

AGENDA

PLANNING COMMISSION

REGULAR MEETING



Thursday, March 4, 2010
7:00 p.m.

Shoreline City Hall
Council Chamber
17500 Midvale Ave. N

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. DIRECTOR'S COMMENTS	7:03 p.m.
5. APPROVAL OF MINUTES	7:08 p.m.
a. February 4, 2010	
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 CONTINUATION <i>Legislative Public Hearing</i>	7:15 p.m.
a. Southeast Shoreline Neighborhoods Subarea Plan (continued from Feb. 4)	
1. Staff Overview and Presentation	
2. Questions by the Commission	
3. Public Testimony on new information	
4. Final Questions by the Commission	
5. Deliberations	
6. Vote by Commission to Recommend Approval or Denial or Modification	
7. Closure of Public Hearing	
8. DIRECTOR'S REPORT	9:30 p.m.
9. UNFINISHED BUSINESS	9:35 p.m.
10. NEW BUSINESS	9:40 p.m.
a. Amendment to Planning Commission Bylaws	
11. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	9:50 p.m.
12. AGENDA FOR March 18	9:55 p.m.
13. ADJOURNMENT	10:00 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.

This page intentionally blank

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

February 4, 2010
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

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

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Miranda Redinger, Associate Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Commissioner Piro

CALL TO ORDER

Chair Wagner called the regular meeting of the Shoreline Planning Commission to order at 7:01 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, Kaje, Kuboi, Perkowski and Pyle. Commissioner Piro was absent.

Chair Wagner recognized the presence of Mayor McGlashan and Councilmember Eggen.

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

Mr. Tovar announced that Commissioner Piro and former Commissioner McClelland have been elected to the College of Fellows of the American Institute of Certified Planners. He noted that appropriate acknowledgement and recognition would be given to both of these individuals.

GENERAL PUBLIC COMMENT

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

LEGISLATIVE PUBLIC HEARING ON SOUTHEAST NEIGHBORHOODS SUBAREA PLAN

Chair Wagner reviewed the rules and procedures for the public hearing.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Cohn provided a general overview of the proposed Southeast Neighborhoods Subarea Plan. He referred to the current Comprehensive Plan Map, which identifies most of the southeast portion of the City as a special study area with no defined vision except for the properties along the edge. The vision for the edge close to Bothell Way Northeast and Northeast 145th Street is mixed-use, with a combination of commercial and residential uses transitioning to an area of high-density residential closer to the cemetery. He noted there is a small single-family area adjacent to the cemetery. The vision for the other edge calls for single-family with park and open space. However, a mixed-use area has been identified north of Northeast 150th Street on 15th Avenue Northeast to transition between the arterial and the single-family residential development. He pointed out that the Comprehensive Plan does not have a tight definition for “mixed-use,” and it allows a variety of uses ranging from very intense commercial to multi-family residential. The purpose of the subarea plan is to provide not only direction for the middle portion of the study area, but additional direction for the edges.

Mr. Cohn reminded the Commission that the neighborhood has been asking for a subarea plan for numerous years, and the City Council directed staff to move forward two years ago. He reported that a Citizens Advisory Committee (CAC) was formed to study the issue, and they started meeting in mid 2008 through the third quarter of 2009. They were briefed on the various aspects of comprehensive planning so they could develop a cohesive vision. They developed a set of goals and policies, and then spent time coming up with a recommendation on how a vision for redevelopment could be realized.

Mr. Cohn provided an illustration of the draft Comprehensive Plan Map, which outlines the proposed concept of transitioning from mixed-use to multi-family to less intense single-family uses. He noted that the Committee’s Report was presented to the Commission at a study session on November 19, 2009, and staff condensed the report to develop the draft subarea plan that is now before the Commission. He advised that the proposed subarea plan would be implemented through the zoning map, which would be considered by the Commission at a later date. While not required, the Committee felt it was important to attach an implementation plan to carefully illustrate the transition. Once the Southeast Subarea Plan has been adopted by the City Council, staff could prepare a legislative rezone to implement the changes.

Mr. Cohn referred to an illustration of the proposed land use map, and noted that most of the area would remain single-family. The two transition areas (mixed-use to multi-family residential to single-family) are more tightly defined to specifically illustrate the transition concept. The designation of the

commercial areas would not change. However, the CAC did support a change near the middle of Northeast 145th Street, where high-density residential might be appropriate.

Mr. Cohn explained that staff reviewed the proposal as a non-project action under SEPA, and they issued a threshold Determination of Non-Significance (DNS) on January 28, 2010. No comments related to SEPA have been received to date, but the comment period continues for another week. Therefore, he recommended the Commission continue the hearing to March 4th for Commission continued deliberation and public comments specific to the DNS.

Mr. Cohn advised that late last week, staff received a minority report from some members of the CAC. It does not suggest changes to the subarea plan policies, but it focuses on a vision for the plan with lower-scale development in the commercial areas with transitions to the residential areas. He referred the Commission to the map that illustrates the recommendations contained in the minority report.

Ms. Redinger explained that the CAC was made up of a diverse group of residents, property owners and neighborhood representatives who were selected by the City Council. It started with 16 members, and 13 remained throughout the process. Their Subarea Plan Report focused on maintaining a variety of housing options, creating third places, and revitalizing small commercial areas to bring in more businesses that provide goods and services to the community. She noted that current zoning allows these types of businesses and developments to locate in specific areas along Bothell Way Northeast and north of the intersection at 15th Avenue Northeast and Northeast 145th Street. She observed that with the exception of a produce stand and veterinary clinic, there has been very little new development in the two commercial areas for years.

Ms. Redinger advised that the CAC grappled with how to encourage redevelopment so there are spaces for new businesses to serve the neighborhood. They also discussed how to create transition from the new development so that single-family homes would not be immediately adjacent to it. The CAC heard from many in the community, and after months of work, they developed a plan that the majority supported. She referred to the CAC's Subarea Plan Report, which was condensed by staff to make it a more appropriate format for the Comprehensive Plan.

Ms. Redinger informed the Commission that the majority of the CAC wished to encourage commercial redevelopment by providing incentives through increased housing density so resulting development would be able to provide more day-to-day goods and services to the community. They proposed this solution because the current zoning, which allows commercial development, has not resulted in new development in quite a long time. They believe that businesses need additional density to provide demand for their goods. Additional population would also be an incentive for them to locate in the neighborhood. She emphasized that the minority report does not agree with this premise and suggests that if the City were to continue to permit commercial development by restricting residential development, commercial development would eventually happen.

Ms. Redinger said there was clear consensus that the community wants more neighborhood retail and services in areas that are already zoned for commercial development, particularly to create more family-wage jobs, which would seem to call for a different type of incentive. The Minority and CAC Reports recommended two different options: the Minority Report assumes businesses will locate in commercial

areas under the current and possibly more restrictive variation of zoning; while the CAC Report suggests promoting new development by allowing greater density on some parcels and requiring ground floor commercial space.

Ms. Redinger said the CAC's Report also notes that it is equally important to address the question of transitioning from commercial to single-family areas. The CAC's Report suggests two options:

- Continue with the way transition is currently handled but employ transition elements such as buffering, façade articulation, step backs, etc. This could result in situations where commercial development is immediately adjacent to single-family homes or where multi-family structures of three and four stories are adjacent to single-family homes. The transition would thereby be handled by design standards as occurs in the Mixed-Use Zones and to a lesser extent in Community Business Zones. Transition standards are not addressed in Neighborhood Business or Office Zones.
- Use zoning to create transition. This is the way planners traditionally handled transition until 10 or 20 years ago. Traditionally, commercial zoning transitioned from apartment zonings to town house/duplex zoning to single-family zoning.

Ms. Redinger suggested it might be useful to ask the speakers whether they are in favor of mixed-uses in areas already zoned for commercial uses. If so, they should be invited to share suggestions about what should be encouraged and how.

Questions by Commission to Staff

Commissioner Kaje asked if the CAC made the conscious choice not to reduce the potential zoning capacity that already exists. Mr. Cohn said the CAC discussed the option of down zoning some properties but chose not to go in that direction.

Commissioner Pyle referred to the open space at the southern end of Paramount Park and recalled that the Commission previously heard a proposal for rezoning and platting the property. Mr. Cohn advised that the rezone and plat proposal were approved by the City Council. Commissioner Pyle observed that depending on the use chart that is generated as a result of the proposed Comprehensive Plan change, single-family uses could be prohibited if the property is rezoned to "Park Expansion." Mr. Cohn agreed that is one option. On the other hand, if it remains as single-family zoning and is developed as such, single-family uses would be conforming.

Commissioner Pyle asked if the CAC's report provides specific discussion about this parcel. Ms. Redinger said there is no specific discussion about this area. Instead, there are numerous general comments about creating green corridors and increasing opportunities for recreational space. Commissioner Pyle said he attended a recent conference where the discussion centered on the use of open space as habitat connectivity throughout the landscape. He observed that this parcel is an essential piece between the golf course and Thornton Creek.

Mr. Tovar suggested that is okay to identify the proposed park expansion in the Comprehensive Plan, which is a policy document. If the City Council were to adopt the proposed language, it would become

a statement of intent that at some point in the future, the City may acquire the property. However, zoning the property as “Park Expansion” would be inappropriate. He noted that Southwood and Paramount Parks are zoned residential and parks are permitted uses in residential zones. He cautioned against zoning the property as “Park Expansion.” Instead, it should have some kind of residential designation.

Commissioner Pyle referred to the parcel that belongs to Acacia Memorial Park. While the land use is proposed to be changed to open space, it would remain zoned as residential. He asked if this zoning designation would preclude the Memorial Park from using the parcel in the future as an active cemetery ground. Ms. Redinger pointed out that this parcel is outside of the boundaries of the subarea. The CAC’s only discussion about the Park was that its “residents” wouldn’t be bothered by additional density.

Commissioner Pyle asked if any current or proposed locations within the subarea would be considered non-conforming uses. He also asked if a congregate care facility, similar to the one located at the intersection of 30th Avenue Northeast and Northeast 145th Street would be allowed in a high-density residential zone. Mr. Cohn said he would have to research the issue further. However, his expectation is that since the use already exists, it would be considered conforming.

Commissioner Kaje pointed out one of the policy statements suggests that there be an increased height limit of up to 50 or 60 feet in the R-48 zones, but only when adjacent to densities that are R-24 or higher. He said it appears this provision would apply to 12 parcels on the east side of 15th Avenue Northeast and approximately 12 parcels in the southeast corner. He asked if these locations are where the CAC was specifically recommending 50 to 60 feet. Mr. Cohn said staff would review this concept when they prepare the legislative rezone at some point in the future. However, he observed that the current height limit would allow developers to maximize density in the R-48 zones. Ms. Redinger said the point of the recommendation was to restrict or change the use table because some members of the CAC were uncomfortable with a blanket exemption.

Commissioner Pyle observed that no proposal for modifying of the actual Development Code has been prepared. Ms. Redinger agreed and noted that staff has slated time to work on the Development Code Amendments related to the Southeast Subarea Plan this summer. Commissioner Pyle summarized that policy implications or ideas that are approved by the City Council would be further developed by staff and brought back to the Planning Commission and City Council later in the year as Development Code amendments. Ms. Redinger reminded the Commission that the adopted Housing Strategy recommends implementing changes in housing styles through the subarea process, with more pilot regulations rather than broad-based City regulations. Some of the concepts in the report include accessory dwelling units, home-based businesses, etc. She announced that a University of Washington Graduate Planning Studio is helping staff work through some of the more complicated concepts, and they will come back with a more complete recommendation later.

Chair Wagner asked if the provisions that are created for accessory dwelling units would be applied equally throughout the subarea. Ms. Redinger said that the current code requires a 10,000 square foot lot in order to have a detached accessory dwelling unit. One consideration is making this allowable on a

lower lot size. Whether that would be across the board or dialed into more specific areas has not been decided. The CAC did not make specific recommendations, but it was a popular concept based on how accessory dwelling units normally work and the benefits they provide. Chair Wagner requested more information from the public and staff about whether these innovative housing ideas are intended to be applied throughout the subarea or limited to specific locations within the subarea. Mr. Cohn said the CAC did not get into the issue in depth.

THE COMMISSION RECESSED THE MEETING AT 7:35 TO ALLOW THEM AN OPPORTUNITY TO REVIEW THEIR DESK PACKETS (PUBLIC COMMENTS THAT WERE RECEIVED AFTER THE STAFF REPORT WAS SENT OUT). THE MEETING WAS RECONVENED AT 7:50 P.M.

Public Testimony

Leslie Sandberg, Shoreline, (see Exhibit 6) said she lives in the Briarcrest Neighborhood and was present to speak in favor of the alternative commercial zoned area (EZ). She expressed her belief that change is inevitable for their corner of Shoreline. She said she would like to see development that has a goal of creating a destination/location such as an architecturally appealing commercial village that people would drive out of their way to visit. Now is the time to plan well for multi-use venues that bring the arts, business and living spaces together as one. She said she looks to University Village as a good example of a place that invites customers to walk around and shop. There is also vibrant mixed-use space at Mill Creek Town Center. Closer to home, the Thornton Creek Development (near Northgate) is a perfect example of what is quality in art, business and living design. It is forward-thinking and beautiful. On the other hand, the Target Complex (north of Northgate) represents a disaster. She summarized that this is an opportunity to redevelop the Southeast Subarea into something that other communities will use as an example of “development done right.” She submitted an article from *THE SEATTLE TIMES*, titled, “*Arts Have a Big Economic Impact in Seattle.*” She summarized that she supports redevelopment of the subarea, but she wants the City to create a place that has a “joy of living” style. Hopefully, the community will have some say in what future development will look like.

Dennis Lee, Shoreline, said he is the land use representative for the Briarcrest Neighborhood. However, he was not present to speak as a neighborhood representative. Mr. Lee expressed concern that the zoning map was created in tiny pieces and was quickly approved by the CAC instead of being looked at with respect to the report. He explained that the minority report came about because some members of the CAC supported infill development as a trade for density, not infill development and density. He recalled that early in their discussions, the CAC talked about having businesses open to the neighborhood. However, the proposed language would create a situation where people will get upset and discouraged. He reminded the Commission that this is a Comprehensive Plan amendment process and not a zoning process at this point. He also voiced concern that the CAC did not consider a significant setback on the residential side of Northeast 145th Street. He said the minority report suggests the EZ zone because they need an economic zone to preserve business space for the next 20 years. Once an apartment building with nail salons below has been constructed, it will never be replaced with business development. Businesses will move further and further out, and density and sustainable jobs will be out of balance. Those who presented the minority report believe they need a place that is not

high-density commercial, and the only way to do so is to create a new zone. While mixed-use is intended to function as residential/commercial development, it is frequently interpreted to be high-density with nail salons below. He encouraged the Commission to consider some changes before sending the proposal forward to the City Council.

Diana Herbst, Shoreline, pointed out that the language contained in Pages 3 through 6 of the Desk Packet represents personal opinion and is not a fair representation of her street and neighborhood. While it suggests that residents in the area have deferred maintenance on their homes, she and four others on her street have recently replaced their windows with energy efficient two and three-pane windows. She also disagreed with staff's summary of her street's traffic pattern. People come to the end of the street by the cemetery, see the green light at Northeast 147th Street and speed to get through. She said she participates on the Traffic Advisory Board, and they have been trying for three years to get the traffic light covered so people cannot see it three blocks away. She expressed concern that no one has taken ownership of the traffic problems at Northeast 145th Street and Bothell Way Northeast. She said she intends to sell her property and move if the proposed subarea plan is approved as presented. Adding multi-family residential development would destroy the flavor of the neighborhood. She encouraged the Commissioners to read through the language in the subarea plan report, which does not appear to agree with the proposed map.

Bill Bear, Shoreline, said he is also one of the authors of the minority report. He reported that he attended a neighborhood meeting on February 3rd, which was the first opportunity for most of the neighbors to comment on the final zoning map and plan. He submitted a copy of their comments for the record (see Exhibit 7). He expressed his belief that Shoreline needs more jobs. He said he recently spoke to a former business owner who indicated he could not afford to operate a business in Shoreline because the cost of land and rent is too high. He expressed concern that the proposed MU3 and MU2 Zones that allow densities up to R-150 would create situations where the land would be too costly and very few businesses that offer living-wage jobs could afford to operate in this space.

Mr. Bear pointed out that the Comprehensive Plan calls for an equal amount of jobs and housing units. At this time, Shoreline has a ratio of .1 jobs to housing units, which represents a complete failure to follow Comprehensive Plan guidelines. The City's own requirement looks at adding 5,000 new jobs and 5,000 new housing units in the next 20 years, but this cannot be accommodated with an R-150 zone. He encouraged the Commission to review a study completed by King County called "Communities Count" to get a better idea of why people cannot afford to live and purchase homes in Shoreline.

Arthur Peach, Shoreline, said he was the chair of the CAC. He explained that the process was difficult and long. He observed that some of the things he supported were voted down by the CAC, and visa versa. The CAC consisted of a diverse group of citizens, and the suggestions were different. The committee voted through a majority process, and the document is now being presented to the Commission to review and assess.

Jan Stewart, Shoreline, said she lives in the Ridgcrest portion of the subarea. She referred to a letter she submitted that was included in the Commission's packet. She said she would like to have a better understanding of the correlation between the CAC's report and the maps. She said she supports much of

the CAC's report, and she appreciates their hard work. She questioned why issues related to Northeast 145th Street cannot be addressed as part of the subarea planning process. Also, she urged the Commission to keep the public hearing open to allow the public to continue to submit their comments.

Janet Way, Shoreline, said she was present to represent the Paramount Park Neighborhood Group and the Thornton Creek Legal Defense Fund. She asked that these two groups be recognized as parties of record, with legal standing in the matter currently before the Commission. She asked that the following documents be entered into the record by reference:

- Exhibit 8 – Shoreline Surface Water Master Plan
- Exhibit 9 – Thornton Creek and Westlake Washington Basin Characterization Report
- Exhibit 10 – 2005 Low-Impact Development Model created by the Puget Sound Action Team and Washington State University/Pierce County Extension

Ms. Way expressed her belief that, overall, the CAC's report is good and the process was effective. However, she suggested the following changes:

- **Housing.** H11 would remove obstacles to adult family homes in residential dwelling districts. She questioned what obstacles currently exist. She referred to a recent article in *THE SEATTLE TIMES*, which indicates that these types of uses continue to proliferate.
- **Community Design.** This section points out that there is considerable interest in having design standards and a design review process incorporated into the subarea plan. She recognized that staff is currently working on this issue, but she suggested that it be included as part of the subarea plan.
- **Parks, Recreation and Open Space.** PR1 calls for supporting the development of trails and designated pathways to connect the Interurban Trail with Paramount Park, Hamlin Park, Southwood Park, etc. This goal should also include a connection with Jackson Park. She reminded the Commission that there is currently a process to create a “bands of green” walking trail around the Jackson Park Golf Course. In addition, PR7 states that the path over Lewis Creek and Paramount Open Space should be upgraded. This is a good goal, but a box culvert should also be created for the creek.
- **Natural Environment.** Watersheds are not mentioned in the proposed language. She noted that the headwater of the Thornton Creek Watershed is located within the subarea, and Thornton Creek is the largest watershed in Seattle and Shoreline. It is also a salmon bearing stream. The plan should make note of Hamlin Creek, which is in the Characterization Report. In addition, NE14 designates the area between Seattle's Jackson Park and Hamlin Park as a potential “green corridor” to provide a contiguous ecosystem for wildlife. The language should be corrected by replacing “Hamlin Park” with “Paramount Park.” She referred to Commissioner Pyle's earlier comments about the plat that was recently approved by the City Council and pointed out the property is not currently being developed. She emphasized that it has been the neighborhood's long-time goal to have this connection.

Ms. Way concluded her remarks by asking that the Commission keep the public comment period open. She observed that low-impact development, drainage and stormwater are not addressed in the proposed plan, yet the CAC identified them as key issues that must be considered.

Stacy Haiar, Shoreline, said she has been a resident of the subarea for three years and a member of the CAC, which she felt represented a good balance of people in the neighborhood. Their ideas came from people in the community and were not driven by developers and/or City staff. She said she is in favor of higher density in the neighborhood to support more business and retail development. She reported that the CAC went through many reiterations of the map and ended up with a fitting place for the density along the transit corridors. They took great efforts to sort through all the input they received from the public to create a vibrant vision and make it fit in the Comprehensive Plan and Zoning Map. She expressed her belief that mixed-use development can work well if done correctly and in the right place. It can attract vibrant people and businesses to the neighborhoods, and there are many examples of this throughout Seattle and the United States.

Jeff Mann, Shoreline, expressed his belief that the process was fair and balanced. However, he did voice some concerns in his comment letter (Exhibit 5). In particular, he felt there was a lack of inclusion of non-resident property owners in the process. Although the residents had the benefit of being personally contacted on numerous occasions, he did not believe the non-resident property owners received adequate notice. He said he had no knowledge of the February 3rd community meeting because he doesn't live in the Briarcrest Neighborhood and did not get fair notice of the process. He expressed his belief that the process was skewed, and people who were in the position of wanting more density were in the minority. He suggested the "minority report" should actually be called the "majority report," because it represents the majority of the people. They have used numerous tactics to get people on their side and to sway the decision. He asked the Commission to keep this in mind.

