

AGENDA
CITY OF SHORELINE PLANNING COMMISSION
REGULAR MEETING



Thursday, April 2, 2009
 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	7:08 p.m.
a. February 26, 2009* b. March 5, 2009* c. March 19, 2009	
<i>*originally inserted to 3/19 agenda packet</i>	
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 Amendment for New High School	7:15 p.m.
b. Tree Regulations Background Information	7:30 p.m.
c. Prepare for joint meeting with City Council	8:15 p.m.
8. PUBLIC COMMENT	9:00 p.m.
9. DIRECTOR'S REPORT	9:05 p.m.
10. UNFINISHED BUSINESS	9:10 p.m.
11. NEW BUSINESS	9:15 p.m.
a. Election of Chair and Vice Chair	
12. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	9:25 p.m.
13. AGENDA FOR April 16	9:30 p.m.
14. ADJOURNMENT	9:35 p.m.

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CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF SPECIAL MEETING

February 26, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Kuboi
Vice Chair Hall
Commissioner Behrens
Commissioner Kaje
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle
Commissioner Wagner

Staff Present

Steve Cohn, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
Flannery Collins, Assistant City Attorney
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Commissioner Broili

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:07 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

The agenda was accepted as proposed.

DIRECTOR'S COMMENTS

Mr. Cohn explained that because several of the other proposed Development Code amendments are more time sensitive, staff requests that Amendment 1 (related to the division of land into two or more

lots or tracts) be withdrawn from the code amendment package. However, he suggested it would be appropriate to invite the public to comment and express their specific concerns about the proposed amendment. It would also be helpful for the Commission to provide specific direction to staff for preparation of an updated amendment as part of the next package of code amendments that would be presented to the Commission in May or June.

Because Amendment 1 would not be part of the public hearing, Commissioner Pyle suggested the Commission conduct a public hearing on the remainder of the amendments and move them forward to the City Council and then have a separate process for Amendment 1. Commissioner Behrens suggested they include Amendment 1 as part of the public hearing. If the Commission feels they need more information or they are unable to make a decision based on the available information, they could continue their deliberations to a future date. Vice Chair Hall agreed that since citizens came to the meeting to comment on Amendment 1, the Commission should at least grant them this opportunity, even if they don't take action on the item at this time.

Because Amendment was withdrawn by staff, Mr. Cohn clarified that if the Commission wants it to remain as part of the public hearing package, they must take formal action to add it back in once the public hearing has been opened. Commissioner Behrens disagreed and pointed out that Amendment 1 was included in Appendix A of the Staff Report. Therefore, he suggested the Commission must move forward with the item unless formal action is taken to remove it from the agenda. Ms. Collins reviewed that Amendment 1 was proposed by staff. However, there has been so much controversy over the proposal that staff felt it would be better to pull it from the public hearing, which would allow staff to solicit feedback from the public and Commission and amend the language to address the concerns. She summarized that while there are citizens present who want to discuss the issue, the intent of staff's withdrawal was to give them more time to address the concerns. The Commission must decide whether or not they want to proceed with Amendment 1 as part of the public hearing.

Commissioner Wagner expressed her belief that it is absolutely critical to obtain public input regarding Amendment 1 at this point, but it would be very difficult to resolve the issue tonight. She suggested the audience be invited to provide comments during the "General Public Comment" portion of the agenda; the Commission could then make a decision about whether they want to move forward with Amendment 1 as part of the public hearing. Mr. Cohn pointed out that comments that are provided during the "General Public Comment" period would not be included as part of the public record for Amendment 1.

Commissioner Piro suggested the Commission remove Amendment 1 from the hearing package. The agenda could be adjusted to allow a workshop discussion on proposed Amendment 1 as Item 7a, and the citizens could be invited to deliver testimony through a workshop format. The Commission could give further direction to staff, and a separate hearing on the final draft of Amendment 1 could be conducted at a later date. The package of Development Code Amendments would become Item 7b on the agenda.

Chair Kuboi questioned how this would be different than going through the public hearing as originally scheduled. If the Commission decides they cannot resolve the issue and take action, Amendment 1 could be pulled from the package. They could act on the remainder of the items and consider Amendment 1 at a future date. Ms. Collins agreed that would be the best approach. She noted that,

throughout the hearing and deliberations, the Commission would have the ability to pull any of the proposed amendments from the package. The Commission agreed to proceed with the agenda as it was advertised.

APPROVAL OF MINUTES

There were no minutes available for Commission approval.

GENERAL PUBLIC COMMENT

David Fosmire, Shoreline, expressed his frustration and confusion of the Planning Commission process. He recalled that on December 31, 2007 the Innis Arden community submitted proposed amendments to the Shoreline Development Code. Although they were assured the Commission would consider them in 2008, they were only recently notified that their amendments were being considered. He explained that one amendment, in particular, would allow for the adoption of critical area stewardship plans. The concept was presented to the City Council, along with nine other amendment proposals. However, the City Council accepted staff's recommendation that this option be removed from the Planning Commission's 2009 work schedule. He noted that for the past four years, the City has been promising the Innis Arden Community that they would consider the concept, and he questioned what process they should use to get their proposal on the agenda.

Commissioner Piro asked more information about the City Council's decision to pull the proposal from the Commission's work session. Mr. Fosmire said this decision took place on February 6th at the recommendation of the Planning and Development Services Director. He noted that staff was already prepared to advance the proposal to the Planning Commission, but the Director suggested the proposal would be too time consuming for the Planning Commission to handle in 2009.

Mr. Cohn explained that staff presented the City Council with a list of 10 Decision Modules, which identified elements that might be included in the tree regulation amendments. The City Council directed the staff and Commission to work on nine of the modules, but they pulled the tenth module from the project scope. He noted that staff is scheduled to discuss the tree regulations in greater detail later on the agenda.

John Hollinrake, Shoreline, submitted two documents for the Planning Commission to review. He suggested that certain members of the Innis Arden Community are getting special privileges. He noted a special meeting was conducted on February 5th, which was not widely advertised. Nancy Rust was invited to present her tree ordinance amendment proposals to three City Councilmembers, three Planning Commissioners and staff. However, it is important to note that Ms. Rust's proposed amendments are contrary to the desires of the vast majority of the residents of Innis Arden. Innis Arden is a very environmentally-friendly neighborhood, with 50 acres of common grounds and thousands of trees. Their average lot size is over ½ acre, and they have tremendous open space, trees, vegetation, etc. They want a fair opportunity to participate in the process, protect their environment, and also protect their views. The neighbors are frustrated that the proposals they submitted well over a year ago have never been presented to the Planning Commission.

Commissioner Piro noted that the Commission's extended agenda includes a discussion regarding the tree regulations in March and May. He questioned how this discussion would relate to the issue raised by Mr. Hollinrake and Mr. Fosmire. Mr. Cohen said that at the March and May meetings, staff would present information related to the nine decision modules identified by the City Council. He noted that, on their own volition, the City Council decided to set the tenth decision module (critical area stewardship plans) aside until a future date because they felt it was more related to the Critical Areas Ordinance, which is a separate section of the Development Code.

Guy Olivera, Shoreline, expressed concern about the staff's recommendation to pull Amendment 1 from the public hearing. He expressed frustration that it appears staff is not working for the community. If a developer of a project is the sole beneficiary of streamlining a given process and the new property owner and surrounding property owners do not benefit, then the process must not be streamlined. If the state provides that a particular type of development cannot be held to higher standards, then by no means should it be held to a lower standard.

LEGISLATIVE PUBLIC HEARING ON DEVELOPMENT CODE AMENDMENTS #301543

Chair Kuboi reviewed the rules and procedures for a legislative public hearing and opened the hearing.

Staff overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran provided a brief overview of each of the proposed Development Code Amendments, which were presented at the Commission's study session on December 4, 2008.

- **Amendment 1** – Amendment 1 was proposed by staff as a cleanup amendment. The proposed amendment would change the purpose statement in Section 20.30.370 so it no longer talks about subdivisions. As per state law, subdivisions have to do with divisions of land, and condominiums are not considered divisions of land.
- **Amendment 2** – This proposed amendment would delete #4 from Section 20.30.410 to eliminate confusion and redundancy. Item 4 has to do with view regulations, which the City does not have at this time.
- **Amendment 3** – This amendment would add additional explanation to the title of Section 20.50.150. It would also add a requirement about the size of storage areas for waste and recycling in multifamily buildings of a specific size. At the study session it was also recommended they add food waste recycling, as well. The space requirements for garbage and recycling areas were increased as per Cleanscape's recommendation.
- **Amendment 4** – Staff is recommending Amendment 4 be withdrawn. They would like to address this issue when the City considers permanent Regional Business (RB) zoning regulations as part of the Town Center Subarea Plan.
- **Amendment 5** – This amendment would make Exception 20.50.440.A.1 a requirement and not an exception. The language was not changed from the study session.
- **Amendment 6** – This amendment would make Section 20.60.050 consistent with Chapter 15.05 of the Shoreline Municipal Code, which is the International Fire Code.

- **Amendment 7** – This amendment has to do with revising the parking standards for the North City Business District. Staff is recommending a change to Section 20.90.080 to be consistent with how they deal with parking in other parts of the City. Originally, the parking requirement in North City was one space per unit, and everywhere else in the City parking is based on the number of bedrooms.

Questions by the Commission to Staff and Applicant

Although Amendment 4 was withdrawn, Commissioner Behrens suggested the public be invited to provide testimony regarding the concept of accommodating electric car facilities. Commissioner Kaje recalled that Commissioners were hesitant about moving Amendment 4 forward because of their lack of understanding. They were unclear about whether the Commission could develop code language that was understandable, consistent and fair. He agreed with Commissioner Behrens that the Commission should accept public testimony on Amendment 4 so they could become educated for future discussions. The remainder of the Commission concurred.

Commissioner Kaje referred to Amendment 7, regarding parking requirements for the North City Business District. He noted that, if approved, only future development in the district would be required to comply with the new code language. Mr. Cohn agreed that any development that is currently under review would be considered based on the existing code language.

Public Testimony or Comment

Art Maronek, Shoreline, submitted written comments that were identified in the record as Exhibit 1. He explained that he emailed his comments to the Planning and Development Services staff on February 23rd and was told the Commissioners would each receive a copy prior to the meeting. Chair Kuboi indicated the Commission had a copy of his comments. Mr. Maronek advised that his written comments include three attachments that identify violations of state law that would result from proposed Amendment 1. These documents directly contradict information provided by staff on December 4th. He noted that he found Attachments 4 and 5 through the public disclosure process, and he has others to share with the Commission in the future. He cautioned that sometimes the Commission doesn't get all the information available to staff, and that is what he has tried to correct. The remainder of the attachments are related to what the condominium act requires the City to do in terms of documents to be prepared by the developer before any units can be sold. He noted this process was not followed for the current condominiums that were developed in the City. The developer has denied any intent to follow this law. He summarized his belief that information that is crucial to making the right decision has not been shared with the decision makers (Planning Commission and City Council). He asked that they please read through his written testimony.

