

AGENDA
CITY OF SHORELINE PLANNING COMMISSION
REGULAR MEETING



Thursday, December 4, 2008
7:00 p.m.

Shoreline Conference Center
Mt. Rainier Room
18560 1st Avenue NE

	<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 a. November 20, 2008	7:08 p.m.
6. GENERAL PUBLIC COMMENT	7:10 p.m.
<i>During the General Public Comment period, the Planning Commission will take public comment on any subject which is not of a quasi-judicial nature or specifically scheduled later on the agenda. Each member of the public may comment for up to two minutes. However, the General Public Comment period will generally be limited to twenty minutes. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Speakers are asked to come to the front of the room to have their comments recorded and must clearly state their first and last name, and city of residence.</i>	
7. STAFF REPORTS a. Development Code Amendments	7:25 p.m.
8. PUBLIC COMMENT	8:00 p.m.
9. DIRECTOR'S REPORT	8:05 p.m.
10. UNFINISHED BUSINESS	8:10 p.m.
11. NEW BUSINESS	8:15 p.m.
12. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:20 p.m.
13. AGENDA FOR December 18, 2008	8:25 p.m.
14. ADJOURNMENT	8:30 p.m.

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CITY OF SHORELINE
SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING

November 20, 2008
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Vice Chair Hall
Commissioner Behrens
Commissioner Broili
Commissioner Kaje
Commissioner Perkowski
Commissioner Wagner

Staff Present

Steve Cohn, Senior Planner, Planning & Development Services
Miranda Redinger, Associate Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Chair Kuboi
Commissioner Piro
Commissioner Pyle

CALL TO ORDER

Vice Chair Hall called the regular meeting of the Shoreline Planning Commission to order at 7:05 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Vice Chair Hall, and Commissioners Behrens, Broili, Kaje, Perkowski, and Wagner. Chair Kuboi and Commissioners Piro and Pyle were excused.

APPROVAL OF AGENDA

The agenda was approved as presented.

DIRECTOR'S COMMENTS

Mr. Cohn referred the Commission to the handouts that were provided regarding potential future jail sites that would replace the current municipal jail. He advised that the Commission would discuss the handouts later in the meeting. He also reported that approximately 100 people attended the Town Hall Visioning meeting. He said he would report further on the meeting later.

APPROVAL OF MINUTES

The minutes of November 6, 2008 were accepted as amended.

GENERAL PUBLIC COMMENT

Laethan Wene, Shoreline, welcomed Jessica Simulcik Smith back from maternity leave and congratulated her on her new baby.

STAFF REPORT

Shoreline Master Program Study Session

Reema Shakra, Associate Planner, ESA Adolfson, explained that the Shoreline Management Act (SMA) was created in 1971 in response to a Washington State voter referendum addressing concerns that the shoreline functions were being degraded. The SMA required all cities and counties to develop Shoreline Master Programs (SMP's) to regulate development along the shoreline, and the programs had to be approved by the Department of Ecology (DOE). She further explained that the SMA requires that SMP's ensure that development that must be located along the shoreline (water-dependent uses) still has access to the shoreline. In addition, SMP's must maintain public access to the water and ensure environmental protection of the natural resource. She noted that it is difficult to balance these three goals since they compete with each other.

Ms. Shakra advised that the State Legislature established a deadline by which all cities and counties must update their SMP's. They also established new ecology guidelines that identify certain policies and goals that must be included in the update. She noted that this is the first opportunity for the City to adopt an SMP that reflects current conditions. When the City incorporated in 1995, it adopted the King County Shoreline Management Program by reference. While they did add some goals and policy language in 1998 during their Comprehensive Plan update, the goals and policies have not been officially recognized by the DOE. Therefore, the City is essentially still implementing the King County SMP. She reminded the Commission that the City initially prepared a Shoreline Inventory and Characterization Report in 2003, but the report had to be updated because it was prepared before the new DOE guidelines were finalized.

Ms. Shakra explained that an SMP is intended to be a long-range planning document that defines goals and policies for shoreline use and development consistent with the Comprehensive Plan. It provides a set of regulations that govern shoreline use and development consistent with State law, as well as a framework for developing, protecting and restoring the function of shorelines over time. She provided a chart to illustrate how the SMP would be integrated into the existing city documents (Comprehensive Plan and Shoreline Municipal Code). She explained that the SMP would include the following:

- **Inventory and Characterization Report.** This report identifies such things as existing land uses, public access, condition of the shoreline, and restoration opportunities. This technical document would become part of the overall SMP.