Sigrid Strom, Shoreline, said she lives in the Ridgecrest Neighborhood near Fircrest and is a former member of the CAC. She said she has a serious concern about the SEPA Determination and would like to know the appropriate process for vetting her issues. She expressed concern that staff is referring to the plan map as the Comprehensive Plan. She clarified that the map is a land use map that is supposed to be a potential application of the Comprehensive Plan. When she reviewed the City's Comprehensive Plan, she found general goals and policies, etc., which is what is contained in the report. She observed that nearly everyone is in consensus that the goals and policies in the CAC's report are solid. However, there is no consensus related to the proposed map, and that is primarily what the minority group is objecting to. She emphasized that there was no vision created throughout the process, which is one of the potential problems. She asked the Commission to read the general comments contained in the minority report related to vision. She said the overriding concern is to preserve the existing character of the neighborhoods.

Cara McKinnon, Shoreline, said she lives in the southeast corner of the subarea where increased density is being proposed and she participated on the CAC. She commented that the proposed light rail station on 5th Avenue Northeast was not addressed in the subarea plan. She also expressed her belief that the subarea plan should include options for addressing issues related to Northeast 145th Street and access to the proposed light rail station. She observed that, at this time, there is a very delicate balance of homeowners and renters in the southeast corner, and it is a very safe neighborhood. She voiced concern that adding increased density could create a problem. She observed that while all of the CAC members supported the concept of accessory dwelling units, the concept was never made part of the proposed plan. She expressed her belief that if density is increased, it would be fair to allow accessory

dwelling units throughout the subarea. She recalled that developers pointed out that the R-24 zoning designation would result in large town house development. They argued that R-48 would allow for more innovative and smaller town houses. The 35-foot height limit was attached to the R-48 zone so that adjoining neighborhoods would not be impacted by very tall buildings.

Jesse Salomon, Shoreline, said lives across the street from the northern border of the subarea. He said he is generally in favor of higher-density and infill development. Everyone must take some responsibility for accommodating the increased density so that sprawl can be prevented and the environment outside of the cities can be preserved. He expressed concern about the affect that greater density would have on the 15th Avenue Northeast Corridor and other places. He reported that he was hit by a car while crossing 15th Avenue Northeast towards his house. Although he had the walk signal and almost made it across the street, a person turned right without even bothering to look for pedestrians. Prior to that incident, he and his girlfriend have almost been hit of four separate occasions. He said he does not attempt to cross on the crosswalk; jaywalking is safer. He summarized that if the City is going to allowed increased density, they must address the traffic safety problems.

Mark Holmes, Shoreline, said he also participated on the CAC and submitted a letter in response to the minority report. He observed that it appears there is a general mistrust of government and the process. However, he felt the CAC has come up with a plan that provides a proper process. The plan addresses the issues that will happen as development occurs. He expressed his belief that redevelopment is inevitable and has been happening in the neighborhood, and that is one of the reasons the Housing Strategies and Southeast Neighborhoods Citizen Advisory Committees were formed. He summarized that the CAC's plan represented a consensus of the entire group, everyone had an opportunity to influence the plan, and concessions were made by both sides. He suggested the minority report is unfair and unnecessary. He said he is in favor of additional density. The businesses in the neighborhood seem to be lacking because there are not enough customers to keep them vibrant. Development, if done in the right way, could bring in more businesses and help the existing businesses.

Camilla McKinnon, Shoreline, said she lives in the Briarcrest Neighborhood. She said she is in favor of development, but not so much density all in one area. She observed that the traffic is already bad, and Northeast 145th Street must be dealt with. She suggested that if additional density is added, there must be a trail system to provide connections. She said she does not believe there is a need to change the existing codes for adult family homes. If they are going to have additional density, there must be an opportunity for design review, so that the resulting development will be something everyone likes. She would like nicer buildings to be developed that do not encourage and increase crime, which could be a result of the proposed new dense zoning. Design review would ensure that nicer development occurs. She also expressed concern that the existing water table in the area proposed for greater density is very high. When previous apartment complexes were built, adjacent neighbors experienced flooding. There needs to be some safeguards to prevent these types of impacts. She pointed out that most people who live in the Briarcrest Neighborhood own their homes, and it is generally a very safe neighborhood. The residents know each other, and the houses are affordable and well cared for.

Les Nelson, Shoreline, said he was glad to see that a proposed land-use map is available for the public's view. He noted that the City's website provided only a description of the plan, as well as two zoning

maps. He expressed concern that the zoning map made it appear as though the City was trying to change the zoning for a complete area, which is not an appropriate process. Typically, a land-use map is created first, and then property owners apply for rezones that are consistent with the land-use map. He noted that none of the three alternatives used zoning designations that are currently part of the code. He said he has been confused about the process that is being used to push through the subarea plan.

Laethan Wene, Shoreline, said the City already has enough adult family homes in Shoreline, and they do not need more.

Scott Solberg, Shoreline, said he lives in the North City area of Shoreline and participated on the CAC. He said he is generally in favor of the proposed plan, which is the result of a lot of work by numerous dedicated citizens. He estimated that approximately 1,500 man hours were put into the process. He said he read both the CAC's report and the minority report. He suggested that as the Commissioners visit the neighborhood and compare the written report with the proposed zoning map, they will see why the CAC designated certain areas for higher density to entice and promote redevelopment of certain parts of the neighborhood. He expressed his belief that, for the most part, the subarea is an excellent bedroom and residential community. It is predominantly single-family residences, and the majority of the CAC did not believe the proposed plan would impact this situation. He recognized that some members of the CAC disagreed, but the minority report did not offer options for addressing their concerns. He implored the Commission to consider the amount of time and effort the CAC members put into their report.

Patty Hale, Shoreline, said she lives in the Ridgecrest Neighborhood. While she was not on the CAC, she did attend several of their meetings. She thanked all of those involved and said it was evident that they were passionate and were concerned about how their end product would impact the overall quality of life for this segment of Shoreline. She emphasized that the subarea is one of the prime areas of affordable housing, and will probably be one of the first to recover as the recession lifts. As people transition through the neighborhoods, each new generation makes changes and improvements. The homes have provided a diverse community for people to live in. She observed that the plan recommends placing the majority of the density mandated by the State Growth Management Act into one subarea that includes what the State is considering for Fircrest, yet Fircrest is not even addressed in the plan. She suggested the Commission keep the Fircrest property in mind and not be overly generous in how they might zone or perceive the density for the overall neighborhood.

John Davis, Lynnwood, said he owns two R-12 properties in Briarcrest, and he submitted a written comment, as well. He spoke in general defense of the CAC's work. Because of his vested interest in Briarcrest, specifically, he attended nearly half of their meetings. He found the process to be a true democracy in action, even though it seemed to move at a snail's pace at times. He encouraged the Commission to give the multiple concerns quick, lucid and serious consideration and come to a decision as soon as possible. The process has already been long. The CAC worked hard and there was passion on both sides of the issues. Even though he might be classified in the pro-density increase camp, he would categorize himself as more moderate than high-density. A lot of reasonable thought must be put into the process of how to best set the standards for the future of the community. He thanked the CAC for working over a long period of time to accomplish their task. He said he hopes the process can come to a quick conclusion because the time frame has already exceeded his resource of funds.

Final Questions by the Commission

Commissioner Kaje recalled that earlier in the meeting staff indicated there would still be an opportunity for the public to comment on the State Environmental Policy Act (SEPA) Determination. He asked that staff clarify when the various public comment periods would begin and end. Mr. Cohn answered that tonight's meeting was noticed as the appropriate time for the public to provide comment regarding the subarea plan. The SEPA threshold determination was released last week, and the two-week comment period would continue through February 11th. Staff's thought was that the public comment portion of the public hearing would be closed at the end of this meeting. Any additional written comments related to the SEPA Determination would be forwarded to the Commission members prior to their continued deliberation of the matter on March 4th. At the continued meeting, staff would respond to the Commission's questions but the public would not be offered an additional opportunity to provide oral testimony.

Commissioner Kaje asked staff to explain the SEPA Determination of Non-Significance (DNS). Mr. Cohn answered that the SEPA requires the proponent to compare the proposed change to what is currently allowed. The staff's analysis compared the impacts of the proposal based on what is currently allowed. They believe that the impacts have all been identified on a non-project basis, and none are substantial. However, additional analysis would be conducted when specific projects are proposed. At this time, staff believes there is no need for an Environmental Impact Statement (EIS). Staff seriously reviews each of the public comments and makes a decision whether to maintain the DNS or change the declaration.

Commissioner Kaje asked if the zoning recommendation was included as part of the staff's DNS or if it included only the subarea plan policy language and proposed land use map. He observed that zoning decisions should not be part of the current action. Mr. Cohn said the DNS was based on the current Comprehensive Plan, which has mixed-use on the southeast corner that allows some very significant density increases. Compared to the proposed plan, even under the most likely scenario, they did not anticipate any probable change. He summarized they did not look at zoning per se, but they did look at the likely potential development as a whole under the proposed plan versus the existing plan.

Chair Wagner said her understanding is the current proposal is a Comprehensive Plan change. The zoning map was a product of the CAC and included as part of the report, but it is not the subject of the public hearing. Mr. Cohn explained that the Commission is being asked to make two recommendations: one related to the proposed Comprehensive Plan Map amendment and another related to the implementation strategies for zoning. The Commission could choose not to make a recommendation on the implementation strategies, but the CAC felt very strongly that an implementation strategy would be helpful. It was noted that the current Comprehensive Plan does not provide direction for implementation.

Commissioner Broili said his understanding is that the zoning map is a suggestion of a direction the Commission may want to take as a strategy based on the proposed subarea Comprehensive Plan Land Use Map. Mr. Cohn said that the near-term strategy is related to zoning and can be done in a relatively short time frame. Another piece would be more general questions about changing regulations for

accessory dwelling units, etc., which would come later. The Commission must make a recommendation as to whether the proposed implementation strategy is appropriate or not, and the City Council would make the final decision. Commissioner Broili asked if it would be appropriate, at that time, to discuss the concept of form-based zoning. Mr. Cohn agreed the Commission could recommend this approach, but it would take some time to develop implementing code language. The implementation strategy could be divided into phases: the immediate implementation would involve legislative zoning and could happen in the near term and the next phase would involve follow-up actions, including form-based code, accessory dwelling units, etc.

Commissioner Pyle clarified that the current hearing is to discuss the Southeast Neighborhoods Subarea Plan, which is a variation of a Comprehensive Plan amendment. The zoning map that was attached to the Staff Report was merely provided for reference purposes and could be pursued later through a legislative rezone process. The subject of the hearing was noticed as a Comprehensive Plan amendment. Mr. Cohn agreed. However, he clarified that the CAC attached a recommendation for zoning to their report. A separate hearing would be conducted at a later date for the Commission to consider the zoning proposal.

Mr. Tovar clarified that the CAC was charged with presenting a proposal for a Comprehensive Plan amendment, and that is what they provided in their report. However, the CAC also felt strongly that they needed to present some zoning concepts to illustrate what the implications of the policy recommendations might be. He emphasized that this is not a hearing on a legislative rezone. The Commission's responsibility is to forward a recommendation to the City Council on the Comprehensive Plan amendment. He suggested the Commission could recommend the City Council adopt the Comprehensive Plan amendment but that it not take effect until the City has adopted a legislative rezone and/or other appropriate zoning tools to implement the plan. This would result in the planning document taking effect at the same time as the implementing zoning. Otherwise, the Comprehensive Plan would be inconsistent with the zoning because there would be no corresponding zoning in place for parts of the subarea.

Commissioner Pyle summarized that one option is for the Commission to recommend the City Council evaluate or consider putting in place an action to pursue a legislative rezone that is the minimum necessary to bring the properties that are not consistent with the Comprehensive Plan change into consistency. Only modest changes would be made, and the economy and market over time would allow for additional quasi-judicial rezones on a case-by-case basis. Mr. Tovar agreed that is one approach the Commission could take. Another option would be to approve a legislative rezone to make the zoning completely consistent with the Comprehensive Plan.

In response to Commissioner Broili's earlier question, Mr. Tovar explained that a form-based code would place less emphasis on density use, etc. and more emphasis on building envelope, dimensions, etc. He cautioned that staff is not advocating a form-based code approach at this point. However, it is an option that is being considered for the Town Center Subarea Plan. He suggested the Commission discuss the issue with the City Council at their joint meeting in April. Commissioner Broili observed that a number of the public comments spoke about aesthetics, transitions, etc. and a form-based code is one option for addressing these types of concerns.

Commissioner Behrens observed that while the zoning map makes reference to three different types of Mixed-Use (MU) Zones in the southeast corner of the subarea, the zones are not defined in the proposed subarea plan. Ms. Redinger referred to Page 39 of Exhibit 2 (CAC Report), which describes the various mixed-use zones. She explained that MU3 is the mixed-use zone that was adopted by the City Council and includes a full spectrum of incentives. It starts with a base height and allows a greater height with community amenities such as affordability components, open space, green building, etc. MU2 was created by the CAC but also followed previous Commission discussions. This zone would be capped at 48 dwelling units per acre but still encourage a mixture of uses in the same building or area. MU1 was another proposal by the CAC, which would cap residential density at 12 dwelling units per acre. She noted that the desk packet also includes information from the City's Economic Development Director regarding the economic development ramifications associated with the MU1 zone.

Commissioner Behrens suggested a chart be included in the proposed subarea plan to clearly identify the elements of the three different zones. Mr. Cohn agreed that if the Planning Commission decides to recommend approval of the three MU zones, a chart could be prepared by staff. However, there would be no need to go into this level of detail in the subarea plan if the Commission decides they do not want to talk about zoning as part of the subarea plan process. Chair Wagner clarified that MU language is related to the zoning map and should not be addressed as part of the subarea plan. She suggested the Commission should answer the question of whether or not they want to recommend the City Council consider the concept of three MU zones, but that would be as far as they would go with zoning issues. If the City Council agrees, staff would prepare appropriate draft zoning language for the Commission's consideration at a future time.

Commissioner Behrens said it is important to keep in mind that CAC created a vision for how they see the neighborhood, which identifies different types of mixed-use densities. He agreed that the zoning map would be the appropriate place to put specific titles on the three zones, but he would like the concepts to be included into the subarea plan, as well. Ms. Redinger explained that the CAC did not get to the level of detail of creating the type of use chart that is typical for zoning categories. Their discussion was more conceptual in nature. The only specifics generated by the CAC were related to height and density caps. Pursuing the various levels of MU zoning would be accomplished through follow up Development Code amendments.

Commissioner Kaje explained that as the Commission works through the process, they must follow a specific sequence process for implementation. He said he places great value in the fact that the CAC did recommend their ideas for what zoning might look like. He said he walked through each of the streets in the subarea to get a better idea of what is happening in the neighborhoods. He expressed his belief that the zoning map is a very important reflection of the community's vision. However, the Commission may decide that it is not appropriate to address the zoning issue as part of this first step in the process.

Commissioner Pyle pointed out that one MU Zone is already part of the Development Code. Mr. Cohn agreed that there is currently one MU Zone in the Development Code at this time. While the Commission discussed the option of creating a second MU Zone, they chose not to go that route. Commissioner Pyle clarified that under the proposed Comprehensive Plan Land Use Map, the mixed-

use land use designation has an option to include MU as one of the potential zoning categories that could be put in place under that land use designation. Mr. Cohn pointed out that the policies in the proposed subarea plan make it clear that there should be more than one MU zone.

Commissioner Pyle noted that the only new land use designation that is not already in the Comprehensive Plan is “Park Expansion.” He questioned if it would be more appropriate to ask the Parks Board to amend the Parks and Recreation Plan. Mr. Cohn said the issue could also be handled through policy language. Mr. Tovar explained that it is appropriate to talk about potential and preferred uses in the Comprehensive Plan if they want to make a recommendation to the City Council that the property be considered a priority for future park expansion. He suggested it would serve well to make this statement in the narrative of the plan, but designating the property with a specific symbol may not be necessary and may be misleading. The property is not a park at this time. It is platted and zoned and could be used as a single-family development. However, if the City Council decides they would like to acquire the property for public purposes at some point in the future, it would make sense that the Comprehensive Plan provides some policy rationale.

Mr. Cohn clarified that the mixed-use designation in the proposed subarea plan is not really the same designation as the mixed-use designation in the current Comprehensive Plan. There is no expectation that the new mixed-use designation would include the lower-density residential categories. It is very much a mixed-use category that allows a variety of commercial and multi-family types of uses. It may take some tweaking to provide further clarification before the document is forwarded to the City Council.

Commissioner Kuboi asked if the Commission would still be able to ask questions of staff if the public hearing is closed. Mr. Cohn explained that the Commission could keep the public hearing open for deliberation, which would allow the Commission to continue to ask questions of staff. Staff would prefer that the questions are forwarded via Plancom so that all Commissioners would know the types of questions that are being asked. The week before the Commission’s continued deliberation, staff would pull all the questions together and develop written responses for inclusion in their next packet. The public would have access to the questions that have been asked, as well as staff’s responses.

Chair Wagner referred to Recommendation H9, which suggest that language be added to the Development Code to restrict development of “megahouses.” While the CAC’s report provides a bit more description regarding their intent, she requested staff provide more background regarding their discussion. Ms. Redinger said the language came from the Housing Strategy, which was adopted by the City Council. She recalled that during the public meetings conducted by the Housing Strategy CAC, citizens provided pictures from the Southeast Neighborhoods to show the impact of having very small houses next to large apartment buildings or megahouses. The Housing Strategy CAC concluded that there are other local governments working on code language and potential solutions for the problem, and they deferred the issue to give other municipalities time to test their code language to see if it has the desired affects. The Southeast Neighborhoods Subarea Plan CAC agreed that this was a concern worth noting. Without delving into specific Development Code language, they directed staff to look at potential policies.

Chair Wagner referred to Recommendation H11, which would remove obstacles to adult family homes in residential zoning districts. She recalled that this issue was raised at an earlier Commission meeting, and she asked staff to provide more background. Ms. Redinger said this recommendation came from a gentleman who owns property in the subarea area who was hoping for an upzone. He said that someone had approached him with a particular project that would involve disabled adults in wheelchairs. As per the new low-impact development requirements, he would be unable to make the project work with the footprint necessary to accommodate the accessibility requirements and one-story living because of impervious surface caps. She reminded the Commission that, in general, the trend is to go a little higher and have more ground space for stormwater. However, the CAC suggested that perhaps there should be some flexibility, particularly in the hardscape coverage, for projects with specific considerations, such as ADA requirements.

Chair Wagner referred to Recommendation T6, which talks about implementing improvements along 15th Avenue Northeast to revitalize business, increase pedestrian and bicycle safety and usability, and add vehicle capacity where necessary. She observed that the public typically expresses concern that they would like to reduce traffic. Ms. Redinger said the CAC discussed different treatments for improving vehicular capacity, specifically diagonal parking, etc. She said whatever happens on 15th Avenue Northeast will depend on what takes place at Fircrest. She commented that the CAC did spend a fair amount of time discussing Fircrest, and the State's Project Manager for the Fircrest Master Plan spent an entire meeting talking about what was proposed under the Master Plan. However, this plan has been placed on hold by the State so it was difficult for the CAC to analyze impacts associated with how the area would be developed. She agreed that, in general, the trend is to reduce and calm traffic, but the CAC also discussed other techniques in case there was a need for more capacity.

Commissioner Kaje asked the chair of the CAC to share the vision the CAC would like the City to pursue for the section of property in the very far southeast corner of the subarea that borders Lake City Way. He noted that the opportunities would be very different if the properties were treated as a comprehensive type of development opportunity versus parcel by parcel. Mr. Peach said the CAC talked extensively about this corner of the subarea. They recognized that the property was landlocked because there was no access from the west side going east. At this time, the properties are accessed via a road through the church property. The CAC discussed the option of shifting properties on the back side of 30th Avenue Northeast to create access to the properties properties. Another option would be to purchase property from the church or cemetery to make an access road. However, the CAC did not really come up with a solution to the problem. The City's options are further limited because Northeast 145th Street is controlled by three jurisdictions. Ms. Redinger said the CAC asked the traffic engineers about the possibility of opening up more east/west access, and they indicated they did not want to encourage cut-through traffic. It was noted that, based on previous citizen input and traffic studies, various measures were taken previously to discourage cut-through traffic. They felt that a plaza or courtyard with businesses on the outside and parking on the interior would be more aesthetically pleasing, and they suggested the businesses should front the neighborhood to encourage the types of businesses the neighbors would use. Mr. Peach added that there was also some discussion about inverting the four quadrants located west of the business area to create a type of cottage housing community, but this concept did not make it into the CAC's report.

Commissioner Pyle pointed out that the CAC members walked the southeast corner of the subarea extensively. There is currently a lot of vacant space because of the remnant parking lots. There was a lot of discussion about developing a larger block of this property. He observed that the issue is discussed in some of the proposed policies, but it is difficult to consider the appropriate approach when there are so many different ownership interests.

Commissioner Kaje requested staff invite the City's stormwater engineer to describe the current status of the area. He said it appears the area is currently under stress, and he questioned what capital projects the City has planned for the area, particularly the southeast corner. He noted that any new development would be required to meet the new stormwater standards, so very positive things could happen. Ms. Redinger said stormwater was discussed often by the CAC and is a very important topic. She noted that staff has maps to pinpoint known problem areas, and they have talked with their environmental services team and water quality specialist. They are hoping that some of the students from the University of Washington Graduate Studio will take on the hydrologic aspects of the subarea plan. Up to this time, the City has not had a lot of staff resources to devote to this issue. She agreed to come back with additional information as requested by Commissioner Kaje. Commissioner Pyle said there was a lot of conversation about stormwater during some of the quasi-judicial rezones that occurred in the past in the subarea, and there is extensive information in the record regarding the current conditions.

