

ORIGINAL

ORDINANCE NO. 430

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 471 CHANGING THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO RESIDENTIAL 24 DU-AC (R-24) OF ONE PARCEL LOCATED AT 14539 32<sup>nd</sup> AVENUE NE (PARCEL NUMBER 1568100330).**

WHEREAS, the owner of the property, with parcel number 1568100330, has filed an application to reclassify the property from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24); and

WHEREAS, on June 15<sup>th</sup>, 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 June 15<sup>th</sup>, 2006, the Planning Commission recommended approval of the reclassification to R-24 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 reclassification of property, located at 14539 32<sup>nd</sup> Avenue NE (parcel number 1568100330) to R-24 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. 201508 as set forth by the Planning Commission on June 15<sup>th</sup>, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

**Section 2.** Amendment to Zoning Map. The Official Zoning Map Tile 471 of the City of Shoreline is hereby amended to change the zoning classification of said parcel, located at 14539 32<sup>nd</sup> Ave NE (parcel number 1568100330) and further described and depicted in Exhibit 2 attached hereto, from R-12 to R-24.

**Section 3.** 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 4.** Effective Date. This ordinance shall go into effect five days after passage and publication of the title as a summary of this ordinance.

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PASSED BY THE CITY COUNCIL ON JULY 17, 2006.

  
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Mayor Robert L. Ransom

ATTEST:

APPROVED AS TO FORM:

  
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Scott Passey  
City Clerk

  
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Ian Sievers  
City Attorney

Date of Publication: July 20, 2006  
Effective Date: July 25, 2006

## FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Jay Finney Rezone Request File #201508

### **Summary-**

Following the public hearing and deliberation on the request to change the zoning designation for a 8,460 Sq. Ft. parcel located at 14539 32<sup>nd</sup> Avenue 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 Rezone the subject parcel from R-12 (Residential 12 units per acre) to R-24 (Residential 24 units per acre).
- 1.2 Site Address: 14539 32<sup>nd</sup> Avenue NE
- 1.3 Parcel Number: 156810-0330
- 1.4 Zoning: R-12
- 1.5 The subject property has a current land use designation of Mixed Use identified on the City of Shoreline's Comprehensive Plan Land Use Map. A Mixed Use designation is consistent with the following zoning: R-8, R-12, R-18, R-24, R-48, Office, Neighborhood Business, Community Business, Regional Business and Industrial zoning.

#### **2. Procedural History-**

- 2.1 Public hearing held by the Planning Commission: June 15<sup>th</sup>, 2006
- 2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: March 30<sup>th</sup>, 2006
- 2.3 End of 14 day Public Comment Period: March 23<sup>rd</sup>, 2006
- 2.4 Notice of Application with Optional DNS: March 9<sup>th</sup>, 2006
- 2.5 Complete Application Date: March 6<sup>th</sup>, 2006
- 2.6 Application Date: February 24<sup>th</sup>, 2006
- 2.7 Neighborhood meeting Date: February 15<sup>th</sup>, 2006
- 2.8 Pre-Application Meeting Date: August 25<sup>th</sup>, 2005

**3. Public Comment-**

3.1 The following individuals participated in Neighborhood Meetings:

**13 people participated in the required Neighborhood Meeting. General consensus was that the neighborhood is in support of this particular project.**

3.2 Written Comments have been received from:

**One petition letter of support with 18 signatures and one letter in opposition were received in response to the standard notice procedures for this application (the written comment deadline was March 23<sup>rd</sup>, 2006).**

3.3 Oral testimony has been received from:

**Other than the applicant, Scott Solberg testified in support of the rezone.**

**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 March 9th, 2006 and a 14-day comment period followed ending March 23rd, 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 March 30<sup>th</sup>, 2006.

**7. Consistency –**

5.1 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).

