

ORDINANCE NO. 423

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN LAND USE DESIGNATION AND THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 426 CHANGING THE COMPREHENSIVE LAND USE DESIGNATION FROM BALLINGER SPECIAL STUDY AREA TO HIGH DENSITY RESIDENTIAL AND THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO RESIDENTIAL 48 DU-AC (R-48) OF ONE PARCEL LOCATED AT 20060 15TH AVE NE (PARCEL NUMBER 7417700031).

WHEREAS, the owner of the property, with parcel number 7417700031, has filed an application to change the Comprehensive Plan Land Use designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR); and

WHEREAS, the owner of the property, with parcel number 7417700031, has filed an application to reclassify the property from Residential 12 units per acre (R-12) to Residential 48 units per acre (R-48); and

WHEREAS, on April 6th, 2006, a public hearing on the application for reclassification of property was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on April 6th, 2006, the Planning Commission recommended approval of the Comprehensive Plan change to High Density Residential and reclassification to R-48 and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Determinations of the Planning Commission specifically that the Comprehensive Plan Land Use designation change to High Density Residential (HDR) and reclassification of property, located at 20060 15th Ave NE (parcel number 7417700031) to R-48 is consistent with the goals and policies of the Comprehensive Plan and appropriate for this site;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Findings and Determinations on File No. 201492 and File No. 301371 as set forth by the Planning Commission on April 6th, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

Section 2. Amendment to the Comprehensive Plan Land Use Designation. The City's Comprehensive Plan is hereby amended to change the land use designation of said parcel, located at 20060 15th Ave. NE (parcel number 7417700031) and further described and depicted in Exhibit 2 attached hereto, from Ballinger Special Study Area (BSSA) to High Density Residential (HDR).

Section 3. Amendment to Zoning Map. The Official Zoning Map Tile 426 of the City of Shoreline is hereby amended to change the zoning classification of said parcel, located at 20060 15th Ave NE (parcel number 7417700031) and further described and depicted in Exhibit 3 attached hereto, from R-12 to R-48.

Section 4. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance is declared invalid, then the remainder of this Ordinance, or the application of such provision to other persons or circumstances, shall not be affected.

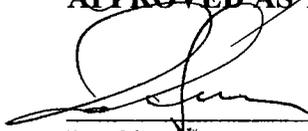
Section 5. Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

ADOPTED BY THE CITY COUNCIL ON MAY 8TH, 2006.



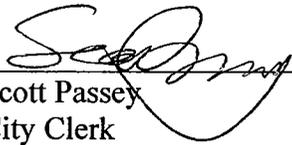
Robert L. Ransom, Mayor

APPROVED AS TO FORM:



Ian Sievers
City Attorney

ATTEST:



Scott Passey
City Clerk

Date of Publication: May 11, 2006
Effective Date: May 16, 2006

ORIGINAL

FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Eric Sundquist Site Specific Comprehensive Plan Amendment File #301371
Eric Sundquist Rezone Request File #201492

Summary-

Following the public hearing and deliberation on the request to change the Comprehensive Plan land use designation for a 15,374 Sq. Ft. parcel located at 20060 15th Ave NE, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

I. FINDINGS OF FACT

1. **Project Description-**

- 1.1 The action is: 1) Change the Comprehensive Plan land use designation for the subject parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR), and 2) Rezone the subject parcel from R-12 (Residential 12 units per acre) to R-48 (Residential 48 units per acre).
- 1.2 Site Address: 20060 15th Avenue NE
- 1.3 Parcel Number: 7417700031
- 1.4 Zoning: R-12
- 1.5
 - a.) The subject property has a current land use designation of Ballinger Special Study Area identified on the City of Shoreline's Comprehensive Plan Land Use Map. The status of Ballinger Special Study Area does not allow for a change in zoning.
 - b.) The proposal would change the land use designation to "HDR". Consistent zoning for the HDR land use designation ranges from R-12 to R-48. There is a concurrent rezone with this proposal to change the zoning from R-12 to R-48. Following the proposed change in land use designation, R-48 zoning would be consistent with the new comprehensive plan designation.

