2003; Ord. 324 § 1, 2003; Ord. 299 § 1, 2002; Ord. 244 § 3, 2000; Ord. 238 Ch. III § 3(a), 2000).

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

20.30.297 Design Review (Type A)

Design Review approval shall be granted by the Director upon his/her finding that:

- 1. The design meets the requirements of the applicable code subsections.
- ~~2. The design improves the function, continuity, connection, or pedestrian interest from building to building or site to site.~~
- ~~3. The choice of materials and architectural elements is compatible with the context of other development in the vicinity.~~
- 4.2. Departures from the design standards in the applicable chapter shall be consistent with the purposes or intent of each subsection or be justified due to unusual site constraints so that meeting the design standards represents a hardship to achieving full development potential.
  - a. ~~For the Town Center District, d~~Dimensional standards in Table 20.92.020.B regarding setbacks and building envelope cannot be ~~departed from~~ **modified by Design Review in the Town Center District.**
  - a.b. ~~No departure from standards is allowed in Transition Overlay and the TC-4 zone.~~

Comment [p45]: These qualities are difficult to define but are consistent with the intent of the development standards proposed.

Comment [p46]: "Compatibility" and "context" may be unintended and undesirable if it means current development that does not meet the purposes of the code.

Comment [p47]: To remove unpredictable departures in heights and setbacks

Comment [p48]: To protect single family neighborhoods.

20.50.021 Development in the mixed-use zone (MUZ)

Development in the MUZ zone shall meet the following requirement:

- A. All developments in the MUZ zone are subject to Design Review Approval in SMC 20.30.297.

20.91.040 Design review. (Ridgecrest Planned Area)

- A. **Applicability.** Design review will be required for developments in Ridgecrest Commercial Planned Area 2 that are 1.5 acres or more and that meet one of the thresholds in SMC 20.50.125.

**Standards for Approval.** When design review is required, the applicant will demonstrate that plans satisfy the criteria in SMC 20.30.297.

- ~~B.~~ **Design Departures.** A permit applicant wishing to modify any of the standards in this chapter may apply for a design departure under SMC 20.30.297

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

**20.20 Definitions.**

The following definitions apply to Chapter 20.

Building articulation	The emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See SMC 20.92.180 for applicable standards.
Banner sign	A sign constructed of cloth, canvas, or other similar light weight material that can easily be folded or rolled, but does not include paper or cardboard.
Boulevard Street	Refers to a street and/or segment of a street where there's an option for commercial storefronts or landscaped setbacks along the street with the option of ground floor residential or commercial uses.
Frontages	Facilities between the curb and private development along streets – typically curbs, amenities, and sidewalks.
Green Link Street	Refers to a street and/or segment of a street envisioned to have or maintain landscaped building setbacks along the street. See Figure 20.92.030 for the location of designated Landscaped Streets and SMC 20.92.070(B)(3) for the description and applicable standards for properties fronting on designated Landscaped Streets.
Modulation	A stepping back or projecting forward of portions of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls.
Parking Areas	Any public or private area within, under, or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets. <b>Outdoor display areas of vehicles for sale or lease, where such uses are permitted uses, are not considered parking areas.</b>
Public places	See SMC 20.92.140 for the description, standards, and guidelines for public places.
Roofline Modulation	Refers to a variation in roof form. See SMC 20.92.180 for provisions.
Storefront	A pedestrian-oriented façade placed up to the edge of a public sidewalk. See SMC 20.92.070(C)(1).
Storefront Street	Refers to a street or segment of a street where envisioned to have storefronts placed up to the edge of the sidewalk. See figure 20.92.030 for the location of designated Storefront

Comment [p49]: Potential Revision # 27

YLW – Potential Revisions

BLU – June 2 no-comment Edits

GRN – Donna Moss Edits

Streets and SMC 20.92.070(B)(1) for the description and applicable standards for properties fronting on designated Storefront Streets.