5.2 A recommendation to approve 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

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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 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 rezone is consistent with the Comprehensive Plan.**

The Comprehensive Plan land use map identifies the subject properties as *Mixed Use*. The site is currently underutilized—the parcel is developed with one single family home (developed at a density of 5 dwelling units per acre)—this is not consistent with the density goals of the Comprehensive Plan which plans for these sites to accommodate 8 to 48 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

Redevelopment of this area of Shoreline is encouraged by goals and policies in the Comprehensive Plan. The existing single-family home on the parcel has been condemned for quite some time and comments from adjacent property owners suggest the proposed townhomes will be a welcomed addition to the neighborhood.

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

The property has been vacant for the past 12 years and although the house has been boarded up since 1995, the dwelling and the rear yard has become a dumping ground for itinerant neighbors and passer-bys. The site was currently home to rats, appliances and a great volume of refuse.

Staff believes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare by removing a condemned structure that

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is unsafe and an eyesore and replacing it with new construction that promotes neighborhood renewal. The proposed townhomes fit in with the type of development that has been developed in the immediate area and will be an upgrade to the neighborhood.

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

The subject parcels are currently zoned R-12. The application to change the zoning of this parcel to R-24 was made in order to develop the sites in similar fashion to those that have been previously developed in the immediate vicinity of the project. The site's Comprehensive Plan land use designation is *Mixed Use*. Consistent zoning designations for this land use include: R-8, R-12, R-18, R-24, R-48, Office, Neighborhood Business, Community Business, Regional Business, and Industrial.

The uses in the area include single-family and multi-family residential development, restaurants and small and large scale retail developments. The subject property is located near NE 145<sup>th</sup> Street and Bothell Way NE, both Principal Arterial Streets with transit routes. R-24 zoning is an appropriate designation for the subject site, as it reflects a similar level of current and planned intensity as those uses near it.

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

There appears to be no negative impacts to the properties in the immediate vicinity of the subject rezone. The proposed rezone would allow uses on the site that are similar to those uses found on the parcels to the west and south.

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

This rezone provides an opportunity for the City to take a condemned dwelling that is unsafe for the neighborhood and replace it with a project that fits the goals and policies of the City in terms of denser neighborhoods adjacent to commute corridors. Additionally, four new owners and investors will become Shoreline residents, hopefully continuing some positive momentum near a gateway to the City. It is logical to encourage, within the provisions of the Development Code, redevelopment and intensification of uses on of parcels such as these.

