

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF JOINT WORKSHOP DINNER MEETING
WITH THE PLANNING COMMISSION

Monday, September 14, 2009
6:00 p.m.

Shoreline Conference Center
Highlander Room

PRESENT: City Council: Mayor Cindy Ryu, Deputy Mayor Terry Scott, and Councilmembers Keith McGlashan, Janet Way, Doris McConnell, and Ron Hansen

Planning Commission: Chair Will Hall; Vice Chair Michelle Linders Wagner; and Commissioners John Behrens, Michael Broili, Janne Kaje, Ben Perkowski, and Rocky Piro

ABSENT: Councilmember Chris Eggen; Commissioners Sid Kuboi and David Pyle

STAFF: Julie Underwood, Acting City Manager; Joe Tovar, Planning & Development Services Director; Steve Cohn, Long Range Planner; Jessica Simulcik-Smith, Planning Commission Clerk; Scott Passey, City Clerk

Mayor Ryu called the meeting to order at 6:07 p.m.

Planning Commission Work Plan

Joe Tovar, Planning & Development Services Director, provided an overview of the Planning Commission Work Plan and highlighted key projects and their associated timelines. He called attention to the Development Code amendments (#3), permanent RB zone regulations (#4), the Transportation Master Plan, and Master Program (#5), and noted that study meetings have been held on tree regulations. He added that the Parks Master Plan is a policy document that will help the City's eligibility for grant funding.

Councilmember Way commented that the Parks Master Plan is one of the required elements of the Comprehensive Plan. Mr. Tovar noted that there is a linkage there.

Steve Cohn, Long Range Planner, noted that the current slate of Development Code amendments include Councilmember Way's suggested map update, Ballinger, and other privately-initiated amendments.

Mr. Tovar continued his presentation, pointing out that if the City wishes to appeal the Point Wells Environmental Impact Statement (EIS), it will need to act soon. He said staff will be bringing its own proposal for a Subarea Plan and implementing zoning to the

Planning Commission and City Council. He added that the City will prepare a Supplemental EIS to address transportation and visual impacts of its proposal. Mr. Tovar noted that item #7, the Town Center Subarea Plan, is a major work item that will require SEPA work and check-in points with the Council.

Councilmember McGlashan asked how the Midvale Demonstration Area fits into the Town Center Subarea Plan. Mr. Tovar replied that it will serve as an input into the Subarea Plan; however, the interim regulations will expire in November. Responding to Mayor Ryu, Mr. Tovar clarified that there has been no activity in the Midvale Demonstration Area since the interim regulations were adopted.

Mr. Cohn reported that the Southeast Neighborhood group is getting closer to a recommendation. He added that while there are still a few issues to resolve, the group has achieved a great deal of consensus.

Mr. Tovar then discussed additional Work Plan items. He noted that Shoreline Community College has no funding for a full Master Plan, so they've changed their approach from "expansion" to "restoration" of facilities.

Councilmember Way commented on the Economic Development agenda item about possible campus housing at Shoreline Community College. Mr. Tovar said the subject of dorms was mentioned, but such proposal would require a Comprehensive Plan amendment. He said the process is cumbersome but it can be done.

Deputy Mayor Scott commented that given the difficult economic conditions, everyone appears to be "hunkering down" and not proposing new development.

Mr. Cohn briefly reported on the status of the Crista application, noting that a final proposal should be available by January 2010.

Mr. Hall noted that a Comprehensive Plan amendment is a legislative change, but site specific land use proposals are quasi-judicial in nature. He spoke in favor of separating out the legislative changes, which need to be docketed by December 31.

Mr. Tovar noted that the Planning Commission will adopt a new Work Plan next year, and some time is needed to see what Comprehensive Plan amendments will be proposed. He then continued discussing various elements of the Work Plan, including mega-homes, home occupations, and how to structure the Planning Commission and City Council for getting public input.

Mayor Ryu asked where design standards fit into the Work Plan, to which Mr. Tovar responded that item #2 sets the scope of this element. Councilmember Way felt that design standards apply to a number of the Work Plan items. Mr. Tovar replied that design standards are a major topic that will need to be scoped and dealt within a number of areas, including the Town Center Subarea Plan.

Deputy Mayor Scott wondered if there was a connection between design standards and mega-homes. Mr. Tovar replied that they are fundamentally different topics requiring separate analysis. Councilmember McGlashan said he does not object to scheduling mega-homes sooner rather than later, but he is concerned with the number of work items in early 2010. Mayor Ryu suggested that perhaps mega-homes and home occupation regulations could be addressed together in early 2010. Deputy Mayor Scott agreed with putting mega-homes on the work program, whether it is addressed earlier or later.