2. **Procedural History-**

- 2.1 Public hearing held by the Planning Commission: April 6th, 2006
- 2.2 Corrected Notice of Public Hearing and SEPA Determination of Nonsignificance: March 30, 2006

- 2.3 Notice of Public Hearing and SEPA Determination of Nonsignificance: February 24th, 2006
- 2.4 End of 14 day Public Comment Period: March 10th, 2006
- 2.5 Notice of Application with Optional DNS: February 2nd, 2006
- 2.6 Complete Application Date: January 9th, 2006
- 2.7 Application Date: December 30th, 2005
- 2.8 Neighborhood meeting Date: December 23rd, 2005
- 2.9 Pre-Application Meeting Date: December 16th, 2005
- 2.10 Notification of Neighborhood Meeting: December 13th, 2005

3 Public Comment-

- 3.1 The following individuals participated in Neighborhood Meetings:

No individuals attended the neighborhood meeting.

- 3.2 Written Comments have been received from:

The City received one letter from Shoreline Water District stating that improvements will need to be made to existing water lines in order for the site to have appropriate water service.

- 3.3 Oral testimony has been received from:

No oral testimony was given.

4 SEPA Determination-

- 4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. A Notice of Application that stated the lead agency's intent to issue a DNS for this project was issued on February 2nd, 2006 and a 14-day comment period followed ending February 16th, 2006. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030 (2) (c). This decision was made after visits to the project site and review of the environmental checklist, and other information on file with the City. A notice of determination of nonsignificance was issued on February 24th, 2006. That notice was corrected to properly reflect the appeal period and was re-issued on March 30th, 2006.

7. Consistency -

5.1 Site Specific Comprehensive Plan Amendment:

The application has been evaluated and found to be consistent with the three criteria listed in Shoreline Municipal Code Section 20.30.340 (B). See proposal staff report for a list of Comprehensive Plan Goals and Policies.

5.2 Site Rezone:

The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).

5.3 A recommendation to approve either the Comprehensive Plan Amendment or the Rezone does not constitute approval for any development proposal. Applicable permits shall be obtained prior to construction. Permit applications shall show compliance with the 1998 King County Storm Water Design Manual and Title 20 of the Shoreline Municipal Code (SMC). Applicable sections of the SMC include but are not limited to the following: Dimensional and Density Standards 20.50.010, Tree Conservation 20.50.290, Surface and Stormwater Management 20.60.060, and Streets and Access 20.60.140 and any conditions of the Rezone.

II. CONCLUSIONS

SITE SPECIFIC COMPREHENSIVE PLAN AMMENDMENT:

Comprehensive Plan Amendments are subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.340 of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

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

This amendment is consistent with the Growth Management Act (GMA) in that it will allow for an increase in housing choice, a higher density of housing in an urban area, and an increase in the type of housing needed by seniors and smaller families. Three of the statutory goals identified in the state GMA legislation will be met by this project:

1. Guide urban growth to areas where urban services can be adequately provided.
2. Reduce urban sprawl.
3. Encourage efficient multi-modal transportation systems.

The proposal was analyzed and found to be consistent with the King County Countywide Planning Policies. The following is a discussion of how this proposal promotes countywide planning policies:

Analysis of June 2004 King County Countywide Planning Policies:

FW-11 *The land use pattern for King County shall protect the natural environment by reducing the consumption of land and concentrating development. An Urban Growth Area, Rural Areas, and resource lands shall be designated and the necessary implementing regulations adopted. This includes countywide establishment of a boundary for the Urban Growth Area. Local jurisdictions shall make land use decisions based on the Countywide Planning Policies.*

Approval of this proposal promotes the efficient use of land by allowing for a higher density of dwelling units and concentrating development within an urban growth area.

FW-12 *The Urban Growth Area shall provide enough land to accommodate future urban development. Policies to phase the provision of urban services and to ensure efficient use of the growth capacity within the Urban Growth Area shall be instituted.*

This proposal helps the City of Shoreline meet City growth targets as identified in the Shoreline Comprehensive Plan. By allowing the proposed change in density, a parcel that has a high level of urban services can redevelop and not place an additional burden on infrastructure.