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PLANNING COMMISSION FINDINGS & DETERMINATION

FILE #201508

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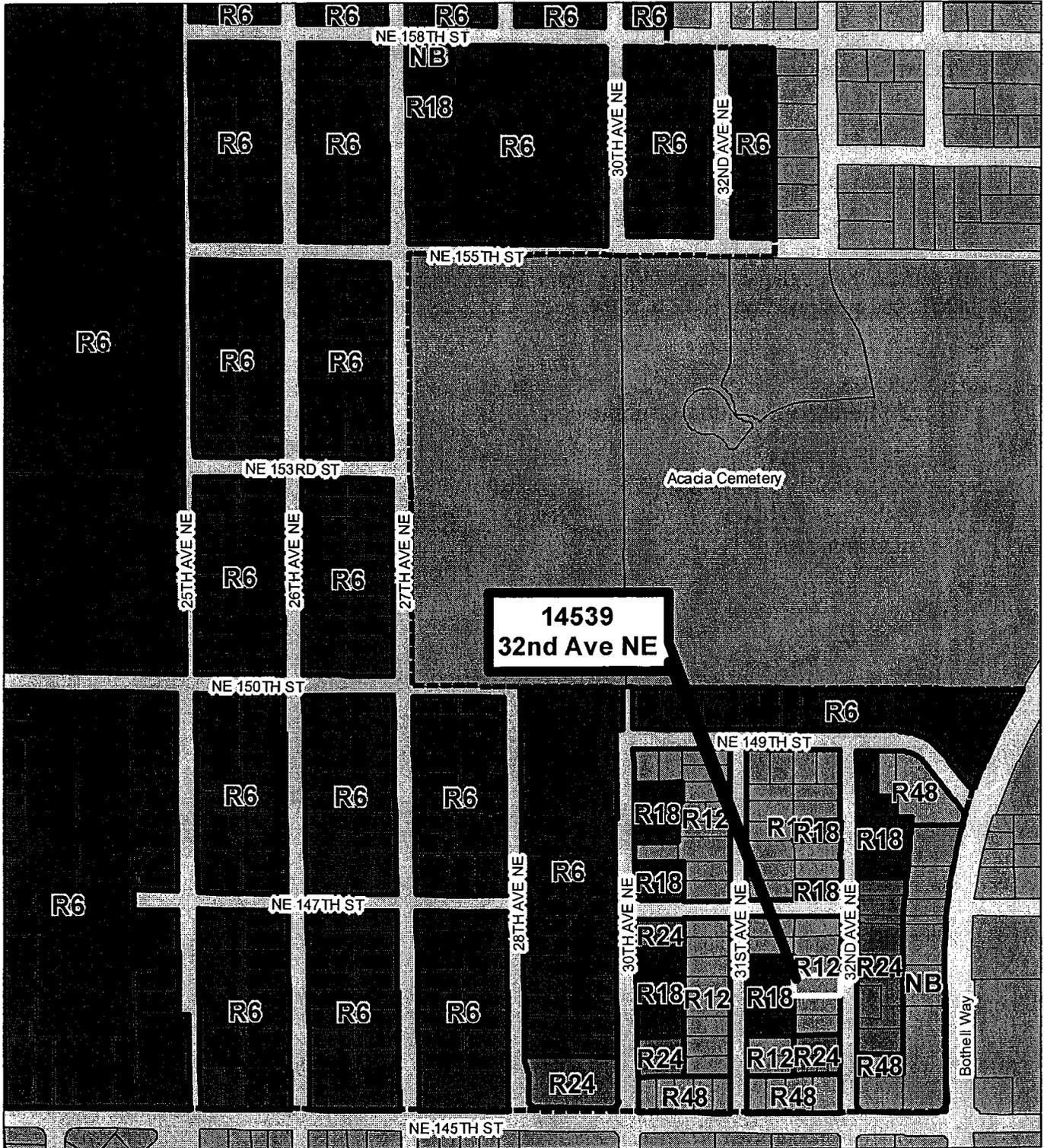
**III. RECOMMENDATION**

Based on the Findings, the Planning Commission recommends approval of application #201508; a rezone from R-12 to R-24.

**City of Shoreline Planning Commission**

*Nancy King*  
\_\_\_\_\_  
Chairperson

Date: *6 July 2006*  
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### SHORELINE

Geographic Information System  
City of Shoreline Zoning

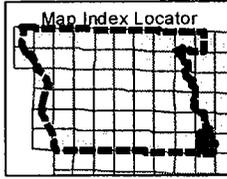
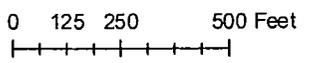
Representation of Official Zoning Map Adopted By City Ordinance No. 292.

Shows amendments through June 21, 2005.

