

# AGENDA

## PLANNING COMMISSION REGULAR MEETING



Thursday, March 7, 2013  
7:00 p.m.

Shoreline City Hall  
Council Chamber  
17500 Midvale Ave N.

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. DIRECTOR'S COMMENTS	7:03 p.m.
5. APPROVAL OF MINUTES	7:08 p.m.
A. February 7 Regular Minutes	

### Public Comment and Testimony at Planning Commission

*During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes.*

6. GENERAL PUBLIC COMMENT	7:10 p.m.
7. STUDY ITEMS	7:15 p.m.
A. Regional Green Building Development Code Amendments	
• Staff Presentation	
• Public Comment	
8. DIRECTOR'S REPORT	8:15 p.m.
9. NEW BUSINESS	
A. Planning Commission Bylaws Amendments	8:20 p.m.
B. Discuss forming Committee to follow Point Wells	8:30 p.m.
10. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:40 p.m.
11. AGENDA FOR March 21	8:44 p.m.
12. ADJOURNMENT	8:45 p.m.

*The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236.*

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# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

February 7, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### Commissioners Present

Chair Moss (arrived at 7:04 p.m.)  
Vice Chair Esselman  
Commissioner Maul  
Commissioner Montero  
Commissioner Scully  
Commissioner Wagner

### Staff Present

Rachael Markle, Director, Planning and Community Development  
Paul Cohen, Planning Manager, Planning and Community Development  
Steve Szafran, Senior Planner, Planning and Community Development  
Mark Relph, Public Works Director  
Jessica Simulcik Smith, Planning Commission Clerk

### Commissioners Absent

Commissioner Craft

### CALL TO ORDER

Vice Chair Esselman called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

### ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Vice Chair Esselman and Commissioners Maul, Montero, Scully and Wagner. Commissioner Craft was absent and Chair Moss arrived at 7:04 p.m.

### APPROVAL OF AGENDA

The Commission agreed to add a public comment period after the staff presentation of the 2013 Comprehensive Plan Amendment Docket (Item 7A on the agenda). The remainder of the agenda was accepted as presented.

### DIRECTOR'S COMMENTS

Director Markle announced that Commissioners are invited to attend an event titled, "Planning for Renewal at Aurora Square," which is scheduled for February 13<sup>th</sup> from 7:00 to 8:30 p.m. at the Vineyard

Church. She explained that this event is related to the community renewal area (Sears/Central Market site) effort and will be led by the City's Economic Development Manager.

### **APPROVAL OF MINUTES**

The minutes of January 17, 2013 were approved as submitted.

### **GENERAL PUBLIC COMMENT**

No one in the audience indicated a desire to participate in this portion of the agenda.

Chair Moss arrived at 7:04 p.m. and assumed leadership of the meeting.

### **NEW BUSINESS – 2013 COMPREHENSIVE PLAN AMENDMENT DOCKET**

#### **Staff Presentation and Commission Discussion**

Director Markle reminded the Commission that the Growth Management Act (GMA) limits amendments to the Comprehensive Plan to once per year. As per the City's adopted process for accepting and reviewing Comprehensive Plan amendments, applications are due by the last business day of the year to be processed in the following year. There is no application fee, and amendments can be either publicly or privately initiated. While no privately-initiated amendments were submitted, the City initiated amendments related to Point Wells. She emphasized that approval of the docket (list of amendments) does not approve the amendments; it merely provides direction from the City Council to the staff and public that a particular set of amendments will be analyzed during a given year and brought back later for consideration by the Commission and City Council.

Director Markle referred the Commission to the docket of Comprehensive Plan amendments for 2013 and explained that the Point Wells Subarea Plan calls for the developer to prepare a Transportation Corridor Study (TCS) under the direction of the City. Policy PW-12 specifically states that "Richmond Beach Drive between Northwest 199<sup>th</sup> Street and Northwest 205<sup>th</sup> Street is a local street with a maximum capacity of 4,000 vehicle trips per day, UNLESS AND UNTIL the City is provided with a TCS and Mitigation Plan that includes sources of financing for said mitigation." The City has been working with the developer (BSRE) to commit to funding a TCS and to agree upon the scope and timing of the study. In the event the TCS is completed in 2013, staff is recommending the following draft amendments be placed on the 2013 docket as "placeholders" for more specific amendments based on the analysis and outcomes derived from the TCS:

- The first paragraph on Page 37 of the Staff Report, which details a past step the City has taken during the long history with the Point Wells site, would be deleted. Because the Point Wells Subarea Plan does not detail other steps taken, staff is proposing that the language be deleted.
- A capitalization correction would be made at the bottom of Page 40 of the Staff Report. "Urban Center" was changed to "urban center."

- Policy PW9 on Page 41 of the Staff Report would be amended to clarify that not all road segments and intersections between State Route 104, North 175<sup>th</sup> Street and Interstate 5 will be studied, just those that may result in traffic impacts as a result of development proposed at Point Wells.
- An additional sentence would be added at the bottom of Paragraph 2 on Page 42 of the Staff Report to incorporate Shoreline’s subsequent adoption of a citywide level of service (LOS) D instead of E.
- Policy PW-12 on Page 42 of the Staff Report would be amended by replacing “maximum 4,000 vehicle trips per day” with a development agreement between the City and BSRE that establishes a new maximum trip cap, specific mitigation to achieve the new trip cap, and a specific funding and phasing plan to be determined as part of the TCS.
- Staff anticipates that changes to the Capital Facilities Element may also be necessary to include the mitigation projects identified as part of the TCS.
- As a result of the TCS, amendments may be needed to the Transportation Element, specifically the street classification, pedestrian and bike facilities maps.

Director Markle said it is anticipated that the City Council will review the Planning Commission’s recommendation and confirm the 2013 Comprehensive Plan Amendment Docket on February 25<sup>th</sup>. The TCS could begin in the spring of 2013. After the study has been completed, the Planning Commission will study the specific Comprehensive Plan amendments, hold public hearings, and forward a recommendation to the City Council in late 2013. The City Council will make the final decision.

Director Markle advised that a number of questions have been raised since the Staff Report was published. She reviewed each of the questions as follows:

- **Is staff recommending to change the road classification and remove the 4,000 average daily trip (ADT) count on Richmond Beach Drive before the TCS has been completed?** Director Markle clarified that no recommendation to amend the Comprehensive Plan will come forward until the TCS has been completed and an agreement has been negotiated to legally bind BSRE to the agreed upon outcomes of the TCS.
- **Why is staff recommending the amendments to the Comprehensive Plan this year?** Director Markle explained that BSRE’s permits are vested as an Urban Center in Snohomish County following the January 7<sup>th</sup> ruling from the Court of Appeals. Snohomish County is processing the permits as an Urban Center development. The City’s legal analysis and outside legal opinions have concluded that further litigation regarding the vesting status of the permits will not yield successful results. Even if further appeals are successful, the end result will be Urban Village development in place of the Urban Center. She advised that the City’s ability to influence measures to reduce impacts on the City from the proposed development will soon be supplanted by Snohomish County’s permitting and environmental review process. If a development agreement is finalized in advance of the permits being issued, the City will have more leverage via assurance to BSRE that the City concurs with the analysis prepared for the Environmental Impact Statement (EIS) related to identification and mitigation of transportation impacts. This assurance would be based on a completed TCS that includes specific design of the mitigation, an agreement that results in fewer trips impacting Shoreline, and better mitigation than can be achieved through the State Environmental Policy Act (SEPA) process alone. She pointed out that the Snohomish County process does not include or require a TCS, which would allow for a greatly enhanced public process. In the next few

months, Snohomish County will begin scoping for the EIS, so now is the time for the City to analyze the impacts and develop mitigation. She summarized that if the TCS process is successful and the City is able to negotiate an agreement with BSRE, the City's Comprehensive Plan will need to be amended to reflect the agreement.

- **Can the City prevent the proposed Urban Center development at Point Wells by refusing to cooperate with BSRE and leaving Richmond Beach Drive with a traffic limit of 4,000 vehicles a day?** Director Markle answered that Snohomish County is not required to apply another jurisdiction's policies to development in Snohomish County. As a practical matter, the City cannot stop people from driving on a public road just because the number of trips exceeds a defined street classification regardless of its policies and the adopted LOS for the street. The "unless and until" clause contained in the Point Wells Subarea Plan provides an avenue to raise the maximum trip count with the completion of a TCS and Mitigation Plan. The "4,000 trip maximum" was put in place to ensure the completion of a TCS. She explained that a prerequisite for making the changes to the Comprehensive Plan will be to concurrently approve a development agreement that legally binds the developer to the mutually agreed upon terms as determined by the TCS. Without the agreement, the City's ability to apply its policies and local standards is not reliable.

Director Markle summarized that everyone in the City is disappointed that the collective attempts thus far to reduce the size of the development at Point Wells have been unsuccessful, and she agreed that the impacts will be significant and unsafe without proper mitigation. Since the permits are now being processed in Snohomish County as an Urban Center, the City must move towards a strategy to fully understand the realities of the impacts and to productively identify the best solutions using the TCS as the tool. The solutions need to be accompanied by a legally-binding agreement to ensure they are carried out. The first step is to docket the amendments in anticipation of the TCS reaching a successful conclusion in 2013. She said staff is recommending that the Planning Commission forward a recommendation to the City Council to approve Attachment 3: Proposed 2013 Docket as the list of amendments to be analyzed and considered in 2013.