Helen Drummond Maronek, Shoreline, referred to an email from Flannery Collins to Steve Cohn regarding subdivision tables, which the content of the email was blacked-out indicating it was exempt from disclosure per RCW 42.56.280 (entered in as Exhibit #2). Ms. Collins explained that this email contained the same information that was provided in her memorandum dated December 23, 2008. The information displayed in table format was difficult to read so she converted it into the memorandum format. She noted the table was never finalized. She advised that the Public Records Law allows the

City to withhold city/client privileges. Ms. Collins recognized that the December 23 memorandum was unintentionally left out of the meeting packet, but she provided additional copies for the Commissioners.

Linda George, Shoreline, voiced objection to the verbiage that would be removed from Section 20.30.370 if Amendment 1 were approved as presented. As proposed, the requirements applicable to air condominiums or single-family condominiums would be removed, allowing developers to build houses only five feet apart. She felt this change would result in overdevelopment of the City, and she urged the Commission recommend denial. She also noted associated off-site impacts such as increased risk of large trees falling onto adjacent homes if numerous trees are removed on a project of this size. In addition, the overflow parking that would result from so many residents in a small space would impact surrounding property owners. She said she understands that development will occur on Greenwood Avenue, but a balance must be maintained and the impacts to existing property owners must be considered. She said she supports the Mayor's proposal to update the Comprehensive Plan before considering additional amendments to the Development Code.

Commissioner Behrens asked if Ms. George would feel more comfortable about potential redevelopment on Greenwood Avenue if there was a system in place to address the impacts. Ms. George answered affirmatively. Commissioner Behrens asked if Ms. George could see a set of circumstances where moving units closer together could provide an opportunity to create more shared open space rather than smaller individual open spaces. Ms. George said she could support this concept, but she felt it would take a much larger project than the one proposed on Greenwood Avenue to provide this large amount of open space. Commissioner Behrens cautioned against throwing a good idea out the window as a result of one bad application of the process.

Steven S. Lough, Seattle, President of the Seattle Electric Vehicle Association, passed out an informational handout to the Commission (Exhibit #3) and said he was recently awarded a life-long achievement award by the National Electric Auto Association. He said Commissioner came to the hearing to help educate the Commission regarding Amendment 4. He expressed his belief that electric vehicles of one type or another are going to come. He reported that for every one dollar of energy, an electric car can go four to five times further than any gasoline, diesel or biodiesel vehicle. He noted that Amendment 4 is related to amending the building codes in Shoreline to provide the wherewithal for electrical vehicles. He suggested that, at a minimum, new construction should be required to provide the conduit and appropriate wires for the future. While there are probably not enough electric vehicles in the area to fill a parking lot at this time, they are becoming more popular. He suggested that it would be prudent to require builders of multifamily development to provide one electric vehicle charging stall for every 20 units.

Commissioner Pyle asked how much a premade RV box would cost. Mr. Lough answered they cost \$150, which includes everything from the main breaker box to the plug. The box would be similar to those provided at RV parks. He advised that municipalities can now modify the rules as long as they can meet the standard electrical code. Commissioner Piro asked Mr. Lough to identify existing developments that provide car charging facilities. Mr. Lough noted the new Seattle library has a public charging station, as does the municipal garage. There are also several charging stations at the park and

rides. He noted that the Seattle Electric Vehicle Association's website provides a list of charging facilities.

Dale Simonson, Shoreline, commented that he is not against condominiums and he agreed they can provide more open space. However, developers often place the homes closer together so they can be larger, and they actually reduce the amount of open space. He suggested they could require a certain percentage of open space per area rather than allowing developers to make larger units that only provide a benefit to the developer.

Final Questions by the Commission

Commissioner Behrens referred to Attachment 4 of the packet of information submitted by Mr. Maronek (Exhibit #1), which is staff's proposed amendment to Section 20.30.315 (Site Development Permit). He asked staff to explain why this proposed amendment, with a few minor tweaks, would not resolve the problems and concerns. Commissioner Piro summarized the primary issues appear to be vegetation, tree cutting, open space and rounding up when calculating density, which are not addressed by proposed Amendment 1. These concerns would have to be addressed via amendments to other sections of the Development Code. Mr. Cohn agreed. Commissioner Piro expressed his belief that if the Commission is interested in addressing the concerns raised by the public regarding condominium development, they should focus their efforts on more applicable sections of the code. Amendment 1 was intended to provide clarification only.

Commissioner Behrens recalled that at the December study session, Commissioner Pyle explained that the major problem with Amendment 1 was related to the way condominium style development would be evaluated. Rather than ownership, the real issue is how development is done. The City should provide a good, thorough process that results in good development. A possible amendment to Section 20.30.315 would put condominium development through the same process that is used for any other type of development. A quasi-judicial hearing process would be required for developments of more than four units. He summarized that condominium development is not a bad form of development; the problem is the current code does not provide a way to evaluate and regulate the projects. If that is the purpose of Amendment 1, then the proposed amendment to Section 20.30.315 would be a significant and easy way to accomplish this goal.

Commissioner Piro pointed out that because the amendment to Section 20.30.315 was not advertised as part of the Development Code Amendment Packet, the Commission would not be able to take action at this time. Ms. Collins noted that this proposed amendment has not been reviewed by the City Attorney, so she would be uncomfortable if the Commission were to take action on it tonight. Commissioner Piro agreed that the concerns are not addressed by Amendment 1, which is the only amendment the Commission can consider at this time. He agreed with staff's original recommendation that the Commission provide direction for them to prepare additional code amendment language to address the concerns at a later date.

Commissioner Kaje asked if staff discussed their desire to strike Amendment 4 with the City Council, particularly Council Member Eggen. Mr. Cohn said they did not. He recalled that at their December

work session, the Commission asked staff to find examples of other jurisdictions that provide electric car charging facilities for private use. They were not able to find these examples. Because there is such limited information, staff did not feel comfortable making a recommendation at this point.

Commissioner Pyle referred to Amendment 7. He noted that the proposed parking requirement would match the requirements identified for Planned Area 2. He asked staff to share how these two areas are similar. Mr. Cohn explained that both of these areas have some but limited bus service. Staff believes it is important to tie the parking requirement to the number of bedrooms, which is what is called out in Planned Area 2.

Ms. Collins recalled that at their December study session, Commissioner Kaje asked staff to provide feedback regarding the legislative history of interests and condominiums. She said she researched this question for more than a day, and much of it is in hard copy form going back to the Planning Academy that was formed to help create the Shoreline Development Code. She said she couldn't find why this language was recommended by the Planning Academy.

Mr. Maronek asked staff to survey other jurisdictions to find out which only allow one single-family residence per lot and which allow multiple. She noted that her December 23rd memorandum identifies jurisdictions that do not allow more than one single-family residence on a lot. It also identifies ways other jurisdictions control single-family development. Mr. Szafran said he contacted surrounding jurisdictions and found they only allow one house per single-family lot.

Mr. Szafran said a question was also raised at the December 4th meeting about how the City currently processes single-family residential development through the platting process. He said he has handouts that illustrate this process, which would not change as a result of Amendment 1. Ms. Collins explained that the subdivision code is intended to apply to the division of land, and a condominium is a form of ownership rather than a division of land. She agreed that Amendment 1 would not change the City's current process for reviewing condominium development.

Deliberations and Vote by Commission to Recommend Approval or Denial or Modification

Commissioner Behrens asked staff to explain the process that is currently used to review single-family condominium development proposals. Mr. Szafran summarized that these projects would go through the site development permit process and perhaps SEPA, depending on the size. Commissioner Behrens suggested that a proposed amendment to Section 20.30.315 would resolve the problem by requiring projects of more than four units to go through a quasi-judicial review process. Ms. Collins agreed that staff should research this proposal and provide a response to Commission at a later date. The amendment to Section 20.30.315 is not part of the amendment package currently before the Commission for review. Commissioner Behrens asked how the City justifies doing a site development permit review, when it is not a code requirement. Mr. Szafran answered that a site development permit review is required for developments with two or more single-family units on one lot. He clarified that Amendment 1 would strike "condominiums" from the subdivision section of the code, but it would remain in the site development section.

Commissioner Wagner clarified that none of the other surrounding jurisdictions allow more than one single-family detached home on a single lot. Mr. Szafran referred to the City's use table, which outlines what is permitted in certain zones. He noted that condominiums are not listed. The table identifies either single-family attached or single-family detached. He explained that if the term condominium is taken out of the discussion, then the existing code language would make more sense. People are struggling with the issue of whether condominiums can result in a different, less desirable type of development, but it is important to keep in mind that the City doesn't regulate condominiums. There would be a difference in the ownership pattern, but no difference in the physical development that would be allowed on the site.

Commissioner Wagner clarified that, as currently written, the code would allow a property owner to construct either four single-family houses or a single structure with four doors on a one-acre lot in an R-4 zone. Mr. Szafran explained that in an R-4 zone, a property owner would be allowed to construct up to four units, but duplexes are the only type of attached units allowed. In theory, two duplexes would be allowed on the property. The units could be sold to four different property owners and the owners would hold the property surrounding the buildings in common. However, the site development requirements would be the same as to how it is zoned and divided. Mr. Cohn summarized that the real question is how a property is actually developed.

VICE CHAIR HALL MOVED THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF THE PROPOSED DEVELOPMENT CODE AMENDMENT 1 AND REQUEST THAT STAFF BRING FORWARD A SUBSTITUTE AMENDMENT THAT WOULD LIMIT THE NUMBER OF SINGLE-FAMILY STRUCTURES OR DUPLEXES TO ONE PER LOT ALONG WITH ANY APPROPRIATE DEFINITIONS AS NECESSARY. COMMISSIONER PYLE SECONDED THE MOTION.

Vice Chair Hall said materials submitted by members of the community suggest they would like to see the same standards applied, regardless of the form of ownership. Other cities have done this by not allowing more than one single-family detached structure on a single lot. He noted that there are other solutions, as well. While the proposed amendment to Section 20.30.315 may solve the problem, it would be appropriate for staff to review the issue and present a recommendation as part of the next round of Development Code amendments. The Commission could then discuss the merits of requiring a developer to go through the subdivision process in order to build anything that looks like multiple single-family houses on a single lot. Commissioner Pyle agreed and pointed out that all the subdivision process involves is a review to make sure a proposal meets the City standards. The community has expressed a desire to have single-family homes built on single-family lots. If the project would still have to meet the same standards, there should be no hardship felt by the developer aside from going through the process. He said he doesn't see this as a burden.

Commissioner Piro said he supports the motion to not go forward with Amendment 1 at this time. However, he said he is not comfortable with the single solution that has been proposed for staff to work on. Rather than just following what other jurisdictions have in place, he would like staff to explore other solutions, as well. They are in a period where they are seeing significant changes in demographics, and the City must explore a variety of housing options.

Commissioner Behrens said he can support the idea of allowing only one unit per lot. He said that in his work in Snohomish County he has had extensive experience with condominium development, and he has seen both good and bad projects. The good projects offer a lot of benefit because they allow for excess tree retention and engineering of spaces to provide a lot of benefits to the people in the neighborhood. However, he agreed that bad projects allow developers to jam units on top of each other and create eyesores in the middle of neighborhoods. He summarized that he supports a different solution that would allow for an open public review without limiting the City to hard and fast rules.

COMMISSIONER PIRO MOVED TO AMEND THE MAIN MOTION TO DIRECT STAFF TO LOOK AT A VARIETY OF SOLUTIONS TO ADDRESS THE VARIOUS ISSUES THAT HAVE COME UP. COMMISSIONER WAGNER SECONDED THE MOTION.

