

Text Location	Issue	Comment	DPD Response	
<p>William Bradford, Lynn Ferguson, Bonnie Miller, David Kiefner, Mark Hammond, David M. Evans, Katherine Ellis, Mark Seabourne, Mark Prentice, Thomas Staiger, Peter James, Taylor Clark, Bob Tollenaar, Tim Mortimore, Alex Kimball, Douglas Stumberger, Eileen Shattuck, Joe Ferguson, Michelle Hemby, Juan Lopez, Terence Quong, Troy Nishikawa, Crystal Parry, Ryan Stringfellow, Will Stiles, Renee Tackett, Shelly Borchardt, Michon Fontenelle, Michael Lampi, Ernie Wong, Deborah Natelson, Robert Combie, Jeff Rickard, Paul Carter, Mark Coleman, Max Heller, James Lowry, Gerald Valeske, Steve Norman, Catherine Picha, Daniel Carpenter, Kevin Cunningham, Robert Scully, Leslie Keller, William Bradburd, Jef Jaisun, Rusty Williams, Goran Zivkovic, Gail Chiarello</p>				
1	23.60.224	Conservancy Management	<p>The purpose of the CM environment is to provide for water-dependent infrastructure, such as locks and recreation facilities such as marinas or parks. Developments in the CM zone should be managed to preserve their ecological function and provide public access.</p>	See response at the end of the table
2	23.60.224.D		<p>This section seems at odds with the SMA because it is allowing uses which have previously been prohibited and now allowed, as a special uses, in the CM environment. This is a piecemeal approach to shoreline planning to allow these types of office and institutional uses in the shoreline environment. This section should not be in the SMP and if allowed in the CM environment should be at minimum, a conditional use, if not prohibited outright.</p> <p>The intent is to eradicate non-</p>	<p>Allowing one non-conforming use for another non-conforming use as a conditional use is not a new provision but this provision exists in the existing regulations and have been a part o of the SMP for at least 23 years.</p>

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		<p>conforming uses in the SMA but this section seems to be swapping one nonconforming use for another when the State of Washington has long adhered to a policy of phasing out nonconforming uses.</p> <p>It is unclear how non-water-related activities somehow seem to be a majority of institutional uses that are allowed in the CM environment. The intent of the SMA is to allow access to the shoreline and increase recreational opportunities in the shoreline area. It is difficult to see how child care meets this criteria.</p>	
3		<p>It is interesting to note that historic ships are considered a conditional use while historic buildings are a special use. Why is there a differentiation?</p>	<p>Historic ships are in the water and uses proposed on vessels in the water deserve and are required to have a higher level of review/protection than activities on dry land.</p>
4		<p>This section has been specifically written into the SMP for a Building 11 at Magnuson Park and this approach to planning and development is contrary to what a reasonable person would consider fair and equitable. It is highly preemptive to have a section in the</p>	<p>See response at the end of the table</p>

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		<p>SMP for a situation that currently does not exist. If for that reason alone this section should be revoked.</p> <p>... Request that the City of Seattle Department of Planning and Development remove section 23.60.224.D from the Draft Shoreline Master Program and revise the Conservancy Management environment requirement to better reflect the intent of the SMA by reducing the number of Special Uses that do not offer broad “public” benefit or water related or water dependent activities in public shoreline environments.</p>	
4a		<p>The intent of the SMA is to allow access to the shoreline and increase recreational opportunities in shoreline areas. It is difficult to see how the following uses, as listed in Table A Section 23.60.224, meets the criteria: Adult Care, Child Care, Colleges, Family Support Centers, Hospitals, Institutes for Advanced Study, Libraries, Major Institutions, Museums, Other Private Clubs, Schools Elementary or Secondary,</p>	See response at the end of the table

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			Religious Facilities, and Vocational or Fine Arts Schools, as special uses within the Conservancy Management environment. It is unclear how these uses that are non-recreational or water-related would meet the intent of the Shoreline Management Act as far as protecting the shoreline for recreational use or increasing public access.	
4b			We believe that the DPD has the responsibility for preserving the public shoreline for the public good. Long term benefits should be considered foremost in protecting public resources, not short term commercial interests. Increase access and recreational opportunities should be a paramount consideration when planning shoreline developments as stated in RCW 90.58.020. So therefore we ask that section 23.60.224.D removed from, and Table A in Section 23.60.224 be updated, in the Draft Shoreline Master Program.	See response at the end of the table
4c			Stripping the Shoreline Master Program of protection for water-	See response at the end of the table

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		related uses of existing buildings within designated historic districts now within the existing regulations is a bad thing to do. The loop hole provided by the proposed rule are not practical or because such uses cannot provide adequate financial support necessary to sustain the building in a reasonably good physical condition)" is providing a specific loophole for a specific developer in our Shoreline Master Program.	

Response to 1, 4 and 4a – 4c:

Within the Conservancy Management (CM) shoreline environment, the proposed changes to uses allowed are limited to existing buildings located within a designated historic district. Currently there is only one designated historic district within the Shoreline District, located within the Magnuson Park. Magnuson Park was deeded to the City by the US government after closure of the former Naval Air Station at Sandpoint. The Department of Parks and Recreation worked with DPD to allow adaptive re-use of historic structures that represented the historic legacy of Sandpoint at Magnuson Park. Only one building falls within the jurisdiction of Seattle’s Shoreline Master Program (SMP) and only a portion of this building is within 200-ft of the shoreline in the CM environment. The building pre-dated the Shoreline Management Act (SMA). To support Parks ‘ continuing effort to re-use and activate the building, the proposed amendments to the City’s SMP allow for some non-water dependent use to be located on the second floor of the building, and also allow child care facilities on the first floor of the building. Allowing child care facilities on the first floor of the building will provide opportunities for children to access the shoreline for recreation and educational purposes.

Allowing a non-water dependent use to be located on the first floor Parks, or any other applicant, is required to demonstrate that water dependent or water related uses, otherwise allowed or allowed as special uses, are not practical, because of building design or because they cannot provide adequate financial support necessary to sustain the building in a reasonably good physical condition. Therefore, allowing these uses with conditions, mitigates their impacts to the shoreline district and thereby complies with and meets the intent of the SMA and SMP.

The letter that is referred to in several comments written by DPD Director Diane Sugimura to Darrell Vange explains the above.