Commissioner Scully requested more information about the scope of the TCS, particularly who will do it and who decides what impacts are studied. Director Relph answered that the developer would perform the actual TCS, which is typical of most city requirements. However, the City has agreed it would facilitate the actual TCS discussion. He explained that the study would be done in two parts: Segment A for the lower portion of the corridor would include a more detailed and comprehensive approach of workshops, and the public would be invited to participate in the process. They would review each property foot-by-foot to identify the ultimate issues, problems and impacts; and then property owners would be invited to participate in a process to identify solutions. The impacts in Segment B (upper portion of the corridor) are more confined to the intersections, and the process would be broader to look at not only intersections, but other issues such as neighborhood cut-through traffic. He summarized that the TCS process is designed to be specific about the areas and the possible solutions that may come out of the discussion.

Director Relph emphasized that Snohomish County has started the scoping process, and it is critical for the City of Shoreline to reach an agreement with BSRE and Snohomish County as soon as possible to maximize its opportunities. He said the City is ultimately looking for a traffic cap, which would not be

possible via Snohomish County's SEPA process. Through the City staff's preliminary work, it is estimated that the street, with the existing 60-foot right-of-way, can exceed 17,000 cars per day with only modest improvements at some intersections. They are very concerned with this number, and the public should be, as well. This is the City's opportunity to establish a cap that is much more manageable rather than relying on Snohomish County.

Commissioner Wagner noted that Policy PW-9 was structured so that the City of Shoreline would be in the driver's seat for the TCS. Now both the developer and Snohomish County will be involved in the process. She asked Director Relph to clarify what is currently on the table and what the options are for moving forward. Director Relph answered that they are currently in the negotiation process with the developer. Typically, the developer would be required to complete the technical work for which the City would approve the assumptions. The TCS process would allow the City and the developer to negotiate the assumptions and criteria upfront so there is a very clear understanding of which model would be used, how the trips would be distributed, what is the scope, what is the LOS, how would pass-through traffic and turning movements be treated, etc. It is the City's hope that Snohomish County, who is ultimately responsible for the SEPA process, would accept the agreement. The TCS would be a much higher level of study than would ever be required in a SEPA process by Snohomish County.

Commissioner Wagner asked if BSRE has indicated an interest in working out an agreement with the City. Director Relph answered that, in his opinion, there has been some very sincere effort on the part of BSRE to strike a reasonable agreement with the City. The staff has been working hard to protect the interest of the City, while at the same time, recognizing the City's legal limitations and the ultimate goals that BSRE is trying to accomplish. He acknowledged that the negotiations would be very difficult.

Commissioner Scully asked what the impact on the TCS would be if the City fails to put the proposed Comprehensive Plan amendments on the 2013 docket. Director Markle explained that the City must have the ability to amend the Comprehensive Plan in order to implement an agreement that is consistent with the City's Comprehensive Plan. She explained that regardless of what the City does, Snohomish County will continue to process the permits. Without the TCS, the City will not have the technical expertise or appropriate level of public outreach to respond appropriately to the EIS.

Commissioner Scully said he understands the need for the TCS, but he is unclear on the causal link between the TCS and the 2013 Comprehensive Plan docket. If it is the case that they will not have a TCS or the same TCS, that's a different decision point than if the City is going to get the TCS no matter what. Director Markle explained that it is possible that BSRE would decide against an agreement if the City is not willing to entertain amendments to the Comprehensive Plan. Commissioner Scully summarized that having the TCS the City wants is dependent upon BSRE's cooperation.

Chair Moss referred to Director Relph's earlier statement that Richmond Beach Drive and its existing right-of-way could accommodate up to 17,000 trips per day with minimal improvements and upgrades. She asked if the upgrades would require condemnation or eminent domain of land or if there is unimproved right-of-way available for this expansion. Director Relph answered that the expansion would occur largely within existing rights-of-way, with the exception of the intersections where there would not be enough right-of-way to accommodate the required street improvements. The TCS will help them understand the ultimate level of improvements necessary.

Commissioner Wagner asked who would bear the cost of bringing the rights-of-way up to standard. She also asked if Snohomish County would identify which road segments would need improvements as part of their EIS. Director Relph said the developer would have the ultimate responsibility to mitigate the impacts of the additional traffic. Commissioner Wagner asked if a mitigation plan would be identified as part of the SEPA process, which is less rigorous than a comprehensive TCS would be. Director Relph answered that the normal SEPA process would be less than the proposed TCS. He emphasized that the City is trying to negotiate a much higher standard that involves greater public participation than what is required in a normal SEPA process.

Chair Moss asked how the property's development potential would change if the litigation prevails and the site is re-designated as an Urban Village. Director Markle answered that 2,640 units would be allowed instead of the 3,081 the developer has applied for. The maximum height would be substantially less, as well. In addition, Urban Village has a provision that development must be consistent with the City of Shoreline's adopted LOS for infrastructure and services, and that is not required under the current Urban Center designation.

### **Public Comment**

**Nancy Morris, Shoreline**, expressed concern that BSRE has not been bound by anything at this point and has been granted every request. She also expressed concern that the game seems to change frequently. She disagreed with the City Attorney's advice that litigation to the State Supreme Court would be fruitless. She expressed her belief that the proposed development is totally absurd and ignores the basic and obvious geophysical data that in the event of a major earthquake, the ground beneath the tall buildings would liquefy. She voiced concern that a significant amount of time and money is being wasted on a TCS while completely ignoring the very relevant dangers for redeveloping the property in the manner proposed. She also commented that while some Snohomish County Council Members have integrity, the majority of them seem to support changing the rules to suit BSRE. Anyone with a sense of ethics and common sense would think there has been malfeasance involved. Lastly, Ms. Morris pointed out that last spring, traffic was backed up from 20<sup>th</sup> Avenue all the way past 15<sup>th</sup> Avenue on Richmond Beach Drive just from a basic community Easter egg hunt. She summarized that if Snohomish County wants to approve this development, they should provide access from their side rather than forcing traffic into an area that is unable to handle it.

**Jerry Gernes, Shoreline**, referred to a seller disclosure form, which contains a list of things that must be disclosed when selling a house or condominium. While the environmental section only addresses such things as asbestos, radon, etc., it is also important to keep in mind the health hazards associated with the coal trains that run past the Point Wells site. He said he lives on 199<sup>th</sup>. Although it is the narrowest street in Shoreline, cars scream up and down it all the time. Because it is the closest road for getting from Point Wells to 20<sup>th</sup> Northwest, he anticipates that the problems will increase. He suggested he would put out a sign that points out the dangers of buying condominiums at Point Wells.

**Robert Flanigan, Shoreline**, said the neighbors are present to unite against BSRE and their plans for Point Wells; specifically their impact on the Richmond Beach and Shoreline community. He said that, like all the neighbors on his street (Richmond Beach Drive), he will be greatly impacted by the Point Wells project. If the 80-foot delineation is adopted, he will lose his house. He has lived on the street for

21 years, and he and his wife own their home and do not wish to sell it. He is a carpenter by trade, and he has had friends and neighbors refer to his house as a “little jewel box.” Rather than bulldozing the house, his plan has always been to leave it to his family as a legacy of a blue-collar worker. When his wife is gone it will go to his son so that he might be a middle-class person and be elevated above the working class as well. He said that two years ago, BSRE stated that they would pack up and leave if the community did not want their project. The neighbors all knew this was an idle promise, and he certainly doesn’t underestimate BSRE’s power and wealth. They have an entire team of lawyers working for them. If the 80-foot right-of-way happens, his home and many of his neighbors’ homes would be significantly impacted. They see that a lot of greed and corruption might have been going on as they sat waiting. He expressed his belief that this is an ancient problem where a group of individuals have beautiful homes and a group of powerful and wealthy individuals decide to seek the properties for their own. He feels that if they don’t stand up against these bullies, they are doomed to lose.

**Susan Chang, Shoreline**, said she does not live on Richmond Beach Road, but she does live in the community. She expressed her belief that the City is accommodating the developer every step of the way. The current capacity of Richmond Beach Road is about 4,000 vehicles per day, and the current traffic is only an order of magnitude less than that. They are now looking at potential improvements to take it to 17,000. This is asking to go from what is currently LOS A to LOS D, which equates to an Aurora Avenue through the neighborhood. She said she does not understand why the City is not putting up more of a fight to keep this from happening. Why doesn’t the City join Save Richmond Beach and the City of Woodway in this effort? She clarified that she is not against development at Point Wells. It would be nice to have a beach and public access to the water and to remove the asphalt plant, but neither Urban Center nor Urban Village makes sense. The City should do more to keep the development from happening.