FW-12(a) *All jurisdictions within King County share the responsibility to accommodate the 20-year population projection and job forecast. The population projection shall be assigned to the four sub areas of King County (Sea-Shore, East, South and the Rural Cities) proportionate with the share of projected employment growth. Anticipated growth shall be allocated pursuant to the following objectives:*

a. *To ensure efficient use of land within the UGA by directing growth to Urban Centers and Activity Centers;*

Approval of this proposal would allow for an efficient use of land that is currently underdeveloped in an area with a high level of urban services. Although not

officially designated as an activity center, the Ballinger commercial area acts as one.

b. To limit development in the Rural Areas;
N/A

c. To protect designated resource lands;
N/A

d. To ensure efficient use of infrastructure;
Approval of this proposal would allow for the development of this parcel at a higher density in an area with available infrastructure.

e. To improve the jobs/housing balance on a sub area basis;
Approval of this proposal would improve the jobs/housing balance in the Seattle-Shoreline sub area by locating additional units within the City of Shoreline.

f. To promote a land use pattern that can be served by public transportation and other alternatives to the single occupancy vehicle; and
This proposal would allow for the development of a parcel that is located adjacent to a well served transit corridor.

g. To provide sufficient opportunities for growth within the jurisdictions.
Approval of this action would provide opportunity for growth by allowing for the placement of 17 dwelling units (the applicant is proposing 9 units) where only 4 would have been allowed under current zoning.

LU-28 *Within the Urban Growth Area, growth should be directed as follows: a) first, to Centers and urbanized areas with existing infrastructure capacity; b) second, to areas which are already urbanized such that infrastructure improvements can be easily extended; and c) last, to areas requiring major infrastructure improvements.*

By allowing for the development of this parcel at a higher density, this proposal would allow for a higher density development in an urbanized area with existing infrastructure capacity.

Analysis of City of Shoreline Comprehensive Plan Land Use Element LU5:

The most directly applicable policy in the Comprehensive Plan is Land Use Element Policy LU5, which addresses the Comprehensive Plan Amendment process:

Ensure that the Shoreline City Council can amend the Comprehensive Plan once a year, as established in the Growth Management Act, through an amendment process that includes:

- a detailed statement of what is proposed to be changed and why;*
- a statement of anticipated impacts from the change and issues presented;*
- a demonstration of why existing Comprehensive Plan guidance should not continue in effect or why existing criteria no longer apply;*
- a statement of how the amendment complies with GMA goals, Countywide planning policies, City vision, and the State Environmental Policy Act (SEPA);*
- a statement of how functional plans and capital improvement programs support the change;*
- public review of the recommended change, necessary implementation, and alternatives to the change; and*
- Planning Commission review and recommendation based on findings of fact.*

This report, plus application materials submitted by the applicant, contains a detailed statement of the development proposal. The anticipated impacts and issues have also been presented in the findings section of this report.

Existing Comprehensive Plan Guidance for this parcel is not well defined and the Ballinger Special Study Area does not address changing land uses. The Ballinger Special Study Area is referred in the Comprehensive Plan as anticipating that the underlying zoning shall remain the same. However, there is precedent for change in this area. Last year, a Comprehensive Plan Amendment changed the designation of a nearby parcel from BSSA to HDR with a concurrent zone change from R-6 to R-24 approximately 1,500 feet to the south. Higher density development is occurring in this area, and this proposal reflects this change.

The 2005 Shoreline Comprehensive Plan has established a growth target of 2,651 new housing units, and has also anticipated that Shoreline would accommodate 2,618 new jobs by 2022. The 2005 Comprehensive Plan anticipated employment within City limits to reach 19,815 jobs by 2015 with the addition of 1,600 to 2,400 housing units.