Vice Chair Perkowski referred to Recommendations PR3 and PR4 and asked if any specific areas were pointed out for where more open green space was desired. He also asked if the "park space per capita" information was developed for just this area. Ms. Redinger answered that "park space per capita" is something the City has discussed as a potential metric for concurrency. The neighborhood is extremely fortunate to have Paramount Park, Paramount Open Space, Southwood Park and Hamlin Park in the immediate vicinity. The CAC discussed that if they were to craft a standard and identify a ratio to compare with other jurisdictions, this particular area could probably take a lot more development before park resources become stressed. The intent was to set a baseline, identify the current status, and keep the ratio skewed to plenty of outdoor amenities and open space for everyone. However, the CAC did not discuss potential standards.

Vice Chair Perkowski asked if there were any specific suggestions for more park and open space beyond the area identified as potential park expansion. Ms. Redinger said there was a lot of discussion about green corridors and making sure there is contiguous natural habitat and preservation of open space. It was noted that when planning for multi-family units, it is very important to include a requirement of open space for play areas, green space, etc. The concern was that there still be plenty of recreational opportunities as the area redevelops. Vice Chair Perkowski referred to Recommendation NE6 and asked if there is a map to identify potential daylighting opportunities. Ms. Redinger answered no.

Commissioner Behrens recalled that the City's new MUZ requires additional open space, depending on the density of the development. He strongly suggested that at some point the City must identify the amount of open space that would be required in each of the proposed new MU zones. He summarized that the members of the CAC have spent a lot of time trying to figure out exactly what the different types of MUZ might require in their neighborhoods.

Commissioner Kuboi said it appears that a number of the Community Design Recommendations incorporate a lot of subjectivity as to what is good and/or preferred design. He specifically referred to Recommendation CD8, which recommends density and zoning regulations and design review process that are flexible enough to allow for creativity in design, but restrictive enough to ensure the protection of the community. He asked if this recommendation is reflective of the importance of design review in implementing the regulations. Ms. Redinger said the CAC talked more about design standards than design review. She reminded the Commission that design review and design standards are currently a city-wide process, and the Commission could choose to recommend the Southeast Neighborhoods Subarea as a pilot project. Another option would be to include the subarea as part of the larger process the City is currently doing with Makers Consulting to establish a more broad-based design review process. Mr. Cohn emphasized that good design is important to the neighborhood. Commissioner Kuboi agreed but pointed out that this particular tool is only referenced in the Community Design Section and is not mentioned in the Land Use or Housing Sections where a design review process might become helpful. Mr. Cohn said that if the Commission agrees, it would be appropriate to reference the concept in other sections as appropriate. Ms. Redinger pointed out that this tool is typically referenced in the document by the term “transitional elements.” Commissioner Broili said he would be more comfortable using the term “design standards.”

Commissioner Kaje said that while the subarea has access to a few good parks, it is important to keep in mind that the City, as a whole, is bereft in park space per capita when compared with other jurisdictions in Puget Sound. Studies have shown that Shoreline and Lake Forest Park have the least park space per capita, and some cities have four times the amount of parks. He noted that, particularly in the southeast corner of the subarea, there is no easy pedestrian access to the existing parks, and there are no neighborhood scale parks in the area, either.

Commissioner Kaje referred to a letter from Mr. Mann which states that the CAC came to realize that amenities such as sidewalks, trails, lighting, etc. need funds from development because, according to staff, the general fund is not for those purposes. He explained that if the City wants to move forward with subarea planning and visions for various areas of the City, they need to get beyond the idea that they only improve things incrementally when development occurs. He encouraged the City to look more proactively at ways to fund the types of things that make the whole community richer, and not just the area in front of a particular development. Ms. Redinger said many people commented at the open houses about the need for more sidewalks, and staff talked about how sidewalks get built. They explained that the City first developed as a suburban area of King County, and approximately 400 miles of roads were built without sidewalks. The City coffers cannot support putting in sidewalks everywhere neighborhoods would like them. They also talked about fee-in-lieu-of programs, sidewalks to nowhere, etc. They did not indicate that the only way to get sidewalks was through redevelopment, but that is one of the tools that redevelopment can provide funding for. She suggested that the intent of Mr. Mann’s statement was to point out that redevelopment does have benefits such as frontage improvements. Mr. Cohn added that one of the outcomes of the subarea plan could be identifying where the sidewalks and trails should be.

Mr. Tovar suggested the Commission have a discussion about how infrastructure such as sidewalks and streets are funded. He explained that development applications are required to make frontage

improvements, but the primary method of accomplishing larger improvements is via capital improvement. At this time, the City's Capital Improvement Fund is on the decline for a variety of reasons. However, the Federal Government has announced a new commitment to grants for sustainability. There are other funding sources, and the City should talk about the Southeast Neighborhoods Subarea Plan as a major focus for the Capital Facilities Element update of the Comprehensive Plan. This would be a good topic of discussion at their joint meeting with the City Council, as well.

Deliberations

Commissioner Behrens asked how the Commission would go about amending the proposed subarea plan document prior to forwarding it to the City Council. Mr. Cohn clarified that the document could be changed as appropriate to represent the Commission's recommendation to the City Council. Ms. Redinger clarified that the Subarea Plan Report was created by the CAC and cannot be amended. The report will be archived for community reference. It will also be provided to the City Council and on the City's website. The Commission should consider the staff's condensed version of the report as their working document. They should make appropriate changes before forwarding it to the City Council.

The Commission agreed to submit their comments and suggestions to staff via Plancom by February 22nd. Staff would collect the comments and prepare a written response for the Commission's information at least a week before their continued deliberations. It was noted that the submitted comments would be made available to the public upon request. Mr. Cohn cautioned the Commissioners against discussing or providing feedback related to the comments outside of the continued hearing. Chair Wagner requested a word document copy of the proposed subarea plan (Exhibit 1). The Commissioners could edit the document and forward their recommended changes back to staff. It was recommended the Commissioners utilize a format that tracks the changes so they are easily identifiable. Mr. Tovar said the Commission could also insert questions and requests for additional information.

Commissioner Kuboi asked staff to provide some interim feedback on the stormwater situation so they are prepared to discuss the issue further at their continued deliberation. Ms. Redinger agreed to contact the City's Surface Water Manager with a request that he prepare a memorandum to the Commission as soon as possible to clarify issues related to stormwater. However, some items, such as maps of the water tables will not likely be available.

Mr. Cohn suggested that the additional public comment be limited to written comments related to the SEPA determination, unless something new is added to the record. Mr. Tovar suggested that once the Commission has created a draft for recommendation to the City Council, they could hold an additional public hearing and invite the public to comment on any changes made since the original hearing. The Commission spent some time discussing the best process for continuing the hearing and perhaps holding an additional public hearing once a final draft has been prepared by the Commission.

Commissioner Behrens summarized that whatever recommendation the Commission comes up with, it is important to make sure it captures the CAC's intent. The best way to do that is to invite them to testify once again prior to making a formal recommendation to the City Council. The remainder of the

Commission concurred that an additional public hearing would be in order once the Commission has completed their review and made their proposed changes.

COMMISSIONER PYLE MOVED THE COMMISSION CONTINUE THE PUBLIC HEARING ON THE PROPOSED SOUTHEAST NEIGHBOHOODS SUBAREA PLAN TO THURSDAY, MARCH 4, 2010. COMMISSIONER KAJE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

DIRECTOR'S REPORT

Mr. Tovar reported on his attendance at the Smart Growth Conference in Seattle, which continues through Saturday. He said some very interesting materials have been presented on issues such as form-based codes, building a town center with a state highway running through it, etc. Councilmembers Eggen and Hall attended the conference, as well.

Mr. Tovar announced that he sent the Commissioners links to two articles: one from the MRSC website and the other from Crosscut. These links are relevant and will help the Commission think about how to deal with public input. He reminded the Commission that their duty is to consider all the public comments and the staff report to come up with what they think make sense for the community and make a recommendation to the City Council.

Mr. Tovar announced that the application period for Planning Commission positions closed last week, and the City received 19 applications. On February 8th the City Council will discuss their process for screening the applicants and conducting the interviews. He alerted the City Councilmembers to the advice provided earlier by the Commission about the need for a balanced diversity, gender, geography, background, ethnicity, etc. and being able to work in a group. The interview questions have been updated to respond to the Commission's suggestions. Appointments should be made by the end of March.

Commissioner Broili asked if the suggestion for Commissioner Piro to sit in on the process was accepted or rejected. Mr. Tovar said the suggestion is being processed, but no decision has been made.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

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

AGENDA FOR NEXT MEETING

Mr. Cohn announced that the Planning Commission would continue their deliberations on the CRISTA Master Development Plan on February 18th. In addition, they would discuss design review and the visual preference survey prior to the charrette that is scheduled. They could also briefly discuss the agenda for the joint meeting with the City Council.

Chair Wagner encouraged all Commissioners who are able to participate in the continued deliberations related to the CRISTA Master Development Plan on February 18th to listen to the recording of the public hearing if they were not in attendance.

ADJOURNMENT

The meeting was adjourned at 10:09 P.M.

Michelle Linders Wagner
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

This page intentionally blank

Commission Meeting Date: March 4, 2010

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

<p>AGENDA TITLE: Southeast Neighborhoods Subarea Plan DEPARTMENT: Planning and Development Services PRESENTED BY: Joseph W. Tovar, FAICP, Director of Planning and Development Services Steve Cohn, Project Manager, Senior Planner Miranda Redinger, Project Manager, Associate Planner</p>

ISSUE STATEMENT/ BACKGROUND:

When the official City Comprehensive Plan Map was adopted by Ordinance 292 on January 7, 2002, several segments were classified as "Special Study Areas" (SSA). This designation was intended to be a place-holder until the areas could be analyzed in further detail to determine a long-range vision for the area.

In June 2008, Council appointed a Citizen's Advisory Committee (CAC) to create a subarea plan to address long-range planning for those study areas. The CAC met from July, 2008 until November, 2009. They adopted their Subarea Plan Report, complete with background narrative, vision and goals for the subarea, as well as proposed zoning and Comprehensive Plan designations, and policy recommendations on November 17, 2009. It was presented to the Commission on November 19, 2009.

Staff condensed the CAC report into a format appropriate for adoption as a Comprehensive Plan Amendment, and a public hearing was held on February 4, 2010. The Commission will continue their deliberations tonight and consider additional comment submitted regarding the SEPA DNS.

Staff intends to develop a matrix of decisions to assist the Commission in its discussion of the following items. The matrix will be similar to the one the Commission used in its CRISTA discussion. Staff hopes to have the matrix completed to send to the Commission early next week.

The following issues/questions were developed by staff to reflect the Commission's February 4 discussion following the public hearing. On February 12, staff forwarded a list of draft questions intended to assist the Commission in framing tonight's discussion. The draft questions were modified slightly after hearing from the Commissioners, and the questions and staff responses are included below.

The Commission's deliberation and conclusions that are reached in answering these questions will help shape the ultimate look and feel of the Subarea Plan.

Commercial area “big picture” questions for the Commission to address:

1. *What is your vision for the commercial area of NE 145th and Bothell Way? Should it be a gateway developed with uses that serve the neighborhood (which would imply redevelopment and probably, taller buildings)) or should it stay low-rise in a variety of uses ranging from car repair to services to restaurant uses?*

- If the Commission chooses the redevelopment/taller buildings vision, staff suggests that the Commission develop policy directions about what general types of incentives might be appropriate (height, density etc)? Are the provision of neighborhood amenities (open space or retail uses) desired?

-If the Commission believes that taller buildings are not appropriate due to impacts that cannot be mitigated, a policy should be added that addresses that concern.

The Citizen Advisory Committee discussed these questions in detail and concluded that a) redevelopment should be encouraged to provide neighborhood serving uses and sustainability features and b) if that meant that commercial areas would have taller buildings, that is a tradeoff most of the Citizen's Advisory Committee members were willing to accept.

2. *If new uses &/or taller buildings are encouraged, how should transition be handled, through design standards or through transitional zoning? - If transition occurs through zoning, we suggest that the Commission discuss how “deep” the zoning transition should be.*

The committee spent a lot of time discussing these two options for transition. They recommended using a combination of “step-down” zoning and “transition elements.”

3. *Is a design review process appropriate in commercial areas? If so, what should the standards focus on?*

The committee requested design review for commercial areas, but did not offer specific areas of focus. If the Commission agrees that design review is appropriate, staff requests that it develop a policy that offers direction, such as “focus on transition to the adjacent residential neighborhoods.”

4. *A similar discussion could occur about the commercial area at 145th and 15th.*

Other “big picture” questions for the Commission to address:

5. *Should Accessory Dwelling Units (ADUs) and other pilot housing styles and policies be limited to specific areas or allowed throughout the entire subarea?*

The committee did not specifically state whether ADU's and other housing styles would be permitted throughout the subarea or limited to specific areas, but the testimony of one committee member at the February public hearing supported that they be allowed throughout, and staff concurs with that recommendation. The subarea is small enough that it would be a suitable pilot area to see how many homeowners would capitalize on the opportunity to build an ADU, what effects these additional units would have on the neighborhoods and whether these structures should be allowed throughout the city.

6. *Is there a need for a policy statement addressing how to deal with interjurisdictional issues on 145th?*

One of the Transportation Policy Recommendations (T11) states “Encourage the City to work with Seattle, King County, Sound Transit, and WSDOT to undertake a corridor study on 145th St. that would result in a plan for the corridor to improve safety, efficiency, and modality for all users. This plan should include adjacent neighborhoods in the process, and should have a proposed funding strategy for implementation.” Does the Commission believe that this policy provides enough direction, or is additional direction appropriate?

7. Should the subarea plan identify priority areas for sidewalk or other infrastructure improvement, or should that be left to a citywide process?

The City is updating the Transportation Master Plan and a major component of that endeavor will be creating standards and a development and maintenance process for sidewalks. The City currently has a policy that allows it to collect a fee in-lieu of frontage improvements for most new single family development. This program does not apply to multi-family or commercial development and payment of the fee in-lieu is voluntary. The amount collected varies based upon the amount of single family development activity, but has averaged approximately \$50,000 annually since its inception. The City can use these funds to build larger, complete improvements in areas identified as high priority locations, through the priority sidewalks program, and also be used as leverage when pursuing grants.

Sidewalks are consistently identified by residents as one of the highest transportation priorities, yet it is difficult to obtain outside funding (grants) for sidewalk projects. Since we have limited budget for construction of sidewalks, the City is unable to build many on an annual basis. For all issues surrounding pedestrian facilities (design, right-of-way acquisition, construction, maintenance), funding will dictate what we are able to do. Staff is discussing various options regarding the most effective way to build and manage sidewalk amenities. This may be a bigger picture city-wide issue for the Planning Commission and City Council to discuss at their joint meeting of April 12.

Background information: The following is background information that the Commission may find helpful in the discussion of the Subarea Plan.

8. What is a realistic level of development likely to occur in the subarea over the next 20 years?

Determining how many dwelling units and businesses are likely to develop within the subarea over the course of the next 20 years is not an exact science. For reference, it may be helpful to look at the example of North City. Ten years ago, the area was rezoned to accept 900 units over 20 years, so one might assume that at this point, roughly half of those would have been built. However, to date, less than 100 new units are on the ground.

Most of the residential and commercial capacity in the subarea is located in the two commercial areas along 15th and along Bothell Way. Staff estimates that if these areas are developed largely in mixed use buildings, build out capacity is about 900 units. (If the commercial areas develop mainly as office buildings, residential capacity would be considerably less, perhaps by as much as 80%.) However, even using the high-end number of 900 units capacity, using North City as a guide, development over the next 20 years is likely to be much less, perhaps in the neighborhood of 200-300 units. It is

important to understand that even this lesser amount would not be concentrated in a single project on one property, but rather on several sites. On a rank order of magnitude this might equate to 3 or 4 new mixed use buildings over the 20 year period, split between 15th and Bothell Way. In the context of the 274 acres that constitute the Southeast Neighborhoods Subarea, this does not appear to the staff to be a dramatic or overwhelming amount of change. For a variety of economic and other reasons, we believe that most of the mixed use development in Shoreline in the coming decades will occur along Aurora.

Whatever new development may occur in the commercial areas of Ridgecrest and Briarcrest is dependent on many factors, including the economy, incentives, and market demand.

9. What are the likely economic development outcomes that staff believes will occur in different Mixed Use categories?

The two commercial areas have been zoned Neighborhood Business and Community Business for the last 20 years. With the exception of the development of a veterinary clinic and a small office building on 15th and the McDonald's on Bothell Way, there has been little redevelopment under the existing zoning, even during much of the previous decade which saw significant commercial and multifamily development in neighboring cities. The current zoning allows commercial (i.e.: office/retail) and mixed use development up to 4-6 stories. It also limits residential densities to 24 du/acre (in NB) and 48 du/acre (in CB). Staff believes that, due to the size of most properties in the commercial areas, the commercial market is not there to build new single story retail uses, there is a limited market to build one or two-story office buildings and the residential densities of 24-48 du/acre are not conducive to building a mixed use building.

If the zoning is unchanged over the next 20 years, staff believes that there will be little incentive for redevelopment, and therefore, little incentive for property owners to do more than minimal reinvestment in the properties.

If the existing MU Zone is adopted, which would raise the allowable residential density, there would be incentive for building a small number of mixed use buildings. These could provide ground floor retail space for new businesses, some of which will be neighborhood serving. The MU Zone also requires amenities –plazas etc, which could serve the community. However, even with the availability of properties for mixed use development at a density that is economically feasible, staff does not believe that there will be an extremely strong demand for development in these smaller commercial areas. Most of the demand will still be focused on areas like Town Center and Aurora Square where the scale of development can result in significantly more amenities and because there will be much better transit service.

10. What are the likely impacts of additional development on the water table and drainage issues?

According to the City's Surface Water and Environmental Services Program Manager, the current stormwater code is the most stringent code to date to regulate runoff and water quality. The implementation of this current code will not increase or exacerbate existing groundwater or surface water issues. In many cases of redevelopment, it will

likely have a net benefit of reducing surface water drainage issues and improving water quality.

Aside from large-scale “green-street” redevelopment or Capital Improvement Projects focused on drainage or hydrology issues, site-by-site improvements provide a realistic approach to address existing problems.

11. *How do zoning changes impact the underlying tax assessment of properties and what effect does this have on business costs?*

Staff asked this question of the King County Assessor’s office and received the following reply:

“First let me say zoning would only affect land value. When we talk about improved commercial property, the total value is typically determined using an income approach. The final value of improved parcels is total value less land equals improvement value. For improved commercial property the land value (including zoning) might have less of an impact on the total or taxable value.

We value all land at its "highest and best use" as if vacant. This is required by Washington State Statute. Zoning has an influence on highest and best use as it determines legal uses to which the property could be put. *Other characteristics also impact land value such as topography, location, etc. (italics are from staff)*

As appraisers we observe the market and how the buyers and sellers of commercial land value zoning. The appraiser’s model shows that land zoned R12 or R18 is valued at \$10-30 per square foot, with R24 and R48 properties valued at \$10-25 per square foot. However, land zoned NB and CB is valued from \$30-50 per square foot. In neighborhood 10-40 (Shoreline) there is a different value depending on whether a parcel is zoned R12 or CB. But not as great a difference if the zoning goes from R12 to R18. So a zoning change could affect land value, and a zoning change might not affect land value, depending on what the change is and how the market interprets the change.”

Mark Mayuga in his email to the Commission last month addressed the question of “how does zoning affect rents?” His conclusion is that rents are set by the market, and while someone may be willing to pay somewhat higher rent to be in a newer building, in general the landlord will charge a market driven rate.

12. *What level of detail is appropriate for the SEPA analysis of the subarea plan?*

The SEPA DNS was based on a comparison of conditions permitted under the current Comprehensive Plan and those potentially allowed under the proposed Subarea Plan. From staff’s reading of the two plans, there is not a significant increase in intensity or density as compared to the current plan.

RECOMMENDATION

Staff recommends that Commission have a thorough discussion of all the issues in order to provide staff direction in revising the Subarea Plan to finalize the Planning Commission recommendation to Council during the next meeting where it is scheduled as an agenda item.

Exhibits

Exhibits 1-4: Exhibits were attached to February 4, 2010 Staff Report (1 - Staff's recommended Subarea Plan; 2 - Citizen Advisory Committee's Subarea Plan Report (without the attachments); 3 - Minority Report, dated January 27, 2010; 4 - Public comment dated January 27, 2010)

Exhibit 5: Comment letters in February 4, 2010 Desk Packet received at Public Hearing (Buford Fearing, Dick Nicholson, Jeff Mann, Mark Holmes, John and Jill Davis, Elaine Solberg, and Mark Mayuga)

Exhibit 6: Testimony submitted from Leslie Sandberg at February 4 Public Hearing

Exhibit 7: Testimony submitted from Bill Bear at February 4 Public Hearing

Exhibit 8: Janet Way entered the Surface Water Master Plan into record as reference document

Exhibit 9: Janet Way entered the Thornton Creek & West Lake Washington Basins Characterization Report into the record as a reference document

Exhibit 10: Janet Way entered the LID Technical Guidance Manual for Puget Sound, Puget Sound Action Team - January 2005 into the record as a reference document

Exhibit 11: Comment letter from Roger Iino dated February 8, 2010

Exhibit 12: Comment letter from Sigrid Strom dated February 8, 2010

Exhibit 13: Comment letter from Carl Stokes Jr. dated February 11, 2010

Exhibit 14: Comment letter from Janet Way dated February 11, 2010

Exhibit 15: SEPA Checklist and DNS

Exhibit 16: Comment letter from Janet Way dated February 25, 2010

Exhibits 1-5 Not Attached

Exhibits 1-4 were included as attachments to the February 4 Staff Report.