- **Restoration Plan.** The Restoration Plan is also a technical report, as well as a long-range plan that looks at existing restoration opportunities and funding sources to implement the projects.
- **Goals and Policies.** The goals and policies would be similar to those found in the existing Comprehensive Plan. They would identify the City's vision for the shoreline and establish policies to regulate development.
- **Shoreline Environment Designations.** The Shoreline Environment Designations would be a type of zoning overlay that would establish certain uses that are allowed in certain designations. There could be specific regulations for one designation and not another.
- **Development Standards and Regulations.** The Development Standards and Regulations could be codified into the SMC as specific regulations that apply to the shoreline.
- **Administrative Procedures.** Administrative procedures establish the types of permits that would be required, as well as the process. These procedures could be codified into the SMC, as well.
- **Cumulative Impact Analysis.** The Cumulative Impact Analysis looks at the overall impact of the SMP being implemented. It would provide an analysis over time of whether there would be further degradation of shoreline functions or if the City would be able to maintain status quo or improve over time. The analysis is intended to ensure the SMP would not create a worse situation than what currently exists.

Ms. Shakra said the SMA applies to the following classifications:

- **Shorelines of the State** includes all streams with a water flow of 20 cubic feet per second or more, lakes greater than 20 acres in size, and all marine coastal shorelines that are landward of the extreme low tide).
- **Shorelines of Statewide Significance** includes all marine water bodies that are seaward of extreme low tide, rivers with a flow of 1,000 cubic feet per second or more, and lakes with 1,000 acres or more.
- **Shorelands** refer to the lands that extend 200 feet landward of the ordinary high water mark from the edge of the water and seaward to city limits. It could also include wetlands that are hydrologically connected to the water body and could stretch out to follow floodways and flood plains.

Ms. Shakra summarized that there are no streams within the City that trigger the threshold. Therefore, the SMP would apply only to the Puget Sound Shoreline. Properties that are located landward of extreme low tide would be considered a Shoreline of the State. Property located seaward of extreme low tide would be considered a Shoreline of Statewide Significance. The City's shoreline jurisdiction would include 4 miles of shoreline, both within the City's jurisdiction as well as potential annexation areas (Point Wells).

Ms. Shakra provided a graph to illustrate the proposed schedule for the SMP Update. She noted that the Inventory and Characterization Report has already been prepared and is currently being reviewed by the DOE. The document should be finalized in early 2009. ESA Adolfson is helping the City with this report, and they will also provide a recommendation report to help the City develop goals, policies and designations based on the inventory findings. From that point on, the City would develop the goals and policies, designations, regulations and restoration plan.

Ms. Shakra advised that the Inventory and Characterization Report is a technical report that relies on existing plans and studies to develop conclusions on the characteristics of the shoreline. The report includes a map folio, as well as an analysis of ecosystem-wide processes, as required by the SMA. She explained that, typically, the ecosystem follows a watershed scale, and the analysis would consider how the larger watershed scale impacts shoreline functions within the shoreline jurisdiction of 200 feet next to Puget Sound. She noted that the report integrates GIS data from the City and other resource agencies, as well as the City's existing Comprehensive Plan, planning documents and consultant studies. It also integrates information from the King County Brightwater Treatment Plant Reports, Sound Transit Reports, Watershed Resource Inventory Area 8 Reports, and State agency documents.

Ms. Shakra commented that the term "nearshore" refers to the area between the top of a bluff down to the phodic zone, which is the point where light penetrates the water. She explained that the bluffs slough off sediment that provides input to Puget Sound, which is the primary source of each recruitment. It also sloughs off large, woody debris from the vegetation, which usually settles on the beach and protects it from erosion. There is also eel grass and kelp growing in the intertidal zone, and juvenile salmonids love to hang out in the nearshore where there is shallow water to protect them from predators and provide food.

Ms. Shakra reviewed the following findings from the Inventory and Characterization Report:

- **Land Uses.** The dominant land use is the Burlington Northern Santa Fe (BNSF) Railroad, which occupies about 50% of the shoreline planning area. Approximately 20% of the shoreline planning area is developed as single-family residential. The only industrial facility is located at Point Wells and occupies about 20% of the shoreline planning area. There are a few parks and very limited vehicular access to the Shoreline. Only 2% of the shoreline planning area is vacant.
- **Public Access.** There is some public access to the water. The Richmond Beach Pump Station would soon be converted to a park. While it would not provide access to the beach, there would be a watchtower that overlooks Puget Sound. Richmond Beach Saltwater Park provides access to the beach, and this access is currently undergoing some improvements. In addition, the Innis Arden Reserve provides an open space, with trails that go through a densely vegetated area.
- **Hazard Areas.** There are a lot of hazard areas along the shoreline, and there's a high susceptibility for Liquefaction in the case of an earthquake. There are landslide areas along the entire shoreline, except at Point Wells, and flood hazard areas were found next to stream mouths. There are not many documented wetlands, but those that exist are usually associated with the six creeks that feed down into Puget Sound. Priority habitat and species have been found along the shoreline, including eel grass, kelp, sand flats, salmonids, shell fish, forage fish, and shore birds.
- **Processes That Have Been Impaired by Past Development.** While there are still some functioning shoreline processes, the report found that many processes had been impaired by past development. The BNSF Railroad has significantly impaired sediment into the Puget Sound. This development blocked the bluffs from feeding sediment into the Puget Sound, and it also entailed the removal of riparian vegetation that provided water quality and shade. It has also reduced habitat conditions on

the land and nearshore environments. There are also water-quality issues associated with Point Wells that must be dealt with.

