

Seattle's Shorelines Today and Tomorrow: Updating Seattle's Shoreline Master Program

Citizens Advisory Committee Discussion on Uses and Development Standards in Urban
Industrial and Urban Maritime Environments
Tuesday, October 28, 2008

At its October 2008 meeting, the Seattle Shoreline Master Program (SMP) Citizens Advisory Committee (Committee) received a presentation from the Seattle Department of Planning and Development (DPD) on the changes to uses and development standards in Urban Industrial (UI) and Urban Maritime (UM) Environments that DPD is proposing as part of its SMP update. The Committee discussed the proposed changes in two small groups, with individual members asking questions and providing feedback. The small groups then came back together for a report-out on each group's discussion. The questions asked and bulleted lists of feedback are captured and provided below.

The Committee intends to use this document as a record of its discussion and a starting point for recommendations when it crafts a report toward the end of the Committee process. *It is important to note that the feedback provided below represents the current opinion of individual members. It does not necessarily represent consensus positions among the Committee as a whole, and is subject to change as the process develops.*

1. Caretaker units. Residential uses are limited or prohibited in UM and UI environments to protect water dependent and water-related business in the shoreline jurisdiction. Caretaker units present potential conflicts. Which uses typically require 24-hour caretakers? For water-dependent and water-related business, is the need for caretaker units linked to uses or parcel size? If so, how big does a parcel need to be to require a 24-hour caretaker? What is the appropriate maximum size for caretaker units that will allow necessary caretakers (Current code allows 800 square feet)? Other suggestions for how the code can be more specific about when and where caretaker units are allowed so that we can avoid conflict between industrial uses and residential uses?

- It's too complex to try to capture in the SMP all the uses that might require caretaker units. Instead, just allow them as accessory uses, under specific criteria that avoid conflicts.
- No, we need clear criteria for consistency in permitting. Currently, it's ambiguous when one of these units really is necessary, so it's hard to get the permit. Get rid of any gray area. Define caretaker unit more carefully.
- It should be the property owner's decision whether or not they need one.
- The worst case scenario (a penthouse apt.) is not that bad, so why do we need to regulate them?
- Is there really a problem with noise complaints from caretaker unit occupants? If you don't like it, move!
- "Slippage" could be a problem, i.e. caretaker units could be rented or expanded in the future, introducing residential uses where they aren't appropriate. The property owner should have to demonstrate their need, then continue to demonstrate the original need throughout future uses.
- Find the spot between being specific enough to allow a clear interpretation, but general enough not to be overly complicated and restrictive.

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2. Vegetating buffer setbacks. Best available science suggests that at minimum, a 50' vegetated buffer along all shorelines is needed to protect ecological functions. Plants and trees provide shade to shallow-water areas, can improve water quality, and provide habitat for birds and beneficial insects. Even our most heavily impacted shorelines are migratory routes for salmon, and could benefit from more vegetation.

That said, a 50' buffer isn't compatible with many shoreline uses, especially in industrial areas. A DPD aerial photo analysis of UM and UI environments suggests that in Lake Washington and the Ship Canal, approximately 10-25% of waterfront parcels could accommodate some amount of shoreline vegetation and approximately 50% of the parcels along the Duwamish could accommodate some shoreline vegetation.

What incentives or bonuses could DPD use to encourage building setbacks and increase the amount of vegetation along the shoreline?

- Consider a reduction of view corridors, public access, optional height bonus in exchange for desired buffers.
- Do not consider the above reductions – view corridors and public access must be protected on all shorelines, including industrial areas.
- Provide money incentives, tax benefits for vegetated buffers, such as King County's Public Benefit Rating System (PBR).
- Consider a lease easement to the City or State, like the Conservation Reserve Enhancement Program (CREP) that is available for farms.
- Connect to the restoration plan, coordinate with all habitat planning.
- Connect to expedited regulatory review. Clarify the ways in which projects with buffers already face an easier regulatory process.
- In addition to incentives, we need to think about regulatory requirements.
- Provide extra incentives for multiple side-by-side properties with buffers. Longer continuous areas are better.

3. Green infrastructure. Industrial zones contain the most intense land uses in terms of lot coverage and impervious surfaces. Landscaping, which can provide stormwater benefits, mitigation of the urban heat island effects, wildlife habitat, and improved air quality, is usually constrained on industrial sites. Trees and other plantings are often not compatible with moving large equipment. Innovative stormwater technologies that encourage infiltration, like permeable paving and bioswales, are limited by the presence or possible presence of soil and groundwater contamination.

Where are trees and other plantings feasible, and how could DPD effectively encourage them in these locations? What incentives or bonuses could be used to encourage green roofs and vegetated walls on buildings in industrial zones? How else could the City encourage innovative stormwater management on industrial sites, taking into consideration the challenges presented by potentially contaminated soils?

- How would this relate to buffers?

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- Because it requires review by the State Department of Ecology, the SMP is an overly-complicated place to address green roofs and other low impact development provisions. This should be handled in a different part of the code. Keep the SMP simple.
- Coordinate with the City's green building efforts and tie to mitigation if possible.
- Consider trading off with view corridors, allow more upland development.
- Do not trade off with view corridors; views must be protected on all shorelines including industrial areas.
- Water quantity isn't a big issue on these shorelines (but water quality is). Any low impact development provisions should be designed accordingly.
- Water quality is not captured in the Shoreline Alternative Mitigation Program (SAMP), but it should be.
- Think about this for all industrial areas – they all contribute stormwater to the same system, so shoreline properties shouldn't be singled out differently.
- Look at Marysville downtown master plan for good examples of low impact development practices.

4. Allowing non-water dependent or not water-related uses on waterfront lots. New SMP guidelines allow for mixed use development on sites when it has been determined through an economic study that there is no demand for water dependent or water-related uses. The Office of Economic Development is currently doing a study that will help us answer this question. If mixed use is allowed, what types of non-water dependent uses should be allowed and what types of limitations should be put on non-water dependent uses?

- Museum should be truly water dependent (such as the Aquarium).
- More mixed uses may help a maritime use to remain viable – industrial property owners are scared of losing these options.
- But mixed uses could snowball and push out industrial uses.
- How is “water-related” defined? Should truly capture any uses that will benefit from proximity to water.

5. Are there other limitations or requirements that should be included if non-water dependent uses are allowed on waterfront lots? Should **recreational marinas and/or yacht**, boat and beach clubs be allowed in the UI or the UM shoreline environments? Should **water-related museums** be allowed on waterfront and upland lots, or just upland lots? What type of **institutional uses** should be allowed on upland lots?

- Recreational marinas should be allowed in UI/UM.
- Water related museums should be allowed on waterfronts and upland lots.
- Non water dependent/water-related uses in UI/UM
 - Some commercial uses are more compatible/complimentary than others. For example, boat storage racks should be allowed, cabarets should not.
 - Conditions are more important than the specific use.
 - Win-win. Other revenues can support existing industry.

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- Existing CU use table is a concern. The Committee does not want so many "X's" (or prohibitions).
- Conditions in Duwamish are different than those in the Ship Canal.
- Industrial preservation is the main goal!
- Proposed prohibitions ("X's") of many existing uses will make maintenance and upkeep more difficult.