Exhibit 5 was delivered to Commissioners in a Desk Packet at the February 4 Public Hearing.

Copies can be retrieved by downloading from the SE Neighborhoods Subarea Plan web page: <http://shorelinewa.gov/index.aspx?page=178>, or from the Planning Commission Clerk: (206) 801-2514 | jsmith@shorelinewa.gov

Dear Council Members,

2-4-10 Exhibit 6

My name is Leslie Sandberg, I live on 27th ave NE in the Briarcrest Neighborhood, and am speaking in favor of the alternative commercial zoned area being called the EZ zone. I believe change is inevitable in our corner of Shoreline, and I would like to see development whose goal is to create a "destination location," a place where architecturally appealing commercial villages invite customers to shop, where visitors have a reason to drive out of their way just because it is a happening kind of place. I believe we must have a vision; the time (it) right to plan well, to plan multiuse venues that bring the arts and business together in these developments.

I am talking about shopping centers like University Village, where the layout and architecture invite customers to walk, shop, eat, read, relax; or an Old Country Village idea where cars park on the perimeter and a style of building design again brings walkers just to enjoy the atmosphere of a location.

I have seen multi use space that was vibrant up at the Mill Creek Town Center, which has restaurants, condos, a little creek, small and not so small shops full of customers, a jogging trail, a wetland, dog walking space...it is charming. Closer to home we can see a perfect example of what a quality arts/business/living design could be...forward thinking, artistic and beautiful like the new Thornton Creek Development south of Northgate mall, or it could be an aesthetic disaster like the Target complex north of Northgate Mall.

I think when we all hear about development we immediately say not in my backyard; well I say that about an ugly, ill conceived, dangerous, non-pedestrian friendly mess like Target; but, if we picture Thornton Creek, who wouldn't want to live there? It really is lovely.

We control our own destiny right now...right now we can all decide to build something other communities will point at and say, look, they did it right, look at what Shoreline did. What a legacy you all can create if you take a bit of a risk and invite an artistic vision into this plan. I mean art that is practical for businesses, I want a win-win situation

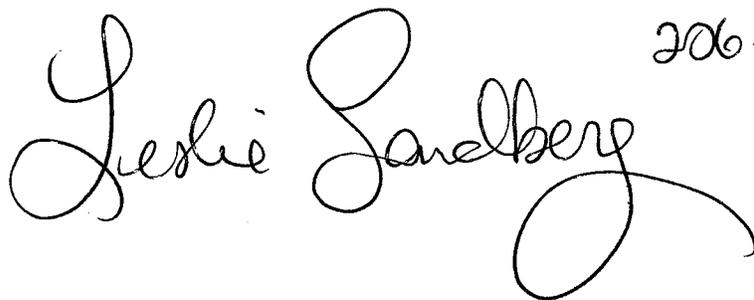
here...I want to join my neighbors on a Saturday as we walk down to have a coffee, buy a book, let our kids play in the fountain while we chat over lunch, and pick up a gift for a friend. That is all commerce. Let's keep our money in our area, and then lets get other people to come here and spend their money too.

I am including a copy of an article from the Seattle Times titled, "Arts have a big economic impact in Seattle, study says." What a surprise that arts can bring in business and innovation and technology investors...again, destination locations. Think of Dunkin, Canada, the town with 80 totem poles—a destination...or Bisbee Arizona, a town that was almost a ghost town in the 70's, when there was an economic downturn, and the arts community came in and made Bisbee of today one of the best places in the country for retirement.

Or just take a drive down to Olympia and see all the diverse, thriving downtown businesses and lots of arts culture—there is a squirting fountain for kids to play in, at night it becomes an outdoor dance floor for tango lessons, they have a lake, a lawn for concerts or outdoor theater; there are art shops in Olympia for sure, but traditional business are thriving too and up above them, apartments for rent.

So count me in...I accept development, but give me a say in the style, the aesthetic design, the mixed use, make it artist friendly, family friendly, pet friendly, create a place with the joy of being alive style that will make us crave development, and will bring money and jobs to our community.

Sincerely, Leslie Sandberg ljsandberg@comcast.net

 206-795-0778

My Idea List

Leslie Sandberg

- An aesthetic voice and vision for the style of development
- Veto power if it is not right
- Mixed use shops/business/rentals/condos
- Small spaces for artists to rent & produce
- Shops for artists to sell
- Small pockets of green space for lounging
- A squirting ground fountain to play in
- Walking trails that get us there
- Emphasize pedestrians over cars
- Trees
- Dog water spots
- A small version of Greenlake to walk around
- A sidewalk embedded with an exercise path to follow for fitness
- A playground for kids
- A wall for outdoor cinema
- A garden
- A creek for kids at schools in which they do science labs
- A walking labyrinth for meditation
- and finally...
- A plaque saying how awesome our city council is! ☺

The Seattle Times

seattletimes.com

Wednesday, June 6, 2007 - 12:00 AM

Permission to reprint or copy this article or photo, other than personal use, must be obtained from The Seattle Times. Call 206-464-3113 or e-mail resale@seattletimes.com with your request.

Arts have big economic impact in Seattle, study says

By Melinda Bargreen

Seattle Times music critic

The arts are big business in Seattle — generating \$330 million in economic activity annually, according to a recent study of the city's nonprofit arts and cultural organizations.

The study, part of a national survey of the arts, is the first to single out the city of Seattle. It also compares its arts activity with that of similarly sized cities around the country.

The Seattle survey is based on data collected from 69 Seattle nonprofit arts and cultural organizations, and 415 event attendees, during 2006. About 37 percent of the audience members polled came to Seattle arts events from outside King County.

Some key findings of the survey:

- The \$330 million in economic activity includes \$211 million in spending by arts organizations and almost \$119 million in event-related spending by arts audiences.
- Seattle's arts create 7,992 full-time equivalent jobs, with \$177.8 million in resident household income.
- The arts here also generate \$12.3 million in local government tax revenue and \$14.4 million in state government tax revenue (including taxes paid by both arts organizations and their audiences).

The national results of the Americans for the Arts "Arts & Economic Prosperity III" survey, released last month, show that the nonprofit arts industry generates \$166.2 billion in economic activity annually, resulting in \$29.6 billion in federal, state and local tax revenues.

The Paul G. Allen Family Foundation awarded a \$75,000 grant to Americans for the Arts in 2006 to fund survey research in Seattle and six other Northwest communities: Boise, Idaho; Missoula, Mont.; Portland; Tacoma; and Anchorage and Homer, Alaska (all located in the five states where the Allen Foundation funds). Of those cities, not surprisingly, Portland posted the figures closest to Seattle: \$318.3 million in economic activity.

Sue Coliton, senior director of the Allen Foundation, said that the foundation "wanted to see those [Northwest] cities in the study. We think the results will be useful in advocating for more public and

private funding for the arts, and more favorable policies, as well as creating more cultural opportunities."

The survey indicates that Seattle is an arts-centric city. Said Coliton: "Although Seattle was third from the bottom in population among the 19 cities in its population group, it was fourth from the top in terms of economic impact."

Among the other cities in Seattle's group were San Francisco (at the top of the economic-impact list at more than \$1 billion); Austin, Texas; Indianapolis; and Milwaukee. The survey covered 156 communities.

According to Michael Killoran, director of Seattle's Office of Arts & Cultural Affairs, Seattle's economic figures should be considered conservative estimates, because there was only a 30 percent response rate from local arts organizations.

"The study measures direct spending by organizations and patrons," Killoran said, such as restaurants, parking, hotels — but not the "ripple effects of the dollars."

Randy Cohen, vice president of research at the nonprofit, Washington, D.C.-based Americans for the Arts, said his agency conducts surveys approximately every five years, "because that's their effective shelf life." The 2007 study is the largest ever done, he added; it is also the first to include Pacific Northwest communities.

The full text of the Seattle report is available at www.seattle.gov/arts.

Melinda Bargreen: mbargreen@seattletimes.com

Copyright © 2007 The Seattle Times Company

Neighborhood Meeting Feb 3rd 2010

Questions and comments from neighbors:

Why so much density in our neighborhood? Are we being singled out?

Who wants business development in the neighborhood? Just leave it the way it is.

We need a walking and bike path along 145th between 32nd and 5th Ave NE for the light rail station.

Why not make the commercial area near 5th Ave NE

Stop development until 145th St traffic problem is fixed.

Object to high density zone on 145th between 23rd Ave and 25th Ave NE

The City Council could instruct the City Staff to get 145th traffic problems addressed rather than left as a multi jurisdictional problem or it is a State highway therefore nothing can be done.

Our committee did not consider the impact of development of the Fircrest area on our neighborhood.

Setbacks on 145th at least for sidewalks and trees.

Some neighbors on 145th want to sell waiting for a good price.

What of the increased numbers of kids impacting our schools?

Are any of the 900 new housing units low income?

In Seattle they have gone back to corner lots mixed R-6 use owner occupied commercial in residential neighborhoods. This manages to keep small business in the neighborhood. And keep property values down for them.

Why not developments like University Village, Old Country Village, Downtown Edmonds and Thornton Creek?

We need Design review.

We need arts destination to attract non residents to mixed use retail not just more residential housing.

We need walking paths through parks to small businesses, coffee shops and fun bars.

We need design standards.

We need living wage jobs.

Maybe the Economic Zone should have height limits of 50 feet with a ratio of commercial floor space to residential floor space of 1:1

Appropriate infill development (mother in law attached accessory detached accessory dwelling units, cottage housing) If and only if we do not do the 900 new high density units

Entered into the record by Janet Way by reference

Exhibit #8 - Surface Water Master Plan

<http://shorelinewa.gov/Modules/ShowDocument.aspx?documentid=538>

Exhibit #9 - Thornton Creek & West Lake Washington Basins Characterization Report

http://cosweb.ci.shoreline.wa.us/uploads/attachments/pds/SE_Subarea/thorntoncreek.pdf

Exhibit #10 - LID Technical Guidance Manual for Puget Sound, Puget Sound Action Team - January 2005

http://www.psp.wa.gov/downloads/LID/LID_manual2005.pdf

RECEIVED

FEB - 9 2010

Heidi Costello

City Manager's Office

From: Roger lino [rojiino@q.com]
Sent: Monday, February 08, 2010 10:00 PM
To: Steve Cohn; Miranda Redinger; Rachael Markle; City Council
Subject: SE Neighborhoods Subarea Plan

Council

Bob O

Joc
Steve Cohn

Jessica SS for Planning Comm.

File

FYS - Distribution Only

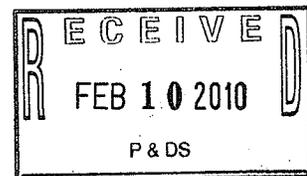
Page 1 of 1
Exhibit 11

I am a home owner in the Briarcrest neighborhood and have reviewed the Southeast Neighborhoods Subarea Plan Report dated November 19, 2009 and developed by the Citizen's Advisory Committee. I am not in favor with many of their recommendations and am in agreement with the points highlighted in the Minority Report for the Southeast Neighborhoods Subarea Plan (January 27, 2010). I believe that 900 new housing units in this area are unnecessary and unwanted. R-48 zoning would allow multi-storied and/or small units along a corridor that is currently overly congested with vehicles, would encourage cut-through traffic in our residential neighborhood, and would likely be architecturally unpleasant (albeit my opinion). The minority report calls for establishing a new zoning code EZ or Economic Zone and R-12 zoning. Whether or not this will be successful creating a better job base, this would allow multi-use developments that would encourage small to medium businesses to co-locate with residential units. I would also encourage not increasing density by changing zoning in existing residential neighborhoods that are within the interior of the boundaries of the Southeast Neighborhood.

I am supportive of having diversity on the planning group but question having building developers involved in formulating the plan. Unless there were or are conflict of interest measures employed to ensure that the developers or their companies won't reap benefits from enactment of this plan, I would urge that this process be delayed in order to remedy this. An example of a measure would be to bar any bids or awards to these companies.

Roger lino

206-367-1050



From: **Sigrid Strom** <siannestrom@gmail.com>
Date: Mon, Feb 8, 2010 at 8:31 PM
Subject: SEPA DNS for SE Neighborhoods Subarea Plan
To: stewartjr_5@hotmail.com

Hi, Jessica -

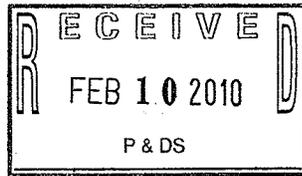
Would you please ask the commissioners and the city to provide some clarification regarding the SEPA DNS that was mentioned at the hearing for the Southeast Neighborhoods Subarea Plan? Now that I understand that the S.E. Subarea Plan is something separate from the zoning map that the committee submitted, it's not clear whether the SEPA DNS applies to the plan or to the zoning map.

I would like a legal opinion as well as an opinion from the Planning Department and Planning Commission. If the commissioners have not yet decided whether to proceed with the zoning map itself, I'm not sure how it's possible to be making a DNS for both the plan and the zoning map at once.

The deadline for comments regarding the DNS is February 11, but it's not really possible to comment until it's clear what exactly the DNS will apply to.

Thanks for your assistance in this matter.

Sigrid Strom



FROM:

CARL STOKES JR
 14702-8TH AVE. N.E.,
 SHORELINE, WA 98155

BEEN HERE
 FOR 40 YRS.

TO:

SITORELINE PLANNING COMMISSION

RE:

SOUTHEAST REZONING
 SUBERBIA.

I AM VIGOROUSLY AGAINST:

1/ IN-FILL (SMALL HOUSES ON
 SMALL LOTS.) ATTRACTING BUILDINGS.

2/ MIX-USE COMMERCIAL (IE
 HOUSING & BUSINESS TOGETHER).

3/ CAR-FREE ZONES OR
 REDUCED PARKING AREAS, OR
 ALSO RESTRICTED PARKING

4/ DIVERSE PEOPLE OR BUYERS
 IN OUR COMMUNITY. WE HAVE
 DIVERSITY NOW. WHY BRING IN
 SUB STANDARD ELEMENTS?

5/ ANY GREEN PROGRAMS OR STREET PROVISIONS FOR ALTERNATE TRANSPORTATION AS BICYCLES, MOTORCYCLES, ETC.

6/ ANYTHING THAT PROMOTES MORE DENSITY - WE DON'T NEED PROVISION FOR MORE PEOPLE THAT CAUSES MORE CRIME, HIGHER TAXES, MORE POLLUTION, WITH LOWER OVERALL LIVING STANDARDS!

WHAT SHORELINE NEEDS BADLY AND I AGREE ON!

1/ A ^R LARGER AND PERMANENT POLICE FORCE, MAYBE SHARED WITH EDMONDS & LAKE FOREST PARK.

2/ A MORE VIGEROUS PLAN ON SLOWING-DOWN TRAFFIC ESPECIALLY IN NEIGHBORHOODS.

3/ A GOVERNMENT BODY WHICH WILL COME TO ITS SENSES AND

STOP WASTING SCARCE TAX REVENUE
ON SUCH FRIVOLOUS PLANS AS
SOUTH EAST SUBURBIA.

5/ SHORELINE LEADERS NEED TO BE

CONCENTRATING ON PROMOTING
MORE SMALL BUSINESSES AS
(A) A GOOD HOBBY-CRAFT SHOP.
(B) A BONAFIDE HARDWARE STORE.
(C) MORE GOOD RESTAURANTS.

BOTTOM LINE

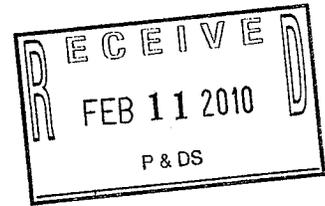
AS IT STANDS, SHORELINE IS A
HEALTHY, NICE PLACE TO LIVE. IT
ONLY NEED A FEW MENTIONED
THINGS - ONLY TIME WILL BRING IT ON.
WE DON'T NEED A ROBUST
PLAN WITH UN-EXPERIENCED
PEOPLE TAKING CHARGE.

WE ALSO CHERISH OUR FREEDOM
TO LIVE AS WE'VE DONE FOR THE
PAST 40 YEARS! DON'T SCREW UP
A GOOD THING!

RESPECTFULLY,

Carl Stokes 2/9/10
Page 40

Paramount Park Neighborhood Group
c/o Janet Way
940 NE 147th St
Shoreline, WA 98155



February 11, 2010

City of Shoreline Department of Planning and Development
c/o Jessica Simulscik-Smith
17500 Midvale Ave N
Shoreline, WA 98133

Subject: SE Sub-Area SEPA Comment

Dear Ms Smith,

Please accept my comments on behalf of the SE Subarea Planning SEPA Determination Process on behalf of the Paramount Park Neighborhood Group. We submit these comments with a request to be a **Party of Record with Legal Standing**. Paramount Park Neighborhood Group is an organization of long standing advocacy for our neighborhood within the SE Subarea, which has been active since 1989.

We appreciate all the work of staff and community members on this Subarea Planning effort. However, we do have some serious concerns to express.

Issues and Concerns:

- We are requesting that a **full EIS be undertaken**, because of the scope and impacts that are possible from the changes that will occur as a result of this plan. This part of Shoreline is an older suburb of Seattle, in which little infrastructure was built to support the kind of growth expected in this plan. This plan anticipates growth in densities of up to an additional 900 housing units and impacts to our environment could be severe, including but not limited to traffic, parking, drainage, air, water, vegetation and wildlife.

Recommendation – We recommend that a full EIS be completed before this Plan is adopted to fully determine the likely impacts that are anticipated and to avert potential harm to the environment, both built and natural.

- **SEPA Checklist Inadequate, Incomplete and Inaccurate:** In reviewing the SEPA Checklist, we are concerned that many of the issues and information, which should be included, are not addressed. For instance, under Section #8 -“Land Use”, (h):

Q. -“Has any part of the site been classified as an environmentally sensitive area? If so, specify. A. Unknown. But if there were locations within the area that are environmentally sensitive, the City regulations would be applied to development on those portions of the site(s).”

This seems like a remarkable illustration of the incompleteness of the SEPA Checklist and the lack of attention to detail in this SEPA analysis. The City has ample information to clearly identify many of the Critical Areas within this Sub-area. The Surface Water Master Plan and the Thornton Creek and West Lake Washington Basins Characterization Reports (Commissioned by the City in 2005 and 2004 respectively) clearly identify the sub-basins of the Thornton Creek Watershed identified. Those are the Hamlin Creek and Littles Creek sub-basins. These are major tributaries of Thornton Creek, which is the largest watershed in Shoreline and Seattle and is home to five species of salmonids, including Chinook (*Listed as threatened* by the Federal Government).

Another example of a glaring misstatement in the checklist is shown under #3. Water: a. Surface 1:

Q.- "Is there a surface water body on or in the immediate vicinity of the site (including year round and seasonal streams, saltwater, lakes, ponds wetlands)? If yes describe type and provide names. If appropriate, state what stream or river it flows into. A – Unknown.

The two quotes above from this SEPA Checklist process illustrate the incomplete and inadequate implementation of the SEPA and Threshold Determination process.

More analysis must be done and that an EIS is needed to fully know what the environmental impacts would be. The level of development called for in this plan could have major implications on Transportation, Surface and Ground Water Quality (Infrastructure), Housing, Wildlife, Energy and Natural Resources, Environmental Health, Aesthetics, Parks, Recreation and Open Space, Historical and Cultural Preservation, Public Services and Utilities. And yet, there is almost no detail about these topics addressed by the SEPA Checklist.

It is also interesting to note, a document entitled "Inventory- Natural Features" map, our group from staff obtained. This was apparently created FOR the Subarea process. It clearly shows Parks, existing lots, some topography and locations where "drainage/stormwater issues (per community input)" and interestingly "Potential View" corridors are identified in the Legend. So, we wonder why this document and others were not used by staff to ID potential areas of concern or more fully fill out the SEPA Checklist.

Even with the "Supplemental Sheet Non-project Action", there are many assumptions, which are not based on accurate information. For instance in #4.

"Q... environmentally sensitive areas or areas designated for governmental protection: such as parks... wetlands, floodplains, (etc)..." A. No Sensitive areas or those designated for governmental protection are contained within the boundaries of the subarea. There are several adjacent parks, but the potential increased density would not stress their capacity for service.

The above answer assumes that because our sensitive areas are located in parks no problems exist. This is not only incorrect, because Hamlin Creek flows through a residential neighborhood, but also the surface waters which flow into the said bodies of water within parks and downstream, are impacted severely. Runoff from all the area's roads, which send undetained water flows into an already overrun storm system cause frequent flooding. And this process brings massive quantities of pollutants to the streams and wetlands in the Parks and downstream areas of watersheds in other municipalities. These points are not identified in this SEPA Checklist, but also not clearly addressed in the plan. These pollutants are well known to be harmful to humans and wildlife, especially salmonids. The waterbodies that in reality ARE "contained" within the boundaries of the subarea are already stressed **beyond their capacity**. This fact is easily ascertainable from existing analysis and documentation done by the City and other regional bodies such as WRIA 8, Seattle Public Utilities and King County over the last 10 years and before.