- **Restoration Opportunities.** Replanting Boeing Creek would be useful to cool temperatures and filter runoff. It would also provide additional woody debris. Some culvert repair would be helpful, as well, to improve sediment delivery. Water quality is an issue, and remediation at Point Wells would help improve this problem.

Ms. Shakra reviewed that the next step in the update process would be for the consultants to develop a recommendation report. To accomplish this task, they would review the findings in the inventory and recommend goals and policies to protect the shoreline functions. They would also review the existing uses and recommend some appropriate environment designations for the shoreline. The City would then finalize the environment designations and goals and policies and forward them to the DOE for review and approval. She noted that the City has established a website for the SMP update, and the inventory report is available on that site. Any questions or comments should be forwarded to Miranda Redinger, who is the SMP Project Manager.

Commissioner Kaje asked if the SMA requires neighboring jurisdictions to coordinate their SMP efforts. Teresa Vanderburg, Director of Biological Resources, ESA Adolfsen, answered that the grant the City received from the DOE requires them to coordinate with adjacent jurisdictions for shoreline environment designations and water resource restoration opportunities. Commissioner Kaje asked how the City of Shoreline would accomplish this goal. Ms. Vanderburg answered that this coordination would occur during the restoration planning and regulatory stages. Ms. Redinger announced that she has prepared an interested party list, as well as an email distribution list that includes Snohomish County, Lynnwood, Woodway, Edmonds, Seattle, and King County, as well as numerous regional organizations. Emails have been sent to keep the organizations abreast of developments, and she has not received any comments back.

Commissioner Perkowski asked what permitting activity has occurred for properties along the shoreline over the past five years. Mr. Cohn said he does not believe there has been much activity. The BNSF Railroad is not required to obtain permits from the City, but there has been some permitting activity associated with Salt Water Park. Commissioner Perkowski inquired if bulkhead repairs have been made in the residential areas. Mr. Cohn said he believes some work has been done along Apple Tree Lane, and that staff would follow up to find out.

Commissioner Broili asked how the SMP would deal with transitions that occur landward beyond the 200 feet. Ms. Vanderburg answered that the DOE's new 2003 guidelines require cities to look outside of the zone as part of the ecosystem wide process. They are supposed to look at the landscape scale picture and how that might affect the 200-foot zone; but the jurisdiction boundary ends at the 200-foot zone, with the exception of any associated wetland that might extend outside of 200 feet. Commissioner Broili clarified that wetlands that are adjacent to or in contact with the shoreline area would be governed by the SMP, as well. Ms. Vanderburg agreed but noted there are not wetlands in this area.

Commissioner Broili asked how the SMP would interface with the Puget Sound Partnership's Action Agenda. Ms. Shakra answered that it would be important to consider the Action Agenda when the City's goals and policies are developed since it would provide a good source for applicable goals and policies. Ms. Vanderburg added that there has been some discussion about the Puget Sound Partnership requiring updates to the shoreline master program process and requirements.

Commissioner Broili asked if BNSF has any responsibility to restore or reduce its impacts on the shoreline. Ms. Vanderburg said this question is being investigated at a much greater level than just the City. A change analysis has been undertaken in Puget Sound with the Corps of Engineers, and this has included discussions about the overall impact from the railroad grade.

Commissioner Wagner asked how the SMP requirements would fit into the City's existing process for reviewing applications and projects. Mr. Cohn explained that there are a very limited number of properties associated with the shoreline, and staff would inform property owners of the SMP requirements at the time an application is submitted. Ms. Redinger added that the SMP would be similar to the Critical Areas Ordinance, with some overlap. It will be important to make sure the two documents are consistent. The restoration plan requirements would be triggered at the building permit stage and would be addressed as part of the policy development phase, which is coming next in the process.

Commissioner Kaje asked if the City's beaches are losing sand due to the net effect of long-shore transport. Ms. Vanderburg answered that the City's shoreline is nearly fully armored and net shore drift would be to the north. Commissioner Kaje also asked if the consultant and staff have discussed the concept of beach nourishment and other similar approaches as part of their recommendations for restoration. Ms. Vanderburg answered that beach nourishment is a restoration opportunity if a beach is erosive and losing sediment. At this time, they have not looked at specific needs for beach nourishment in the City. However, it could be incorporated as part of the restoration plan. She explained that the consultants rely on the watershed plans that exist for the water resource inventory area, which has identified areas for beach nourishment. She suggested the WRIA documents pinpoint areas for beach nourishment, as well.

Commissioner Perkowski asked if any thought has been given to where funding would come from to implement the restoration plan. Ms. Vanderburg answered that, as per the restoration plan requirements, the City must identify potential funding opportunities. The City must also identify their priorities and provide dates, timelines and benchmarks, which is difficult for local governments to do. Typically, restoration plans represent good-faith effort and rely on coordinated efforts for restoration as part of a watershed group.