**Lynn-dee Schwarz, Shoreline**, said she is a long-time Richmond Beach resident. While she works for Sound Transit, she made it clear that she was present to speak as a resident of Shoreline and not as a representative of Sound Transit. She reminded the Commission that light rail service is coming north. Not that long ago, the Sound Transit Board was discussing its EIS and where stations would be placed along the North Corridor. One option was a possible station at North 175<sup>th</sup> Street and Interstate 5 and North 185<sup>th</sup> Street and Interstate 5. Representatives from the City of Shoreline attended the board meeting and provided documents, statements, and comments about why Shoreline did not want a station at North 175<sup>th</sup> Street and why a station at North 185<sup>th</sup> Street would be more viable. By the time the meeting was over, the possible station at 175<sup>th</sup> was removed from further consideration, and Sound Transit Board is continuing with its investigation of a possible station at North 185<sup>th</sup> Street. She asked the Planning Commission and City staff to take into account the very residents who would be impacted by the Point Wells development and do their due diligence in protecting the residents as they did in front of the Sound Transit Board. This is not about a five-year decision, this is a legacy decision that is important to them all.

**Garry Horvitz, Shoreline**, said he is a 26-year resident of Richmond Beach and a civil engineer. He said he has attended meetings for quite some time, and it seems that the white flag of surrender is up at every session. He said he understands that the City may not have a lot of legal leverage, but sometimes it is important to go down swinging. All he hears is strategies for accepting whatever crumbs BSRE is

willing to throw the City's direction. He would rather the City spend its energy fighting the proposed development as hard as it can as opposed to giving up.

**Jerry Patterson, Shoreline**, thanked the Commissioners for listening to the public's concerns. He also thanked the City Council, who has scheduled an update on Point Wells on February 11<sup>th</sup>. In addition, he thanked staff for scheduling an informal discussion with the community prior to the Richmond Beach Community Association's meeting on February 12<sup>th</sup>. He summarized that there will be several opportunities for the public to share their thoughts. He said he and his wife own a home on Richmond Beach Drive. Mr. Patterson said he has carefully studied the proposed amendments. He recalled that in November and December of 2012, both the Planning Commission and City Council independently discussed amendments to the Comprehensive Plan. This process culminated in the City Council approving an updated plan on December 10, 2012. He said he is virtually sure that all members of the public present are clear on the fact that in 2011 the Planning Commission and the City Council approved the following recommendation: *"In view of the fact that Richmond Beach Drive between Northwest 199<sup>th</sup> and Northwest 205<sup>th</sup> is a dead end, local-access road, with no opportunities for alternative access to dozens of homes in Shoreline and Woodway, the City designates this as a local access street with a maximum capacity of 4,000 vehicles per day. Unless and until either Snohomish County or the owner of Point Wells Urban Center can provide the City a Transportation Corridor Study and Mitigation Plan called for in Policy PW-9, as well as financial and other mitigation, the City should not consider reclassifying this project."* Now before the Commission is a staff recommendation to place on the 2013 Docket consideration to reverse the recommendation that was made several months ago.

Mr. Patterson asked why the amendments were not discussed and recommended during the many deliberations by the City Council and Planning Commission throughout November and December at which they talked about an updated plan. He questioned what happened between the December 10<sup>th</sup> Council action and the last day in December to warrant the application. He asked the date the application was received by the Planning Commission. He also invited the Commission to discuss the implications for condemnation of property. He noted that one proposal is to reclassify Richmond Beach Drive to a corridor arterial, with a maximum width of 80 feet. He encouraged the Commission and staff to answer the questions posed by the public. *(Note: Mr. Patterson submitted a copy of his remarks for the record.)*

**Janet Way, Shoreline**, also thanked the Commission and staff for their hard work and service. She said she sympathizes with the difficult position the City is in. However, she also sympathizes with the public's position. They are counting on the City, as they must, to make the situation tolerable for everyone. She referred to the 2004 Stream and Wetland Inventory and Appendices, and noted that a new inventory was prepared for the recently approved Surface Water Master Plan. She said the inventory shows four creeks along Richmond Beach Road. Although they are not ideal in their current condition, they could be considered salmon habitat given their proximity to Puget Sound. These creeks should be considered as part of any EIS associated with Point Wells and she asked that the map be entered into the record.

Ms. Way asked what criteria the City would put in place for the TCS. For example, what criteria would the consultants be required to analyze, and what qualifications would consultants have to meet. She asked what checks the City would put in place to ensure the study is unbiased. Because the developer is

paying for the study, there must be some assurance the study is done quickly and correctly. Perhaps an independent consultant could be hired by Save Richmond Beach, the City, etc. to ensure the study contains accurate information.

**Dave Wight, Shoreline**, said he has lived in Richmond Beach for 31 years. He pointed out that the Shoreline Municipal Code outlines criteria for reviewing Comprehensive Plan amendments. He noted that the Commission specifically referred to the criteria in their meeting of November 15, 2012. He reviewed the criteria as follows:

1. *The amendment is consistent with the Growth Management Act (GMA) and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.*
2. *The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.*
3. *The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.*

Mr. Wight specifically referred to Criteria 3 and asked the Commission to carefully listen to the community.

**Carolyn Marian, Shoreline**, said she also lives on Richmond Beach Drive and has spent the last three days reviewing laws and information from the City. It has made her sick and dizzy, and she is totally fed up. She read the following email, which she sent to the City prior to the meeting:

*“There are some sticky issues regarding municipalities exercising the authority delegated to them, especially when it comes to imminent domain and public use. Point Wells is a private property, and somehow an Urban Center and/or Urban Village with facilities to be used for private use as retail establishments, restaurants, theaters, or whatever does not fall within the State guidelines of public use. Allowing the City staff to amend elements of the Comprehensive Plan will only expedite statutory authority to give them the power to imminent domain. We do not want this.”*

**Denis Casper, Seattle**, said he owns a home on Richmond Beach Drive and it is his opinion that the City will never have any leverage over the development. While he respects the sincerity of the efforts of the Public Works Director and the Planning and Community Development staff, they appear to be wasting time and resources. They do not have, and will not ever have, any leverage. He questioned why they don't resist more. He suggested the City could use ramp meters, toll stations and other options to limit the use of Richmond Beach Drive and make the Point Wells property less valuable. He summarized there are ways for the City to resist if it has the will and the interest to do so. Another option would be to route traffic up North 205<sup>th</sup> Street rather than Richmond Beach Drive, but he recognized this could be considered a selfish option.

**Tom Jamieson, Shoreline**, said he lives on Richmond Beach Drive. He commented that if the Point Wells development moves forward as proposed, the traffic in front of his home would increase by about

40 fold. He said the issue is not so much about traffic, but about how the whole City would fundamentally change. He pointed out that the City of Shoreline has not objected to the fact that BSRE has a sustainable dream to bring this new development about. In fact, the City has a set of goals to achieve economic development for the City and the proposed Point Wells development is a god send. However, they won't admit this to the public. Instead, they say it is inevitable and they will try to mitigate the traffic. But that has nothing to do with it, and the City staff and Commission know it. He recalled that people were mad about the Point Wells proposal on August 31, 2011 and they are still mad for good reason. He said that over the past 18 months he has attended about 70 City Council meetings in an attempt to connect the dots. He said he has finally connected the dots to Proposition 1, the Community Renewal Area, and coal trains. He noted that the public was recently notified that there were only a few more days to comment on the coal train issue. However, they did not inform the public that the City Council decided at an August dinner meeting to not do anything about coal trains until they hear from the public. He suggested that the City Council orchestrated a plan of deception. He recalled that he attended meetings regarding Proposition 1, and the issue of Point Wells was never brought up by the staff-appointed advisory committee, and it was not included on the maps. He said he has raised this concern to the Commission and City Council repeatedly, but has been ignored and marginalized. He said this needs to stop, and the Commissioners and City Council all need to resign and get out.

The Commission discussed Ms. Way's comment that they should consider creeks when they discuss the proposed Comprehensive Plan amendments. They also discussed her request that the Commission incorporate a specific document into the record. Ms. Simulcik Smith clarified that the document Ms. Way referred to is identified as Figure 3 in the Stream and Wetlands Inventory and Assessment Appendices. This map is a City document. She advised that the public comments and the map referred to by Ms. Way will be numbered as part of the record and will come back to the Commission if and when the amendments are presented for consideration later in the year. Commissioner Scully said he also spoke to a citizen who shared some photographs that he would like included in the record. Chair Moss explained that the purpose of this meeting is to determine whether or not the proposed amendments will be docketed. Additional information can be submitted for the Commission consideration if and when the amendments are docketed and placed on the Commission's 2013 Work Plan.

Director Markle answered the following questions put forth by Mr. Patterson:

- *Why were the amendments not discussed and recommended by the City Council and Planning Commission throughout November and December as part of the major Comprehensive Plan update?* She explained that amendments to the Comprehensive Plan must be submitted by the last business day of the prior year in order to be included on the next year's docket. While staff worked on the specifics of the TCS concept in 2012, they were not far enough along at the end of 2011 to include the amendments on the 2012 docket.
- *When did the Planning Commission receive the proposed amendments?* She said the Commission received the proposed amendments in their packet two weeks ago.
- *What is the rationale for consideration of reclassification of Richmond Beach Drive as a corridor arterial that has an approved maximum allowable right-of-way of 80 feet instead of the current maximum 60 feet at the south portion of Richmond Beach Drive and 45 feet in the north segment?* The City's intent is to maintain a 60-foot maximum right-of-way, which is what currently exists.