For staff to assert that sustainable practices and goals which are expressed in the plan and existing codes will address these impacts to an already dysfunctional ecosystem, and this problem also apply to the traffic issues which are of great concern to residents, is a **FANTASY**. Unless clear funding resources and strategies are identified in the plan to address these painfully inadequate infrastructure problems, the resource is guaranteed to further deteriorate. Yet none of this is addressed in the SEPA analysis or the plan.

Recommendation – We suggest that this exercise be redone and an EIS required to fully analyze the impacts. We further suggest that existing documents available within the City's own record be used to analyze the impacts, as well as information provided by community members.

• **Process Confusing:**

We are concerned that, in reviewing the transcripts of the meetings to create this plan, it seems clear that staff has an intention towards a new "zoning" outcome even though this was not set out as a goal by the Council. The Council instructions for the creation of this plan did not include creating new zoning.

The Checklist does ask if more "expansions or activity" are expected and the answer is the "rezones are possible." And within the Land-use section of the plan "zoning intensity" is mentioned for instance to establish transitions or policies in future. This may be an eventual goal that Planning Commission and Council wish to pursue, but should not be the driving goal of the Subarea Plan.

Our concern on this issue is that the correct process be followed for moving forward on any zoning proposals.

Vision vs Zoning –

We believe that before any Legislative Zoning process is adopted or undertaken much more work should be done to provide “Zoning Controls” such as Transitional Zoning Codes, Design Standards, Tree Ordinance, Drainage Fee Structures and other Development Code Regulations should be in place to better control and mitigate impacts from the increases in Density proposed. Also, infrastructure improvements and concurrency for transportation impacts need to be planned and regulated to accommodate those proposed increases and impacts.

The Council’s direction was clearly to create a community vision process for a Comprehensive Plan Amendment with this Subarea Planning Process. The zoning proposals, which the committee spent a great deal of time on should be used as mere “suggestions” to illustrate the possible intent of the Committee, which the City could move on in a separate process. Also, the Minority Report represents some thoughtful analysis by citizens, which should be taken into account by the Planning Commission and Council.

We feel that the Density proposals and zoning recommendations do not necessarily correspond to the Vision provided in the narrative and Comp Plan Amendment recommendations.

Questions:

- How is “transition” fulfilled by the plan (not the zoning)? For instance, the SE section near Bothell Way is heavily impacted. There are sections where High Density is right next to Low Density. Also, along the West side 15th NE, there is a section of High Density and Mixed use right next to Low Density. How can these transitions be eased?
- At 15th NE, there is quite a concentration of density, which may make some sense at the intersection of the major traffic corridors. However, how is the traffic impact to be mitigated? Especially, with the lack of attention to 145th and the connections with Seattle, what mitigations and measures will be taken to ameliorate the impacts of both traffic and drainage there?
- How will the new High Density sections along 145th (SR523) provide safe access to 145th for cars, bikes and pedestrians?

Recommendation –

Zoning recommendations should be left to later processes to be dealt with by staff, Planning Commission and Council till such time as Zoning Controls are in place or on track.

These Density questions need to be fully addressed in the plan as to HOW they will be implemented and analyzed as such in the SEPA.

• Issues not fully addressed by Plan:

Several important areas are inadequately dealt with in this proposed Plan. These include, but are not limited to the following:

- **State Route 523 (145th Street)** - largely ignored by the Plan even though it is a major thoroughfare and State Route serving the region. There is a recommendation to have the City undertake a study of the issue, which we appreciate. SR523 has been placed on the “unfunded list”, by the PSRC and SCA, which mean it is flagged as needing attention. Though it is not identified for priority funding, it is an “Emergency Alternative Route” to SR520 and therefore should be a major priority for our City and our neighbors. This route has experienced many traffic and pedestrian casualties and even deaths over the years. Also, even the noise levels are unacceptable and likely to increase with the proposed Densities.

Transportation Policy Recommendations: T4 states -

“Improve automobile traffic flow on major arterial corridors to accommodate increased density.”

We feel that the problems created by and added to by 145th and impacts from this plan must be better addressed in the SEPA analysis, otherwise the environmental impacts analyzed by the SEPA process have no real meaning.

Since the Committee repeatedly identified “pedestrian” use, and “walkability and bikability” and “pedestrian and bike safety” as important goals, it stands to reason that it should be a high priority to work with our partners to address improvements on SR 523 to provide needed capacity to absorb the proposed density in this plan. SR 523 is a very dangerous road to walk, ride a bike or drive on.

Another element of this discussion, which needs to be addressed and is not in the SEPA Analysis OR in the plan, is the future Light Rail Station being planned for 145th and 5th NE. This is a huge issue which is being ignored. If this is a plan to impact our lives for 20 years, the Light Rail Station issue MUST be considered.

- **Surface Water or Drainage Infrastructure including specifying discussion of LID** (Low Impact Development) techniques are not correctly addressed or emphasized. To adequately address the existing and new problems associated with the proposal, there should be a separate section which addresses this infrastructure not now included in the Plan.

Water Runoff:

The SEPA Checklist has a specific subsection c. Water Runoff, however in the below answer to:

Q- #1. Describe the source of runoff(including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so describe. A – Unknown.
It is clearly inadequate.

We believe that the SEPA analysis is clearly lacking here. The problem of stormwater runoff is now identified by State, King County and City scientists as the most damaging Water Quality problem facing our communities, and addressing it is crucial to the health of Puget Sound and Lake Washington. It therefore must be addressed in this plan.

But there is little if any mention of **Watersheds** in this plan. This is a glaring error that I can only attribute to the fact that as the Plan was formulated this crucial concept was not considered. However, I would hope that staff and Planning Commission would correct this error. Watersheds and Basin Planning as a concept are a major planning tool for Surface Water Management, Habitat, and Public Works. This Subarea is contained within two watersheds – Thornton Creek and West Lake Washington Basins.

We do wish to applaud the Plan however, for suggesting that creeks sections should be “Daylighted” in NE 6. This is an admirable goal to work towards. There are sections of Littles and Hamlin Creek that might be considered for “daylighting.”

Also, in conjunction to discussion of improvements to SR 523, the connection of the culvert containing Littles Creek which runs under that road, is important. Currently that pipe is out of compliance with WDFW requirements. The culvert is “perched” well above the stream bed at Jackson Park and is a “fish passage barrier”. This must be corrected, and there is a ruling and settlement recently with WSDOT that provides direction to correct this situation. An article in a recent “The Olympian” provides the report on this legal settlement.

< <http://www.theolympian.com/environment/story/1116689.html> >

We believe that the City must confront this inadequate infrastructure directly and honestly and accept responsibility for fixing these systems. The Plan should identify possible funding and financing opportunities.

Environmental Health –

We believe that the Environmental Health section of the SEPA Analysis is also completely inadequate. Section 7 a., 1 and 2 are not addressed.

7 a. Q Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so describe. A - Unknown

We feel this analysis is sadly lacking. Just to mention a few concerns that should have been addressed; the stormwater runoff problem contaminating Littles Creek is well known. This runoff contains many chemicals and sediments which pose a great threat to people and wildlife, here and downstream. Many large parking lots also contain the same problems. There are also gasoline tanks at old service stations which should be addressed. And, the State Health Lab and Asbestos contamination at the Fircrest Campus has not

ever been fully dealt with.

Recommendation:

Include a “Watershed Characterization” section in the Natural Environment section. This could also be included in a new section on “Drainage”.

Address the drainage/runoff issues directly instead of putting it all off till some hypothetical development takes place. Address directly the sub-quality drainage system that we are saddled with from the old unincorporated King County, including the fish passage barriers.

• Open Space and Parks –

The Parks and Open Space section seems short of providing more Open Space for the additional residents and the quality of such and connections to them.

There is documentation of the overall low percentage of parks and openspace available to the City’s population. While we do have some good and improving parks in town, the majority of them still need attention to truly provide adequate “useable” open space and improve wildlife habitat corridors within them.

One specific **addition** that is needed is on **pg 12. PR1** states:

“ Support development of a trail/designated pathway connecting the Interurban Trail with Paramount Park (upper and lower) Hamlin Park, South Woods and to the Burke Gilman Tail.” Add – Jackson Park as a connection.

Also, Correction – Under **Natural Environment –NE 14** states:

*“Designate the area between Seattle’s Jackson Park and **Hamlin** Park as a potential “green corridor” to provide a contiguous ecosystem for wildlife”. **Change “Hamlin” to “Paramount”. We do agree with this goal, and suggest that outside grant funding should be sought for acquisition of the property next to Paramount to protect this habitat area and complete the connections to Jackson Park. This property includes steep slopes, valuable “Madrona” uplands, and other forested eco-systems which protect the valuable wetlands and stream corridor below.***

Recommendations:

Add – Create connections to our Parks/Trail system with Jackson Park “Bands of Green” trail proposal being developed and recreational opportunities. Make intergovernmental connections through our Public Works and Parks Department to develop functional connections to Shoreline Parks with Seattle, such as Paramount, South Woods and Jackson Park. Also, NE 147th St. from 8th and 10th NE should be a natural and safe bike and pedestrian trail improvement developed, both through Paramount Park and on the roads.

Make recommendation to seek funding complete the connection with Paramount

Park through the Jackson Park.

• **Economic Development and Jobs** – Precious little in the Plan is clearly identified as to how to save or create family wage jobs in this Subarea. There is discussion of supporting “Home based business” and Mixed Use Zoning and “Third Places”, but not too much about actual job creation.

Recommendation:

Create opportunities through fostering “Innovative Technologies” and “Green Jobs”.

• **Housing** –

We object to Goal H11 in the plan. We feel there are very few restrictions now to development of Group Homes. They have been proliferating quite successfully in Shoreline, such that Emergency Service and Police already have great difficulty providing services they require.

H11: Remove Obstacles to adult family homes in residential zoning districts.

The SEPA Checklist and analysis seems to have been done as merely a *proforma* exercise, with little if any substance. This SEPA process and analysis is unfortunately so inadequate that the only conclusion we can reach is that the Determination of Non-significance should be withdrawn at a minimum and an EIS should be undertaken.

Respectfully Submitted,

Janet Way

President, Paramount Park Neighborhood Group

Documents:

- SEPA Checklist for Subarea SEPA Process – City of Shoreline 1/2009
- City of Shoreline, Thornton Creek and West Lake Washington Characterization Report – 2004 Tetra-Tech
- City of Shoreline, Surface Water Master Plan – 2005
- Puget Sound Action Team – Low Impact Development Techniques

- Stormwater Report – Sightline Institute “Curbing Stormwater Pollution – Cleaning Up Wahsington’s Toxic Runoff”, January 2010

< http://www.sightline.org/research/pollution/res_pubs/curbing-stormwater-pollution/>

- 8/8/08 NEWS RELEASE: Landmark ruling requires cities and counties to take aggressive action to protect Puget Sound from stormwater
People for Puget Sound, Earth Justice, Puget Soundkeeper Alliance

- “14 Scientists Letter - *SUBJECT: PARTNERSHIP RECOMMENDATIONS TO:*

*IMPROVE WATER QUALITY AND HABITAT BY MANAGING
STORMWATER RUNOFF*

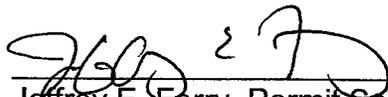
*PROTECT ECOSYSTEM BIODIVERSITY AND RECOVER
IMPERILED SPECIES*

*PROVIDE WATER FOR PEOPLE, FISH AND WILDLIFE, AND
THE ENVIRONMENT”* October 26, 2006

http://faculty.washington.edu/dbooth/Partnership_Science_from_14_scientists.pdf

- Article – The Olympian, January 27, 2010 “State to reduce stormwater pollution from highways” <<http://www.theolympian.com/environment/story/1116689.html>>

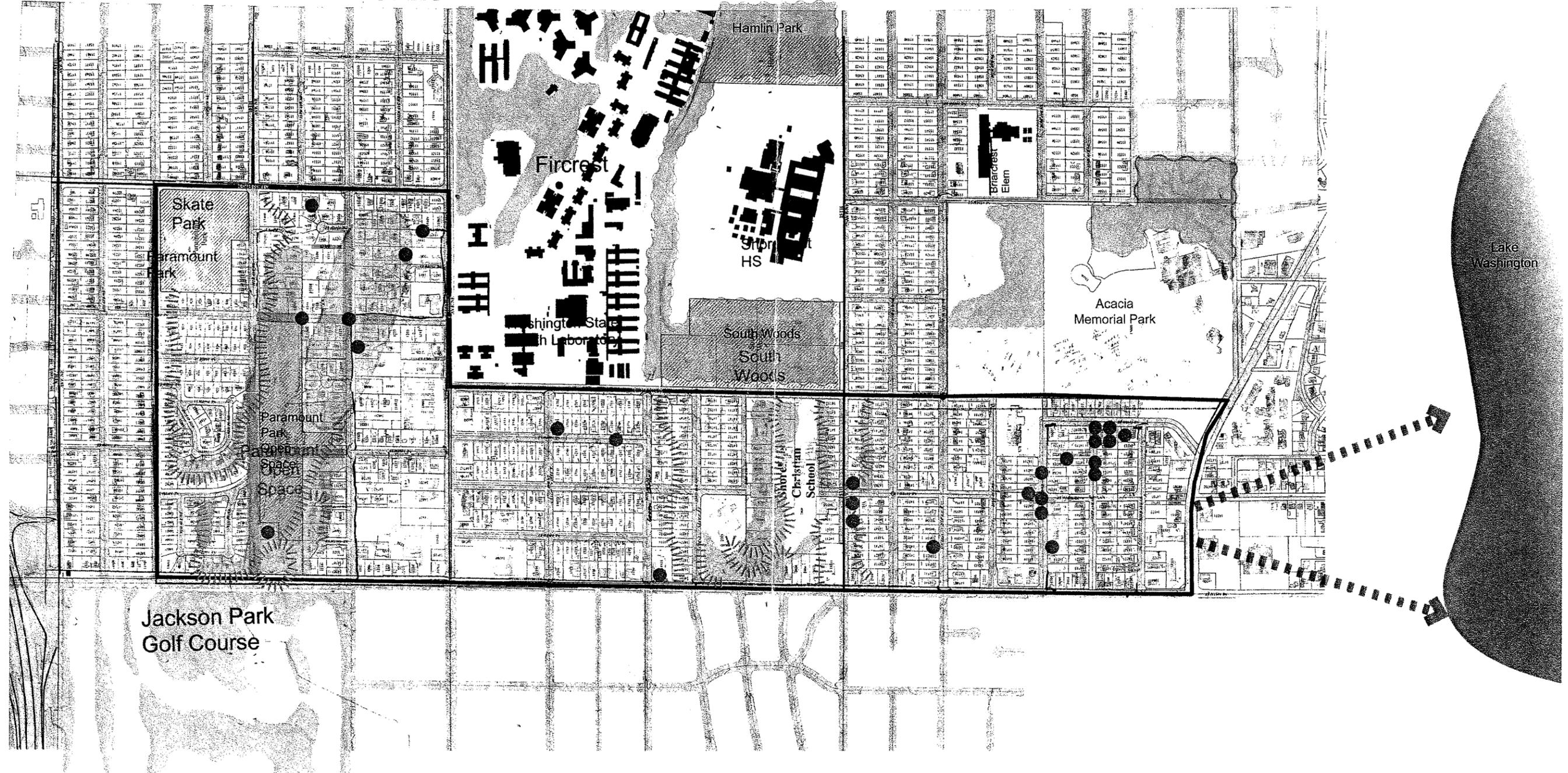
Received from Janet Way on February 11, 2010, comments and exhibits relative to the Southeast Shoreline Subarea Plan.


Jeffrey E. Forry, Permit Service Manager

2/10/10
Date

- * Natural Features Inventory Map from CAC Report
- * SE Subarea Plan Comment letter packet
- Thornhill Creek - West Lake WA Basins Characterization Report
- City of Shoreline Surface Water Master Plan
- LID Technical Guide Manual for Puget Sound
- * 7 photos of natural drainage systems
- CAC proposed Land Use ^{zoning} Maps
- ~~CAC~~ Current Comp. Plan - Existing Zoning
- CAC full record of agendas, meeting summaries, attendance - exhibit

* physically submitted



LEGEND

-  STUDY AREA BOUNDARY
-  STEEP SLOPES
-  GREEN BELT
-  POTENTIAL VIEW
-  DRAINAGE/STORM WATER ISSUE (PER COMMUNITY INPUT)