Commissioner Broili recalled that the properties in Richmond Beach and along Apple Tree Lane are privately owned, and signage is in place to prohibit trespassing on these beach areas. He asked how far out the property lines go. Ms. Redinger answered that the property lines extend past the City limits. Ms. Shakra suggested one option for the City would be to purchase properties that have yet to be developed, but it would be very difficult to change the existing private property lines.

Commissioner Behrens asked how the SMP would support the City's plans to redevelop the Point Wells property and solve the existing land surface problems. Ms. Shakra pointed out that State and Federal requirements mandate that industrial sites be cleaned to the maximum extent possible before they can be converted to other uses such as residential. The SMP could impact redevelopment at Point Wells by establishing goals, policies and regulations that could be implemented if and when Point Wells is annexed into the City and redeveloped. The community has an opportunity to provide their vision for future redevelopment of Point Wells, and this vision could be incorporated into the SMP.

Commissioner Behrens noted that one specific challenge for the Point Wells property is the lack of road access. Therefore, any type of work that must be done to clean up and redevelop the site would have to be done from the water side. It might be necessary to even remove and/or clean some of the soil under the water. Because of the property's close proximity to the City's shoreline, any action or future development on the Point Wells site would have an impact on the adjacent southern shoreline. Therefore, it would be important to coordinate work that is done at Point Wells to minimize the impacts. He asked how the SMP would facilitate this type of coordination. Ms. Shakra explained the purpose of including the Point Wells site in the SMP is to address these impacts and allow the City to have more jurisdiction over future redevelopment. However, because the property has not been annexed, the City would have to coordinate their efforts with Snohomish County. Mr. Cohn said at some point in time, the City would want to address how to coordinate efforts with Snohomish County to deal with the impacts of redevelopment on the Point Wells site. Ms. Vanderburg added that, based on Federal and State Law, the City would be allowed to collaborate or at least be part of the permit review record for work that occurs below the ordinary high water mark. Commissioner Behrens suggested the SMP look at the Point Wells site as an extended piece of property. Whatever happens on this site would have a very obvious and direct impact to the adjacent shoreline, and there must be some sort of system in place to address this concern. Ms. Vanderburg pointed out that these impacts could be addressed as part of the permitting process, which is separate from the SMP. She emphasized that the existing conditions have been documented in the report, and this will help set a baseline for the site. In addition, the net shore drift is to the north, and that means sediments and water and overall drift is northward towards Edmonds. Commissioner Broili asked if Point Wells would remain as part of Snohomish County if it is annexed. Mr. Cohn answered affirmatively.

Vice Chair Hall asked why Echo Lake would not fall under the jurisdiction of the SMC. Ms. Shakra answered that this lake does not meet the threshold identified in the SMA. Vice Chair Hall asked how far Lake Ballinger is from Shoreline's city limits. Ms. Vanderburg said she believes Lake Ballinger is located more than 200 feet from the City limits, so it would not meet the threshold identified in the SMA, either. Mr. Cohn suggested that the staff and consultant verify the proximity of Lake Ballinger.

Vice Chair Hall suggested the staff consider the following policy statements:

- Encourage the railroad, Corps of Engineers, Puget Sound Partnership, and others to restore the natural flow of sediment and material back down to Puget Sound whenever possible. He noted that dumping anything into Waters of the State requires the appropriate permits. Therefore, when there are landslides upslope of the BNSF railroad, their standard procedure is to haul the debris away off site. If the railroad were not in this location, the debris would become beach material.

- Explore opportunities to create and/or maintain public access at all feasible locations in the City. He noted that a lot of money is planned to create a bridge to provide access over the BNSF railroad to a group of homes on private property and a very small piece of public road on the waterward side of the railroad. If the City is going to spend this amount of funding, perhaps a side affect of the project would be public access to the waterfront amenities.
- Ensure adequate under railroad crossing of streams, fish, sediment and debris. He suggested this would take patience and perseverance because BNSF's priority is to operate the railroad. However, there are a half dozen minor drainages to Puget Sound that pass under the railroad right-of-way in culverts that do not meet the current Washington State Department of Fish and Wildlife guidelines for stream crossings.

Commissioner Behrens said he recently rode the Amtrak train from Edmonds to Portland and noted that the train runs along the edge of Puget Sound all the way to Olympia. Given Vice Chair Hall's recommended policies, he suggested staff investigate how other cities along the right-of-way have dealt with the railroad. Commissioner Kaje said that while he understands how difficult it would be to require the railroad to make improvements, it would be useful for staff to provide more information about what can and cannot be done in this regard. This would be useful as the City considers policy language in the future.

PUBLIC COMMENT

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

DIRECTOR'S REPORT

Mr. Cohn referred the Commission to the press release from the Northeast City Municipal Jail Planning Group, which identifies the six sites that are currently being reviewed. It announces a meeting in Shoreline on December 11th, as well as a forum and EIS scoping meeting on January 7th at Shoreline Community College. He announced that Eric Bratton and Scott MacColl are working on this effort on behalf of the City, and he agreed to forward their contact information to the Commissioners as soon as possible.