#### Legend

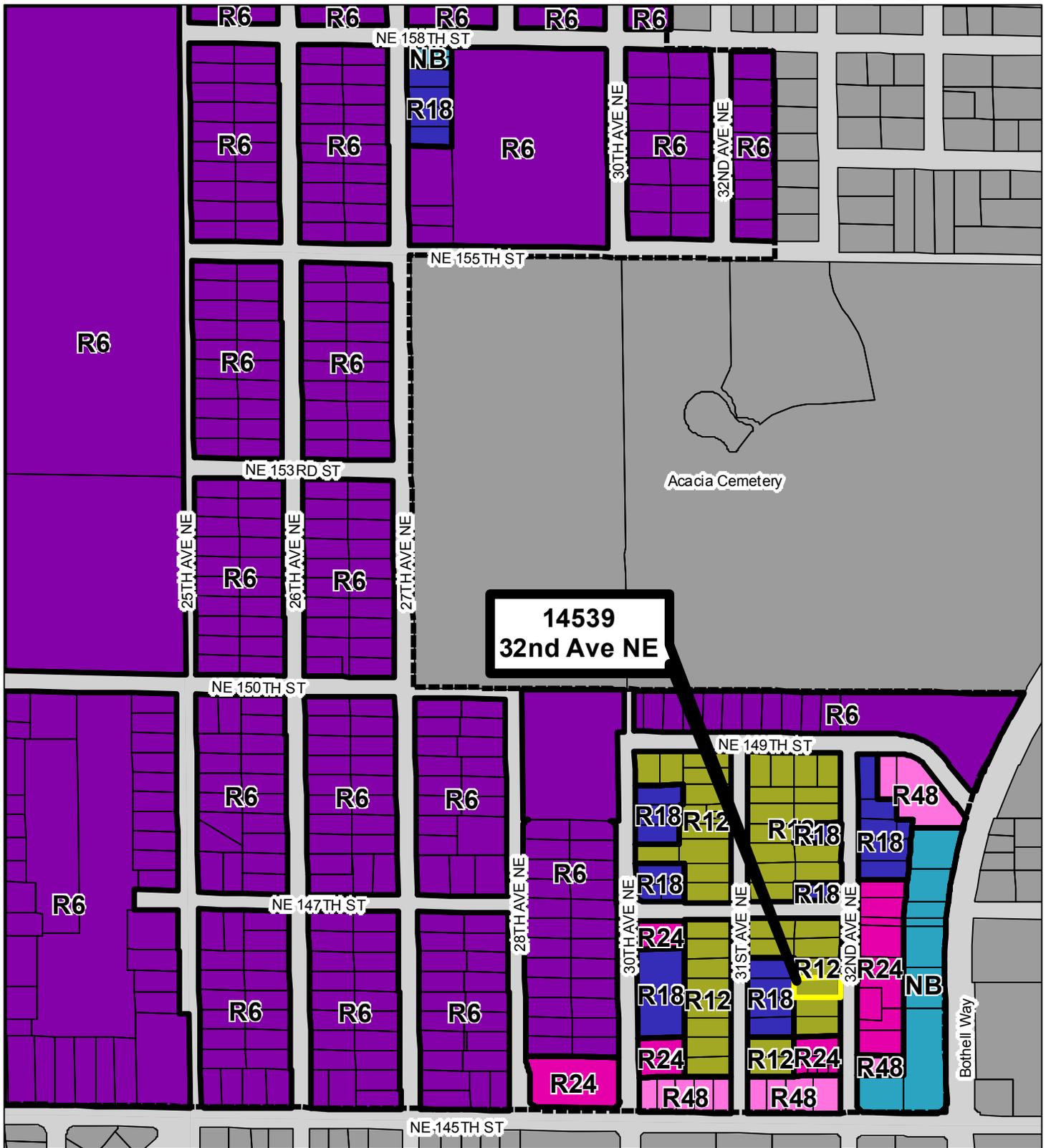
- CB - Community Business
- CZ - Contract Zone
- I - Industrial
- NB - Neighborhood Business
- NCBD - North City Business District
- O - Office
- R12 - Residential 12 units/Acre
- R18 - Residential 18 units/Acre
- R24 - Residential 24 units/Acre
- R4 - Residential 4 units/Acre
- R48 - Residential 48 units/Acre
- R6 - Residential 6 units/Acre
- R8 - Residential 8 units/Acre
- RB - Regional Business
- RB-CZ - Regional Business/Contract Zone

- Parcel Line
- Zone District Boundary
- City Boundary
- Unclassified Right of Way



No Warranties of any sort, including accuracy, fitness, or merchantability accompany this product.

Created on April 19, 2006



**SHORELINE**  
Geographic Information System  
**City of Shoreline Zoning**

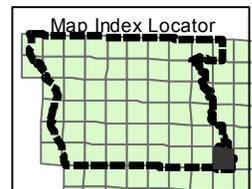
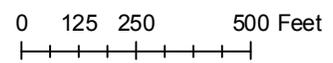
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**Legend**

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