Commissioner Wagner agreed with Commissioner Piro that it would be appropriate to explore various opportunities for addressing the concerns. She felt the solution would become clearer as staff starts to review the options.

Vice Chair Hall agreed that demographics are shifting and clustering small houses to preserve open space is a great idea. However, the amount of time it takes to do this type of development code could be a problem for the community. He summarized there are a small number of examples that have raised citizen concerns. Rather than ending up with the City Council adopting a moratorium, redrafting Amendment 1 as per the main motion would stop this particular form of development. He felt it would be worthwhile to move in that direction and direct staff to redraft Amendment 1 as soon as possible. The Commission could have a more lengthy discussion regarding the concept as part of their effort to implement the Comprehensive Housing Strategy.

Commissioner Piro expressed his belief that the amendment to the main motion would allow more flexibility for the Commission and staff to consider a variety of options and would avoid the chance of getting boxed in around the ownership issue. Commissioner Wagner agreed. She suggested that if the Commission provides enough direction, staff would be able to learn from Snohomish County's process and present some viable options for the Commission to consider.

Commissioner Pyle said that the whole issue should come down to the level of control the community has over a development that occurs on a piece of property. If the Commission were to pursue Amendment 1 as currently proposed, it would become a ministerial action, which is binary by nature, instead of an administrative action that has an appeal mechanism and a requirement for a staff report. You either meet it or you don't. There would be nothing to debate, and no staff report would be prepared. Appeals would go directly to Superior Court. For developments of more than four units, the current code allows the City substantive authority, and there are sound policies in the Comprehensive Plan that allow the City to place conditions on the project. This requirement would not apply if fewer than four units are proposed. He summarized that they are really talking about developments of between one and four units on a single property, which is where the City is losing control. He said he does not foresee the Commission recommending an amendment that would allow projects to go through as ministerial actions that are left to the staff's discretion.

Chair Kuboi asked how long it would take staff to provide an updated draft of Amendment 1 for the Commission to consider. Mr. Cohn answered that staff could present updated language by May or June.

Commissioner Kaje said he supports the main motion because it would not prevent staff from working on a broader range of options. In addition, the City Council would not be forced to follow that action. However, the main motion would address the main concerns of the community and give staff more time to work through the issues. He suggested the Commission make a clear statement about what they think is needed at this time, and encourage staff to still explore other options. Commissioner Piro once again voiced concern that the original proposal is too restrictive, and he would hate to lose opportunities elsewhere while trying to do a needed fix in one particular neighborhood.

THE MOTION TO AMEND THE MAIN MOTION FAILED 4-4, WITH COMMISSIONERS KUBOI, PERKOWSKI, PIRO AND WAGNER VOTING IN FAVOR AND COMMISSIONERS HALL, BEHRENS, KAJE AND PYLE VOTING IN OPPOSITION.

Commissioner Wagner recalled that earlier in the meeting, citizens raised concerns about the tree regulations. She suggested that staff provide clear information about how citizens can submit recommendations and suggestions for the Commission's consideration. Mr. Cohn replied that citizens can sign up to receive notices via email every other week when the Commission agendas are published. Commissioner Wagner said she is more concerned about citizens being able to give input into the process so their concerns are adequately recognized by staff when the Commission begins their work on the tree regulations. Mr. Cohn advised that citizens should contact Paul Cohen regarding the tree regulations.

Commissioner Pyle asked staff to share the current problems with the preliminary and final short plat processes, which necessitated Amendment 1. Mr. Szafran explained that the short plat process is fairly cut and dry. An applicant must meet clear requirements, and the process is easy to apply. He said he is not sure the community would gain much from expanding the process to include other types of development. Staff understands the concerns, but they are not convinced the change would result in the anticipated gain. Mr. Cohn added that, if directed by the Commission, staff could provide an analysis of the pros and cons of the proposal.

THE MAIN MOTION WAS APPROVED 7-1, WITH COMMISSIONER PERKOWSKI VOTING IN OPPOSITION.

COMMISSIONER WAGNER MOVED THE COMMISSION RECOMMEND TO CITY COUNCIL APPROVAL OF AMENDMENTS 2, 3, 5, 6 AND 7 WITH ONE VERBIAGE CHANGE IN AMENDMENT 3 (20.50.150.B.6) CHANGING THE WORD "FOOD WASTE" TO "COMPOSTABLE ITEMS." COMMISSIONER PYLE SECONDED THE MOTION.

Commissioner Wagner said the proposed amendments appear reasonable, with the exception that she wanted food waste to be broader and in line with how City residents are actually composting. For example, leaves are not considered food waste, yet they are a compostable item. Commissioner Pyle

concurred with Commissioner Wagner and noted there was no public testimony regarding Amendments 2, 3, 5, 6 and 7. He commended staff for doing a good job of addressing the issues.

COMMISSIONER KAJE MADE A FRIENDLY AMENDMENT TO INSERT THE WORD “BICYCLE” IN AMENDMENT 5 (20.50.440.b) IN BETWEEN THE WORD “INDOOR” AND “STORAGE.” COMMISSIONERS WAGNER AND PYLE ACCEPTED THE FRIENDLY AMENDMENT.

Commissioner Kaje said he hopes staff would present new language related to electric vehicle parking standards as soon as possible. He noted the Commission previously indicated support for this concept.

Commissioner Piro said he would support Amendments 2, 3, 5 and 6. However, he has concerns about Amendment 7. While at first glance it seems reasonable and logical, they must keep in mind that cars contribute to half of the greenhouse gas emissions in the region and half of the pollution in Puget Sound. If the Commission is serious about pursuing a healthy environment and sustainability, they must understand the parking component of this form of transportation continues to enable the City to carry forward the status quo. He noted that research and studies show that making parking less accommodating helps to promote alternative modes of transportation, and the North City Business District has been designated as transit friendly. He recalled that he previously proposed the option of creating a sub-district parking management plan for North City to deal with on-street parking in adjacent areas. He said he was disappointed to see that staff is willing to embrace accommodating single-occupancy vehicle travel once again.

COMMISSIONER PIRO MOVED TO REMOVE AMENDMENT 7 FROM THE MOTION. COMMISSIONER HALL SECONDED THE MOTION.

Vice Chair Hall agreed it would be appropriate to remove Amendment 7 from the bundle of approved amendments since substantive concerns have been raised.

THE MOTION TO REMOVE AMENDMENT 7 CARRIED UNANIMOUSLY.

Vice Chair Hall referred to Amendment 6 and explained that the benefit of having international codes is that they are standard in most places and they are updated on a regular basis. Referencing the Shoreline Municipal Code that deals with fire safety would make more sense than including the standard in Section 20.60.050. He noted that no one objected to Amendments 2, 3, 5 and 6 during the hearing, and the findings in the Staff Report would support the Commission’s recommendation of approval.

THE MAIN MOTION WAS UNANIMOUSLY APPROVED AS AMENDED.

COMMISSIONER PIRO MOVED TO RECOMMEND DENIAL OF PROPOSED DEVELOPMENT CODE AMENDMENT 7 AND DIRECT STAFF TO COME BACK WITH SOME OTHER SOLUTIONS FOR DEALING WITH THE PARKING SITUATION IN NORTH CITY, EITHER BY DEVELOPING A SUB-DISTRICT PARKING PLAN OR LOOKING AT SOME OTHER REMEDIES. COMMISSIONER PYLE SECONDED THE MOTION.

Vice Chair Hall said he supports the motion for two reasons. First, it is the Commission's responsibility to build a record for the City Council so they have a clear understanding of their thoughts. Second, it is possible that staff may disagree. By taking action on the motion, even if it is denial, staff would have an opportunity to bring the amendment forward to the City Council notwithstanding the Commission's recommendation. He recalled that North City received a lot of attention for a period of time, and a lot of compromises were brokered in packaging the plan. The City invested a lot of money in capital improvements to make the district more pedestrian and transit friendly. Before they roll back the parking standards, they should carefully review how North City is working as a whole.

Commissioner Pyle said he walks and drives through North City on a daily basis, and he has not noticed a parking problem. However, he doesn't live next to a building that has a lot of parking demand. He agreed with Commissioner Piro that there would be merit in the Commission taking a look at producing subarea or node type parking plans where these issues could be addressed. The community could be directly involved in this effort. He suggested the City should be able to manage parking without relying on a standard that might not make sense neighborhood to neighborhood. He would rather see parking addressed through a parking management program.

Commissioner Behrens pointed out that staff has recommended the City have uniform parking standards throughout the City, and the Growth Management Act obligates the City to have consistency in the code. He said he cannot understand why the City would allow one section of the City to have different parking standards than another. He said that while he looks forward to the day when he can leave his car at home and take a bus, that day is not here yet. He summarized that until the City has the infrastructure available, they shouldn't tell people to use something that doesn't exist. The current traffic statistics show that the City of Seattle is the only place in the United States that did not suffer a significant loss of traffic due to the economic decline, and this makes it clear there is a significant problem with the transit system. Until there is an adequate transit system in place, the City must provide places for people to park. He strongly recommended the Commission adopt Amendment 7 as proposed.

Commissioner Kaje pointed out that Amendment 7 would do nothing to address the current parking problems in North City. It would add more parking capacity to future developments, which may alleviate future problems to some degree. However, a parking management plan or other approach would be a better alternative to deal with the current parking problems.

Commissioner Piro said that while he can appreciate Commissioner Behrens' concerns about parking, advancing this old solution would not address any of the existing problems. On the other hand, a parking management plan could deal with the whole North City Business District in a more direct fashion. He pointed out that the Growth Management Act does not necessarily require uniformity in a standard across an entire jurisdiction. Cities are allowed to have subarea variations, but they need to be compatible and consistent. North City is a transit-oriented community that is unlike other areas of the City. Statistics in the region also show a decrease in the vehicle miles traveled per capita over the last few years, which illustrates a growing proportion of people using transit. While he would love increased transit opportunities in North City, it is already one of the City's best served transit nodes. Therefore, it is inaccurate to paint North City as an area that is deprived of transit opportunities.

THE MOTION WAS APPROVED 7-1 WITH COMMISSIONER BEHRENS VOTING IN OPPOSITION.

In regard to looking at other alternatives, Commissioner Pyle suggested the new language require that parking spaces be assigned to the unit and painted as assigned to the unit. Developers should not be allowed to rent the spaces separately from the unit or require additional rent for a parking spaces.

Close Public Hearing

Chair Kuboi closed the public hearing.

DIRECTOR'S REPORT

Mr. Cohn did not provide any additional reports during this portion of the meeting.

UNFINISHED BUSINESS

Vice Chair Hall reminded staff that the Commission requested a report regarding Bus Rapid Transit on Highway 99. Ms. Simulcik Smith announced that this report would be provided on March 5th.

NEW BUSINESS

Report on Council Scoping Session on Tree Regulations

Mr. Cohen recalled that on January 5th the City Council reviewed a draft Planning Commission Work Program to amend the tree regulations. On February 9th staff presented 10 "Decision Modules" to the City Council and asked which ones they wanted to include in the scope for the Planning Commission to consider. The purpose of this briefing is to share the Council's direction on tree code amendments and its review process.