The 2005 Comprehensive Plan identified different areas of the City where growth would likely occur and could be accommodated. A Comprehensive Plan Land Use map was adopted, and in some areas of the City allowed densities and intensity of uses to be increased. In many instances this change occurred in areas that had

previously developed at a much lower intensity. The characteristics of this site lend itself to redevelopment at a higher intensity.

SEPA requirements have been met. Adequate utilities, infrastructure and transit exist in the area with some noted upgrades. Notice of this application was sent to all utilities serving the area and one letter was received from Shoreline Water District. Water and sewer availability certificates were submitted as part of the application requirements. These certificates indicate, with certain modifications, adequate capacity for the proposal. Those modifications will be addressed at the building permit stage of the process.

Analysis of Framework Goals:

FG1: Accommodate anticipated levels of growth and enhance the quality of life within the City of Shoreline.

Approval of the proposed amendment and concurrent zone change would allow for the construction of a total of 17 dwelling units, adding to the City's housing stock, provides a variety of housing types, and assists the City in meeting its established growth targets.

FG2: Promote quality building and development that is compatible with the surrounding environment.

The project on this site will be required to meet the standards of the Shoreline Development Code and other adopted Codes. Designs will be compatible with the existing multifamily buildings in the vicinity and will meet the Shoreline Development Code requirements.

FG3: Support diverse and affordable housing opportunities which provide for Shoreline's population growth.

Approval of this amendment would allow for the construction of 17 additional dwelling units on this site. The 9 units the applicant is proposing would be targeting smaller families and singles and priced below the average cost of a new single-family home.

Analysis of 2005 Adopted Comprehensive Plan Goals and Policies:

Land Use Goals:

Goal LU I: To assure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the

environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps to maintain Shoreline's sense of community.

Designation of this parcel as High Density Residential (HDR) would allow for the construction of multiple units as an efficient use of land, potentially offering low maintenance construction and targeting smaller families and singles. Due to the site's proximity to well-served public transportation corridors, this amendment would allow for opportunities to use alternative means of transportation and help serve as a transition zone between commercial and lower density uses.

Goal LU III: *Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.*

Approval of this proposal would allow for the creation of nine housing units, as proposed by the applicant, adding to the housing stock in the City of Shoreline. As there is suitable infrastructure in place, this development would not cause an undue burden on the facilities in the area.

Land Use Policies:

LU8: *Ensure land is designated to accommodate a variety of types and styles of housing units adequate to meet the future needs of Shoreline citizens.*

Through approval of this proposal and the re-designation of this parcel as High Density Residential (HDR), the nine dwelling units the applicant is proposing could be placed on this parcel. This would allow for an increase in the housing stock that is more appealing to smaller families and seniors.

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

This proposal is in an area where high density apartments and other multi-family developments exist. The subject parcel is near commercial shopping centers, transit routes and other high intensity uses.

Housing Goals:

Goal H I: *Provide sufficient development capacity to accommodate the 20-year growth forecast in an appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.*

Increasing the development potential of this parcel would help increase the housing stock within the City and provide for a better use of an underdeveloped

parcel. The nine potential attached townhomes will be priced less than an average new single-family home, giving more choice for those who want to live in a new unit.

Goal H III: *Maintain and enhance single-family and multi-family residential neighborhoods, so that they provide attractive living environments, with housing that is compatible in quality, design and scale within neighborhoods and that provides effective transitions between different uses and scales.*

Approval of this request to change the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) would enhance the ability of this parcel to serve as a transition zone between areas of commercial uses to the north and east, and allow for construction compatible with the adjacent multiple family buildings to the south and west.

Housing Policies:

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

Changing the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) will allow for the construction of nine single-family attached homes and add housing stock that is compatible with the adjacent neighboring parcels to the north, south and west while providing a buffer from the commercial uses to the east.

H6: *Encourage compatible infill development on vacant or underutilized sites.*

Changing the land use designation of this parcel to a higher density would allow for the construction of structures similar to those found on adjacent parcels to the south and would help provide for a transition zone for those parcels found to the north and northeast.