- *What are the implications for condemnation of property if the proposed changes you consider tonight are enacted by the City Council?* Again, she clarified that the City's intent is to work within the existing 60-foot right-of-way, and not acquire additional right-of-way. However, she acknowledged that small amounts of right-of-way at intersections may be required.

Again, Chair Moss reminded the Commission that the purpose of their discussion is to decide whether or not to move the proposed amendments to the City Council with a recommendation that they be on the 2013 Comprehensive Plan Amendment Docket. The Commission will discuss the merits of the proposed amendments if and when they are docketed.

Commissioner Wagner asked if it would be within the City's purview to use creative approaches for limiting the access on Richmond Beach Drive, as suggested earlier by a citizen. Director Markle answered that the City has considered possible options for limiting access, but case law prohibits the City from closing down the road or denying access to properties. Director Relph added that staff has done an enormous amount of work trying to understand and pursue various alternatives, such as ramp meters, toll stations, etc. They will provide a more detailed report to the City Council on February 11<sup>th</sup>.

Commissioner Montero asked what would happen if the City does nothing and Snohomish County approves the permits and the development moves forward. Ms. Markle said the development would occur without the City having the ability to craft mitigation and require road improvements. The City would be left with whatever Snohomish County decides is appropriate. Staff feels this mitigation will be inferior to what the City and developer could collectively come up with via a TCS. Director Relph reminded the Commission that the ultimate capacity of a 60-foot right-of-way is tremendous, so it is important to negotiate a cap on the number of vehicles allowed on the roadway. If they rely on Snohomish County, there would be no cap. The developer would simply have to meet the City's current LOS standard, which can likely accommodate over 17,000 vehicles per day.

Vice Chair Esselman asked if the size of the development would be limited if the analysis that is done as part of the TCS indicates that the existing street cannot handle the increased level of vehicular traffic. Director Relph explained that not only is the proposed unit count and the amount of square footage for retail and commercial problematic, the internal capture rates suggested by the proposal were different than the City has ever seen before and staff is extremely uncomfortable. Internal capture rate refers to the tendency for trips to stay in place because the services are there. Staff is recommending the City move away from the number of units to a limitation on the average daily traffic. The TCS could identify a maximum cap that could be distributed to the different phases. The actual progress of each phase could be measured to determine if projections are being met. If not, the developer would be required to change a future phase. The only way they can get this type of requirement is through negotiation, and not the standard SEPA review. Vice Chair Esselman summarized that the TCS process would afford the City more leverage.

Commissioner Scully said he is not convinced that cooperation is the only or even the right path forward. However, at this phase of the process, the City would not be giving up any rights going forward by putting the amendments on the docket. The proposed amendments would allow the City to collect more information. Whether it results in more mitigation or the City decides to be a party to a lawsuit to overturn Snohomish County's permit, the City will be better off with more data.

Commissioner Montero noted that words are only one part of the issue. The City must also be concerned about the rest of the infrastructure required for the development. Director Markle responded that the City would review the infrastructure needs through the EIS process. Staff will follow the permit process closely and work with their utility and service providers. They are starting to learn about the Interlocal agreement process with Snohomish County, which provides an avenue for ironing out these issues.

**COMMISSIONER WAGNER MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION TO THE CITY COUNCIL THAT THEY DOCKET THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS AS DRAFTED BY STAFF AND PLACE THEM ON THE COMMISSION'S 2013 WORK PLAN. COMMISSIONER SCULLY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

The Commission recessed the meeting at 8:25 p.m. to allow members of the audience to leave if desired. The meeting was reconvened at 8:34 p.m.

### **NEW BUSINESS – UPDATE ON LIGHT RAIL STATION AREA PLANNING**

Commissioner Maul reported that the Light Rail Station Area Planning Subcommittee met to put together a plan for their tasks. It was determined that the Subcommittee would meet monthly with the staff to keep the project moving forward. They have started working to develop criteria for identifying the station area boundaries. Because the Subcommittee is scheduled to provide reports at regular Planning Commission meetings, there will be opportunities for the public to provide input as to what criteria should be included. Commissioner Scully added that several boundary discussions will take place, the first being the study area boundaries. He suggested that the process for eliciting comments on the study area boundaries will likely be less formal, but they are hoping for public input on how broad to draw the area of consideration.

Commissioner Maul said the Subcommittee's goal is to coordinate efforts with Sound Transit, the City's consultant, and citizen groups. He reported that the City has already received proposals for the consultant work, and the scope of the Request for Proposals is available as public information.

Commissioner Maul advised that potential criteria for determining station area boundaries could include a ½ to ¼ mile radius and direction from the Comprehensive Plan such as examining the corridors that connect different parts of the City to the potential stop locations. The criteria could also include topography, walk/bike sheds and homeowner preferences. The Subcommittee will work with the consultant and City staff to develop an appropriate process for soliciting public comments regarding the station area boundaries. They anticipate a full Commission discussion on April 18<sup>th</sup>, and the Subcommittee and staff will facilitate the discussion at the first City-hosted community meeting in May. It was noted that the community meeting would need to be advertised as an open meeting so that all interested Commissioners could attend.

Commissioner Scully pointed out that a timeline for the Station Area Planning Process has been posted on the City's website. He advised that the ball is currently in Sound Transit's court as to what the next major step will be. The draft Environmental Impact Statement (EIS) will identify a preferred

alternative, as well as other options they are considering. He pointed out that the location of the stations will have a significant impact on the City's decision-making process. At this time, the City does not know what the preferred alternative and other alternatives are, but informal discussions have focused on one station at North 185<sup>th</sup> Street, with alternatives for either North 145<sup>th</sup> or North 155<sup>th</sup> Streets. Currently, public comments would be most effectively directed to Sound Transit and the draft EIS.

Chair Moss summarized that the City's goal is to partner with Sound Transit and engage the public in the discussion. It is rewarding to see how the community around the 185<sup>th</sup> station has coalesced and become a partner in the process, as well. She noted there will be a link to available documents on the City's website.

Chair Moss asked staff to provide more information about the grant from the Puget Sound Regional Council (PSRC) to the 185<sup>th</sup> Station Citizen Committee (185SCC) in partnership with Futurewise and the Senior Center to promote opportunities for community involvement. Commissioner Scully explained that the 185SCC is a group of citizens who spontaneously organized around community concern about light rail development. Futurewise is a non-profit organization that works on the Growth Management Act (GMA) and land-use issues. He said he has not seen the grant, but he participated in a walking tour of the area with members the 185SCC. He reported that the focus of the grants will be on community involvement to make sure the process is a neighborhood-driven dialogue. Director Markle said the Senior Center would use their grant to conduct outreach to the King County Housing Authority residents about light rail service in general. The Futurewise grant will be used to go directly to citizens (doorbelling) to tell them about the virtues of transit-oriented and equitable communities and getting people interested in what is going to happen when the stations open in 2023.

**Janet Way, Shoreline**, said she was present to represent the Paramount Park Neighborhood Group, a non-profit group since 1996. They care for stewardship for the Paramount Park Neighborhood, as well as the surrounding environment. She said she lives about three blocks from the potential 145<sup>th</sup> Street station area. Once again, she referred to the Middle Puget Sound Basin Characterization Report. She reported that she testified before the Sound Transit Board and submitted a nine-page letter related to the scoping process. One of her main points is that there is no way the light rail project can be placed along the freeway through Shoreline without impacting Thornton Creek, which is the largest watershed in Seattle and Shoreline and is a salmon bearing stream. While it currently has a lot of problems, it has a lot of meaning to about 100,000 people who live within or drive through the watershed area.

Ms. Way said she lives near Little Creek, which is a tributary of Thornton Creek; and Paramount Park is the largest wetland in Shoreline. She said her greatest concern is about potential impacts to the watershed. However, she is also concerned about impacts to traffic, housing, etc. She asked that a letter she sent previously to the City be entered into the record. She explained that the letter details the different issues that the Paramount Park Neighborhood Group will be concerned with. She asked if the study area boundaries would include the surrounding properties that would be impacted or just the properties immediately adjacent to the station areas. She said the Paramount Park Neighborhood Group understands that rezoning will be necessary to accommodate the light rail station, and she asked how the City would consider the impacts the zoning changes would have on residential neighborhoods. She commented that very few people in her neighborhood know about the potential light rail stations and how they could be impacted.

**Susan Chang, Shoreline**, said she is a civil engineer with the City of Seattle Department of Planning and Development, but she is speaking as a private citizen. She said she hopes that the light rail stations will provide adequate parking. While parking for the stations is not allowed in Seattle because they want people to take the bus, she felt parking is a necessary feature of light rail stations in suburban areas.