Mr. Cohen said that as he has implemented the current regulations, reviewed the Comprehensive Plan, and attended community meetings to discuss the topic, it has become apparent that the community values trees. However, everyone seems to have a different idea for what that means. In addition trees are a difficult resource to regulate because they grow, die and cross property lines. Staff believes the real question is how to fairly regulate trees to enhance the overall canopy of the community but allow property to be developed. The Comprehensive Plan Policies and Environmental Sustainability Strategy that were adopted in 2008 clearly support the tree canopy in the community and provide a range of goals such as: protecting the natural environment, preserving significant trees, ensuring development is compatible with the natural environment, and balancing property rights with the protection of natural environments.

Mr. Cohen referred to the 10 Decision Modules (choices) that were offered to the City Council and reported that they wholeheartedly agreed with the first 9. However, they chose not to include the 10th option as part of this review. Decision Module 10 would have allowed the Critical Areas Ordinance to

consider vegetation management or stewardship plans to deal with trees and vegetation in neighborhoods. He explained that while vegetation management plans involve the issue of trees, the Critical Areas Ordinance is separate from the tree regulations. The City Council gave direction that the Commission's review should involve the tree regulations, only. Mr. Cohen briefly reviewed the 9 decision modules as follows:

- **Decision Module 1 – Establish a baseline urban forest canopy citywide.** Mr. Cohen said the basic assumption is that as the City has grown there has been no net gain in the number of trees, but it is difficult to make this determination because they do not have a baseline measurement. There are a variety of methods for establishing a baseline. With such a baseline in place, the City would have the ability to monitor the overall City canopy every five years to assess its health and identify any further programs or code amendments as needed.
- **Decision Module 2 – Reorganize SMC 20.50.290 to separate clearing and grading provisions into a different subsection.** Mr. Cohen explained that the current tree ordinance provides regulations for clearing and grading, but they are not clearly separated. Staff has recommended that this section be bifurcated to make the different intents, purposes, exemptions and regulations clear. In addition, it is important to modify the clearing and grading regulations so they are consistent with the newly adopted Storm and Surface Water Manual.
- **Decision Module 3 – Change the provision in SMC 20.50.310.B.1 that allows the removal of 6 significant trees every 36 months without a permit.** Mr. Cohen explained that the current code allows the removal of up to 6 significant trees per property every 36 months. This could potentially result in a reduction of the citywide canopy because the City does not regulate or monitor the provision. Staff is recommending they eliminate this loophole and consider other ways to allow people flexibility in developing sites. Because no permit is required, people sometimes cut trees in critical areas without notifying the City.
- **Decision Module 4 – Amend SMC 20.50.310.A to establish clear criteria and thresholds for identifying when a tree is hazardous that is reviewed by a City third party arborist. Add requirements for replacement trees when hazardous trees are removed.** Mr. Cohen explained that, currently, property owners use their own arborists to determine a hazardous tree. If the City doesn't agree with the assessment they can require a third party assessment, but this would result in additional expense and prolongs a basic decision. Requiring property owners to use a City arborist would make the assessment more objective and less costly for everyone.
- **Decision Module 5 – Amend SMC 20.50.360 to allow for reasonable tree replacement ratios and the possibility to replace trees on other land within the City.** Mr. Cohen explained that the City currently has a replacement ratio requirement for trees that are removed, but they are finding the ratios are quite high. Some sites do not have the room to plant all the replacement trees. In addition the replacement trees could be removed without a permit after the 3-year protection period because they are not defined as significant trees.

- **Decision Module 6 – Amend SMC 20.50.350.B.2 to remove code provisions for 30% preservation of significant trees if a critical area is on site because trees in critical areas are already protected under Critical Areas Ordinance (SMC 20.80).** Mr. Cohen explained that a very small critical area could trigger 30% preservation on the entire site when the intent is to preserve all trees in the critical area, which is already a requirement of the Critical Areas Ordinance. The change would continue to preserve the base significant trees, as well as trees in critical areas.
- **Decision Module 7 – Amend SMC 20.50.350.B.1 to remove and replace the flat code provision for 20% preservation of significant trees.** Mr. Cohen advised that the existing rule is inequitable. For example, a site that is covered with 100 trees would have to retain 20 trees, while a small site with only 5 trees would only have to save 1. Staff recommends the City could devise a more equitable system that requires tree preservation based partially on lot size.
- **Decision Module 8 – Reorganize and clarify code provisions SMC 20.50.350.B-D that give the Director flexible criteria to require less or more trees be preserved so site design can be more compatible with the trees.** Mr. Cohen explained that, as currently written, there is an opportunity for the Director to have flexibility to require either less or more significant trees to be preserved on the site. The idea is that because trees are not always located where a developer wants them to be, the Development Code has standards for identifying buildable lots. If flexibility is allowed, it might be possible to preserve more trees in many situations.
- **Decision Module 9 – Amend SMC 20.30.770.D to provide greater clarity and specificity for violations of the tree code.** Mr. Cohen pointed out that because it is difficult to prove violation intent, it is hard to exact fines.

Mr. Cohen reviewed that a little more than a year ago, a group of citizens submitted an amendment proposal recommending that vegetation management plans be allowed within critical areas. The intent of the proposal was to allow the removal of invasive trees, pruning and removal of trees, and replacing plants. He explained that the Critical Areas Ordinance already allows for the removal of invasive trees and some light pruning. The proposal was presented to the City Council on February 9 as Decision Module 10. After review, the City Council opted to not include the proposal as part of the tree regulation project.

While it was previously stated that the proposal was specifically related to vegetation management plans, Commissioner Pyle noted that the Innis Arden Club’s proposal included proposed amendments to Section 20.50, which are related to hazardous trees. In an effort to ensure that everyone’s concerns are considered, he suggested they add back the proposed amendments related to hazardous trees as presented by the Innis Arden Club. He noted these were not specifically dropped off the list by the City Council. Mr. Cohen agreed the other proposals put forth by the Innis Arden Club could be considered as part of the Commission’s review of the 9 Decision Modules.

Commissioner Pyle recommended the Commission also consider adding a statement into the tree regulations stating that trees may be managed as allowed through the Critical Areas Ordinance or Section 20.80, and then leave in a potential insert at a later date for discussing a vegetation management

plan. Mr. Cohen agreed it would be possible to consider this option. Commissioner Pyle said that as a result of staff's explanation about how the vegetation management plan proposal is related to the Critical Areas Ordinance, which is different than the tree regulations, he understands why the decision was made not to include Decision Module 10 as part of the tree regulation discussion.

Commissioner Wagner asked if the City Council gave direction as to when potential amendments to the Critical Areas Ordinance would show up on the Commission's work program. Mr. Cohen said the City Council did not give any indication of if or when they wanted the Commission to reconsider the Critical Areas Ordinance. Commissioner Wagner asked how the Commission should forward their comments to staff regarding the 9 Decision modules. Mr. Cohen said he anticipates it would take staff until at least May to prepare draft code language for the Commission to consider. He agreed it would be appropriate for Commissioners to email their questions and concerns to him as they come up. Vice Chair Hall pointed out that, as is the normal process, the Commission would conduct a workshop discussion regarding the proposed amendments prior to a public hearing, and that would be the appropriate time for the Commission to discuss their concerns and questions.

Vice Chair Hall referred to Decision Module 5 and said that while one alternative is to change the replacement ratios, another alternative would be to find some way to make sure the replacement trees grow to maturity. He suggested staff consider both alternatives in their report to the Commission.

Vice Chair Hall referred to Decision Module 6, which appears to be reasonable. However, he said he can also imagine a forested site that has a steep slope on 30% and the remaining portion of the property is flat. If the City only requires 30% retention of significant trees, a developer could retain all of the trees in the critical area and none on the remainder of the site. The current code language has value in that it imposes some greater burden. He suggested an alternative would be to require a developer to retain 20% of the significant trees that are outside of the critical areas and all the trees within the critical areas.

Vice Chair Hall referenced Decision Module 7 and said he understands the concern that larger sites have to retain more trees than smaller sites. However, larger sites also have greater development potential. Larger sites also have the potential to preserve intact stands of trees. Mr. Cohen clarified that Decision Module 7 is intended to deal with sites of the same size, one that is covered with trees and another that has only a few. They both should have the same development potential. The intent is to require owners of property with fewer trees to preserve a greater percentage than an owner of property with numerous trees.

Vice Chair Hall referred to Decision Module 8, which suggests that the result of the current code requirements can excessively preclude development on many lots. He suggested that people have different views on this issue. He encouraged staff to present both the pros and cons of the proposed change. He agreed that the current code language limits development relative to some other alternative, but the question of whether it is excessive or not would take a lot of effort to decide.

Commissioner Piro reminded the Commission and staff that it is important to look at the proposed changes in terms of maintaining the overall ecological function. He said he got the impression that the

Commission was more concerned about preserving features rather than function. He reminded the Commission that the efforts of the Puget Sound Partnership and the City to preserve critical areas are interconnected. It is incumbent upon the Commission to do what they can with their urban forests to ultimately help the entire ecosystem in the area.

Commissioner Behrens said he would like the staff to draft the proposed code from the point of view of tree preservation rather than tree removal. He noted most of the language is related to allowing people to cut down trees. The City's effort should be focused on creating code language that allows for and encourages preservation of existing trees.

Chair Kuboi referred to Decision Module 4, which would require a developer to use a City designated arborist to identify hazardous trees. He asked if this change would create a liability for the City if the designated arborist makes a decision that a tree is not hazardous and then it falls over and damages property or injures a person. He requested the City Attorney provide feedback regarding this concern.

Point Wells Draft Environmental Impact Statement (SEIS)

Mr. Cohn reported that the Point Wells Draft SEIS was issued a few weeks ago, and the comment period ends on March 23rd. The SEIS is available via the City's website. He advised that he attended the Snohomish County Planning Commission's hearing on the SEIS on February 26th. He explained that the proposal would change the designation of the site from "industrial" to "urban center." The draft SEIS defines an "urban center" as allowing up to 3,500 units and/or 6,000 people, which is about five times the population of the Town of Woodway and about the same population size as all of Richmond Beach. It calls out for another 85,000 square feet of commercial/retail space. Because there is only one road in and out of the property, the transportation impacts to the City of Shoreline would be significant. The City's Transportation Engineers are carefully reviewing the SEIS. At the hearing, staff made the point that the City of Shoreline does not believe the site should be designated urban center because one of the main criteria for that designation is that it be served by rapid transit or a rail line. Merely having a rail line next to it doesn't really count if there is no stop. The County Commission did not conduct any deliberation on the SEIS, so staff does not yet know what their final recommendation to the Snohomish County Council will be. Although Shoreline has recommended they wait until the comment period has ended before making a recommendation, it is likely they would proceed before that date.

Mr. Cohn summarized that staff recommends the City of Shoreline handle the Point Wells site via an amendment to their Comprehensive Plan. At this time, the Comprehensive Plans merely identifies Point Wells as a mixed-use area. Staff believes they can provide more direction, and they anticipate drafting a Comprehensive Plan amendment related to Point Wells for the Commission's consideration in April.