Commissioner Wagner asked where the jail is currently located and why it must be moved. Mr. Cohn clarified that the jail would not move, but there needs to be more jail space. The question is where this new facility would be located. Ms. Simulcik Smith announced that the City's Website provides a link to additional information on the issue.

Commissioner Kaje clarified that the School District's Aldercrest Site in the Ballinger Area is the Shoreline location that is being considered as a potential jail site. He reminded the Commission that the City's Housing Strategy Committee has frequently discussed the need for the City to work with partners and community groups to coordinate action when public properties are put up for sale or something is going to change. He suggested that the Aldercrest site would be a great location not only for a combination of open space and park, but also for some very creative housing solutions. He suggested it would be appropriate for the community, Commission and City staff to become more actively involved

in creating good solutions for public sites that provide benefits to the City on multiple fronts. Otherwise, the opportunities will be lost and something less desirable will be developed.

Commissioner Behrens noted that the Old Cedarbrook School on Perkins Way is another site that has potential for redevelopment. He agreed with Commissioner Kaje that there are so few sites available for redevelopment, and the City should work with the school district and other partners to take advantage of opportunities to implement the Vision that has been discussed over the past several weeks.

Mr. Cohn provided a brief review of the Town Hall meeting that was conducted on November 19th to discuss a Vision for Shoreline. He reported there were approximately 100 people in attendance, not including staff and City Council Members. Vice Chair Hall led the Commission's presentation reflecting what the Commission heard during the community meetings and shared a list of 13 main themes that resulted from all of the public comments. Staff agreed to forward a copy of the list to each of the Commissioners.

Mr. Cohn reported that those in attendance at the Town Hall meeting divided into groups to discuss the themes, as well as other issues that were on their minds. Staff collected approximately 40 pages of notes from the meeting, which are being processed and would be forwarded to each of the Commissioners in the near future. He said he was impressed with the group discussions on a wide range of topics. Amicable discussions took place, and people were willing to listen to each other. At its next meeting, the City Council would discuss what the next steps would be. He said he anticipates that Visioning would be the topic of discussion at the Commission's meetings in January.

Commissioner Broili asked if staff has enough material to begin to pull together a long-term, cohesive Vision. Commissioner Wagner pointed out that some citizens attended multiple meetings, so the Commission would be somewhat led astray if they just tried to analyze the raw data. She suggested that while the raw data could identify the breadth of ideas, it would not necessarily identify the priorities. She recommended that as the next step in the process, the Commission could come up with some draft language and then conduct a public meeting to determine the community's preferences and priorities.

Vice Chair Hall pointed out that over 400 citizens participated in the public meetings and the staff, Councilmembers and Commissioners heard from hundreds of people who had never attended City Council or Planning Commission meetings. He summarized that the public process was successful. He agreed with Mr. Cohn that the positive and constructive way people spoke about the Vision for Shoreline was refreshing. He suggested that some themes are very clear, such as protecting the core single-family neighborhoods. However, this was coupled with a strong sense that the City still needs economic development and a tax base. Rather than a no-growth approach, it appeared that citizens were in support of planned and careful growth.

Vice Chair Hall said he heard more about the issue of safe neighborhoods at the Town Hall meeting, and that issue was not raised significantly at previous public meetings because by and large, the City has great police service and safe neighborhoods. When people saw that safety wasn't included in the themes, they emphasized that this issue is important, too.

Commissioner Behrens said he did not hear any comments during the public meetings about Shoreline Community College's role in the Vision of Shoreline. He said it appears that many people believe that Shoreline Community College should play a central role, and they should recognize it for what it can do for the community as a place where they can train people for employment opportunities, as a central gathering place, as a location for cultural events, etc. He said most of the people in his group at the Town Hall Meeting felt this aspect had been left out up to this point.

Commissioner Perkowski cautioned that it is important to remember that the pages and pages of public comments do not act as votes. A number of people might have agreed with a particular comment, but they didn't repeat what others had already said.

Commissioner Perkowski said it became clear at the Town Hall Meeting that all of the themes on the list are interrelated and the Vision should reflect this connection. For example, protecting single-family neighborhoods can result in impacts to economic development. Commissioner Broili agreed and said he feels the process allowed the staff, Commission and City Council to collect ideas from the greater community and make sure they haven't missed something important. Vice Chair Hall expressed his belief that the Visioning process provided an important opportunity to bring the community together around a consensus Vision. Everyone who attended the meetings would probably disagree with one aspect or another, but the process offered an opportunity to mend some of the rift that has existed in the community over the years regarding the public process.

Commissioner Kaje suggested the Commission's task is to figure out how to make the various comments work together. At the community meetings he attended, the discussion included the notion that if they want the neighborhood business centers to be vital, prosperous and a part of the community, they need to be linked to the surrounding neighborhoods with good sidewalks. Rather than developing a sidewalk program that is prioritized based only on the need to improve safety, they should look at sidewalk development as part of community and business development. There may be opportunities to partner with the business community to provide sidewalk improvements. These are the types of things the Commission needs to pull together from the numerous comments to find opportunities to combine the goals that people want for the community with strategic thinking.