Mr. Tovar noted that staff is dealing with the question of how to educate the neighborhoods about home occupations. He said this work item will require three to five months of work.

Deputy Mayor Scott said he would like the regulations to be very well thought out; he clarified that he doesn't want them to be overly prescriptive. He asked if there is a fundamental problem with the home occupation codes. Councilmember Way responded that enforcement of the code has been disproportionate throughout the City so many people feel they are receiving unequal treatment.

Mr. Tovar said staff will put together some amendments that will get at the root problem of home occupations, including employees and vehicles. He noted that at some point a growing business belongs in a commercial zone. Mayor Ryu added that it makes a big difference where the home occupation is located, such as on an arterial street versus a cul-de-sac.

Commissioner Behrens felt the regulations should not be overly restrictive. He advocated for finding a balance between allowing the maximum amount of business development while also protecting the community from negative impacts.

Mr. Tovar said there are a number of ways to approach home occupations; he suggested that interim regulations could be adopted as a way to test their effectiveness. Commissioner Behrens asked if the process could revert back to complaint-driven code enforcement. Mr. Tovar noted that complaint-driven enforcement and proactive enforcement are separate issues to consider.

Chair Hall felt that using the six-month emergency clause as contemplated by the Growth Management Act is not an appropriate way to address interim regulations. He suggested that interim regulations simply be adopted with a sunset clause.

Implementing Council Goal #10

Chair Hall introduced this topic and briefly commented on the efforts of the Planning Commission to enhance communication and public input.

Deputy Mayor Scott pointed out that in today's world, there are many different ways to communicate with the City Council and Planning Commission. He emphasized that e-mail should be given as much consideration as the public comment at City meetings.

Mayor Ryu noted that the City Council has increased opportunities for public comment at its meetings. Not only is there a general public comment period at each meeting, but citizens are allowed to comment on each agenda item. She added that the City has increased publication of the *Currents* newsletter in order to enhance communication.

Councilmember Way commented that the intent was to open up government to provide a way for people to be involved.

Commissioner Piro noted that the City has made remarkable strides in the area of public input; however, we shouldn't feel satisfied. He emphasized the need to continuing to look for opportunities to maximize public input. He noted that the Commission has always put a high value on written comments. He also suggested that the *Currents* newsletter include information on the Planning Commission and its work.

Deputy Mayor Scott asked what the Planning Commission bylaws say about public comment. Chair Hall responded that the bylaws address the agenda only; however, the agendas always include public comment opportunities.

Mayor Ryu pointed out that developers are not limited in the amount of time they are allowed to comment at Commission meetings; therefore, the public perceives this as unfair. She said there is no opportunity for the public to rebut the comments.

Chair Hall wondered how effective it would be to have the public rebutting each other's comments. He said the challenge is finding ways to maximize public comment opportunities without sacrificing decorum.

Commissioner Piro said he remembers when the public only got two minutes to address an agenda item. He said things have changed and the Commission now engages speakers and asks questions.

Councilmember McConnell said she has found written comments to be of the most value. She said written testimony is more effective and less emotional, and there is no three-minute time limit.

Commissioner Piro commented on the need for continued guidance on how to run study sessions. He explained that were the Commission to have to take most of the time to listen to public input, and the Commissioners would be left with little time to interact with staff on actually studying the issues. He asked the Council to help the Commission identify opportunities to ensure that there is ample public input, but also dedicated time for the Commission to work with staff. He proposed that prior to study sessions the public could provide advance input that would then be available as information at study sessions; and also to identify time following study sessions for the public to provide additional feedback.

Councilmember Way noted that prior to her election to the City Council, she went before the Commission a number of times and noticed that developers were given much more time to speak. She spoke in favor of a relaxed atmosphere for Commission meetings.

Commissioner Broili concurred with Commissioner Piro and pointed out that the City of Seattle has a good publication about their Planning Commission process. He also spoke in favor of giving more weight to the input from the Council of Neighborhoods. He felt there should be a closer connection between the Council of Neighborhoods and the City Council. Deputy Mayor Scott commented that he would like to see the Chair of the Council of Neighborhoods come and give reports to the City Council.

Commissioner Kaje spoke about the need for the City Attorney to provide guidance on controversial situations in which citizens have hired attorneys. He felt the Council the Commission, and the City Attorney need to work together to resolve the problems. He concluded that citizens feel they have not been heard because the Commission cannot address their issues.

The meeting was adjourned at 7:20 p.m.

Scott Passey, City Clerk

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