Commissioner Piro asked about the possibility of either Shoreline or Woodway annexing the Point Wells area. Mr. Cohn answered that potential annexation would require the support of the property owner. If the property owner wants to annex into the City of Shoreline, the City would likely be very supportive. However, preliminary indications are that Snohomish County would not be supportive because they do not approve of cross county annexation.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Pyle referred to a public records request that was fulfilled for a member of the community. While the document is five pages long, most of the information was blacked-out. Ms. Collins explained that the City currently has a case at the Supreme Court related to public records. One of the issues was that the City was not releasing records and instead was saying what the record and exemptions were. The public indicated they wanted to physically have the piece of paper. She agreed that it appears very unfriendly, but it is the best way the City has found to address these situations.

Chair Kuboi reported that he and Vice Chair Hall met with the City Council to discuss feedback on the draft Vision and Framework Goals. Generally speaking, the City Council was very complimentary about the Commission's efforts, and they thought the narrative was well crafted. The comments they had were to thank the Commission for their work on a product they were very happy with. Vice Chair Hall agreed that the City Council was complimentary. The City Council pointed out a few items that did not come out clearly enough (i.e. employment, job-based growth, and long-term financial stability). They decided to release the document to the public on March 2nd, and staff was directed to write a cover letter emphasizing that the document is not a finished product.

Vice Chair Hall reported on his attendance at the final Shoreline Long-Range Financial Planning Committee Public Outreach Meeting. The Committee had been looking at data that shows the City's expenses are going up at roughly the rate of inflation, and the revenues are going up at about half that rate. While the City is okay through this year, serious actions will have to be taken for the City to continue their financial health in 2010. He reminded the Commission that the City has prided itself in being very fiscally conservative and having a very small number of employees compared to the population, and yet providing a high level of service. He suggested the Commissioners review a copy of the final report, which will be presented to the City Council in the near future.

AGENDA FOR NEXT MEETING

Ms. Simulcik Smith referred the Commission to the agenda packets that were provided to the Commissioners in preparation of their March 5th meeting.

A member of the audience inquired if there would be an opportunity for the public to provide comment regarding future proposed tree regulation amendments. Chair Kuboi noted that the draft amendments would not be ready for Commission review until April or May. Mr. Cohn added that all written public comments would be forwarded to the Commissioners prior to their discussion of the draft amendments. The public would likely have an opportunity to provide comments to the Commission as part of their review session, and a formal public hearing would be conducted prior to the Commission making a recommendation to the City Council. He invited members of the public to forward their written comments to the Planning and Development Services staff, and they would forward them to the Commission.

ADJOURNMENT

COMMISSIONER PYLE MOVED THE COMMISSION ADJOURN THE MEETING AT 10:05 P.M. COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

CITY OF SHORELINE
SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING

March 5, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Kuboi
Vice Chair Hall
Commissioner Behrens
Commissioner Broili
Commissioner Kaje
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle
Commissioner Wagner

Staff Present

Steve Cohn, Senior Planner
Kirk McKinley, Transportation Services Manager
Alicia McIntire, Transportation Planner (arrived at 7:20 p.m.)
Steve Szafran, Associate Planner (arrived at 7:25 p.m.)
Jessica Simulcik Smith, Planning Commission Clerk

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:08 .m.

ROLL CALL

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

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

Mr. Cohn did not provide any comments during this portion of the meeting.

APPROVAL OF MINUTES

The minutes of February 19, 2009 were accepted as amended.

GENERAL PUBLIC COMMENT

There was no one in the audience.

STAFF REPORTS

Transportation Master Plan Update

Mr. McKinley announced that Alicia McIntire is the project manager for the Transportation Master Plan Update. He referred to the tentative schedule for the Transportation Master Plan Update and noted that the bulk of the work would be completed in 2009, with final adoption in late 2010. He explained that once the new growth targets are available from King County, the Transportation Master Plan Update Team would work with the Planning and Development Services Department staff to allocate the targets to different areas within the City to identify the impacts of increasing density in different places on the transportation system and the capital funding that would be required to serve the growth. He reminded the Commission that land use and transportation can be controversial, so a good public process is essential.

Mr. McKinley explained that other functional transportation issues such as transit, pedestrian and bicycle systems must also be considered as part of the update. For example, he observed that transit agencies are looking for opportunities to cut back on transit service as a result of the economy. Therefore, while the Transportation Master Plan must provide policies for increasing transit opportunities, they must also include policies for cutting back in some situations. He noted that many of these decisions are made at a regional level, and service cut backs in King County are being made proportional to where the service is being provided. Since the majority of the service is provided in the Seattle/Shoreline area, they would be expected to absorb a proportional amount of the cutbacks. In addition, the regional policy is that the Seattle/Shoreline area should only receive about 20% of the new services that is added. He expressed his belief that it is counterproductive to significantly cut service in areas where there is the highest density, most demand and most productive routes, and staff hopes to tackle these policy issues as part of the update.

Mr. McKinley reviewed that Metro's current zone system identifies a zone change at the Shoreline City limit line at 145th Street. Staff believes they should push for having the whole west subarea for Metro (Shoreline, Seattle, Lake Forest Park) as a single-zone. Mr. McKinley recalled that Sound Transit's Proposition 1 was approved by voters last fall and includes light rail to Lynnwood and two light rail stations in Shoreline (145th and 185th Streets). As part of the update, the City must determine what types of land uses they want to have around these stations and how access would be provided.

Mr. McKinley said the update might also include a review of how the City's bicycle and high-priority pedestrian systems interface to verify City priorities. Another key piece of the update will be to identify capital projects and potential funding sources. With revenues being tight, the City will have to rely more heavily on grant funding. They must review each future project in light of their grant potential, which will require strategic prioritization. Mr. McKinley said that once the Transportation Master Plan Update has been completed, they hope to have an ultimate cross section for each arterial street. When

private developments are proposed, the City would have a clear and tight definition of what each street should look like. Without this clear information, it is difficult for City staff to identify the required street front improvements.

Ms. McIntire explained that traffic modeling will be an important component of the update. Staff anticipates modeling several land use scenarios for how growth could be dispersed throughout the City and how the growth would impact the transportation system. They will also consider transit and non-motorized transportation systems as part of this modeling effort.

Ms. McIntire said another element of the update is a review of the City's concurrency ordinance and policies. She explained that the Growth Management Act (GMA) requires that cities plan for their growth and have the infrastructure in place to accommodate the growth, but the only aspect under which a City can deny developments is if they do not have the facilities in place to meet the transportation level of service standards. She summarized that the City's current transportation concurrency ordinance is based on what a new development would do to the level of service. However, there are also ways to address concurrency from a plan-based perspective, which is a much more holistic approach that addresses more than just vehicular standards. She said that, depending on the budget and schedule, the project could also include the development of policies and implementation strategies for the plan.

Ms. McIntire advised that staff has still not determined how the work load associated with the update would be divided amongst the consultant and staff. Staff anticipates the formation of citizen's advisory board to work on both the non-motorized and transit portions of the plan. They also anticipate a technical advisory committee that is composed of representatives from Sound Transit, Metro and Community Transit to provide input into the transit plan.

Mr. McKinley reported that staff has been pursuing the concept of improving cross county transit service and creating a seamless service along Highway 99 from Everett to Downtown Seattle. They have had some early discussions with Metro and Community Transit to discuss the notion of potentially relocating many of the Aurora Village Transit Center functions to the 192nd Street Park and Ride, which is currently owned by the Washington State Department of Transportation (WSDOT) and operated by King County. The two are working out a swap that would result in King County owning the property, and King County is very interested in doing a transit-oriented development project in this location with the goal of increasing park and ride capacity. The idea is to allow transfers between Community Transit and Metro Buses to occur on Aurora Avenue. The ultimate goal would be a regional transit approach that would allow for a one-seat ride the whole way. The next phase would be to look at the best way to serve the light rail stations when they come on line in 2023.

Commissioner Broili asked if the scope of the Transit Plan would be 20 years. Ms. McIntire said the transit plan would include short, medium and long-range plans of up to 20 years. Commissioner Broili asked if the model strategies would be based on an assumption that cars would continue to be the major mode of transportation for the next 20 years. Ms. McIntire clarified that staff has not made any assumptions, at this point, about how the model would be built. Mr. McKinley explained that the plan must address all modes of transportation until they have the density or funding to support a highly effective and connective transit environment, they will have to rely on several different modes.

Commissioner Broili pointed out there are a few things currently going on politically and globally that would certainly impact the study, such as peak oil and the rising cost of energy. He suggested that both of these items would have a huge impact on transportation in the future and questioned how the 20-year plan would address these quickly changing aspects. Mr. McKinley explained that the City would be broken into 120 traffic analysis zones for the modeling exercise, and mode splits for each of the zones would be identified.

Chair Kuboi asked if the Commission would have a role in identifying and reviewing the assumptions that are used for the modeling exercise. Mr. McKinley noted that a consultant would be hired to help staff complete the modeling work, which cannot be done in house. Chair Kuboi summarized that when the project reaches the point where the assumptions and scope of work are being established, the Commission would like an update from staff and an opportunity to comment.

Commissioner Broili referred to Mr. McKinley's earlier announcement that Sound Transit has proposed two light rail stations in Shoreline and observed that parking would become an important element in the success of these stations. Ms. McIntire explained that Sound Transit anticipates approximately 500 parking spaces at each of the stations within the northern corridor. Commissioner Broili raised concern that there is not sufficient land in the vicinity where the two stations are proposed in Shoreline to provide a large number of parking spaces. He suggested this be addressed as part of the master plan update.

Commissioner Broili asked for clarification about staff's earlier statement that it is often difficult to identify street front improvements. Mr. McKinley referred to a recent project that took place at the corner of Midvale Avenue and North 185th Street. He explained although the Aurora Avenue Design states that this needs to be a five-lane cross section, staff had to base the frontage improvement requirements on the Development Code, which currently identifies 185th as a four-lane road in this location. Therefore, because the City wanted the developer to set the building back to accommodate the five-lane road and sidewalk, they had to purchase the additional land. Ms. McIntire explained that if there had been a lack of right-of-way and the cross section identified more, the City would have been able to require the developer to dedicate the delta. But because the cross section was different in this location, the City had to purchase the right-of-way.

Mr. McKinley agreed with Commissioner Broili that it is important to consider how best to accommodate people who come to the light rail stations. Is it better to increase density around the transit stations so that people who live nearby can walk or provide parking garages to accommodate people who come from further away? Other options include providing a shuttle service from other neighborhoods, as well providing pedestrian and bicycle access.

Commissioner Kaje recalled that in the process of creating a vision for Shoreline, the Commission talked a lot about how the City should prioritize pedestrian improvements. They considered the notion of looking more strategically at how to foster vibrant districts, and part of that is to connect the surrounding neighborhoods with sidewalks. He noted there are several districts that provide sidewalks in front of the businesses, but the neighborhoods are completely disconnected from a pedestrian standpoint. He summarized that pedestrian improvements and the prioritization of projects is an

important topic to the Commission and community, and the Commission would like an opportunity to provide input early in the process.

Apart from spreading out projected growth and some pattern through the City, Commissioner Kaje asked how the concurrency analysis would look at placement of a major facility in the middle of a neighborhood that is currently served by residential streets, such as a large jail, perhaps. Mr. McKinley explained that there are a lot of different methods of setting concurrency standards. He explained that when the Growth Management Act was adopted in the 1990's, almost all the jurisdictions implemented a concurrency standard that was based on intersection level of service (LOS). Developments were analyzed to determine how they would impact the LOS at the intersection. If the standard would be exceeded by a proposed development, City funding must be available to upgrade or rebuild the intersection or the developer would be required to make those improvements.