Transparent window

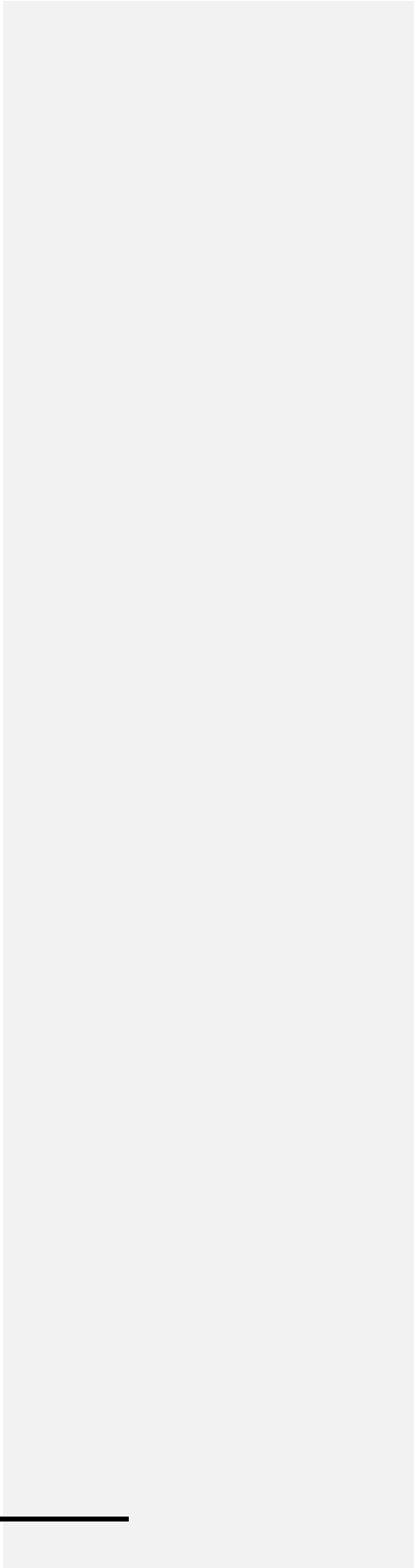
A window that is capable of transmitting light so that objects or images can be seen as if there were no intervening material variation in roof form.

Trellis

A frame supporting open latticework used as a screen or a support for growing vines or plants.

Walkways

On-site hard surfaces for pedestrian and non-motorized circulation.