Pervious Driveway in Shoreline
Parkwood Neighborhood



2

Pervious Driveway - Shoreline
Parkwood Neighborhood

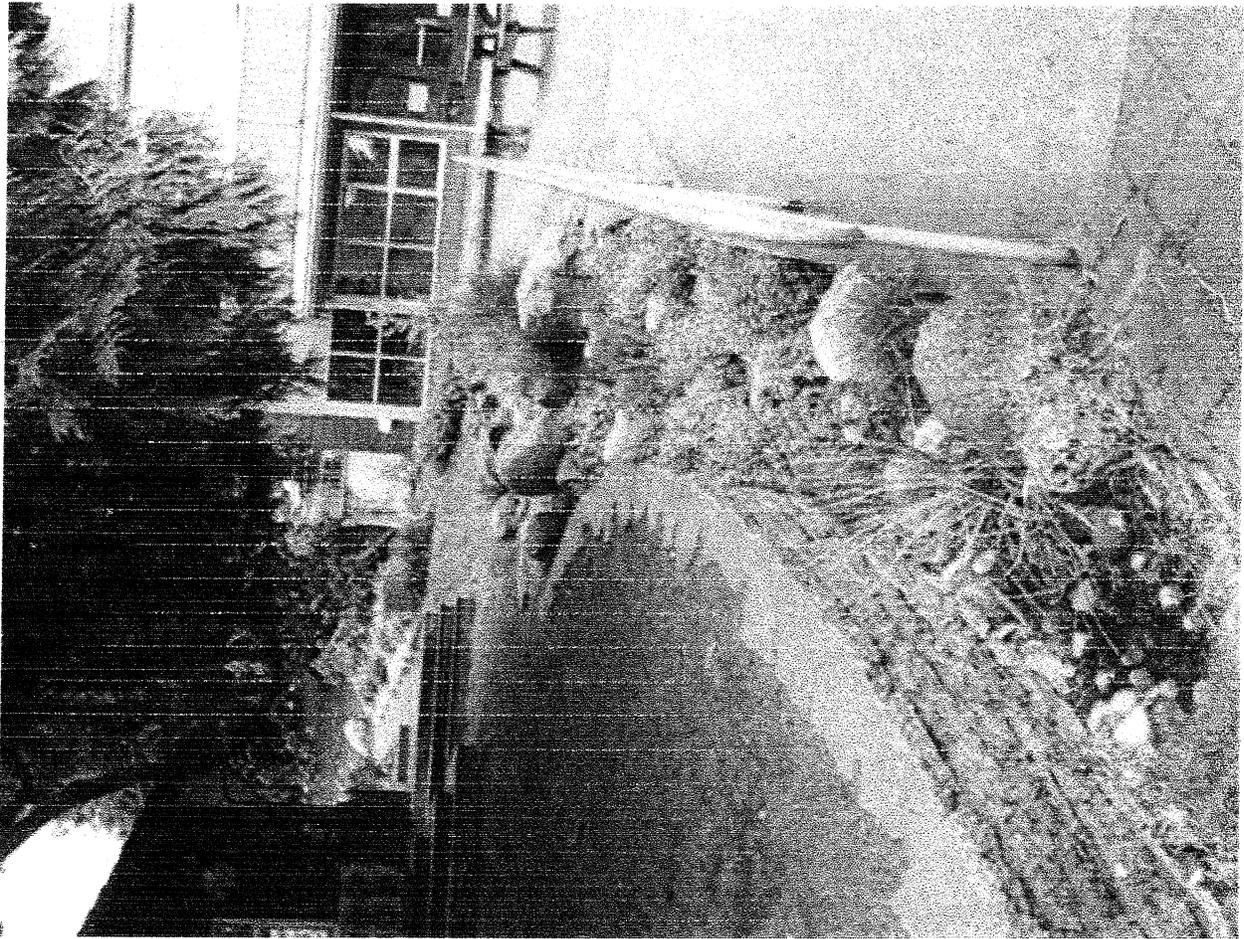


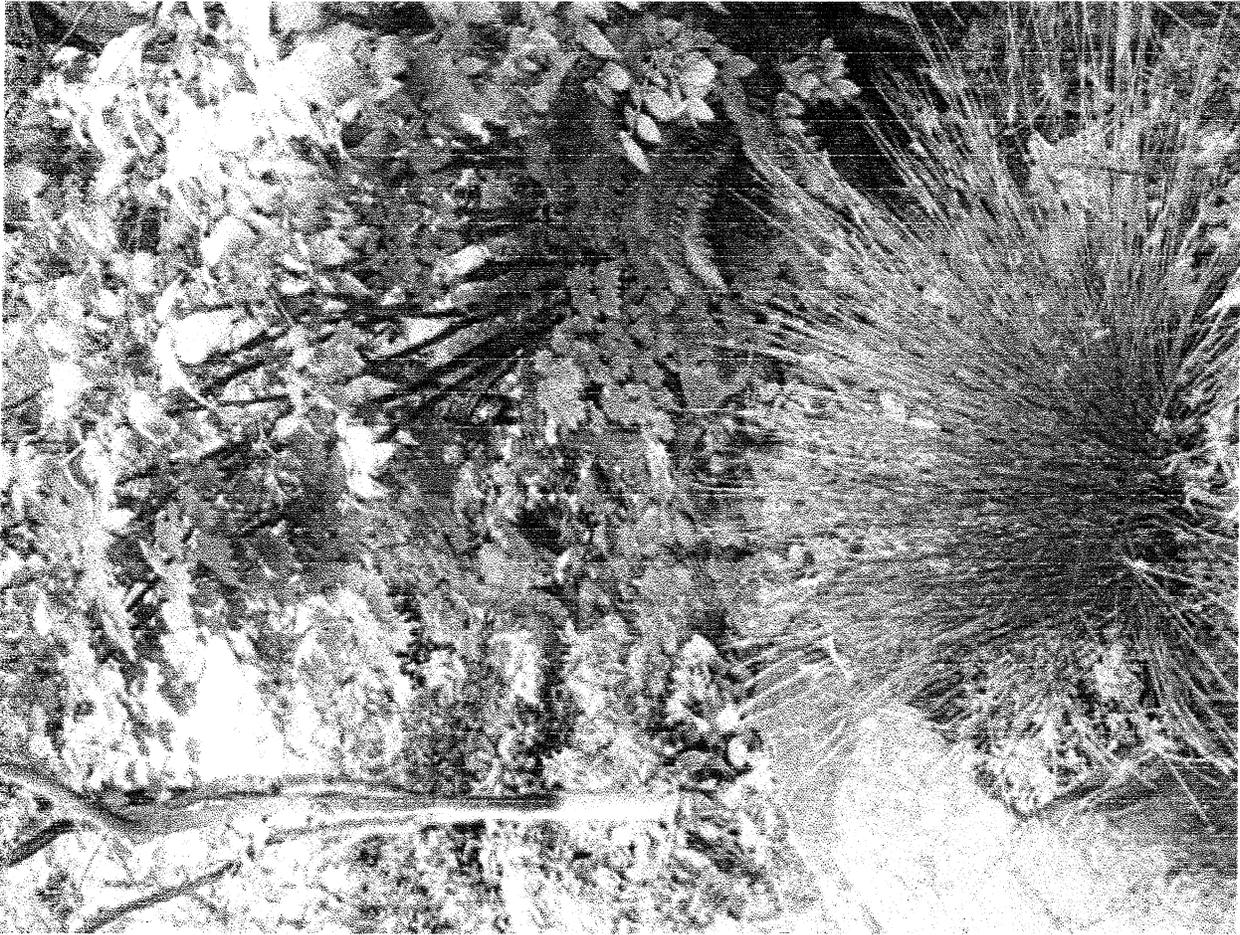
Natural Drainage

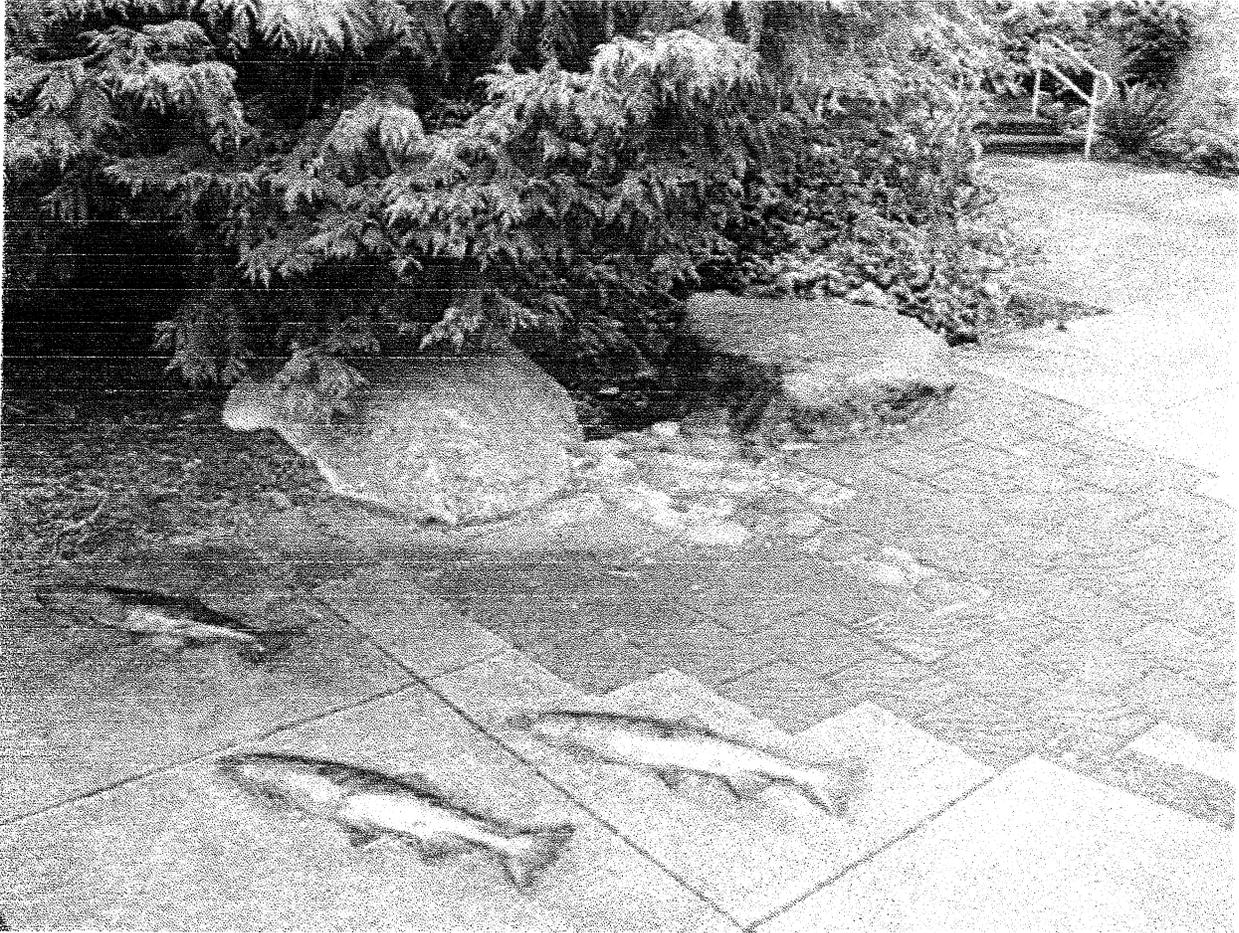
Systems -

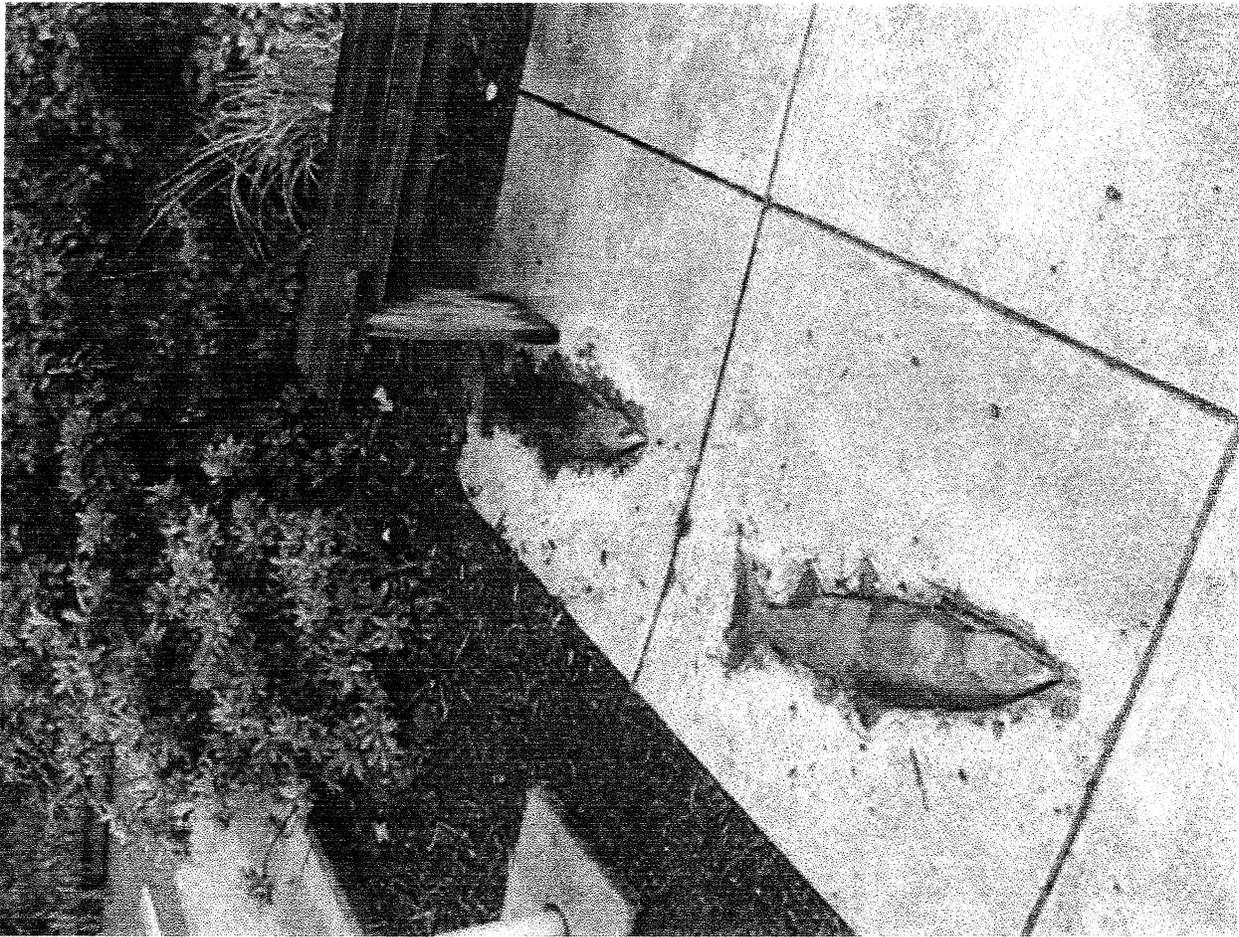
- Evergreen
School Site

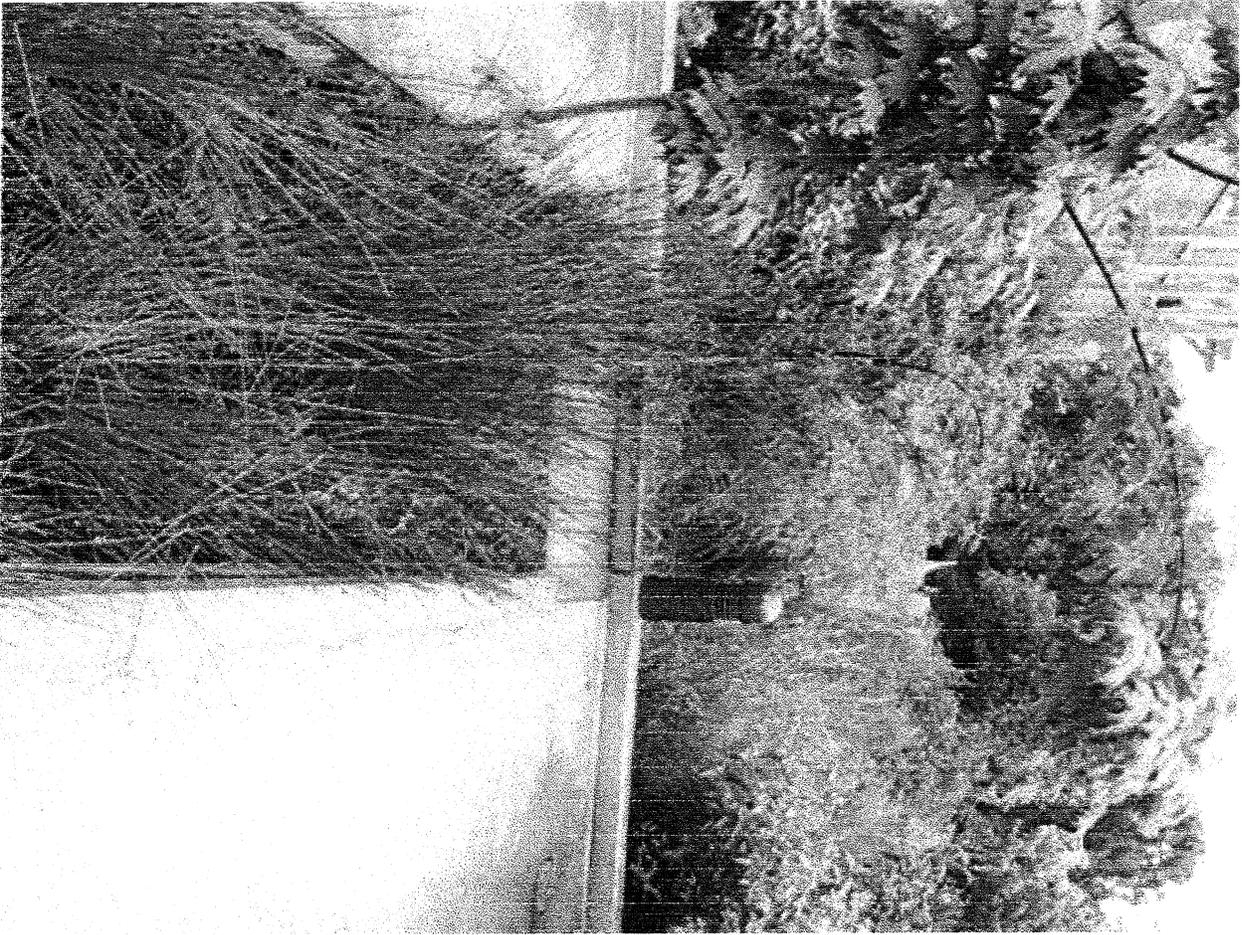
- Parkwood
Neighborhood

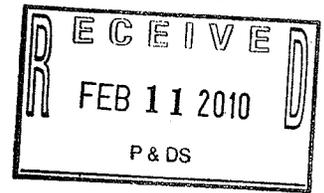












October 26, 2006

Puget Sound Partnership
c/o Puget Sound Action Team,
P.O. Box 40900
Olympia, WA 98504-0900

Dear Puget Sound Partners

SUBJECT: PARTNERSHIP RECOMMENDATIONS TO:

**IMPROVE WATER QUALITY AND HABITAT BY MANAGING
STORMWATER RUNOFF**

**PROTECT ECOSYSTEM BIODIVERSITY AND RECOVER
IMPERILED SPECIES**

**PROVIDE WATER FOR PEOPLE, FISH AND WILDLIFE, AND
THE ENVIRONMENT**

We, the undersigned members of Washington State's scientific community, have been studying impacts of urbanization on habitat and aquatic life for decades. There is a large body of literature regarding the relationship of urban runoff and the health of waterbodies. We have had the privilege of contributing papers describing the status and trends in Northwest rivers, wetlands, and coastal environments, the impacts of urban runoff (and other effects of human activities on Puget Sound waters), the effectiveness of mitigation measures, and original and effective methods for monitoring waterbody health. All undersigned have credentials to comment on effective approaches for urban runoff management.

These comments are in response to preliminary recommendations by the Puget Sound Partnership, dated October 2006, for action to preserve and recover Puget Sound.

IMPORTANCE OF STORMWATER RUNOFF MANAGEMENT IN THE PUGET SOUND BASIN

Urban runoff scours streams, destroys aquatic life characteristic of a healthy ecosystem, and carries enormous loads of contaminants to Puget Sound. Stormwater is most likely a primary source of destructive flows and contaminants leading to the precipitous decline in the health of the Puget Sound ecosystem.

Because of urbanization, peak stormwater flows can increase stream discharge by factors of up to 10-fold over predevelopment peaks. Annual flow volumes can double.

Contaminants in and volumes of urban runoff discharged to streams change the types and numbers of aquatic species, changes that are key signals of declining ecological health.

The decline in stream health begins with the clearing of the forest and modification of river channels in a watershed. Stream flow usually increases dramatically after clearing and often streams are devastated even before any development takes place. Every square foot of effective impervious surface then added to a watershed counts further toward the stream's decline. ("Effective" impervious area is that connected by a conveyance system to surface water.) With the first increments of effective impervious area in a watershed, the numbers of the most sensitive species decline dramatically. Contrary to popular dogma, there is no threshold of development below which there will be no biological degradation.

Although all groups of aquatic organisms are affected by the actions of humans, anadromous fish in our region are the most widely understood and appreciated species that suffer enormously in streams draining urbanized watersheds. Salmon and sea-run cutthroat trout spawned and nurtured in Puget Sound's streams are important for several reasons: regional icons, contributors to regional economies, and key players in the food webs that range from mountain forests to the health of Puget Sound orcas. In short, a healthy Puget Sound depends on a healthy regional biota, especially anadromous fish populations.

END-OF-PIPE TREATMENT AND DETENTION DISCREDITED

"End-of-Pipe" management of stormwater refers to the practice of treating and detaining runoff from urban land uses before discharging it to surface water. Underlying the employment of end-of-pipe management is the assumption that forested watersheds can be converted to any type of land use (including 100% impervious) and that the impacts of these changes on receiving waters can be negated through the use of engineered stormwater-management hardware.

The prescriptions and methods for design of such hardware are found in drainage design manuals in use by every jurisdiction in the basin. An example of such a manual is the DOE's "Stormwater Management Manual for Western Washington". Newly written NPDES permits require that jurisdictions use this manual (or its equivalent) in mitigating for urban runoff. However, the DOE manual itself disavows claims to protect aquatic life. From Volume 1, Section 1.7.5: *...land development as practiced today is incompatible with the achievement of sustainable ecosystems.* And also from Volume 1, Section 1.7.5: *The engineered stormwater ... systems advocated by this and other stormwater manuals ... cannot replicate ... hydrologic functions of the natural watershed that existed before development, nor can they remove sufficient pollutants to replicate the water quality of predevelopment conditions.*

End-of-pipe stormwater management has been and continues to be a failure at adequately protecting streams, wetlands, and Puget Sound. The literature in the past 30 years documents the negative effects of stormwater discharges on receiving waters.

In the past 5 years several papers have been published describing the marginal differences in stream damage between those watersheds where treatment and detention is installed and those where discharges are unmitigated. Hydrological studies are available that show that no amount of end-of-pipe mitigation can protect streams from urban runoff. In short, conversion of forests to traditional urban land uses cannot be mitigated by end-of-pipe prescriptions.

Since 1996, the correlation between urbanization (and concomitant decline in forest cover, loss of stream buffers, new impervious area) and stream health has been documented in detail. It is now possible to predict, with considerable confidence, the ill-effect of continuing urbanization on the last vestiges of healthy streams in the basin if such development follows the same formula employed in the past.

THE PARTNERSHIP LEANS ON FAILED PRACTICES FOR PROTECTION

The following is the stormwater recommendation from the latest draft of Puget Sound Partners recommendations (dated October 2006):

1. Issue NPDES Phase I and Phase II permits that brings 80% of the Puget Sound's population (and some 80 cities) into active stormwater management.

Also:

- a. Implement a coordinated water quality monitoring program.*
- b. Expand programs to maximize stormwater infiltration.*
- c. Promote a basin approach to stormwater by sponsoring pilot projects.*
- d. Increase funding for Low Impact Development (LID) demonstration projects and develop incentives to encourage the use of LID.*

The Partnership recommendation to issue NPDES permits is unnecessary in that this will be done regardless of Partnership stance.

Furthermore it is widely known that NPDES offers little hope of protecting streams and Puget Sound. NPDES permits issued by Washington State require only that permittees adhere to the state's "Stormwater Management Manual for Western Washington", a set of prescriptions for end-of-pipe engineering hardware. The manual recognizes that end-of-pipe engineering will not protect streams and source control is necessary (Volume 1). But, in the subsequent volumes containing its prescriptions, the manual is silent about the advisability of conversion of forests to intense forms of land use. The manual allows development projects that convert up to 100% of a forested site to impervious area. The manual's prescriptions are concerned only with sizing of hardware. The scientific literature demonstrates that it is not possible to fully mitigate for any such conversions regardless of hardware size.

The Partnership should not expect that NPDES or continued end-of-pipe management of runoff will lead to the protection or recovery of Puget Sound.

Encouraging infiltration (in the absence of LID standards) is meaningless (“*b.*” above). For traditional high-impact development, jurisdictions disallow infiltration on till soils. Encouragement to “maximize” infiltration will not make soils more porous. And the Partnership should not be “encouraging” anything. The Partnership should be describing practices and standards that are vital to Sound recovery and recommending that they be implemented and enforced.