Mr. McKinley advised that since the Growth Management Act was adopted, there has been a lot of innovation and experimentation over how to set LOS or concurrency standards and how to measure developments against the standards. He explained that the City's current plan requires that an LOS E be maintained at all signalized intersections. He noted that there are six LOS grades, A through F, with LOS F being a breakdown of the intersection. LOS E is just one step above that. The current standard basically lets development happen without any hang ups or without the City being able to stop the developments based on level of service. He advised there are many newer thoughts for approaching concurrency and level of service. At this time the City does not have an impact fee program. Instead, their policy has been to support development in order to increase the economic base. He suggested it would be appropriate for the Commission and staff to have a policy discussion regarding this issue as the process moves forward, and it would be important to work with an outside consultant who has experience in these matters.

Commissioner Piro asked what staff anticipates the Planning Commission's role would be throughout the master plan process. He recalled that the last time the Transportation Master Plan was updated, the Commission formed a subcommittee to work through the issues.

Commissioner Piro recalled past reports that the majority of traffic in Shoreline during peak periods does not have an origin or destination in the City. Instead, it is pass-through traffic. He asked if the modeling effort would capture this aspect. He takes issue with the idea that somehow the City has gotten itself in a bind that requires developers to go through additional rigor as a result of traffic compromise issues associated with the way the City has defined concurrency. If this traffic is coming from other communities, he questioned why the City should be required to deny development projects in Shoreline.

Commissioner Piro recalled that the last time the plan was updated, a lot of emphasis was placed on defining level of service and concurrency more in terms of people-moving capacity. However, he does not believe they were as successful as they could have been. He welcomed staff's recommendation that concurrency be looked at more innovatively, particularly since a multi-modal approach to concurrency is now the law. Ms. McIntire said there is also a lot of literature and thought about the idea of regional concurrency and how development from one jurisdiction can impact another. Commissioner Piro noted

that the Puget Sound Regional Council can provide written material regarding regional concurrency. He suggested the City also consider the option of tailoring concurrency to address the different objectives of various parts of the City, which is allowed by GMA.

Commissioner Behrens said that regardless of where a bus stop is placed, the real problem is that the three transit agencies do not work together. The goal should be to develop a seamless system that lets people move across county lines without changing busses. He suggested the City forcefully advocate integration of all the bus systems in the different counties into Sound Transit in order to create a density base that would allow transit and density to function well together. He expressed his belief that 185th Street is probably the one street that comes closest to running all the way east and west across the City. He pointed out that the Point Wells property is located at the other end of 185th, so this street would have to become a very major arterial that runs east and west to connect the City. This project would cost a significant amount of money because the right-of-way is very narrow.

Commissioner Behrens pointed out that Shoreline is one of the few cities that does not use impact fees. For example, the City of Bothell used impact fees effectively to create transit corridors through cities. Bothell identified three major places in the City that would have to be redeveloped for transit, and then they assessed a fee for every building that was developed within or adjacent to one of the corridors. These funds were put into an account, which allowed them a system where they could schedule concurrency and fund capital improvement projects. He suggested that requiring no impact fee does not necessarily encourage developers to come to the City. The occupants of the development would suffer the consequence if the road network does not function adequately. Someone has to pay for this work, and the City needs to stop trying to shift all of the profit in one direction and all of the costs in another. The City, the developers and the community must work together to realistically assess the costs and figure out how they can be evenly distributed.

Vice Chair Hall requested that staff provide additional feedback on the following issues and concerns raised by the Commission:

- **Impact fees.** He noted that the Long-Range Financial Planning Group decided not to recommend impact fees, but he would like more information from staff regarding this policy issue at some point in the future.
- **Moderating cut-through traffic.** Much of the cut-through traffic on Meridian Avenue is Snohomish County residents who bypass the metered ramps at 205th and 175th Streets to get onto I-5 southbound at 145th Street. He suggested a partnership with WSDOT to stop using three miles of Meridian Avenue as an on-ramp. Chair Kuboi suggested the update also take into consideration the cut-through traffic that takes place through neighborhoods.
- **Level of Service.** Commissioner Piro's suggestion of using level of service as a way of measuring the movement of people instead of just automobiles has merit and should be considered further.
- **Bicycle and pedestrian pathways.** He agreed this should be an element of the plan update.
- **De-emphasizing single-occupancy vehicles.** Interstate-5 and Highway 99 will probably not have more capacity in 20 years. Even if they triple the number of lanes on roads within Shoreline, they would end up with bottlenecks at the city limits. The plan should strongly emphasize that the growth opportunity for transportation has to be moving more than one person in a vehicle.

Mr. McKinley said staff would enjoy working with the Commission as the Transportation Master Plan update progresses, and he invited the Commissioners to share their thoughts about how they want to participate in the process.

Chair Kuboi noted that the Transportation Master Plan was last updated in 2005. He questioned if the update would be a recurring program every five years into the future. He asked if staff plans on moving in a new direction with this update. Mr. McKinley said staff plans to use the existing master plan as a base, but there are some areas that need a lot more work such as transit, pedestrian/bicycle access, concurrency, and a new set of land use impacts to consider. The existing master plan includes some good policies and systems that might not be changed, and that is where they will start.

Chair Kuboi asked if staff has plans to employ a citizen's advisory committee to work on the vehicular portion of the plan, too. Mr. McKinley said staff has not had that discussion, but they know they must work with the three transit agencies. He suggested the Commission consider this element of the plan as their domain. They also know they must work with the bicycle and pedestrian communities because they have firsthand knowledge that staff might not have.

2009 Comprehensive Plan Amendment Docket Study Session

Mr. Szafran referred the Commission to the 2009 Comprehensive Plan Amendment Docket that was assembled up to the deadline of January 31, 2009. He noted the amendments were gathered from the general public, as well as some that were proposed by staff. Mr. Cohn explained that the purpose of this review is to prepare the Commission for the public hearing that is scheduled for March 19th. He suggested the Commission focus on asking clarifying questions so they are prepared to accept public comment and make a recommendation to the City Council on March 19th about the items to include in the docket.

Commissioner Kaje noted that he is the proponent of one of Comprehensive Plan amendments and inquired if he would be allowed to participate in the discussion and final recommendation related to this item. Mr. Cohn said he does not foresee an appearance of fairness issue associated with Commissioner Kaje's participation in the process of voting for amendments to be on the docket. He agreed to check with the City Attorney's Office for clarification of Mr. Kaje's role in the March 19 discussion.

Mr. Szafran reviewed each of the suggested Comprehensive Plan amendments that were submitted by citizens as follows:

- **Suggestion 1** – This amendment was proposed by Greg Logan to modify the Development Code. Staff recommends the amendment be considered when the Commission takes up the next round of Development Code amendments.

Commissioner Piro questioned if Mr. Logan's concern could be satisfied with references to State Law related to compatibility and consistency. Mr. Szafran agreed that it's an idea worth looking into. He said he believes Mr. Logan's suggestion would be better addressed as a Development Code Amendment than as a Comprehensive Plan Amendment, since it deals with Conditional Use criteria.

Commissioner Wagner suggested staff clarify the different processes with Mr. Logan prior to the public hearing.

Commissioner Behrens agreed that while the issue raised by Mr. Logan is legitimate, an amendment to the Comprehensive Plan is not the appropriate avenue for addressing the concern. He suggested that perhaps staff could explain to Mr. Logan that the concern could be better addressed as a Development Code amendment. Mr. Szafran agreed this would be the appropriate course of action.

Vice Chair Hall asked if there is a method for citizens to submit Development Code amendments other than the docket process. Mr. Cohn explained that while GMA requires cities to create dockets for Development Code amendments, the process is not limited to once a year. Typically, Development Code amendments are presented to the Commission three or four times each year. Citizens have the ability to submit amendments, and the Commission would decide whether to move them forward through the process or not.

Commissioner Wagner clarified that it was not her intention to remove the proposal as an important topic because the Commission has heard a lot about the issue of compatibility. If there is something that could be addressed via a Comprehensive Plan amendment, it would be important for the Commission to capture that idea.

- **Suggestion 2** – This amendment was proposed by Les Nelson. The recommendation is to update Land Use Policies 17, 18 and 19 to clarify whether Regional Business (RB) zoning should permit residential density greater than 48 dwelling units per acre. It also requests clarification of Land Use Policy 19 as to why the area between 185th and 192nd Streets was chosen for a Comprehensive Plan Designation of RB rather than Community Business (CB).

Commissioner Pyle suggested that this issue is a matter of interpretation of the Comprehensive Plan's definitions and descriptions of each of the types of land use designations. Because only R-48 is listed, some people interpret this to mean that the maximum cap on density is 48 units per acre for residential. It is not apparent that there are other land use designations cited in each of the categories. However, if a property were zoned as RB or CB, far more than 48 units per acre could be allowed. The density becomes a space issue or how many units can be fit in the box as opposed to what the density derivative is of the lot area to the density allowed through R-48. He summarized that clarifying this interpretation would help. In addition, the Commission should also discuss whether or not the City should allow more than 48 units per acre in any of their zones.

- **Suggestion 3** – This amendment was proposed by Scott Becker. The request is for a site-specific map amendment for a parcel located at 346 North 148th Street. Mr. Becker proposes that the designation of this property be changed from Low-Density Residential (LDR) to Mixed-Use (MU). The amendment would be accompanied by a rezone application.

Commissioner Behrens pointed out that the Commission recently considered a rezone application that was submitted by the James Alan Salon in which two pieces of property were rezoned from CB to RB. The R-12 zoning on the third piece of property remained intact. A development proposal has been

submitted for a Regional Business Building that would be partially located on the R-12 zoned property. Mr. Cohn clarified that the R-12 property would be used for parking and townhouse development. Commissioner Behrens expressed concern that a parking lot is not a residential use. Mr. Szafran pointed out that the parking would be used by the residential uses developed on the three properties. Commissioner Behrens asked why Mr. Becker is required to submit a Comprehensive Plan amendment to rezone a piece of property that is in the same zoning designation as the piece of property that is adjacent to the James Alan Salon. Mr. Cohn explained that Mr. Becker wants to put additional density on the second piece of property, which is currently zoned R-6. The adjacent property is zoned Neighborhood Business (NB).

Commissioner Wagner cautioned that this amendment would be accompanied by a rezone application, which is a quasi-judicial issue, and it may not be appropriate for the Commission to have a discussion regarding the appropriateness of the rezone at this point in time. She reminded the Commission that the purpose of the discussion is to determine whether or not to move the four suggested Comprehensive Plan amendments forward to a public hearing. Mr. Cohn agreed.

Commissioner Kaje clarified that, in the different case referenced by Commissioner Behrens, there was no request to change the underlying Comprehensive Plan designation. The request was to change the zoning only. In this case, the proponent wants the Comprehensive Plan designation change from LDR to MU in addition to a concurrent rezone, and that is why the matter is coming before the Commission as a potential Comprehensive Plan amendment. Mr. Szafran added that leaving the suggested amendment on the docket would allow the applicant to submit a Type C quasi-judicial application for a rezone, which would come before the Planning Commission in the future for a public hearing.