Ms. Way asked if the Subcommittee's meeting schedule would be advertised and if they would be open to the public. Director Markle said the Subcommittee's meetings up to this point have been irregular to accommodate various work schedules. Commissioner Scully advised that the Subcommittee will formalize their schedule as the process moves forward. The Commission discussed whether or not the Subcommittee meetings should be open for public comment. Commissioner Wagner explained that the purpose of a subcommittee is to synthesize the data and report back to the Commission with something the entire body can react to. The regular Commission meetings are the place for the public process to occur. She reminded the Commission that the Subcommittee was asked to provide updates at regular meetings, which are publicly noticed and recorded. Ms. Simulcik Smith reviewed that the Commission's Bylaws state that "Committees shall establish their own meeting schedule and the deliberations thereof shall take the form of a written report submitted to the entire Commission." Chair Moss recalled that the Commission's goal when establishing the Subcommittee was to engage the public in the process early and often and well before decisions need to be made. The public will have numerous opportunities to provide comments at regular Commission meetings when the Subcommittee is scheduled to report.

#### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

There were no additional reports by committees or Commissioners during this portion of the meeting.

#### **AGENDA FOR NEXT MEETING**

Mr. Szafran announced that a small group of Development Code amendments relating specifically to the State Environmental Policy Act (SEPA) would be presented to the Commission at a study session on February 21<sup>st</sup>. Chair Moss noted that a public hearing on the SEPA amendments has tentatively been scheduled for later in March.

Commissioner Montero suggested the Commission form a subcommittee to work on issues related to the Point Wells site. The Commission agreed to discuss this option further at their next meeting.

#### **ADJOURNMENT**

The meeting was adjourned at 9:03 p.m.

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Donna Moss  
Chair, Planning Commission

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Jessica Simulcik Smith  
Clerk, Planning Commission

**TIME STAMP**  
**February 7, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA: 0:46**

**DIRECTOR'S COMMENTS: 2:12**

**APPROVAL OF MINUTES: 2:40**

**GENERAL PUBLIC COMMENT: 2:55**

**DIRECTOR'S REPORT: 3:02**

**NEW BUSINESS – 2013 COMPREHENSIVE PLAN AMENDMENT DOCKET**

**Staff Presentation and Commission Discussion: 6:03**

**Public Comment: 31:40**

**Commission Action: 1:22:25**

**BREAK: 1:24:20**

**NEW BUSINESS – UPDATE ON LIGHT RAIL STATION AREA PLANNING: 1:33:46**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:59:20**

**AGENDA FOR NEXT MEETING: 1:59:45**

**ADJOURNMENT**

**DRAFT**

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**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	<b>Study Session on Regional Green Development Code Amendments</b>		
<b>DEPARTMENT:</b>	<b>Planning &amp; Community Development</b>		
<b>PRESENTED BY:</b>	<b>Kim Lehmborg, Associate Planner Rachael Markle, AICP, Director</b>		
<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only	
<input type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other	

**INTRODUCTION**

At tonight’s meeting, we will be reviewing proposed Development code amendments that have been developed by the Regional Code Collaboration (RCC) team. The team has been working for the past year on alternatives to the International Green Construction Code (IGCC) that can be implemented across jurisdictions.

On October 10, 2011, The City Council was presented an overview of the IGCC as a way of further implementing Shoreline’s Environmental Sustainability Strategy. Council gave staff direction to look at alternatives to the IGCC. The code amendments before the Planning Commission tonight are associated with the Development Code. Changes to the Building Code will go forward to Council during the regular Building Code update cycle in July.

**BACKGROUND**

Under Shoreline Municipal Code (SMC) Section 20.30.070, Amendments to the Development Code are a “Type L” Legislative decision.

The Planning Commission’s role is to review Development Code Amendments and hold a public hearing. Planning Commission findings and recommendations on the proposed amendments are forwarded on to Council for final action. Tonight’s study session will familiarize the Planning Commission on the proposed Code amendments as developed by the RCC and garner feedback for staff. Staff will return to the Planning Commission with Shoreline – specific code language in advance of the Public Hearing scheduled for April 4<sup>th</sup>.

The Regional Code Collaboration effort was initiated by the City of Seattle and King County Green Tools as a way to leverage resources of jurisdictions in the area, saving money and time and consolidating stakeholder and public outreach. The proposed amendments address water, energy and materials conservation, sustainable transportation and light pollution. The ultimate result is for the participating jurisdictions to have the same or very similar codes to make implementing green building practices simpler for developers who work across jurisdictions. Extensive stakeholder and public outreach was conducted, as summarized later in this report

Approved By:

Project Manager



Planning Director



## PROPOSAL & ANALYSIS

The Regional Code Collaboration team has been working for the past year on a number of code changes to promote and facilitate green building practices in the region. The constructive idea behind this is to make it easier for developers to build green by having the same or similar codes in multiple jurisdictions. King County, and the Cities of Seattle, Issaquah, Tacoma, Mountlake Terrace, and to a lesser extent Redmond, Kirkland and Friday Harbor have all been involved with the effort. The effort included considerable public process and outreach to the community as described later in this staff report.

The regional effort package includes amendments to the building, plumbing and electrical codes as well as land use codes. Attached are those amendments specific to the Development code. The remainder of the amendments has to do with water conservation (mostly plumbing code changes) and materials conservation (building code amendment – diversion of waste during construction and demolition).

The Development amendments under the sustainable transportation concept include electric vehicle infrastructure and bicycle parking. Note that the electric vehicle section is a less extensive variation of that proposed by the regional effort.

The other Development amendments have to do with setback flexibility for rainwater catchment (water conservation) and exterior insulation (energy conservation) and one dealing with light pollution and light trespass.

See the chart (Attachment B) for a snapshot of what the participating jurisdictions have adopted or expect to adopt.

## DEVELOPMENT CODE AMENDMENT CRITERIA

SMC 20.30.350 governs amendments to the Development Code (legislative action). See below for a description of the purpose and the decision criteria.

A. Purpose. An amendment to the Development Code (and where applicable amendment of the zoning map) is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

B. Decision Criteria. The City Council may approve or approve with modifications a proposal for the text of the Land Use Code if:

1. The amendment is in accordance with the Comprehensive Plan; and
2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline. (Ord. 238 Ch. III § 7(g), 2000).

## ANALYSIS OF PROPOSED AMENDMENTS

- Setback Flexibility for exterior insulation on additions

The intent is to allow installation of continuous insulation applied to the exterior face of an existing building to encourage the most economic and energy-efficient method of improving the insulation value of existing building walls. This provision would apply to all existing buildings in zones with setback or yard requirements.

The current code allows projections into setbacks such as decks, entryways, eaves, gutters and other architectural features. It does not address additions of exterior insulation.

Public comment on this item focused on allowing the exception for new development as well as remodels. The regional committee agreed that for new development, the setbacks can be taken into account during the design process so would not need the exception. The exception is intended to help existing buildings become more energy efficient without loss of existing usable interior space.

- Setback Flexibility for Rainwater Catchment

The intent is to provide exemptions from development standards in single family and multifamily zones of local Land Use Codes to accommodate installation of cisterns to encourage rain catchment thereby reducing demand on the potable water supply. This provision would apply to all uses.

The current code allows projections into setbacks such as decks, entryways, eaves, gutters and other architectural features. It does not address rainwater catchment devices other than roof gutters.

There were a few public comments received on this. One requested more of an exception for larger systems; one appreciated the requirement for screening. There was a request to require the cisterns be labeled as non-potable water; however the team found such a requirement to be unnecessary.

- Light Trespass:

The intent is to reduce both intrusion of light over property lines and excessive lighting contributing to light pollution and unnatural sky glow. This provision would apply to all newly installed lighting fixtures for all uses.

Current Code: SMC 20.50.115, Single-family Design Standards, states that "*Any lighting should be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.*" SMC 20.50.170, in the multi-family design standards, requires that building entries be lit with at least four foot-candle

of light. The new commercial design standards will have a provision that all private lighting shall be shielded to prevent light from entering onto neighboring properties. SMC 20.50.410(Q) states that *all parking lot lighting should be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.*

The new code provisions will strengthen the commitment to preventing light pollution and light trespass. Note that although this provision involves potential lighting reductions, it is not being pursued as an energy savings initiative.

- Bicycle Parking – Short and Long Term

The intent is to reduce greenhouse gas emissions by providing support to bicycling infrastructure for both long and short-term bicycle parking requirements and bicycle rack requirements which increase the safety of both riders and bicycles. Staff made some revisions to the regional draft of this section, eliminating different ratios for office versus retail, while maintaining the ratio above 300 spaces. These minor changes were due in part to input from the City's transportation planning division.

The current code (SMC 20.50.440) requires short term bike parking to be installed at rate of one bike stall per 12 vehicle stalls for developments with six or more parking spaces. The proposed code removes this exemption for the first six vehicle parking spaces.

For long term parking, the current code requires one indoor bicycle storage space shall be provided for every two dwelling units in townhouse and apartment residential uses, unless individual garages are provided for every unit. Also, current code requires long term parking for businesses having 10 or more employees, but does not specify numbers.

- Electric Vehicle Charging Stations

The intent is to reduce greenhouse gas emissions by developing infrastructure for plug-in electric vehicles. The regional version of this section is from the Mountlake Terrace code which is quite extensive. Staff simplified this section for Shoreline, removing the majority of the definitions, removing the requirement for dedicated spaces for commercial uses, and eliminating a separate section on permitted uses.

The requirement for dedicated commercial spaces at this time appears burdensome given the lack of knowledge of how much demand there will be for such spaces. This is an area where the market may be a better determinant for determining commercial use requirements.