Commissioner Behrens said the conversation about creating a walkable development occurred in his group at the Town Hall Meeting, as well. Some people in his group expressed concern that taxes would have to be raised to pay for additional sidewalks. Others pointed out that sidewalks would generate more business, providing a return on the investment for the benefit of everyone. He agreed that it is important to consider opportunities to connect the City via sidewalks.

UNFINISHED BUSINESS

There were no unfinished business items to discuss.

NEW BUSINESS

Commissioner Kaje asked if the City of Shoreline provided comments on the Puget Sound Partnership's Action Agenda. Mr. Cohn answered that the City did not, but Mr. Tovar worked with the Washington Chapter American Planning Association to provide input.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Vice Chair Hall noted that while it would have been great to have all of the Commissioners participate in the presentation that was presented at the Town Hall Meeting, it was not possible because of meeting rules and staffing issues. He expressed his belief that the presentation by a committee of three Commissioners went well, and he suggested the Commission use this same model in the future when they have a lot of issues before them.

Commissioner Wagner invited the Design Review Committee to provide a brief update of their activities. Commissioner Perkowski advised that the Design Review Committee was not able to meet over the past few weeks, and they have decided to start communicating via email to get a draft document ready for the Commission's review. Commissioner Wagner noted that a number of items came out of the Visioning process that could become a subtopic for the Design Review Committee to consider.

AGENDA FOR NEXT MEETING

Mr. Cohn advised that the December 4th agenda would include a study session on a new group of Development Code amendments. He recalled that Councilmember Egan recommended three amendments that the City Council directed staff to work on. All of the amendments were related to multi-family and had to do with recycling facilities, electric car recharging facilities, and providing sufficient bicycle parking. Three or four additional amendments generated by staff would also be presented on December 4th.

Commissioner Broili said that in recent articles, he has read that due to the global economy, recycling is now a losing situation. A number of recycling centers are having to store materials because they can't sell them and they can't pay for the process of recycling.

It was noted that the first meeting in January would have to be rescheduled to accommodate the holiday. Staff agreed to notify the Commissioners as soon as the January meeting schedule has been determined. Staff would also notify the Commission as soon as possible about whether or not the December 18th meeting would be cancelled.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Sid Kuboi
Chair, Planning Commission

Jessica Simuleik Smith
Clerk, Planning Commission

DRAFT

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Study Session on Development Code Amendments, Application #301543
DEPARTMENT: Planning and Development Services
PRESENTED BY: Steven Szafran, AICP, Associate Planner

BACKGROUND

Unlike Comprehensive Plan Amendments, revisions to the Shoreline Development Code may happen at any point during the year. However, staff generally attempts to group proposed changes into bundles so that they may be deliberated and adopted at the same time instead of spread out in a piecemeal fashion. This group of changes was generated by the City Council and staff from PDS and the City Attorney's office.

The changes would add regulations to require recycling areas and electric vehicle recharging facilities in commercial buildings and multi-family housing., Following up on several staff discussions, staff suggests revised North City Business District parking standards, In addition, staff proposes minor modifications to the regulations regarding adequate fire protection, preliminary subdivision review procedures, and provision of bicycle facilities. Finally, there is a proposal to modify the subdivision regulations to remove "condominiums" and "interests" as subdivision categories.

Since this is the first time the Commission will see these amendments; staff will present the changes and supporting rationale at the study session for Commission review and comment. Staff will modify the proposed changes following the study session and expects to schedule a public hearing on the amendments in early 2009.

The proposed modifications are attached in legislative format (with underlining and strikeouts). In addition, staff has included a written summary of the background and analysis on the particular amendment that preceded the requested changes; these are included in Appendix A.

Steven Szafran, AICP, Associate Planner and Steven Cohn, Senior Planner will attend the study session to respond to your questions and comments. If you have questions before then, please contact Steven Szafran at 206-801-2512 or email him at sszafran@ci.shoreline.wa.us prior to the meeting.

ATTACHMENTS

A: Proposed Development Code Amendments, Application #301543

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**Appendix A:
Proposed Development Code Amendments
Application #301543**

*All insertions are marked as underlined, while all deletions are marked as ~~strike throughs~~.
Staff justification for each change is included below the suggested revision in italics.

Section 20.30.370 and Section 20.30.380 includes condominiums and interests as divisions of land. The City Attorney has determined condos and interests are not divisions of land and should not be subject to subdivision regulations. This code amendment will strike “condominium” and “interest” from these code sections.

20.30.370 Purpose

~~Subdivision is a mechanism by which to divide land into lots, parcels, sites, units, plots, condominiums, tracts, or interests for the purpose of sale.~~ The purposes of subdivision regulations are:

- A. To regulate division of land into two or more lots or, ~~condominiums~~, tracts ~~or~~ interests;
- B. To protect the public health, safety and general welfare in accordance with the State standards;
- C. To promote effective use of land;
- D. To promote safe and convenient travel by the public on streets and highways;
- E. To provide for adequate light and air;
- F. To facilitate adequate provision for water, sewerage, stormwater drainage, parks and recreation areas, sites for schools and school grounds and other public requirements;
- G. To provide for proper ingress and egress;
- H. To provide for the expeditious review and approval of proposed subdivisions which conform to development standards and the Comprehensive Plan;
- I. To adequately provide for the housing and commercial needs of the community;
- J. To protect environmentally sensitive areas as designated in the critical area overlay districts chapter, Chapter 20.80 SMC, Special Districts;
- K. To require uniform monumenting of land subdivisions and conveyance by accurate legal description. (Ord. 238 Ch. III § 8(b), 2000).