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

The precedent for this type of development has already been set approximately 1,500 feet to the south. Application #201277, which changed the Comprehensive Plan Land Use Designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and also changed the zoning from R6 to R24, was passed by the City Council on June 13th, 2005. Although the Comprehensive Plan states that the Special Study Area is designated for future subarea planning,

watershed planning, special districts or neighborhood planning and it is intended for the underlying zoning to remain; the proposed zone change and Comprehensive Plan Amendment are in accord with changing land use patterns in this neighborhood.

Because of the need for a more diverse housing stock, this proposed amendment directly addresses the changing housing market and will help fill the need for higher density housing designed for smaller families and seniors. This amendment would allow for up to 17 dwelling units if built out to its full development potential. The applicant is proposing nine units. As the nearby commercial properties continue to develop and expand, this amendment would allow this parcel to redevelop and serve as a transition zone between the Regional Business parcels to the north and east and existing residential uses to the south.

3. The amendment will benefit the community as a whole; will not adversely affect community facilities, the public health, safety or general welfare.

Because of the proximity to the large Regional Business uses to the north and east of this parcel, and the single and multi-family uses to the south and west, the proposed amendment would serve as a transition area between the zones. Additionally, the proposed amendment would allow for the construction of up to 17 dwelling units, 13 more than currently allowed. The addition of these dwelling units to the area would not place an unreasonable burden on the community facilities, the public health, safety or general welfare. To ensure that any future developments at this site would not impact the surrounding facilities, project permits would be required subject to compliance with the requirements of the Shoreline Municipal Code.

SITE REZONE:

Rezoning is subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.320(B) of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

1. The rezoning is consistent with the Comprehensive Plan.

Upon re-designation of this parcel to High Density Residential (HDR), the rezoning of this parcel from R-12 to R-48 will be consistent with the Comprehensive Plan. The following is a description of allowed uses within this Land Use Designation:

“High Density Residential designation is intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation

creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted. The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, sub area plan or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24 or R-48 Residential."

2. The rezone will not adversely affect the public health, safety or general welfare.

The future development of these sites shall show compliance with Title 20 of the Shoreline Municipal Code. Applicable sections of this code include, but are not limited to: Dimensional and Density Standards (20.50.010-20.50.050), Tree Conservation (20.50.290-20.50.370), Parking Access and Circulation (20.50.380-20.50.440), Wastewater, Water Supply and Fire Protection (20.60.030-20.60.050), Surface and Stormwater Management (20.60.060-20.60.130).

In order to ensure consistency with the requirements of the Shoreline Water District, the following condition has been added: *Prior to issuance of building permits the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities as defined in chapter 20.60 of the Shoreline Municipal Code.*

3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan.

Upon approval of the proposed Comprehensive Plan amendment to change the Land Use designation from Ballinger Special Study Area (BSSA), to High Density Residential (HDR), the concurrent proposal to rezone the parcel from R-12 to R-48 would be consistent with the new Land Use Designation of the parcel. See Site Rezone Criteria #1 above.

4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.

The rezone and future development of the subject site will not be detrimental to uses in the immediate vicinity. Adequate infrastructure (water, sewer, storm, etc.) exists in the area to support the proposed development with certain modifications. This has been verified through Certificate of Availability provided by the utility purveyors, and review of City storm water infrastructure records.

5. The rezone has merit and value for the community.

The rezone will help the City achieve the housing targets established by the Comprehensive Plan and required by the GMA. Further, this site is an appropriate place to accommodate development considering the intensity of the adjacent

Commercial and High Density uses, because it is free of environmentally sensitive features, and because of close proximity to infrastructure, transit and services.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #301371; a Site Specific Comprehensive Plan Amendment to change the land use designation for parcel number 7417700031 located at 20060 15th Ave NE from Ballinger Special Study Area to High Density Residential (HDR).

Based on the Findings, the Planning Commission recommends approval of application #201492; a rezone from R-12 to R-48, with the addition of the following condition:

Condition #1: Prior to issuance of building permits the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities as defined in chapter 20.60 of the Shoreline Municipal Code

City of Shoreline Planning Commission


Chairperson Date: 4/20/2006