The current code does not address electric vehicle charging stations as a specific use in the Permitted Use Tables, however, EV charging stations will fall under

the general land use category of “vehicle fueling stations” in the use tables. Therefore a separate section allowing the use is not necessary.

Shoreline’s new commercial standards allow reductions in parking requirements if EV parking spaces are provided.

**POLICY AND COMPREHENSIVE PLAN SUPPORT**

The proposed amendments are a start to developing a green building program in Shoreline, which is supported by the Shoreline Environmental Sustainability Strategy, Focus Areas #2 *Energy Conservation and Carbon Reduction*, #3, *Sustainable Development and Green Infrastructure*, and #4 *Waste Reduction and Resource Conservation*. Also in the Strategy are Strategic Directions #2: *Develop a Residential Green Building Program* and #7: *Adopt a clear and aggressive green building policy*.

The following goals and policies provide support for one or more of the proposed amendments.

**Land Use:**

- **Goal LU II:** Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.
- **Policies: LU10:** The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses.
- **LU12:** Reduce impacts to single-family neighborhoods adjacent to mixed use and commercial land uses with regard to traffic, noise, and glare through design standards and other development criteria.
- **LU24:** Maintain and enhance the safety of Shoreline’s streets when incorporating light rail, through the use of street design features, materials, street signage, and lane markings that provide clear, unambiguous direction to drivers, pedestrians, and bicyclists.

**Transportation:**

- **Goal T II:** Develop a bicycle system that is connective, safe, and encourages bicycling as a viable alternative to driving.
- **Goal T VI:** Encourage alternative modes of transportation to reduce the number of automobiles on the road, promote a healthy city, and reduce carbon emissions.
- **Policies T3:** Reduce the impact of the city’s transportation system on the environment through the use of technology, expanded transit use, and non-motorized transportation options.
- **T19:** Develop standards for creation of bicycle facilities.

**Natural Environment:**

- **Goal V:** Protect clean air and the climate for present and future generations through reduction of greenhouse gas emissions, and promotion of efficient and effective solutions for transportation, clean industries, and development.

- **Policy NE37:** Advocate for expansion of mass transit and encourage car-sharing, cycling, and walking to reduce greenhouse gas emissions, and as an alternative to dependence on automobiles.

**TIMING AND SCHEDULE**

Tonight’s meeting is an introduction to the regional code effort in general and the code amendments specific to the Development code in particular. On April 7, 2013 the Planning Commission will hold a public hearing on the proposed amendments. Two weeks prior staff will publish the proposed Development Code amendments and begin receiving public comment.

SEPA Determination: Amendments to the Development Code are subject to SEPA. An environmental checklist will be prepared and a threshold determination issued prior to the public hearing on this issue in April.

The Department of Commerce will be notified of the proposed changes 60 days prior to Council action.

**PUBLIC AND STAKEHOLDER OUTREACH**

The following is a summary of stakeholder and public outreach to date.

Kathleen Petrie, Sustainable Codes Analyst at the City of Seattle, coordinated the groups for stakeholder and public outreach.

The following list includes the groups who were invited to the presentations on the proposed amendments, as well as the open houses hosted by the RCC. There have also been countless numbers of e-mails and phone calls to various groups to share the specific topic related to their organization and see if they wanted a personal presentation. Ms. Petrie also sent out e-mails to all major professional organizations such as AGC (Associated General Contractors) and the AIA (American Institute of Architects).

2-9-12:	Open Session for public hosted at Department of Planning & Development (DPD - City of Seattle)
4-17-12:	Structural Engineers Association of Washington
5-2-12:	Seattle Bicycle Advisory Board
5-23-12:	NW Ecobuilding Guild
6-12-12:	Open Session for public hosted at DPD
7-16-12:	King County Plumbing Inspections
8-13-12:	Open House for public
8-1-12 to 8-24-12:	1st Public comment period
9-11-12:	Seattle Branch Steering Committee of Cascadia

9-18-12:	Home Performance Washington
10-29-12:	Open House for public
10-22-12 to 11-12-12:	2nd Public comment period
12-12-12:	Master Builders Association
12-19-12:	American Society of Plumbing Engineers
1-29-13	Master Builders Working Group on Waste Diversion Process
3-7-13	Shoreline Planning Commission Study Session
3-13-13 to 3-28-13	Shoreline Public Comment Period, Posting on Website, Currents
4-4-13	Shoreline Planning Commission Public Hearing
April/May	Shoreline Council Study Session and Adoption

**RECOMMENDATION**

No action is required at this time, however staff will welcome feedback on the proposed Code language.

**ATTACHMENTS**

Attachment A - Proposed Amendment Concepts  
Attachment B – Participating Jurisdictions

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## Proposed Code Amendment Concepts

### ENERGY CONSERVATION SUPPORT

#### 1. Setback Dimension Exception for Exterior Insulation:

***Background:***

The following draft code language is under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent is to support the installation of continuous insulation to the exterior building framing of an existing building in order to encourage the most economic and energy-efficient method of improving the insulation value of existing building walls. This provision would apply to all existing buildings in zones with setback or yard requirements.

***Add the following language to the Land Use Code:***

Where allowed by building code and fire code minimum fire separation distance requirements, required setback distance from adjacent property lines may be decreased by a maximum of 4 inches, and the maximum allowable roof height may be increased by 8 inches, only for the purpose of adding insulation to the exterior of the existing building structural frame. Existing buildings not conforming to development standards shall not extend into required setback more than 4 inches nor exceed the maximum allowable height limit by 8 inches.

**Exception:** The Code Official may prohibit additional roof height encroachments in view-sensitive districts.

***Add the following language to local Street Use or Right-of-Way Ordinance:***

Where an existing building wall is located immediately adjacent to a public right-of-way, the portion of the wall that is more than 12 feet above the adjacent sidewalk paving or grade (15 feet above grade in alleys) may extend a maximum of 4 inches into the public right-of-way, only for the purpose of adding insulation to the exterior of the existing building structure.

## Proposed Code Amendment Concepts

### WATER CONSERVATION

#### 1. Rain barrels, cisterns and other rainwater catchment systems.

***Background:***

The following draft code language is currently under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent of this provision is to provide exemptions from development standards in single family and multifamily zones of local Land Use Codes to accommodate the allowance of cisterns in order to encourage rain catchment thereby reducing the demand on potable water supply. This provision would apply to all uses.

***Add the following language to the Land Use Code:***

**Purpose.** The intent of this provision is to provide exceptions from development standards in local Land Use codes to accommodate the allowance of cisterns in order to encourage rain catchment thereby reducing the demand on potable water supply.

- A.** Rain barrels, cisterns and other rainwater catchment systems may extend into a required yard according to the following:
  - 1.** Cisterns, rain barrels or other rainwater catchment systems no greater than 600 gallons shall be allowed to encroach into a required yard if each cistern is less than 4' wide and less than 4.5' tall excluding piping.
  - 2.** Cisterns or rainwater catchment systems larger than 600 gallons may be permitted in required setbacks provided that they do not exceed 10% coverage in any required yard, and they are not located closer than 2.5' from a side or rear lot line, or 15' from the front lot line. If located in the front, cisterns or rainwater catchment systems must be screened.
  - 3.** Cisterns may not impede requirements for lighting, open space, fire protection or egress.

## Proposed Code Amendment Concepts

### MISCELLANEOUS REQUIREMENTS

#### 1. Light Trespass

##### ***Background:***

The following draft code language is under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent is to reduce the intrusion of light over property lines and excessive lighting contributing light pollution and unnatural sky glow. This provision would apply to all newly installed lighting fixtures for all uses.

##### ***Add the following language to the Land Use Code:***

- A. Light Trespass Standard.** All light fixtures shall be located, aimed or shielded so as to minimize stray light trespassing across property boundaries. A lamp in a fixture installed on a property and visible from any residential property must be shielded such that it is not directly visible from that property.
  
- B. Prohibited Lighting.** The following types of lighting are prohibited:
  - 1. Outdoor floodlighting by flood light projection above the horizontal plane.
  - 2. Search lights, laser source lights, or any similar high intensity light,
  - 3. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with, flashing, blinking, rotating or strobe light illumination.

##### **Exemptions:**

- 1. Emergencies by police, fire, or medical personnel (vehicle lights and accident/crime scene lighting).
  - 2. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
  - 3. Signs and sign lighting regulated by the sign code
  - 4. Holiday and event lighting.
  - 5. Sports and field lighting;
  - 6. Lighting triggered by an automatic emergency or security alarm system.
- 
- C. Critical Areas:** Special review may be required for lighting on sites that are in or bordering critical areas. Lighting may not be allowed to negatively impact habitat areas.

## Proposed Code Amendment Concepts

### SUSTAINABLE TRANSPORTATION

#### 1. Short and Long-term Bicycle Parking (Regional Proposal):

##### **Background:**

The following draft code language is under development by participating jurisdictions in the Puget Sound Region. The intent is to reduce greenhouse gas emissions by providing support to bicycling infrastructure relative to long and short-term bicycle parking requirements and bicycle rack requirements which increase the safety of both riders and bicycles.