20.30.380 Subdivision categories.

- A. Lot Line Adjustment: A minor reorientation of a lot line between existing lots to correct an encroachment by a structure or improvement to more logically follow topography or other natural features, or for other good cause, which results in no more lots than existed before the lot line adjustment.
- B. Short Subdivision: A subdivision of four or fewer lots.
- C. Formal Subdivision: A subdivision of five or more lots.
- D. Binding Site Plan: A land division for commercial and industrial ~~and~~ ~~condominium~~ type of developments.

Note: When reference to “subdivision” is made in this Code, it is intended to refer to both “formal subdivision” and “short subdivision” unless one or the other is specified. (Ord. 238 Ch. III § 8(c), 2000

Off site impacts are not evaluated at the preliminary subdivison stage of development. Drainage review is conducted during building permit stage and the City of Shoreline does not have a view ordinance. It is misleading to the general public that comments regarding drainage and views will be evaluated at this stage of development. Staff recommends deleting #4 from 20.30.410 to eliminate confusion.

20.30.410 Preliminary subdivision review procedures and criteria.

The preliminary short subdivision may be referred to as a short plat – Type B action.

The preliminary formal subdivision may be referred to as long plat – Type C action.

Review criteria: The following criteria shall be used to review proposed subdivisions:

- A. Environmental.
 - 1. Where environmental resources exist, such as trees, streams, ravines or wildlife habitats, the proposal shall be designed to fully implement the goals, policies, procedures and standards of the critical areas chapter, Chapter [20.80](#) SMC, Critical Areas, and the tree conservation, land clearing and site grading standards sections.
 - 2. The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.
 - 3. Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, such as, flood plains, steep slopes or unstable soil or geologic conditions, a subdivision of the hazardous land shall be denied unless the condition can be

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permanently corrected, consistent with subsections (A)(1) and (2) of this section.

4. ~~The proposal shall be designed to minimize off-site impacts, especially upon drainage and views.~~

Section 20.50.150 lists the regulations for storage space of garbage and recyclable materials. The section header is misleading and has been changed to make finding specific regulations easier. Staff is currently contacting Cleanscapes to make sure the ratio of one and a half square feet per residential dwelling unit is sufficient space for garbage and recycling areas.

20.50.150 Storage space for the collection of trash and recyclables and service area location and screening – Standards.

Developments shall provide storage space for the collection of garbage and recyclables consistent with Shoreline's current service provider as follows:

- A. The storage space shall be provided at the rate of:
 1. **One and one-half square feet** per dwelling unit in multiple-dwelling developments except where the development is participating in a City-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;
 2. The storage space for residential developments shall be apportioned and located in collection points as follows:
 - a. The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.
 - b. There shall be one collection point for every 30 dwelling units.
 - c. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.
 - d. Collection points located in separate buildings/structures or outdoors shall be no more than 200 feet from a common entrance of a residential building.
 - e. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
- B. The collection points shall be designed as follows:
 1. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
 2. Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.

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3. Collection points shall be identified by signs not exceeding two square feet.
4. A six-foot wall or fence shall enclose any outdoor collection point.
5. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.
6. Weather protection of garbage and recyclables shall be ensured by using weatherproof containers or by providing a roof over the storage area.

Table 20.50.390E is a new addition to the parking section of the Development Code. Councilmember Eggen suggested adding regulations concerning electric vehicles. Staff recommends placing the infrastructure necessary to accommodate future electric vehicle facilities since the market has not reached this part of the country yet. Installing the infrastructure during construction of new buildings is minimally more expensive and much less expensive than installing it later.

Adding facilities for electric vehicles will also support the goals and policies of the recently adopted Sustainability Strategy.

Table 20.50.390E – Electric Vehicle Parking Standards

<u>RESIDENTIAL USE</u>	<u>MINIMUM SPACES REQUIRED</u>
Developments with 100 units or more:	1 parking space per development
<u>COMMERCIAL USE</u>	
New commercial building:	1 parking space per building

In additional to required parking spaces, EV parking facilities shall include:

- EV parking spaces are required to be ADA accessible.
- EV parking shall be in a conspicuous location, close to a main building entrance and the EV charging station electrical panel.
- Prepare for future installation of EV charging stations by providing sufficient panel space, installing conduit, ventilation, and lighting.
- Charger and lighting electric panels should be located as close as possible to anticipated charging stations.

