



MEMORANDUM

DATE: September 7, 2011

TO: Chair Turner and Members of the Planning Commission

FROM: Carol Helland, Land Use Director, 452-2724
Shoreline Update Team
Development Services Department

RE: Deliberations Regarding the Draft Shoreline Master Program Update –
Continuation of Discussion on LUC 20.25E.060

On July 13, the Planning Commission began its deliberations on the Shoreline Master Program (SMP) Update in preparation for making a recommendation to the City Council. During the Study Session, the Commission began working with Draft SMP section LUC 20.25E.050 (Dimensional Requirements) and continued into section LUC 20.25E.060 (General Requirements) – the evening's discussion concluded at the end of section LUC 20.25E.060.D. At that point, the Commission indicated that Draft SMP discussions would begin again at the September 14 meeting with LUC 20.25E.060.E. In order to provide certainty to the public, the Planning Commission indicated that discussions on September 14 would be confined to LUC 20.25E.060, and deliberations on subsequent code sections (starting with the Residential Shoreline Regulations in LUC 20.25E.065) would be taken up at a later date.

Progress Matrix

During the July 13, 2011 meeting, the Commission made several requests to change or modify code language of various sections in the Draft SMP. To track these changes, staff has prepared a progress matrix that captures requested amendments to the draft by section. On sections where additional work and discussion was identified by the Planning Commission as necessary, a note was placed in the "Parking Lot" for future discussion. The matrix is attached for review by the Commission.

Residential Standards

Several public comments have been received that indicate that the public would appreciate a schedule of topics to be discussed, so that they can prepare their remarks and plan to attend when topics of interest to them are on the Planning Commission agenda. Of specific interest to many commenter's is Draft SMP section LUC 20.25E.065 – Residential Shoreline Regulations. During the July 13, 2011 study session, the Planning Commission identified that the earliest they would begin discussions on the residential standards would be at their October 12, 2011 meeting. This meeting has been identified for the annual planning commission retreat. As a result, it would be

desirable for the Commission to identify an alternative schedule for this topic to be discussed. Staff looks forward to seeing the Planning Commission members on September 14th to continue to support your review of the Draft SMP.

Recap of July 13 study session

Changes to draft:

Section	PC proposed change	Action	Comment
chart 20.25E.050.A	<input type="checkbox"/> Delete footnote (3) from chart 20.25E.050.A next to Maximum Building Height	Deleted footnote	<i>Benefits user by compiling relevant information in one place. Included to allow submittal of SMP without Land Use Code</i>
20.25E.050.B.3 Disturbance in Shoreline Structure Setback	<input type="checkbox"/> Delete standard	Deleted 20.25E.050.B.3	

PARKING LOT-Reserved for future discussion:

1. Phantom Lake standards
2. Usefulness of chart in .050
3. Retain section/is it useful? Come back after review other sections
4. Setback dimensions
5. Phantom Lake, including aspects of wetland regulations
6. Lake Sammamish OHWM
7. Phantom Lake overall

Recap from July 27 study session

Changes to draft:

Section	PC proposed change	Action	Comment
.050.C Shoreline Impervious Surface	<input type="checkbox"/> Delete detail and simply reference out to 20.20.460 for applicable standards		<i>Benefits user by compiling relevant information in one place. Included to allow submittal of SMP without Land Use Code.</i>
.050.D Maximum Building Height	<input type="checkbox"/> See Parking Lot issues		Ensures consistency

			with LUC requirements and SMA requirements
.060.B.1 No Net Loss Required	<input type="checkbox"/> Revise to “Shoreline uses and development are required to ensure no net loss of ecological functions and processes.” All other language deleted.		Detail was originally added to provide clarity of what ecological functions and processes were.
.060.C Technical Feasibility Analysis	<input type="checkbox"/> Clarify this section does not apply to residential and that the use charts in 20.25E.030 describe when the feasibility analysis is required.		
.060.D Mitigation Sequencing	<input type="checkbox"/> Rename to “Mitigation Requirements and Sequencing”		
.060.D.1 Mitigation Plan Requirements	<input type="checkbox"/> Add clarification of when mitigation plans are triggered (i.e. SCUP, Variance, Special Shorelines Report)		May need to rename applicability. Clarify that the mitigation plan is required for other actions throughout the code such as menu option but that the sequencing provision only applies to the SCUP, Variance and Special Shorelines Report.
.060.D.5.c Timing of Work	<input type="checkbox"/> Clarify section so language is clear this pertains to installation of the mitigation and not monitoring/performance.		
.060.D.5.d Monitoring	<input type="checkbox"/> Revise provision to include 1 year standard		DOE comment that 5 years is

Program	for residential development and 3/5 year standard for nonresidential (modeled after critical areas provisions 20.25H.220.D).		not adequate.
.060.D.5.g Mitigation for City Park Projects	<input type="checkbox"/> See Parking Lot issues		
.060.D.5.h Restoration for Areas of Temporary Disturbance	<input type="checkbox"/> Clarify provision refers to temporary construction disturbance		

PARKING LOT- Reserved for future discussion:

1. Section D Height- Definition of substantial number of residences- case law background
2. .060.D.5.g Mitigation for City Parks Projects. Staff to provide Commission with analysis of three possible alternatives for language and pros/cons for each of the following alternatives: Existing draft language, Phasing of mitigation with a Parks Master Plan, and Strike draft provision.