More low impact development pilot and demonstration projects, at best, will delay essential action (“*c*” and “*d.*” above). We have sufficient experience with traditional end-of-pipe stormwater management to know that it is not an alternative and we must turn from it as quickly as possible. Sufficient projects have been constructed to show that LID projects can be successful at retaining runoff on project site. To recommend more such projects (in the absence of action to introduce changes into development code to require them) reflects unjustifiable timidity in the face of great danger to the Sound. Moreover, the Partnership recommendation for incentives (“*d*” above) to abide by LID standards, in the absence of regulations to force such changes, is destined to fall far short of the goal to protect and restore Puget Sound.

We regrettably conclude that, if the above is the extent of the Partnership recommendations regarding stormwater, little hope should be held for restoration of Puget Sound. Indeed it is far more likely, with the arrival of millions more newcomers and concomitant high-impact development, that the health of Puget Sound will continue in its precipitous decline.

PRACTICES THAT MUST BE IMPLEMENTED IF PUGET SOUND IS TO BE SAVED

Science supports the following actions and practices related to land use as necessary to halt the decline of Puget Sound ecosystem, provide for recovery of anadromous fish, halt the increase in and reduce the load of pollutants carried by stormwater to Puget Sound, and begin the steep climb toward restoration. This list is not all-inclusive. It is left to others to urge the many other action items needed to restore Puget Sound and other regional water bodies to healthy condition.

1. **Preserve Existing Least-Disturbed Watersheds and Subwatersheds.** The scientific literature is clear that the healthiest and most biologically productive streams are found in undisturbed watersheds. Very small levels of disturbance in the healthiest watersheds immediately start their inevitable biological or ecological decline, beginning with the loss of their most sensitive species, to decline in predators and to the increase in the most tolerant species.

2. **No Net Loss of Forest Cover in the Puget Sound Basin.** Forest loss must be limited in the process of conversion to urban purposes, and such loss must be balanced by increasing/restoring forest cover in disturbed areas within the basin.

Forest loss owing to new development should be limited through development code. An example of such code can be found in DOE's "Stormwater Management Manual for Western Washington", Volume V, BMP T5.30. The Partnership should recommend that this code be used to guide all new development.

To mitigate for the fraction of forest cleared in each new development (i.e. the fraction not preserved by code), the Partnership should recommend a program of clearing trading rights. Such a program would ensure that for each portion of a site cleared for development an equivalent forest area is restored elsewhere in the basin. (Forest restoration in disturbed areas can be affected by a variety of programs. Restoration of buffers along urban streams is an example.)

3. **Halt Runoff From New Impervious Area in the Puget Sound Basin.** Methods for eliminating runoff from impervious surfaces include (but are not limited to) using pervious paving materials, associating impervious area with bioretention facilities, reducing such areas to functional minimums, and so on.

The Partnership should recommend code changes requiring that most new paving and roofing be constructed using materials and practices to prevent them from generating runoff to surface water.

These methods are some of the tools in the practice of "low impact development".

4. **Preserve Existing and Restore Destroyed Buffer Areas Adjacent to Streams.** Destroyed buffers are often found in private ownership. The Partnership should recommend that these be purchased, or otherwise protected, and that soil and riparian vegetation be restored. The protection of Puget Sound as a public good requires creative approaches to these activities. The Partnership should recommend that jurisdictions adopt a system of prioritization of stream buffers to be restored and a time table for restoration. Obviously, restoration of existing problem-buffers may take decades; even so, the Partnership should set reasonable targets for buffer restoration for year 2020 and other milestone dates.

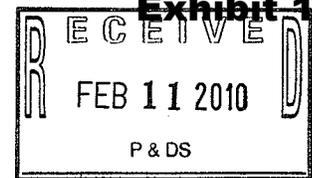
5. **Reduce the Amount of Runoff From Existing Impervious Area.** Much existing impervious area is unnecessary and should be removed. (For example, two-way streets could be converted to one-way and a lane eliminated.) Existing impervious area could be disconnected from surface water by repaving using pervious materials or bordering with bioretention facilities or both.

The Partnership should recommend a program of prescriptions and incentives to reduce existing total and effective impervious area.

The Puget Sound Partnership has a daunting task and carries the burden of responsibility for the fate of the basin's ecosystem. We the undersigned applaud the effort, and offer our services in making the best possible recommendations to the Governor.

Sincerely,

Douglas Beyerlein, Professional Hydrologist and Professional Engineer
Susan Bolton, PhD, Professional Engineer
Derek B. Booth, PhD, Professional Engineer and Professional Geologist
Thomas W. Holz, Professional Engineer
Thom Hooper, Fisheries Biologist
Richard R. Horner, PhD, Environmental Engineering Research
James R. Karr, PhD, Ecologist
DeeAnn Kirkpatrick, Fisheries Biologist
John Lombard, Planner and Environmental Policy Analyst
Christopher W. May, PhD
Gary Minton, PhD, Professional Engineer
David R. Montgomery, PhD, Professor of Geomorphology
David Somers, Fisheries Biologist
Cleve Steward, Fisheries Biologist



For Immediate Release:
Aug. 8, 2008

Contact:

Jan Hasselman, Earthjustice, 206-343-7340 ext. 25
Sue Joerger, Puget Soundkeeper Alliance 206-293-0574
Bruce Wishart, People For Puget Sound, 360-223-2033

Landmark ruling requires cities and counties to take aggressive action to protect Puget Sound from stormwater

Hearings Board Rejects State's Requirements for Municipal Stormwater Regulation

SEATTLE—In a landmark decision, the Washington Pollution Control Hearings Board today issued a ruling requiring that cities and counties around Puget Sound take significantly more aggressive steps to reduce stormwater runoff. The Board struck down provisions in two regionwide permits as inadequate, and concluded that greater use of ³low impact development² techniques is required to meet the governing legal standards. The permits are issued by the state Department of Ecology, which must now reissue them.

³*This is a great day for Puget Sound,*² said Kathy Fletcher, Executive Director of People for Puget Sound. ³This ruling gets us one big step closer to the Puget Sound Partnership's goal of recovering Puget Sound by 2020.²

Puget Soundkeeper Alliance and People for Puget Sound appealed two permits last year regulating municipal stormwater discharges from scores of cities and counties around Puget Sound. The groups believed that the requirements of the permits were inadequate to protect Puget Sound and its declining populations of salmon, orcas and other marine species.

Stormwater runoff from roads and rooftops that is discharged to the rivers, streams and lakes that feed Puget Sound has been cited as the number one threat to the health of Puget Sound. Stormwater contains toxic metals, oil and grease, pesticides and herbicides, and bacteria and nutrients. Recent research of stormwater runoff from industrial areas and highways indicate that when it rains, toxic metals, particularly copper and zinc, are being discharged in amounts that seriously degrade water quality and kill

marine life. Stormwater volumes also erode stream banks, deposit sediment, and widen channels enough to damage fish and wildlife habitat. Some studies show urban creeks to be so degraded that adult salmon are killed within minutes of entering the stream.

The Board concluded that the permit's focus on traditional engineered stormwater management facilities like detention ponds was inadequate to protect Puget Sound and meet the law's requirements. The decision reads,

³The Board concludes that the Phase I Permit fails to require that the municipalities control stormwater discharges to the maximum extent practicable and does not require application of all known, available and reasonable methods to prevent and control pollution, because it fails to require more extensive use of low impact development techniques.²

³The question we asked was, "Do we want salmon swimming through the Ballard Locks in years to come, or not?"¹² said Sue Joerger of Puget Soundkeeper Alliance. ³To our relief, the Pollution Controls Hearing Board said, yes, and here is what we will do.²

The Board also struck down provisions of the permit governing cleanup plans for existing developed areas, finding that they lacked a prioritization scheme that would focus attention on the most serious problems. Additionally, the Board modified the permit's adaptive management process for water quality violations to make it more rigorous and accountable.

³With the future of the Sound at stake, we need to do everything we can to stop undermining water quality and begin restoring degraded areas,² said Jan Hasselman the lead attorney for Earthjustice, which represented the environmental appellants. ³There are inexpensive and proven ways to stop pollution now, through techniques like low impact development, instead of relying on the old ways of installing expensive treatment systems at the end of the pipe. We are pleased that the Board agreed that with us that greater use of these techniques should become the rule, not the exception.²

**STATE ENVIRONMENTAL POLICY ACT
(SEPA)
ENVIRONMENTAL CHECKLIST****Planning and Development Services*****Purpose of Checklist:***

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write “do not know” or “does not apply”. Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Public notice is required for all projects reviewed under SEPA. Please submit current Assessor’s Maps/Mailing Labels showing:

- Subject property outlined in red.
- Adjoining properties under the same ownership outlined in yellow.
- All properties within 500 feet of the subject property, with mailing labels for each owner.

NOTE: King County no longer provides mailing label services. Planning and Development Services can provide this for a fee or provide you instructions on how to obtain this information and create a mail merge document to produce two sets of mailing labels for your application.

Use of Checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered “does not apply”. IN ADDITION complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words “project,” “applicant,” and “property or site” should be read as “proposal,” “propose,” and “affected geographic area,” respectively.

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

A. BACKGROUND

- 1. Name of proposed project, if applicable:
Southeast Neighborhoods Subarea Plan

- 2. Name of applicant:
City of Shoreline

- 3. Address and phone number of applicant and contact person:
Miranda Redinger, PDS, 17500 Midvale Ave N, Shoreline WA 98133, 206-801-2513

- 4. Date checklist prepared:
January 20, 2010

- 5. Agency requesting checklist:
City of Shoreline

- 6. Proposed timing or schedule (including phasing, if applicable):
Planning Commission review: Feb-March 2010
Council action: March-April 2010

- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Plan implementation (rezones, development code amendments for pilot projects) is likely to occur later in 2010

- 8. List any environmental information you know about that has been prepared or will be prepared, directly related to this proposal.
Environmental review at the project level may be required

***Staff annotated
checklist on 2/26/10.**

(subject to SEPA minimum thresholds adopted by City of Shoreline)

Part Eleven – 197-11-960

SEPA Rules

**EVALUATION FOR
AGENCY USE ONLY**

**TO BE COMPLETED
BY APPLICANT**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
The Subarea Plan is a Comprehensive Plan amendment and will require City Council approval.
11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description).
Non-project action to establish a subarea of approximately 274 acres. The Subarea Plan will establish certain Comprehensive Plan policies and land use criteria for future development . This area is part of a Special Study Area identified at the adoption of the City's original Comprehensive Plan in 1998.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
The subearea is located in the SE corner of Shoreline, bounded approximately by 145th on the south, 150th on the north, Bothell Way on the east and 8th Ave NE on the west.

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

B. ENVIRONMENTAL ELEMENTS

1. Earth:

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other: NA- non-project action
- b. What is the steepest slope on the site (approximate percent of slope).
NA
- c. What general types of soils are found on the site (for example clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
NA
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so describe.
NA
- e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill.
NA
- f. Could erosion occur as a result of clearing construction or use? If so generally describe.
NA
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example asphalt or buildings)?
NA
- h. Proposed measures to reduce or control erosion , or other impacts to the earth, if any:
NA

Generally flat, some areas qualify as steep slopes.

<40%

Generally stable, any potential critical areas would be subject to SEPA/critical area review.

Development permitted under the subarea plan could result in erosion, but would be subject to local, state & federal regulations.

City of Shoreline Best Management Practices

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

2. Air:

a. What types of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

NA

Development would not result in emissions beyond those permitted under current Comp Plan/zoning codes subject to Puget Sound Clean Air Agency

b. Are there any off site sources of emissions or odor that may affect your proposal? If so, generally describe.

NA

c. Proposed measures to reduce or control emissions or other impacts to air if any:

City's development regulations will apply when development occurs.

Puget Sound Clean Air Agency and City Best Management Practices

3. Water:

a. Surface:

1. Is there any surface water body on or in the immediate vicinity of the site (including year round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Unknown

Hamlin and Littles Creeks, which are tributaries of Thornton Creek, wetland in Paramount Park

2. Will the project require any work over, in, or adjacent to (within 200 feet) of the described waters? If yes, please describe and attach available plans.

Unknown

Individual projects subject to SEPA will be reviewed

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Unknown

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

- | | |
|--|--|
| <p>4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.
<u>Unknown</u></p> | <p>Potentially, will be reviewed on project basis.</p> |
| <p>5. Does the proposal lie within a 100 year floodplain? If so, note location on the site plan.
<u>Unknown</u></p> | <p>No</p> |
| <p>6. Does the proposal involve any discharges of waste materials to surface waters? If so describe the type of waste and anticipated volume of discharge.
<u>Unknown</u></p> | <p>Potentially, will be reviewed on project basis.</p> |
| <p>b. Ground:</p> | |
| <p>1. Will ground water be withdrawn or will water be discharged to ground water? Give general description, purpose and approximate quantities if known.
<u>Unknown</u></p> | <p>Development will be subject to Stormwater Codes that mandate Low Impact Development. Groundwater table is concern to residents.</p> |
| <p>2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals ...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
<u>Unknown</u></p> | <p>Will be reviewed on project basis. Sites with existing gas station or dry cleaning uses are a concern to residents.</p> |

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

c. Water Runoff (including storm water):

- 1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Unknown

- 2. Could waste materials enter ground or surface waters? If so, generally describe.

Unknown

- 3. Proposed measures to reduce or control surface ground and runoff water impacts, if any:

City development regulations will apply when development occurs

4. Plants:

- a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Unknown

- c. List threatened or endangered species known to be on or near the site.

Unknown

City's Surface Water Master Plan describes condition and scheduled updates for stormwater system. Existing problems are a concern to residents.

Possibly, will be evaluated on project basis or through Master Planning effort.

Part Eleven – 197-11-960

SEPA Rules

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

d. Proposed landscaping use of native plants or other measures to preserve or enhance vegetation on the site if any:
City development regulations will apply when development occurs

5. Animals:

a. Mark all boxes of any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: []hawk, []heron, []eagle, []songbirds, other:
Mammals: []deer, []bear, []elk, []beaver, other:
Fish: []bass, []salmon, []trout, []herring, []shellfish, other:_____

Eagle, songbirds, salmon

b. List any threatened or endangered species known to be on or near the site.

Unknown

c. Is the site part of a migration route? If so explain.

Unknown

Potentially on migration route to Union Bay Natural Area. Maximum heights allowed should not interfere.

d. Proposed measures to preserve or enhance wildlife if any:
City development regulations will apply when development occurs

6. Energy and Natural Resources:

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc

Unknown

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NA

Will be analyzed at the project level.

Part Eleven – 197-11-960

SEPA Rules

**EVALUATION FOR
AGENCY USE ONLY**

**TO BE COMPLETED
BY APPLICANT**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts if any:
City development regulations will apply when development occurs.

7. Environmental Health:

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur a result of this proposal? If so describe.
Unknown

- 1. Describe special emergency services that might be required.
Unknown

- 2. Proposed measures to reduce or control environmental health hazards, if any:
City development regulations will apply when development occurs.

b. Noise:

- 1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
NA

- 2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
NA

- 3. Proposed measures to reduce or control noise impacts, if any:
City development regulations

Permitted uses for zone limited to commercial and residential uses.

Soil analysis and appropriate remediation would be required at the project level.

Construction noise would be subject to limited hours.

Noise Ordinance

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

8. Land and Shoreline Use:

- a. What is the current use of the site and adjacent properties?
Many uses ranging from retail and industrial to single- and multifamily residential
- b. Has the site been used for agriculture? If so, describe
Unknown
- c. Describe any structures on the site.
There are multiple structures (see 8a above)
- d. Will any structures be demolished? If so, what?
As redevelopment occurs, some structures will likely be demolished, although some may be expanded
- e. What is the current zoning classification of the site?
Area has various zoning classifications ranging from low density residential to mixed-use
- f. What is the current comprehensive plan designation of the site?
Area has a number of Comprehensive Plan designations
- g. If applicable, what is the current shoreline master program designation of the site?
NA
- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, please specify.
Unknown, but if there are locations within the area that are environmentally sensitive, the City’s regulations would be applied to development on those portions of the site(s).
- i. Approximately how many people would reside or work in the completed project?
Unknown. If new zoning is implemented to conform with the Subarea Plan, it would permit more homes and businesses than would the existing Comprehensive Plan.
- j. Approximately how many people would the completed project displace?
Unknown.

Mixed Use, High and Low Density Residential, Special Study Area

The Critical Areas layer of the GIS map for the subarea shows streams, buffers and steep slopes in the Paramount Park area.

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

k. Proposed measures to avoid or reduce displacement impacts, if any:
NA

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
The Subarea Plan would define policy for future development of the area.

Subarea Plan recommends transition zoning and design standards to ensure compatibility.

9. Housing:

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.
Unknown, although the Subarea Plan could allow more units than the current plan. Many of the allowed units would be multifamily which are likely to be more affordable than single family units.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing.
Unknown.

c. Proposed measures to reduce or control housing impacts if any:
Implementation of proposed zoning includes incentives for developing affordable housing.

10. Aesthetics:

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
NA

Unknown until potential Development Code regulations have been adopted.

b. What views in the immediate vicinity would be altered or obstructed?
Unknown

Heights are unlikely to exceed those currently allowed.

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

- c. Proposed measures to reduce or control aesthetic impacts, if any:
Proposed mitigations include administrative design review for buildings in commercial areas

11. Light and Glare:

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Unknown
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
Unknown
- c. What existing off site sources of light or glare may affect your proposal?
Unknown
- d. Proposed measures to reduce or control light and glare impacts if any:
Proposed mitigations include administrative design review for buildings in commercial areas

Will be evaluated on project basis.

Regulations mandate downward-facing lights.

12. Recreation:

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Hamlin, South Woods, and Paramount Park and Open Space are in the vicinity of the subarea.
- b. Would the proposed project displace any existing recreational uses? If so, please describe.
No

Part Eleven – 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

- c. Proposed measures to reduce or control impacts on recreation including recreation opportunities to be provided by the project or applicant if any:
Proposed Land Use Regulations may require recreation areas for larger multifamily complexes.

13. Historic and Cultural Preservation:

- a. Are there any places or objects listed on or proposed for national, state or local preservation registers known to be on or next to the site? If so, generally describe.
None have been identified

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific or cultural importance known to be on or next to the site.
None have been identified

- c. Proposed measures to reduce or control impacts, if any:
Existing regulations

None listed in local register.

14. Transportation:

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any:
The area is served by local streets, as well as principal and collector arterials.

- b. Is site currently served by public transit? If not what is the approximate distance to the nearest transit stop?
Parts of the area are served by public transit.

- c. How many parking spaces would the completed project have? How many would the project eliminate?
NA

Major arterials include NE 145th St. (SR523), 15th Ave. NE, and Bothell Way

The entire subarea has access to transit stops within a quarter mile radius of households.

Part Eleven – 197-11-960

SEPA Rules

EVALUATION FOR AGENCY USE ONLY

TO BE COMPLETED BY APPLICANT

- d. Will the proposal require any new roads, streets or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private).
City regulations will define the extent of new improvements
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
Unknown
- g. Proposed measures to reduce or control transportation impacts if any:
City regulations will assess appropriate mitigations as new development occurs

Individual projects of certain size will be subject to traffic analysis and concurrency requirements.

Subject to concurrency requirements.

15. Public Services:

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
Unknown. New development may require additional services depending on demographics and number of new residents or workers.
- b. Proposed measures to reduce or control direct impacts on public services, if any.
New development will result in additional revenue to general and special purpose districts to pay for impacts.

16. Utilities:

- a. Mark all boxes of utilities currently available at the site:
electricity, natural gas, water, refuse service,
telephone, sanitary sewer, septic system, other:_____

Part Eleven – 197-11-960

SEPA Rules

**EVALUATION FOR
AGENCY USE ONLY**

**TO BE COMPLETED
BY APPLICANT**

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity that might be needed.
As development occurs, the extent of utility upgrade will be assessed and analyzed by utility providers.

c. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Printed Name: _____

Address _____

Telephone Number: () _____ Date Submitted _____

This page left intentionally blank

Part Eleven – 197-11-960

SEPA Rules

**EVALUATION FOR
AGENCY USE ONLY**

**TO BE COMPLETED
BY APPLICANT**

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(DO NOT USE THIS SHEET FOR PROJECT ACTIONS)**

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1. How would the proposal be likely to increase discharge to water/emissions to air/production, storage, or release of toxic or hazardous substances; or production of noise?
Because the area is mostly built-out, substantial increases in discharges and/or emissions are not anticipated. All development must comply with adopted rules and regulations to mitigate these impacts.

Proposed measures to avoid or reduce such increases are:
Current regulations address these concerns. In addition, recently adopted stormwater regulations, and proposed tree retention regulations provide better protection against run-off pollution and loss of tree canopy.

- 2. How would the proposal be likely to affect plants, animals, fish, or marine life?
Most of the habitat in the subarea is located in 3 City parks adjacent to the subarea, which would not be detrimentally affected by additional development.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
None

The Subarea Plan contains a number of recommendations regarding creation of green corridors and backyard habitats.

Part Eleven – 197-11-960

SEPA Rules

**EVALUATION FOR
AGENCY USE ONLY**

**TO BE COMPLETED
BY APPLICANT**

3. How would the proposal be likely to deplete energy or natural resources?
Additional housing and cars may mean increased electricity, water, resource and fuel needs.