Staff was asked to look at other jurisdictions for bicycle parking standards and determine if Shoreline's regulations are sufficient. Staff has concluded Shoreline's bicycle parking standards are more stringent than all adjacent cities and more stringent than the Cities of Seattle and Portland. The major revision in this section is concerning the first exception (Exception 20.50.440 A 1) now listed as letter "B". Staff believes the new letter "B" should be a regulation and not an exception.

20.50.440 Bicycle facilities – Standards.

A. In ~~any~~ developments required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified. Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles.

B. ~~Exception 20.50.440(A)(1):~~ 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. The Director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.

Exception 20.50.440(A)(~~1~~2): The Director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location provided bike rack parking is not completely eliminated.

Exception 20.50.440(A)(~~2~~3): The Director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include, but not be limited to,

1. Park/playfield;
2. Marina;
3. Library/museum/arboretum;
4. Elementary/secondary school;
5. Sports club; or
6. Retail business (when located along a developed bicycle trail or designated bicycle route).

C. ~~B.~~ Bicycle facilities for patrons shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.



Figure 20.50.440(B): Illustration of bicycle facility suitable for locking a bike to the structure.

D. C. All bicycle parking and storage facilities shall be located within 100 feet of the building entrance and shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

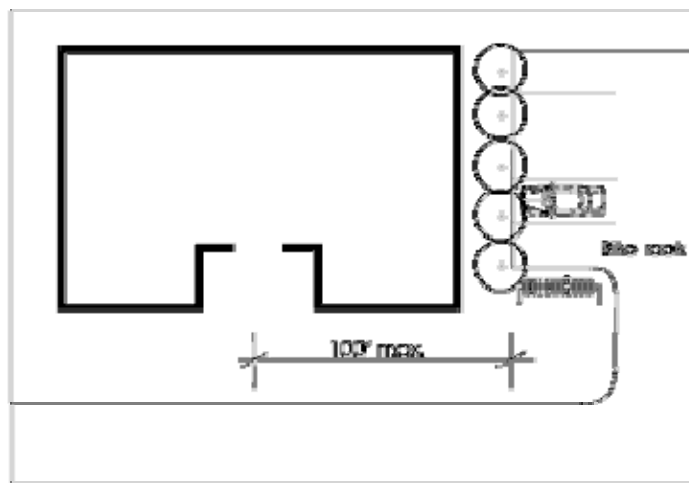


Figure 20.50.440(C): Illustration of desired bicycle facility location.

E. D. When more than 10 people are employed on-site, enclosed locker-type parking facilities for employees shall be provided. The Director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities. (Ord. 238 Ch. V § 6(C-2), 2000).

This is an amendment from the City Attorney. The City Attorney wants section 20.60.050 to be consistent with the provisions of Chapter 15.05 of the SMC.

20.60.050 Adequate fire protection.

All new development shall be served by adequate fire protection as set forth below:

A. The site of the development proposal is served by a water supply system that provides at 1,000 gallons per minute at a fire hydrant located no farther than

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350 feet from the site is consistent with the provisions to Chapter 15.05 of the SMC;

- B. The development proposal has adequate access to a street system or fire lane system that provides life safety/rescue access, and other adopted fire protection requirements for buildings;
- C. The timing of installation of required fire protection improvements for development proposals shall be stated in the project approval or approving ordinance, and installed prior to occupancy. The improvements may be secured with a bond or similar security upon approval from the Director and the Fire Marshal. (Ord. 238 Ch. VI § 2(C), 2000).

The next code amendment changes the parking ratios in the North City Business District. It has been determined that the ratio of 1 parking stall per residential unit is too low and is causing parking problems the City did not anticipate when the North City Business District plan was adopted. The proposed parking regulations mirror the regulation adopted for Planned Area 2 (Ridgecrest Commercial District).

20.90.080 Parking, access, and circulation.

- A. Alleys. A system of alleys and access lanes should provide easy access to buildings and parking lots located in the rear of the properties behind the buildings facing 15th Avenue N.E. This alley system is a secondary circulation system that helps avoid too many curb cuts on 15th Avenue N.E. Curb cuts would disrupt the desired pedestrian main street character.

In Figure 20.90.080 only a portion of the alley system is specifically located to allow for maximum flexibility for an alley system within the alley zone.

This system prohibits alleys or access lanes within 100 ft. from an intersection and 50 ft. from a pedestrian crosswalk.

Also this alley system should provide pedestrian linkages through mid-blocks and between properties. Lighting shall be provided for pedestrian safety.

- B. Parking Location. All surface parking lots shall be located behind buildings.
- C. Required Parking Spaces.

Residential: ~~Minimum 1 space/dwelling unit (regardless of number of bedrooms)~~
1 space for studio unit, 1.3 spaces for 1 bedroom unit, and 1.6 spaces for 2 or more bedroom unit.

Commercial: Minimum 1 space/500 sq. ft. gross floor area.

- D. Parking Access. The number of parking lot entrances, driveways, and curb cuts shall be minimized.
- E. All applicable standards of Chapter 20.50, Subsection 6 (Sections [20.50.380](#) through [20.50.520](#)) shall apply. (Ord. 281 § 7, 2001).