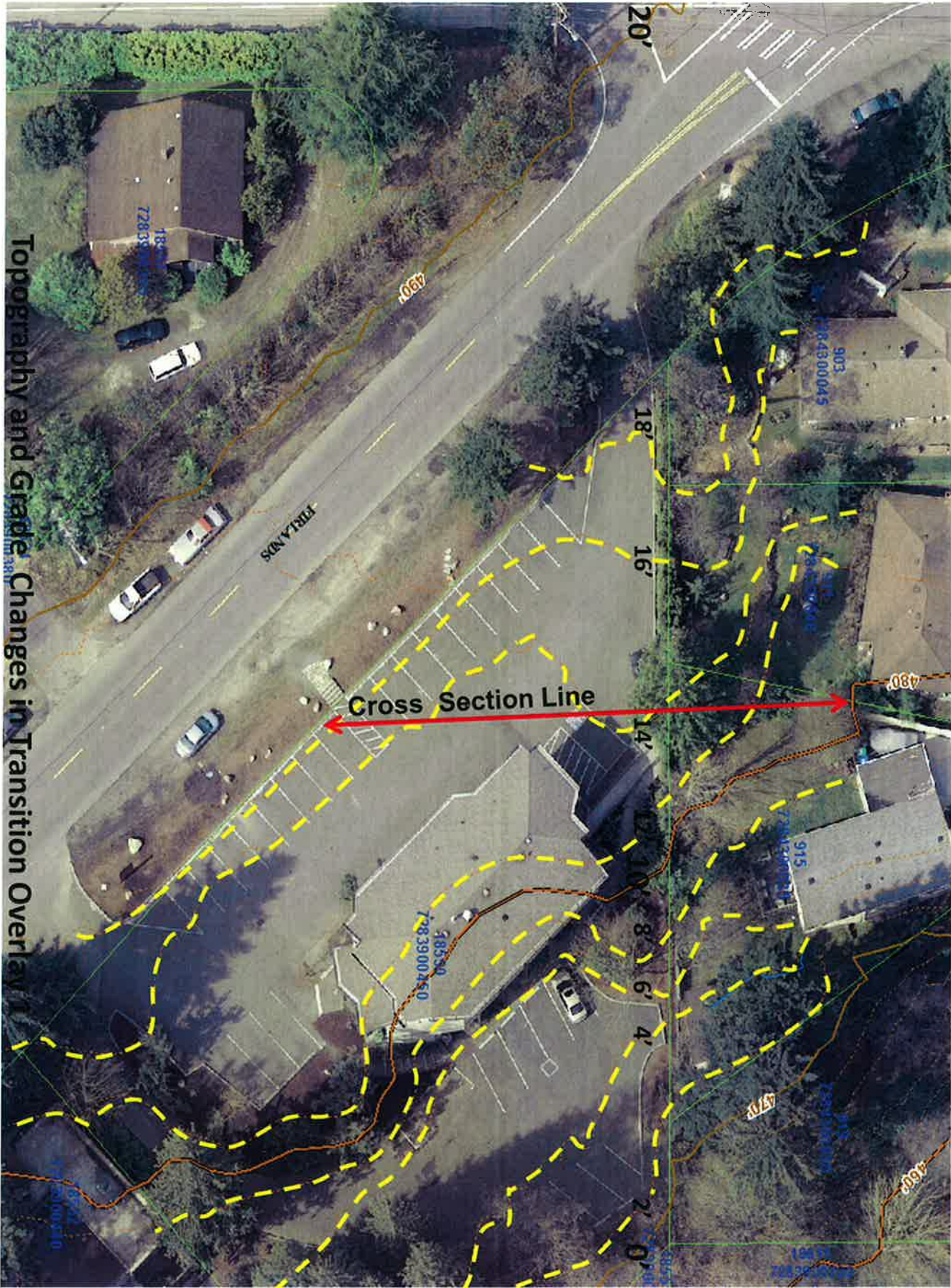


This page intentionally blank





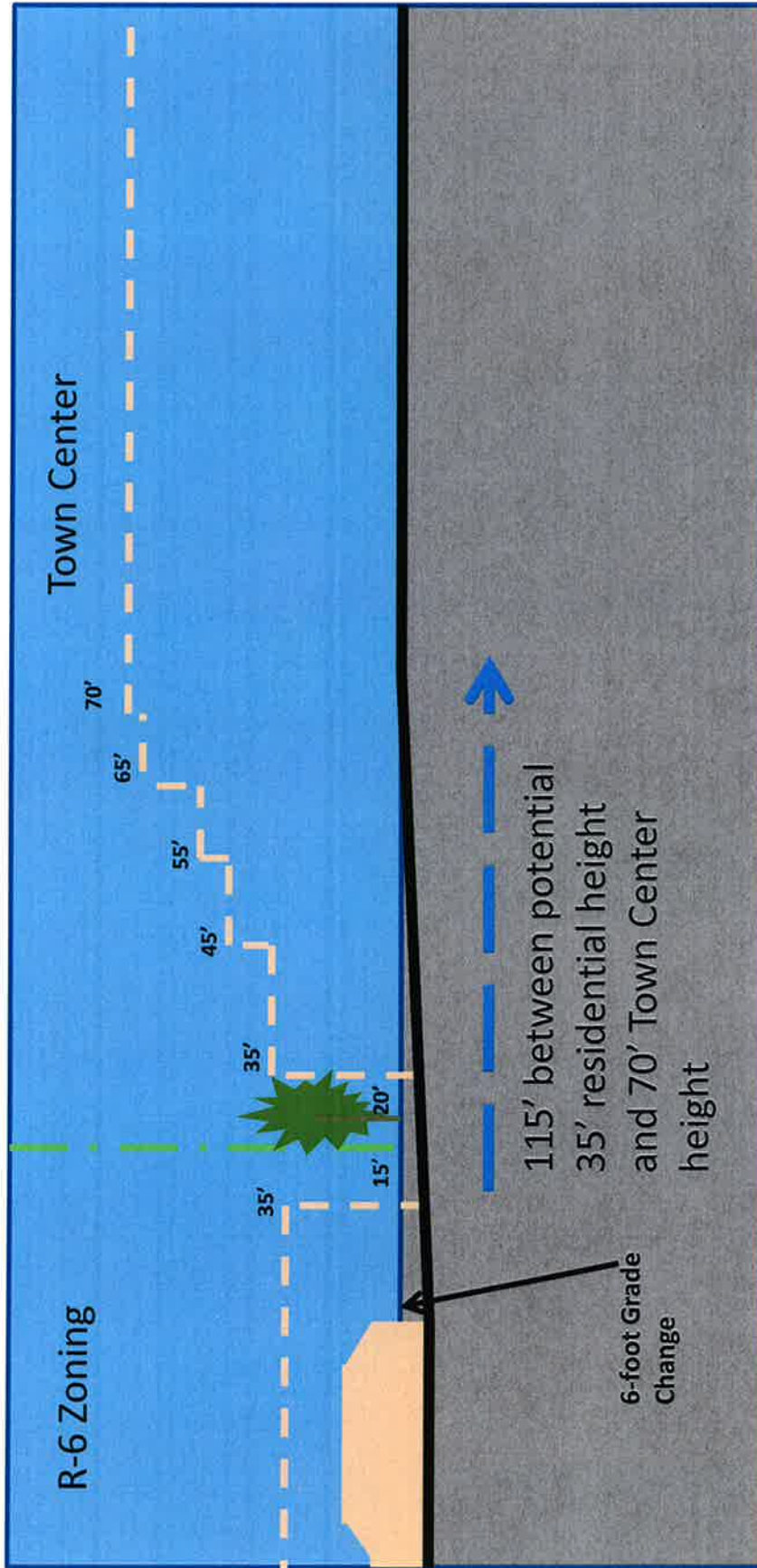




Topography and Grade Changes in Transition Overlay



# Transition Overlay 1



# Transition Overlay 2