##### **Code Proposal:**

##### **Definitions:**

**BICYCLE PARKING, LONG TERM.** Bicycle racks or storage lockers provided for bicycles anticipated to be at a building site for four or more hours.

**BICYCLE PARKING, SHORT TERM.** Bicycle racks or storage lockers provided for bicycles anticipated to be at a building site for less than four hours.

**Short-term bicycle parking.** Short-term bicycle parking shall be provided as specified in Table A.

**TABLE A: Short-Term Bicycle Parking Requirements**

Type of Use	Minimum Number of Spaces Required
Multifamily	1 per 10 dwelling units
Commercial	1 per 4,000 sf of building floor area OR 1 bicycle stall per 12 vehicle parking spaces for the first 300 vehicle parking spaces

**Installation of short-term bicycle parking.** Short-term bicycle parking shall comply with all of the following:

1. It shall be visible from a building's entrance;

**Exception:** Where directional signage is provided at a building entrance, short-term bicycle parking shall be permitted to be provided at locations not visible from the main entrance.

## Proposed Code Amendment Concepts

2. It shall be located at the same grade as the sidewalk or at a location reachable by ramp or accessible route;
3. It shall be provided with illumination of not less than 1 footcandle at the parking surface;
4. It shall have an area of not less than 18 inches by 60 inches for each bicycle;
5. It shall be provided with a rack or other facility for locking or securing each bicycle;
6. The rack or other locking feature shall be permanently attached to concrete or other comparable material; and
7. The rack or other locking feature shall be designed to accommodate the use of U-locks for bicycle security.

**Long-term bicycle parking.** Long-term bicycle parking shall be provided as specified in Table B.

**TABLE B: Long-Term Bicycle Parking Requirements**

Type of Use	Minimum Number of Spaces Required
Multifamily	1 per studio or 1-bedroom unit 2 per unit having 2 or more bedrooms
Commercial	1 per 25,000 square feet of floor area; not less than 2 spaces

**Installation of long-term bicycle parking.** Long-term bicycle parking shall comply with all of the following:

1. It shall be located on the same site as the building;
2. It shall be located inside the building, or shall be located within 300 feet of the building's main entrance and provided with permanent cover including, but not limited to, roof overhang, awning, or bicycle storage lockers;
2. Illumination of not less than 1 footcandle at the parking surface shall be available;
3. It shall have an area of not less than 18 inches by 60 inches for each bicycle;
4. It shall be provided with a permanent rack or other facility for locking or securing each bicycle; and

## Proposed Code Amendment Concepts

5. Vehicle parking spaces, other than spaces required for electric vehicles, required by local zoning code, and accessible parking required by the *International Building Code*, shall be permitted to be used for the installation of long term bicycle parking spaces.

## Proposed Code Amendment Concepts

### SUSTAINABLE TRANSPORTATION

#### 2. Electric Vehicle Charging Stations:

##### **Background:**

The following draft code concept is under development by participating jurisdictions in the Puget Sound Region. The intent is to reduce greenhouse gas emissions by developing infrastructure for electric vehicles.

##### **Code Proposal:**

###### **Definitions:**

1. **“Electric vehicle infrastructure (EVI)”** means the site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future *electric vehicle charging stations* pursuant to National Electrical Code (2008) Article 625.

2. **“Electric vehicle parking space”** means any marked parking space that identifies the use to be exclusively for the parking of an *electric vehicle*.

#### XX.XX.XXX EV Parking Requirement

**XX.XX.010 Purpose.** The purpose of this section is to encourage the transition to *electric vehicle* use by providing *electric vehicle infrastructure* in order to increase the cost effectiveness of future *electric vehicle charging station* installations.

##### **XX.XX.030 Requirements for Multifamily Uses.**

- A. The uses identified in Table 1 of this subsection shall be required to provide electric vehicle infrastructure for the percentage of parking spaces provided when development meets one of the following thresholds:
1. A New structure with associated parking or a new off street parking structure of principle use (threshold determined by jurisdiction);
  2. Expanding the square footage of an existing structure by 20 percent, as long as the original building footprint is a minimum size of 4,000 square feet; or
  3. The construction valuation is 50 percent of the existing site and building valuation.

**Table 1 Required infrastructure for future electric vehicle charging stations based on Use**

Land Use Type	Percentage of Required Parking Spaces <sub>a</sub>
Multi-family residential zones	10%

## Proposed Code Amendment Concepts

- a. If the formula for determining the number of *electric vehicle parking spaces* results in a fraction, the number of required *electric vehicle parking spaces* shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

### **XX.XX.060 Signage.**

- A.** *Electric vehicle charging stations* available for public use shall have posted signage, as identified in this subsection, allowing only charging *electric vehicles* to park in such spaces. For purposes of this subsection, “charging” means that an *electric vehicle* is parked at an *electric vehicle charging station* and is connected to the charging station equipment.
- B.** Signage for parking of *electric vehicles* shall include:
  - 1. Information about the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.
  - 2. As appropriate, directional signs at appropriate decision points to effectively guide motorists to the charging station space(s).
- C.** Optional Signage. Optional information may be posted to alert potential charging station users to other expectations.
- D.** EV signage is exempt from a sign permit.

	Hand Washing Sinks - IBC	Fixtures and Fittings - IBC	Rain barrels, cisterns and other rainwater catchment systems	Diversion of Building Materials from Landfills - IBC	Moisture Prevention - IBC	Electric Vehicle Charging Stations	Short and Long-term Bicycle Parking	Showers and Changing Facilities	Setback Dimension Exception for Exterior Insulation	Heat Island Mitigation - IBC	Light Trespass
Shoreline	X	X	X	X		Less stringent	X*		X	X	X
King County	X	X	X	X		?	?	?	X	?	X
Tacoma	X	X	X	X					X	X	X
Redmond	I	I	I	?		I		I		I	I
Seattle	X	X	X	X	X				X	X	
MULT							Stringent		?		
Issaquah	X	X	X	X		?		X	X	X	

KEY

X Intent to adopt

? Adoption not yet determined

Similar code requirement already in place

I Adopted Incentive-based Code

\* Note that Shoreline has similar code in place but is anticipating adopting additional regulations

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**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Planning Commission Bylaws Amendment  
**DEPARTMENT:** Planning & Community Development  
**PRESENTED BY:** Jessica Simulcik Smith, Planning Commission Clerk  
Rachael Markle, AICP, Director

Public Hearing  
 Discussion

Study Session  
 Update

Recommendation Only  
 Action

**INTRODUCTION**

The Planning Commission last reviewed and revised its Bylaws on December 1, 2011. On March 7<sup>th</sup>, staff will present two amendments to the Bylaws: revising "Article V – Meetings" Section 2 to delete Item 4 "Director's Comments" and adding a new Section 5 relating to posting Planning Commission meeting agendas.

**BACKGROUND**

The Planning Commission Bylaws' state that they "may be amended or repealed and new Bylaws may be adopted at any regular meeting or special meeting by a majority vote of the membership. A copy of the proposed Bylaws, or amendments thereto, shall be furnished to each member at least three (3) days prior to the date of the meeting. All amendments to the Bylaws shall be submitted to the Mayor and City Council for their information."

**Amendment 1**

Section 2 of "Article V – Meetings" lays out the order of business for each meeting. Currently there are two areas for the Director of Planning & Community Development to report information to the Commission: Item 4 "Director's Comments" and Item 9 "Director's Report".

There is no longer a need for two time slots for the Director to report and staff is recommending the Commission retain Item 9 "Director's Report" and remove Item 4 "Director's Comments" at the beginning of the meeting so the Commission can get right to the public's business.

**Amendment 2**

Staff is proposing adding a new Section 5 to "Article V – Meetings" to establish a procedure for notifying the public of upcoming meetings that mirrors that of the City Council as passed in Section 1 of Resolution 7 and later amended in Resolution 326.

Approved By:

Project Manager 

Planning Director 

*Section 1. Preliminary Agenda of Council Motion. The Public shall be notified of the preliminary agenda for the forthcoming Council meeting by posting a copy of the agenda on the bulletin board at Shoreline City Hall, 17500 Midvale Avenue North, Shoreline, Washington, at least twenty-four (24) hours in advance of the meeting.*

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Bylaw amendments.

**ATTACHMENTS**

Attachment A – 2013 Bylaws Amendment



## PLANNING COMMISSION BYLAWS

Adopted: February 15, 1996, Revised: November 6, 1997, Revised: October 15, 1998,  
Revised: January 18, 2001, Revised: April 5, 2001, Revised: April 3, 2003,  
Revised: April 7, 2005, Revised: March 16, 2006, Revised: May 1, 2008,  
Revised: October 1, 2009, Revised: March 18, 2010, Revised: December 1, 2011,  
[Revised: March 7, 2013](#)

### ARTICLE I – PURPOSE

The purpose of the Planning Commission is as set forth in City of Shoreline Municipal Code 2.20.10, Created – Purpose.

### ARTICLE II - MEMBERSHIP

The Shoreline Planning Commission shall consist of seven (7) members, appointed by majority vote of the City Council but a fewer number, not less than four (4), shall constitute a lawful Commission.

Membership of the Planning Commission shall be limited to residents or owners of property within the City. No member shall serve longer than two consecutive terms. A Commissioner who has served more than half a term is considered to have served a full term in that office.