Commissioner Pyle suggested that, at some point in the future, the Commission should hold a discussion about the criteria for a Comprehensive Plan amendment, specifically a site-specific change to the land use designation map within the Comprehensive Plan. They should discuss how this change would fit within the policies of the Comprehensive Plan and the surrounding land use patterns. They should also discuss how the change fits in terms of transition, density, proximity to transit, employment, etc. Mr. Cohn pointed out that these issues would be considered for this specific property if the amendment is placed on the docket. A general discussion of the criteria would be more related to the Development Code.

Mr. Cohn clarified that as a proposal moves forward through the amendment process, the Commission could conceivably decide it should involve more than one property. However, it would not be appropriate to come up with a totally different suggestion as part of the docketing process. Commissioner Perkowski asked for clarification about why the Commission would be limited in this regard. Mr. Cohn said that, in his experience, planning commissions have come up with different recommendations after discussion, but the docket always moves forward based on the recommendation that was originally submitted.

- **Suggestion 4** – This amendment was proposed by Janne Kaje. The proposal is to revise the language that relates to the Ballinger Neighborhood. Mr. Cohn explained that in the current Comprehensive

Plan, the Ballinger Neighborhood is only referenced to a couple of times and some of the references are incomplete. The proposed amendment would give recognition to a neighborhood that has existed in the City for quite some time. Commissioner Kaje said the amendments are intended to clean up the existing language.

Chair Kuboi referred to the recommendation that the reference to North City being in the northeast corner of the City be stricken. Commissioner Kaje pointed out that North City is no longer the northeast corner of the City. Ballinger was annexed after the City was incorporated. Commissioner Pyle suggested they look at different language for this change. He agreed they should delete the reference to the northeast corner, but the balance of the language should be updated to make sure it is accurate.

Mr. Cohn advised that in addition to staff's proposed Comprehensive Plan Amendment related to the Point Wells site, they are also recommending an amendment related to visioning. He explained that while staff anticipates the City would move forward with sub area planning in the near future, these amendments are not required to be part of the docket.

Mr. Cohn advised that the six Comprehensive Plan amendments would be the subject of a public hearing before the Commission on March 19th. The proponents of the amendments would be invited to attend the hearing. In addition, staff would ask Mr. Logan if there is another approach that would better address his concern.

Chair Kuboi asked Mr. Cohn to recap the process that was used to notify the public of the January 31st deadline for submitting Comprehensive Plan amendments. Mr. Cohn answered that a notice was placed in the local newspaper and in *CURRENTS*. A short announcement may have also been on the cable television station. He suggested they need to discuss ways to improve the process.

Commissioner Broili said his understanding is that part of staff's goal for the future regarding Comprehensive Plan amendments is to clarify the criteria for judging proposals, as well as the schedule for how the process should work. Mr. Cohn explained that, currently, the process and criteria are not clearly outlined in the Development Code, and staff intends to correct this situation.

PUBLIC COMMENT

There was no one in the audience.

DIRECTOR'S REPORT

Mr. Cohn had nothing to report during this portion of the meeting.

UNFINISHED BUSINESS

Debrief of March 2nd Visioning Town Hall Meeting

Mr. Cohn reported that Vice Chair Hall and Commissioner Behrens attended the Town Hall Meeting. He referred to handouts of notes that were taken by those in attendance and reminded the Commission that they have been tasked to develop a final version of the Vision Statement and Framework Goals by their March 26th meeting. The goal is to publish the two documents on the City's website by March 27th. He invited Vice Chair Hall and Commissioner Behrens to share their thoughts about what needs to be done next.

Vice Chair Hall said that while there were fewer people in attendance at the meeting, all of the City Councilmembers were present, along with numerous City staff. He said that as he visited the various discussion tables, he created a list of changes that could strengthen the Framework Goals. He reviewed the changes as follows:

- The current Framework Goals are preceded by text that says they are supposed to be balanced, not prioritized. He suggested they preserve this text or provide new text to make it clear that the goals were not prioritized.
- Framework Goals 2 and 18 could be merged to say "Provide high-quality public services, utilities and infrastructure that accommodate anticipated level of growth, protect public health and safety, and enhance the quality of life."
- Framework Goal 4 references the term "demographic," and many people did not know what that means. He suggested the language be changed to say, "Make decisions that value Shoreline's social, economic and cultural diversity."
- The City Council felt the Framework Goals were not clear enough about expanding the economic base (tax base and physical health). This concern could be incorporated into Framework Goal 13 by adding, "to serve the community and expand our economic base."
- A lot was discussed about volunteers. He suggested the Framework Goal related to partnerships could be changed to insert the word "volunteers." While some indicated a desire to call out churches and faith-based groups, he felt that "non-profit" organizations was a broad enough term to include the YMCA and churches. A valid point was made that many churches in Shoreline are extremely active in the community and provide important services.
- Being respectful of cultural, economic and social diversity is already covered in Framework Goal 4. Therefore, he suggested the final clause of Framework Goal 17 be deleted.

The Commission discussed Framework Goal 5 related to conserving and protecting the environment and natural resources and encouraging restoration and Framework Goal 6 related to applying innovative and environmentally sensitive development practices. The Commission discussed that these two goals work together in that redevelopment offers an opportunity to restore and improve the environment by applying modern environmentally sensitive development practices. Commissioner Broili suggested the language be improved to include a statement that development can provide better environmental services. He expressed concern that if the Framework Goal doesn't specifically say that, they may miss an opportunity to drive the point home.

The Commission considered whether it would be appropriate to combine Framework Goals 5 and 6. Commissioner Piro said he would prefer a two-step approach. He pointed out that Framework Goal 5 focuses on the natural environment and ecosystems, and Framework 6 is geared towards ensuring the development is done in an environmentally sensitive manner.

Commissioner Behrens recalled that most of the people who attended the public meetings really appreciated how much time the Commission spent on the project. It was apparent that the Commission really cares about the community. He cautioned that the Commission must keep in mind that the Framework Goals are intended to be an outline document. They should provide enough language to cover the ideas, recognizing that more specific language would be adopted as part of the Comprehensive Plan. He recalled that a representative from the historical museum asked that a goal related to arts and heritage be added. Other than that, he did not hear any other suggestions that were not already covered in one Framework Goal or another. Commissioner Kaje agreed with Commissioner Behrens that an arts and heritage goal would be an appropriate addition.

Commissioner Kaje expressed concern about losing momentum after the vision language has been adopted. He suggested the Commission spend time to identify a process for how the Vision Statement and Framework Goals would play out as they deal with some of the City's more vexing issues. Chair Kuboi agreed and recalled that the Commission was originally asked to consider how the Vision and Framework Goals could guide the issue of allowing unlimited density on Aurora Avenue, but he is not sure the draft language provides any additional direction in that regard since it does not touch upon what density really means. One of the vexing issues before them is how to deal with density, and he believes some citizens are locked into the idea that Shoreline is a bedroom community and anything that deviates from that direction causes significant concern.

Vice Chair Hall agreed it would be appropriate to create an additional Framework Goal related to the arts and heritage. Secondly, he expressed concern that adding more narrative to the Framework Goals would end up deemphasizing the key points. Instead, the Framework Goal language should remain concise. However, he suggested staff prepare a graphic illustration of the process and timeline that would be used to implement the Vision and Framework Goals. He said it is important for the community to understand that adopting the Vision is not the end of the project, but the beginning. He recommended the diagram outline the following process for implementing the new Vision for Shoreline:

- Vision
- Framework Goals
- Goals
- Objectives
- Policies
- Development Code
- Capital Projects

Vice Chair Hall questioned if a proposal, such as a rezone application, would be required to not only be consistent with the goals, objectives and policies outlined in the Comprehensive Plan, but with the

narrative text, as well. He cautioned that trying to explain a concept in narrative text could result in a situation where a court or hearing examiner could interpret the language differently.

Commissioner Piro agreed that the diagram recommended by Vice Chair Hall would be an appropriate approach. He agreed with both Commissioner Behrens and Vice Chair Hall that the Vision is designed to be an aspirational statement of the future, and specificity would come through future work with the Comprehensive Plan. He agreed that it is important for the public to understand that the Vision is not the end of the process.

Commissioner Kaje said that, at a future meeting, he would like staff to identify a strategy for incorporating key concepts identified in the Vision Statement and Framework Goals into the Comprehensive Plan and Development Code as soon as possible. The process should move forward while the issues are still fresh in the minds of the community, the Commission and the City Council. Commissioner Broili agreed with Commissioner Kaje that the next step should be to identify a strategy for achieving the Vision. While Vice Chair Hall laid out many of the steps, he would like the staff and Commission to create a more defined strategy.

Commissioner Piro thanked Commissioner Behrens and Vice Chair Hall for attending the Town Hall Meeting on behalf of the Commission. He also thanked staff for quickly compiling the meeting notes for the Commission's discussion.

Commissioner Perkowski said that while he understands the intent of the Framework Goal related to developing partnerships, he suggested more language be added to explain the purpose of the partnerships.

Mr. Cohn recalled there was some confusion amongst the City Council regarding the tense that was used in the Vision Statement narrative. He suggested a few Commissioners review the narrative and address this concern. Secondly, Mr. Cohn announced that the Commission would have an opportunity to discuss the Vision and Framework Goals at their March 19th meeting. He suggested it would be useful for Commissioners to come up with changes for the Commission to consider at that time. Lastly, Mr. Cohn clarified that the public hearing regarding the Vision and Framework Goals would be conducted at the City Council level in April.

The Commission agreed that the issue of arts and heritage should be addressed by an additional Framework Goal. Vice Chair Hall noted that the City Council discussed this issue, but he did not recall a clear direction about whether it should be addressed as part of the Vision Statement or as a Framework Goal. The Commission recalled a City Council discussion suggesting that language also be added to the narrative to acknowledge how much has already been done in Shoreline to improve the community over its first decade of existence and that the vision would continue to guide the controversial and difficult decisions for the benefit of the community.

NEW BUSINESS

Commissioner Wagner recalled that the Commission changed their practice of having people give their address when they come up to speak. However, the packet of information that was provided prior to the meetings provided both address and telephone information. She suggested staff block out this personal information before it is distributed as a public document. Mr. Cohn agreed to do that.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Kaje asked staff to share the next steps in the Financial Committee’s timeline. Mr. Cohn said the Financial Committee presented a set of recommendations to the public in three public meetings. He said he anticipates they are fairly close to being ready to report to the City Council. He agreed to provide the Commission with more information regarding their timeline.

AGENDA FOR NEXT MEETING

Ms. Simulcik Smith reviewed that the agenda for the March 19th meeting would include a public hearing on the proposed Comprehensive Plan Amendments and continued work on the Vision and Framework Goals in preparation for the public meeting on March 26th.

ADJOURNMENT

COMMISSIONER WAGNER MOVED THE MEETING BE ADJOURNED AT 9:18 P.M. COMMISSIONER PYLE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

March 19, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Vice Chair Hall
Commissioner Broili
Commissioner Behrens
Commissioner Kaje

Staff Present

Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
David Levitan, Associate Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Chair Kuboi
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle
Commissioner Wagner

CALL TO ORDER

Vice Chair Hall 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 Hall and Commissioners Broili, Behrens and Kaje. Chair Kuboi and Commissioners Perkowski, Piro, Pyle and Wagner were excused.