Proposed measures to protect or conserve energy and natural resources are:

The Subarea Plan calls for sustainable development on a number of different levels. The intention is to create a walkable/bikable community with access to transit, more compact forms of housing, green building, and economic development to provide goods and services in closer proximity to residences.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
No sensitive areas or those designated for governmental protection are contained within the boundaries of the subarea. There are several adjacent parks, but the potential increased density would not stress their capacity for service.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Aforementioned stormwater, lot coverage and tree regulations, as well as Critical Areas Ordinance, Parks Master Plan, and sustainable development techniques would protect resources and mitigate impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
The subarea is not adjacent to any shorelines and no new land uses are proposed. The Subarea Plan promotes augmentation of existing housing stock and business development.

Existing problems with stormwater drainage and resultant pollution of water bodies have been documented and are a source of concern for the neighborhoods.

Part Eleven - 197-11-960

SEPA Rules

**TO BE COMPLETED
BY APPLICANT**

**EVALUATION FOR
AGENCY USE ONLY**

Proposed measures to avoid or reduce shoreline and land use impacts are:

Land use techniques to mitigate impacts of increased density include traffic calming measures, setbacks, stepbacks and other design standards and buffering techniques.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Greater density could increase demand on transportation, public services and utilities.

Proposed measures to reduce or respond to such demands(s) are:

The Subarea Plan calls for sustainable development on a number of different levels. The intention is to create a walkable/bikable community with access to transit, more compact forms of housing, green building, and economic development to provide goods and services in closer proximity to residences.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts have been identified.

Transportation Master Plan will include traffic modeling for growth scenarios and delineate appropriate mitigation. Subarea Plan calls for interjurisdictional corridor study for SR523 and proposed light rail with mitigation and funding.



Planning and Development Services

17500 Midvale Avenue N., Shoreline, WA 98133-4921
 (206) 801-2500 ♦ Fax (206) 546-8761

**SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)
 Southeast Neighborhoods Subarea Plan**

PROJECT INFORMATION

DATE OF ISSUANCE: January 28, 2010

PROJECT NAME/DESCRIPTION: Comprehensive Plan Amendment to adopt the Southeast Neighborhoods Subarea Plan, which contains policy and zoning recommendations from a Citizen’s Advisory Committee.

APPLICANT: City of Shoreline Planning Department

PROPERTY OWNER: NA

APPLICATION FILE NUMBER: 301619

PROJECT LOCATION: Portions of the Ridgecrest and Briarcrest neighborhoods

PARCEL NUMBER: NA

COMPREHENSIVE PLAN DESIGNATION: NA

CURRENT ZONING: NA

ENVIRONMENTAL DOCUMENTS: Environmental Checklist

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340. The City of Shoreline has determined that the proposal will not have a probable significant adverse impact on the environment and that an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the submitted SEPA Environmental Checklist and other information on file at the City of Shoreline. This information is available for public review upon request at no charge.

PUBLIC COMMENT AND APPEAL INFORMATION

There is no administrative appeal available for this decision. The SEPA Threshold Determination may be appealed with the decision on the underlying action to superior court. If there is not a statutory time limit in filing a judicial appeal, the appeal must be filed within 21 calendar days following the issuance of this decision on the underlying decision in accordance with State law.

 Miranda Redinger, Associate Planner
 City of Shoreline, Planning & Development Services

 Date

February 25, 2010

Paramount Park Neighborhood Group
940 NE 147th St
Shoreline, WA 98155

Shoreline Planning Department and Planning Commission
c/o Ms Jessica Simulscik-Smith
17500 Midvale Ave N
Shoreline WA 98133

Subject: SE Subarea Plan Policy Proposals

Dear Ms Simulscik-Smith and Ms Redinger:

Thank you for the opportunity to submit clarifications and suggest policy additions and edits on the Shoreline SE Subarea Plan and SEPA process. Please accept these comments as a part of the record and keep us apprised of any and all notices and meetings which may be forthcoming. so, please forward to Shoreline Planning Commission.

We are including suggested edits for the SEPA Checklist along with proposed language for SE Subarea planning policies. The proposed SE Subarea policy suggestions are in *PINK (*italics)*.

We had definite concerns about the completeness of the SEPA Checklist and therefore the overall potential adverse significant impact of this Subarea Plan. We trust that staff will fill in gaps and “Unknowns” and make corrections in the Checklist to more accurately reflect the current picture. I will color code the sections of Policy Proposals and commentary relating to SEPA in *BLUE (*underlined)*. However, we feel that we have already explicitly laid out our concerns in a previous comment letter on SEPA, so we will seek to just clarify here by example.

For instance, in SEPA checklist:

• Environmental Elements - Question 3. Water a. Surface: 1. Is there any surface water body on or in the immediate vicinity of the site...? Answer. “Unknown.”

We believe this is obviously vague and incorrect when the City’s own maps in the “Thornton Creek Stream Characterization Report” and “Surface Water Master Plan” show two clearly mapped watercourses, Hamlin Creek and Littles Creek. Pg 15 of the Surface Water Plan describe these two tributaries within the Subarea. There are also several detailed maps show the approximate locations of the watercourses and wetlands. There is also the largest wetland in Shoreline (with the exception of Echo Lake) within Paramount Park. This matters because the stormwater infrastructure is already very

inadequate. Runoff from the area roads and development runs directly into these water bodies currently with little if any detention or filtration. This fact is confirmed in the Surface Water Masterplan. The current situation leaves the creeks unprotected and homeowners and neighborhoods continually susceptible to flooding.

The fact that the stormwater infrastructure is so inadequate and yet, by the SEPA process is designated as something to be dealt with ONLY WHEN development occurs IS A SIGNIFICANT IMPACT, illustrates the disconnect between the SEPA analysis and the on the ground situation. The documents we submitted which describe the legal settlements, Pollution Control Hearings Board rulings all describe the situation as needing urgent attention. Waiting for 10-20 years is unacceptable.

The document we submitted, created for the CAC Committee process entitled “Inventory- Natural Features” (map) illustrates anecdotal flooding concerns of area residents. It is clear that much more information needs to be gathered by the City on streams, wetlands, groundwater, geology before it can say there is “no significant impact” from this plan.

There area also potential for significant adverse impact from traffic, affecting safety of drivers bikers and pedestrians. There have been fatalities to both drivers and pedestrians in the recent past at intersections which will have levels of service unacceptable with the increased density proposed. SR 523 must be dealt with in a comprehensive way to seriously address impacts of the Subarea plan.

Vision –

Make overall “Framework Vision” more cohesive in relation to surrounding neighborhoods and municipalities.

Ensure that policies make these connections functional and that infrastructure has a path to concurrency and capital funding BEFORE substantial new development occurs. Failure to fix existing problems constitute a “significant negative impact” and that situation is unacceptable.

Ensure that density/zoning targets and planning vs zoning, is not the “tail wagging the dog”? We are concerned that the “vision” and comprehensive planning effort should precede the implementation strategy through zoning tools such as mapping. While we understand that many of the CAC members were interested in getting a concrete picture of how the proposed changes would translate on the ground, the Zoning process should clearly be SEPARATE from this planning process. The difference needs to be clarified in the plan.

See our suggested edits and additions for SE Subarea Plan below in *Pink Italics*.

Land Use –

LU 2: Create Incentives to use vegetated buffers between types of land use, in addition to transition zoning or open space, *including LID (Low Impact Development Techniques) to promote natural drainage functions.*

LU 11: (New, either in this section and/or with complimentary section in Housing) *Consider Planned Area Development process when appropriate to utilize and maximize Zero Impact design standards, including Energy and LID infrastructure, integrated to surrounding neighborhoods.*

Community Design –

CD 14: (New) *Work with community groups, neighborhoods and outside experts to promote “community gardens” for production of food and recreation.*

Transportation –

T 10: As part of the update of the Transportation Master Plan, also consider smaller innovative solutions for reducing auto dependence, such as circulator buses, carsharing and bike rentals *AND “bike library or FREE bike programs.”*

T 12: (New) *Consider improving connections to cross-park corridor at Paramount Park Natural Area for Pedestrian and bike transportation options. Develop improvements to area streets to complete the connections for utility and safety.*

T 13: (New) *Plan parking infrastructure, which includes electric plug-in capability, according to State legislated guidelines.*

T 11: (New) *Strongly encourage Shoreline to convene a work group comprised of partners including, Seattle, King County, WSDOT and Sound Transit to undertake a study on 145th St. (SR 523) that would result in a plan for the corridor to improve safety, efficiency and modality for all users. This plan would include adjacent neighborhoods in the process, to among other things reduce cut-through traffic, and should provide proposed funding strategies for implementation.*

T 12: (New) *Consider Light Rail Station planning as a part of studies to plan for 145th corridor and potential impacts to neighborhoods, traffic, parking policies, pedestrian/bike use and other aspects.*

Natural Environment –

NE 1: Create incentives to encourage the use of innovative methods of protecting natural resources (solar power for lighting outside space, *LID (Low Impact Development techniques such as vegetated bioswales, pervious pavement, raingardens, water catchment, etc., and new recycling options.*

NE 2: contiguous green zones through neighborhoods, *LID (Low Impact Development conveyance systems.)*

NE 3: When redeveloping a site, encourage incorporation of measures that improve or complement the community's natural assets such as its tree canopy, surface water elements, wildlife habitat, and open space, *topography, geology, hydrology, and relationship within a watershed.*

NE 6: Protect and renew (“daylight”) *watercourses in area including piped watercourses such as Littles and Hamlin Creek.*

NE 9: (New) *Using up to date technologies and Best Available Science, accurately map the groundwater system and locations of piped watercourses in Ridgecrest and Briarcrest to allow a better understanding of hydrology of the area and its wetland characteristics and locations and the relationships within the larger watersheds.*

NE 11: As part of the process of revising the City's tree code, create incentives to plan all remodel and new development around *significant trees and groves of trees to preserve And increase the tree canopy.*

NE 15: (New) *As part of “corridor study” for 145th St (SR 523) with partners (WSDOT, WDFW, Seattle, King County and Shoreline), plan a new fish passable culvert for Littles Creek to connect habitat and improve WQ in compliance with recent State legal requirements.*

NE 16: *Look for methods to acquire the area between Seattle's Jackson Park and Paramount Park as a portion of a larger “green wildlife corridor” to provide contiguous ecosystems as a community concept, linking parks and backyards in wider ecosystem areas.*

Housing –

H 9: Consider adding language to the Development Code to restrict development of “Megahouses” *by utilizing FAR (Floor Area Ratio) concepts.*

H 12: (New, either in this section and/or with complimentary section in Land Use) *Consider Planned Area Development process when appropriate to utilize and maximize Zero Impact design standards, including Energy and LID infrastructure, integrated to surrounding neighborhoods.*

Parks and Open Space –

PR 1: (or T section) Support development of trail/designated pathway connecting Interurban trail with Paramount Park(s), Hamlin and Southwoods Park to the Burke Gilman trail *AND Jackson Park trail project in Seattle.*

PR 7: Upgrade the path over Littles Creek in Paramount Park Open Space *with “box culvert”* to provide a more permanent solution to the extremely muddy condition during wet weather *and to improve stream corridor and wildlife habitat.*

PR 8: (New) *Plan improvements in parks that integrate designs for natural drainage techniques (LID) to improve water quality and infiltration, which enhance wildlife habitat with native landscaping.*

PR 9: (New) *Identify areas where existing wetlands can be unearth or daylighted to increase wetland function and drainage infiltration utilizing Best Available Science techniques.*

PR 10: (New) *Encourage partnerships with neighborhoods, volunteers, and grant applications to improve and restore wildlife habitat and remove invasive vegetation.*

Economic Development Policy Recommendations-

ED 13: (New) *Support development of opportunities through innovative and creative technologies by permitting business uses for research and development, design and environmental concepts to provide potential sites for family wage “green jobs”.*

Again, Thank you for the opportunity to submit these policy suggestions. We hope that the Planning Commission and Council will consider them carefully as positive policy suggestions that are aligned with the City’s vision and Comprehensive Plan. We believe they reflect the Council Goals and direction of the residents and CAC Committee, and will contribute to an improvement in the implementation process for our residents.

Respectfully Submitted,

Janet Way
Paramount Park Neighborhood Group

(*Staff edited format for clarity when printing in black & white)



Memorandum

DATE: February 25, 2010
TO: Shoreline Planning Commission
FROM: Steve Cohn, Senior Planner
Jessica Simulcik Smith, Planning Commission Clerk
RE: Proposed Amendments to the Planning Commission Bylaws

The Planning Commission last reviewed and revised its Bylaws on October 1, 2009 to bring its special meeting provision in conformance with that of the City Council. On February 8, the Council modified the City Code to reduce the number of Planning Commissioners from 9 members to 7 members.

The proposed changes which will bring the Bylaws into conformance with the recent Council action are reflected on the attachment. If you have questions, please call the Commission Clerk at 206-801-2514 or email her at jsmith@shorelinewa.gov.



PLANNING COMMISSION
BYLAWS

Adopted: February 15, 1996
Revised: November 6, 1997
Revised: October 15, 1998
Revised: January 18, 2001
Revised: April 5, 2001
Revised: April 3, 2003
Revised: April 7, 2005
Revised: March 16, 2006
Revised: May 1, 2008
Revised: October 1, 2009
Revised: February 18, 2010

Formatted: Font: 10 pt

ARTICLE I - MEMBERSHIP

The Shoreline Planning Commission shall consist of seven (7) members, appointed by majority vote of the City Council but a fewer number, not less than four (4), shall constitute a lawful Commission.

Deleted: nine

Deleted: 9

Deleted: the Mayor and confirmed by

Deleted: five

Deleted: 5

ARTICLE II - OFFICERS AND DUTIES

SECTION 1: DUTIES OF THE COMMISSION

As stated in City of Shoreline Municipal Code 2.20.020, the Commission shall undertake the duties and responsibilities defined in 2.20.060 in accordance with the purpose stated in 2.20.010.

Deleted: established by

Deleted: Ordinance No. 36

Deleted: Section 6

Deleted: Section 1 of that ordinance

SECTION 2: OFFICERS

Officers shall be a Chair and a Vice-Chair; both elected members of the Commission. In absence of both the chair and vice chair, members shall elect a Chair *pro tem*.

SECTION 3: DUTIES OF THE OFFICERS

CHAIR: The Chair shall preside at all meetings and public hearings and shall call special meetings when necessary. The Chair shall be a full voting member of the Commission. The Chair shall sign minutes and official papers, appoint all committees and their respective Chairs, and act as an *ex-officio* member of each, but without voting privileges. The Chair may delegate

Proposed Bylaw Amendments

duties to other Commissioners with the consent of the Commission. The Chair shall speak on behalf of the Commission before the City Council, the public and City staff.

A term of Office shall be defined as one year. A Commissioner may serve as Chair for no more than two consecutive terms.

VICE CHAIR: The Vice Chair shall perform the duties of the Chair in the absence of the same. The Vice Chair may also serve as convener of special committees. The Vice Chair shall speak on behalf of the Commission before the City Council, the public and City staff when the Chair is not available to speak.

A term of Office shall be defined as one year. A Commissioner may serve as Vice Chair for no more than two consecutive terms.

SECTION 4: DUTIES OF THE CLERK OF THE COMMISSION

CLERK OF THE COMMISSION: The Clerk shall record and retain, by electronic means, each meeting for the official record and shall prepare summary minutes for the Commission, maintain official records and post agendas.

ARTICLE III - ELECTIONS

The Commission shall elect a Chair and a Vice Chair each year. Generally, officers shall be elected and take office annually at the first regular public meeting of the Commission in April. Such election shall take place as the first item of new business of that meeting, and elected officers shall assume their duties at the close of elections.

The election of Chair will be conducted by the Planning Commission Clerk. No one Commissioner may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nomination, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. Commissioners will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (~~four~~ votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Chair conducts the election for Vice Chair following the same process.

Deleted: five

Should the Chair be vacated prior to the completion of the Term, the Vice-Chair shall assume the duties and responsibilities of the Chair for the remainder of the said Term. The Chair shall then conduct elections for a new Vice-Chair.

Proposed Bylaw Amendments

Should the Vice-Chair be vacated prior to the completion of the Term, the Chair shall conduct elections for a new Vice-Chair to serve out the remainder of the Term.

Time spent fulfilling a vacated Term shall not count towards the two consecutive Term limit for Chair and for Vice-Chair.

ARTICLE IV – MEETINGS

SECTION 1: SCHEDULE

The Planning Commission shall hold regular meetings according to the following schedule:

First and Third Thursday of each month. The meetings shall begin at 7:00 p.m. and end at 9:30 p.m. unless modified. Should a regular meeting day be a legal holiday, the scheduled meeting shall be postponed to the succeeding Thursday, unless a majority of the Commission votes to select another day or to cancel the meeting.

Special meetings may be held by the Commission subject to notice requirements prescribed by State law. Special meetings may be called by the Chair of the Commission, the City Council or Mayor, City Manager or designee, or by the written request of any three (3) Commissioners by written notice emailed or delivered to each member of the Commission at least 24 hours before the time specified for the proposed meeting.

SECTION 2: PURPOSE OF SPECIAL MEETINGS

Special meetings called in accordance with Section 1 of this article shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. No special meetings shall be scheduled between December 15th and the end of the year. The agenda for a special meeting need not conform to that specified in Section 3 of this Article.

SECTION 3: ORDER OF BUSINESS

The order of business for each **regular** meeting of the Commission shall be as follows:

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. DIRECTOR'S COMMENTS
5. APPROVAL OF MINUTES
6. GENERAL PUBLIC COMMENT
7. STAFF REPORTS
8. PUBLIC COMMENT
9. DIRECTOR'S REPORT
10. UNFINISHED BUSINESS
11. NEW BUSINESS
12. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
13. AGENDA FOR NEXT MEETING

Proposed Bylaw Amendments

14. ADJOURNMENT

The order of business for each meeting that includes a **Public Hearing** shall be as follows:

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. DIRECTOR'S COMMENTS
5. APPROVAL OF MINUTES
6. GENERAL PUBLIC COMMENT
7. PUBLIC HEARING
8. DIRECTOR'S REPORT
9. UNFINISHED BUSINESS
10. NEW BUSINESS
11. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
12. AGENDA FOR NEXT MEETING
13. ADJOURNMENT

SECTION 4: PUBLIC COMMENT

Planning Commission meetings allow the public to express its views. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Each speaker must begin by clearly stating their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak.

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, Item 6 (the General Public Comment period) will generally be limited to twenty minutes. Each member of the public may also comment for up to two minutes on action items after each staff report has been presented.

During Public Hearings, the public testimony or comment follows the Staff Report. The rules for procedure for Public Hearings before the Planning Commission are further defined in Resolution No. 182.

ARTICLE V - RULES OF MEETINGS

SECTION 1: ABSENCES

Unexcused absence from more than three (3) consecutive meetings shall be cause for removal. Members shall communicate with the Chair of the Commission or the Vice Chair or the Planning & Development Services Director prior to the meeting with requests for excused absences. Emergency requests may be considered. The Chair of the Commission may approve the excused absence.

SECTION 2: QUORUM

Proposed Bylaw Amendments

The presence of ~~four (4)~~ members constitutes a quorum, and is required for the Commission to take any action other than to adjourn.

Deleted: five

Deleted: 5

SECTION 3: RULES OF PROCEDURE

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.

SECTION 4: VOTING

In instances where a vote is called for or required, the present majority is sufficient to act (providing a quorum is present). Each member shall have one vote and no proxies shall be allowed. Present members may abstain for cause. The Chair may vote on any issue, and shall vote in the event of a tie. No action is taken if the Chair votes and the tie continues. A majority vote shall carry, and minority opinions shall be formally registered in the summary minutes and reported to the City Council.

SECTION 5: RECESSES / CONTINUATIONS

Meetings shall be adjourned by a majority vote.

Continuations of meetings shall be to a definite time and place, by majority vote of present members.

ARTICLE VI – COMMITTEES

Committees may be appointed by the Commission Chair. Standing committees shall serve at the pleasure of the Commission and special committees shall also serve for such purposes and terms as the Commission approves. Committees shall establish their own meeting schedule, and the deliberations thereof shall take the form of written reports, submitted to the entire Commission.

ARTICLE VII - CONFLICT OF INTEREST

The Chair shall routinely ask members if they have a conflict of interest with any quasi-judicial item on the agenda. Such conflict(s) must be publicly announced at the earliest possible opportunity, and the member shall step down during the particular case(s), neither deliberating nor voting on same.

ARTICLE VIII - APPEARANCE OF FAIRNESS

The members of the Planning Commission in considering quasi-judicial matters, shall maintain the appearance of fairness as required by law.

Proposed Bylaw Amendments

ARTICLE IX - AMENDMENTS

These Bylaws may be amended or repealed and new Bylaws may be adopted at any regular meeting or special meeting by a majority vote of the membership. A copy of the proposed Bylaws, or amendments thereto, shall be furnished to each member at least three (3) days prior to the date of the meeting. All amendments to the Bylaws shall be submitted to the Mayor and City Council for their information.

It is hereby understood that the undersigned Clerk of the Planning Commission does hereby certify that the above and foregoing Bylaws were duly adopted by the members of the Commission as the Bylaws of the Commission on the 18th day of February 2010, and that they do now constitute the Bylaws of the City of Shoreline Planning Commission.

Jessica Simulcik Smith
Clerk, Planning Commission

Deleted: 1st
Deleted: October 2009

SIGNED BY:

Michelle Linders Wagner
Chair, Planning Commission

Joseph W. Tovar
Planning & Development Services Director

Deleted: Will Hall