New Planning Commissioners shall be sworn in by the Mayor or Deputy Mayor or the designee.

Any Commissioner desiring to resign from the Planning Commission shall submit his/her resignation in writing to the Planning Commission Clerk, who will present it to the Chair.

Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in Shoreline Municipal Code 20.20.020(C).

## **ARTICLE III - DUTIES OF THE COMMISSION, OFFICERS AND CLERK**

### ***SECTION 1: DUTIES OF THE COMMISSION***

As stated in City of Shoreline Municipal Code 2.20, the Commission shall undertake the duties and responsibilities defined in 2.20.060 in accordance with the purpose stated in 2.20.010.

### ***SECTION 2: OFFICERS***

Officers shall be a Chair and a Vice-Chair; both appointed members of the Commission and voted into office by the Commission. In absence of both the chair and vice chair, members shall elect a Chair *pro tem*.

### ***SECTION 3: DUTIES OF THE OFFICERS***

**CHAIR:** The Chair shall preside at all meetings and public hearings and adhere to the duties of the presiding officer prescribed in Robert's Rules of Order Newly Revised. When necessary, the Chair shall call for special meetings. The Chair shall be a full voting member of the Commission. The Chair shall appoint all committees and their respective Chairs, and may act as an *ex-officio* member of each, but without voting privileges. The Chair may delegate duties to other Commissioners with the consent of the Commission. The Chair shall speak on behalf of the Commission before the City Council, the public and City staff.

A term of Office shall be defined as one year. A Commissioner may serve as Chair for no more than two consecutive terms.

**VICE CHAIR:** The Vice Chair shall perform the duties of the Chair in the absence of the same. The Vice Chair may also serve as convener of special committees. The Vice Chair shall speak on behalf of the Commission before the City Council, the public and City staff when the Chair is not available to speak.

A term of Office shall be defined as one year. A Commissioner may serve as Vice Chair for no more than two consecutive terms.

### ***SECTION 4: DUTIES OF THE CLERK OF THE COMMISSION***

**CLERK OF THE COMMISSION:** The Clerk shall record and retain, by electronic means, each meeting for the official record and shall prepare summary minutes for the Commission, maintain official records and post agendas.

## **ARTICLE IV - ELECTIONS**

The Commission shall elect a Chair and a Vice Chair each year. Generally, officers shall be elected and take office annually at the first regular public meeting of the Commission in April.

Such election shall take place as the first item of new business of that meeting, and elected officers shall assume their duties at the close of elections.

The election of Chair will be conducted by the Planning Commission Clerk. No one Commissioner may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nomination, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. Commissioners will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Chair conducts the election for Vice Chair following the same process.

Should the Chair be vacated prior to the completion of the Term, the Vice-Chair shall assume the duties and responsibilities of the Chair for the remainder of the said Term. The Chair shall then conduct elections for a new Vice-Chair.

Should the Vice-Chair be vacated prior to the completion of the Term, the Chair shall conduct elections for a new Vice-Chair to serve out the remainder of the Term.

Time spent fulfilling a vacated Term shall not count towards the two consecutive Term limit for Chair and for Vice-Chair.

## **ARTICLE V – MEETINGS**

All Planning Commission meetings shall comply with the requirements of the Open Public Meetings Act (Chapter 42.30 RCW). All meetings shall be noticed and open to the public.

### ***SECTION 1: SCHEDULE***

The Planning Commission shall hold regular meetings according to the following schedule:

First and Third Thursday of each month. The meetings shall begin at 7:00 p.m. unless modified. Should a regular meeting day be a legal holiday, the scheduled meeting shall be postponed to the succeeding Thursday, unless a majority of the Commission votes to select another day or to cancel the meeting.

Special meetings may be held by the Commission subject to notice requirements prescribed by State law. Special meetings may be called by the Chair of the Commission, the City Council or Mayor, City Manager or designee, or by the written request of any three (3) Commissioners by

written notice emailed or delivered to each member of the Commission at least 24 hours before the time specified for the proposed meeting.

Any Planning Commission meeting may be canceled by a majority vote or consensus of the Commission. The Chair or Vice Chair may cancel a Planning Commission meeting for lack of agenda items or a quorum.

### ***SECTION 2: PURPOSE OF SPECIAL MEETINGS***

Special meetings called in accordance with Section 1 of this article shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. No special meetings shall be scheduled between December 15th and the end of the year. The agenda for a special meeting need not conform to that specified in Section 3 of this Article.

### ***SECTION 3: ORDER OF BUSINESS***

The order of business for each **regular** meeting of the Commission shall be as follows:

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. ~~DIRECTOR'S COMMENTS~~
54. APPROVAL OF MINUTES
65. GENERAL PUBLIC COMMENT
76. PUBLIC HEARINGS\*
  - Staff Presentation
  - Public Testimony
87. STUDY ITEMS\*
  - Staff Presentation
  - Public Comment
98. DIRECTOR'S REPORT
109. UNFINISHED BUSINESS
110. NEW BUSINESS
1211. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
1312. AGENDA FOR NEXT MEETING
1413. ADJOURNMENT

### ***SECTION 4: PUBLIC COMMENT AND TESTIMONY***

Planning Commission meetings allow the public to express its views during three comment periods: "General Public Comment", "Public Hearing Testimony" and "Study Item Public Comment".

During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and

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\*Each item inserted under 7 & 8 will have a staff presentation followed by a public testimony/comment period

Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. The rules for procedure for Public Hearings before the Planning Commission are further defined in City Council Resolution No. 182.

In all cases, speakers are asked to come to the podium to have their comments recorded. Each speaker must begin by clearly stating their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak for any of the comment periods, each speaker will be allocated 2 minutes.

When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Each organization shall have only one, five-minute presentation.

### **SECTION 5: NOTICING**

The public shall be notified of the preliminary agenda for the forthcoming Planning Commission meeting by posting a copy of the agenda in the same location as set forth for the City Council passed by Resolution.

## **ARTICLE VI - RULES OF MEETINGS**

### **SECTION 1: ABSENCES**

Absence from more than three (3) consecutive meetings may be cause for removal. Members shall communicate with the Chair of the Commission or the Vice Chair or the Planning & Community Development Director with requests for excused absences in the event they will miss three or more consecutive meetings. Emergency requests may be considered. The Chair of the Commission may approve the absence.

### **SECTION 2: QUORUM**

At all Planning Commission meetings, the presence of four (4) members constitutes a quorum, and is required for the Commission to take any action other than to adjourn.

### **SECTION 3: RULES OF PROCEDURE**

The current edition of Robert's Rules of Order Newly Revised shall provide the basis for meeting structure and official decisions shall be made by motion and vote of the Commission.

### **SECTION 4: VOTING**

In instances where a vote is called for or required, the present majority is sufficient to act (providing a quorum is present). Each member shall have one vote and no proxies shall be allowed. Present members may abstain. The Chair may vote on any issue, and shall vote in the

event of a tie. No action is taken if the Chair votes and the tie continues. A majority vote shall carry, and minority opinions shall be formally registered in the summary minutes and reported to the City Council.

**SECTION 5: ADJOURNMENT / RECESS / CONTINUATIONS**

Meetings shall be adjourned by a majority vote of the Commission or by the Chair when it appears that there is no further business.

The Commission may, by a majority vote or consensus, recess for a short break. The proposal to recess may set a time limit or can be until the Chair calls the meeting back to order.

Continuations of meetings shall be to a definite time and place, by majority vote of present members.

**ARTICLE VII - COMMITTEES**

Committees may be appointed by the Commission Chair. Standing committees shall serve at the pleasure of the Commission and special committees shall also serve for such purposes and terms as the Commission approves. Committees shall establish their own meeting schedule, and the deliberations thereof shall take the form of written reports, submitted to the entire Commission.

**ARTICLE VIII - CODE OF ETHICS**

Members of the Planning Commission shall fully comply with Chapter 42.23 RCW, Code of Ethics for Municipal Officers, and City Council Resolution No. 170, City of Shoreline Code of Ethics.

**ARTICLE IX - AMENDMENTS**

These Bylaws may be amended or repealed and new Bylaws may be adopted at any regular meeting or special meeting by a majority vote of the membership. A copy of the proposed Bylaws, or amendments thereto, shall be furnished to each member at least three (3) days prior to the date of the meeting. All amendments to the Bylaws shall be submitted to the Mayor and City Council for their information.

It is hereby understood that the undersigned Clerk of the Planning Commission does hereby certify that the above and foregoing Bylaws were duly adopted by the members of the Commission as the Bylaws of the Commission on the ~~1<sup>st</sup>~~-~~7<sup>th</sup>~~ day of ~~December~~ 2011~~March~~ 2013, and that they do now constitute the Bylaws of the City of Shoreline Planning Commission.

\_\_\_\_\_  
Jessica Simulcik Smith  
Clerk, Planning Commission

**SIGNED BY:**

\_\_\_\_\_  
~~Michelle Linders Wagner~~Donna Moss  
Chair, Planning Commission

\_\_\_\_\_  
~~Joseph W. Tovar~~Rachael Markle  
Planning & Community Development Director