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

Mr. Cohn did not provide any comments during this portion of the meeting.

APPROVAL OF MINUTES

Commissioner Kaje said he was surprised that the discussion regarding concurrency and level of service standards was left out of the March 5th minutes. He asked that the clerk listen to the audio recording and insert the additional verbiage. Changes were also noted for the February 26th minutes. It was agreed that the Commission would consider approval of both sets of minutes at their next meeting, when a quorum was present.

GENERAL PUBLIC COMMENT

Leathan Wene, Shoreline, said he was present to address the closure of the Fircrest Pool, which was discussed in a recent article in *THE ENTERPRISE* newspaper. He said he has already notified the Governor's Office, as well as other elected officials. He encouraged the Commissioners to approach the Shoreline City Council, the State Legislature, and the Governor's Office, as well.

2009 COMPREHENSIVE PLAN AMENDMENT DOCKET

Vice Chair Hall recognized there was not a quorum of Commissioners present to conduct a formal public hearing. While the Commission could accept public comments regarding the 2009 Comprehensive Plan Amendment Docket, they could not take formal action. Therefore, the Commissioners would accept comments from the public and then offer their individual thoughts to advise the City Council regarding the amendments. Commissioner Kaje pointed out the Commission could also forward a recommendation to the City Council that a formal public hearing be conducted before the Planning Commission. It would be up to the City Council to make that decision.

Vice Chair Hall recalled that in prior years, the Planning Commission was not involved in the process of setting the Comprehensive Plan Amendment Docket. This new step was added in an effort to give the public more opportunity to become involved. Because a few of the amendments are time sensitive, the Commission should provide the City Council with their best input without a formal hearing. After the City Council takes action to set the docket, the amendments would come back before the Commission for a formal public hearing and recommendation to the City Council on the merits of each proposal.

Commissioner Behrens questioned the need for a staff presentation since the Commission would not be taking action. Vice Chair Hall expressed his belief that it would be appropriate to proceed through the staff presentation and public comment period before the Commissioners offer their opinions. However, he encouraged the staff to keep their report brief.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Cohn reminded the Commission and the public that the purpose of the docket is to create a list of amendments to be studied. It is not staff's intent to discuss whether or not the amendments have merit at this time. He explained that staff initiated two Comprehensive Plan Amendment proposals related to the visioning process and future development at Point Wells. He invited Mr. Szafran to review the amendments that were proposed by citizens as follows:

- **Suggested Amendment 1** – Mr. Szafran explained that this amendment would add definitions for the terms “compatibility” and “detriment” into the Comprehensive Plan. He recalled that at the last study session, the Commission agreed with staff that this request would be better addressed as a Development Code amendment. As requested by the Commission, staff contacted the applicant, Mr. Logan, about the appropriateness of the request being processed as a Comprehensive Plan amendment. Mr. Logan indicated he would like the amendment to proceed as a Comprehensive Plan amendment.

Mr. Szafran said staff recommends this amendment be excluded from the Comprehensive Plan Amendment docket and be processed as a Development Code amendment, instead. He summarized that while the Comprehensive Plan should and does have policies regarding compatibility with adjacent land uses (Land Use Goal 1 and Community Design Policies, 2, 3, 4 and 9), specific standards, requirements and procedures should be located in the Development Code. If specific requirements need to be updated, changed or revised, the changes should occur in the Development Code and not within the Comprehensive Plan.

- **Suggested Amendment 2** – Mr. Szafran explained that this proposed amendment is a request to clarify whether Regional Business (RB) zoning should permit residential development at a density greater than 48 dwellings per acre. Specifically, the applicant charges that the Community Business (CB) and Mixed-Use (MU) land use designations do not anticipate densities over 48 units per acre. The applicant also inquired as to why the area on Aurora Avenue North between 185th and 192nd Streets is designated RB in the plan and not CB like the rest of the Aurora Corridor. Mr. Szafran summarized that staff believes these are appropriate issues to address. If they are added to the docket, they would be raised when the City Council takes up the RB permanent regulation discussion.
- **Suggested Amendment 3** – Mr. Szafran advised that this amendment is site specific and would change the land use designation of one parcel (346 North 148th Street) from low-density residential to mixed-use. He emphasized that staff has not received a rezone application for this parcel, but they expect to receive one if the item is added to the docket and is approved by the City Council. He advised that the Commission received a letter from an interested neighbor that speaks to zoning specifics, even though there is no rezone application at this time. The appropriate time to talk about rezone issues is when a rezone application has been submitted. He summarized that staff believes this proposed amendment merits additional discussion and should be added to the docket.
- **Suggested Amendment 4** – Mr. Szafran explained that this amendment would add language to the introduction section of the Comprehensive Plan to add or expand references to the Ballinger Neighborhood. Clean up language is also needed to correctly spell the street name in those sections. Staff recommends adding the proposed amendment to the docket for further discussion.

Questions by the Commission to Staff

Commissioner Kaje recalled that at the last meeting, Commissioner Pyle brought up the issue of the need for guidance on the appropriate process and criteria for considering parcel-specific land use designation changes. He asked if **Suggested Amendment 3** is intended to be an opportunity to discuss

the merits of changing the land use designation for a specific parcel or to discuss how the City processes parcel-specific land use designations. Mr. Cohn said the proposal is to change the land use designation for this one specific property. If the amendment is included on the docket, the Commission would review a site-specific Comprehensive Plan amendment and a concurrent rezone, and there is a separate set of criteria that must be considered when reviewing each proposal. A more general discussion about the process and criteria for reviewing site-specific Comprehensive Plan amendments is not part of the docket at this time, but he agreed the Commission could have this discussion at some point in the future.

Vice Chair Hall explained that when **Suggested Amendment 3** comes before the Commission for a public hearing, the staff report would include photographs of the neighborhood, a current zoning map, and an analysis of the five Comprehensive Plan amendment criteria. Staff has not prepared their in-depth report at this stage in the process. Mr. Szafran explained that the applicant would not submit a formal application for either the Comprehensive Plan amendment or the rezone until the City Council has made a decision to docket the suggestion.

Vice Chair Hall agreed with Commissioner Kaje that the Commission should have a discussion at some point in the near future about the process and criteria for considering site-specific Comprehensive Plan land use amendments.

Commissioner Behrens said he sees this as a two-part process. Approving the Comprehensive Plan amendment to change the land use designation from low-density residential to mixed-use would be the first step in the process, and the second step would be to consider the actual rezone application. Vice Chair Hall explained that the code allows applicants to request a Comprehensive Plan amendment concurrently with a rezone. There are typically several applications of this type per year, and the Commission holds one public hearing and makes a recommendation on both applications. Commissioner Behrens said that whether or not the applications are heard at the same time, the Commission must make a recommendation regarding the Comprehensive Plan land use amendment before they can consider the rezone application. They cannot recommend approval of a rezone application that is inconsistent with the current land use designation.

Public Comment

Greg Logan, Shoreline, said he is the assistant director of the Highland Terrace Neighborhood Association. He referred to **Suggested Amendment 1**, which he submitted. He explained that the need to maintain compatibility is a broader issue than simply the Development Code. He provided each of the Commissioners with a copy of the Comprehensive Plan framework goals, which were identified in the record as Exhibit 1. He referred to framework goal 2, which states that land uses should promote quality building and development that is compatible with the surrounding environment. In addition, he noted there are other places where compatibility is referenced in the Comprehensive Plan, such as Land Use Policy 10. He summarized that if the City is going to use the term “compatibility” in a significant manner in the Comprehensive Plan, a definition should be provided in the glossary.

Mr. Logan provided a picture that was taken from his living room window to illustrate the impact of a fairly recent land use decision as seen from his bedroom and living room windows. He said when he

moved into his home there was nothing on the adjacent property but second growth forest. He also provided a two-minute video he prepared to show what it is like to have heavy equipment operating in a residential neighborhood. The Commission should ask themselves how this is compatible with a residential neighborhood. He concluded that defining the term “compatible” in both the Comprehensive Plan and the Development Code would help protect the citizens of Shoreline.

Commissioner Behrens said he certainly doesn’t want to down play Mr. Logan’s concerns. However, there are many terms and phrases in the Comprehensive Plan that are not defined in the glossary. He noted that Mr. Logan’s documentation cites several places in the Comprehensive Plan where the term “compatibility” is used and valued. He reminded the Commission and Mr. Logan that the Comprehensive Plan is supposed to be the basis for the Development Code. He asked Mr. Logan to share his ideas for what else could be changed in the Comprehensive Plan, besides adding a definition for the word “compatibility” to prevent similar situations from occurring. Commissioner Behrens expressed his belief that the solution to the problem lies in the Development Code rather than the Comprehensive Plan. He said he is not convinced that adding a definition to the Comprehensive Plan would resolve the problem.

Mr. Logan pointed out that “compatibility” is a significant word that is used frequently throughout the Comprehensive Plan. He said he believes the Comprehensive Plan already contains plenty of material that would have allowed the City to genuinely maintain compatibility, which is a conditional use permit requirement.

Commissioner Behrens said that if the language is already in place in the Comprehensive Plan to address compatibility, then the appropriate method for dealing with the issue is via amendments to the Development Code to make sure procedures are in place to catch problems related to compatibility during project review. Again, he said he does not believe additional language in the Comprehensive Plan would solve the problem, particularly since Mr. Logan already indicated the concept of compatibility is already addressed in the current Comprehensive Plan language. Again, Mr. Logan said “compatibility” is a fundamental word throughout the Comprehensive Plan, and having no definition opens the door for problems.

Miklos Kohary, Kohary Construction and Development, Edmonds, said he owns property on Westminster Way, and he is currently in negotiations to purchase an adjacent lot, as well. However, his addendum to the purchase and sale agreement is that he would have the ability to rezone the property. He explained that the small triangle lot that fronts Westminster Way is not large enough for any kind of serious development, and he currently uses the property for storage. A large church parking lot is located to the south of his property and a fairly dilapidated duplex is located to the east. He explained that if he were to own the whole property, he would be able to design a visible and nice project of mixed residential and commercial development that would front of Westminster Way.

Mr. Kohary said City planners told him it would cost him \$12,000 to go through the process of amending the Comprehensive Plan and rezoning the property, and he would not get his money back if the rezone application were denied. He said he’s not sure he wants to take this risk without having a better understanding of the City Council’s intentions towards the property. He summarized that

applications would come forward if and when the Commission and City Council indicate they would be in support of his proposal.

Vice Chair Hall clarified that the Planning Commission would not make the final decision about whether to put **Suggested Amendment 3** on the docket. The proposal would not come back before the Commission unless the City Council makes the decision to move it forward. However, it is important to understand that when an amendment is placed on the docket, it is still just being studied and evaluated. The merits of the proposal would be considered after a formal public hearing has been conducted on an actual application. There is no guarantee that the Commission would recommend approval of Mr. Kohary's application. Mr. Kohary said he understands this process, and if the amendment is included on the docket he is ready to take the risk. However, it is important for the City to realize that this parcel is not developable as it is currently zoned.

Planning Commission Comments for the City Council

Commissioner Behrens said he supports docketing **Suggested Amendments 2, 3, and 4**. However, he would not be in support of docketing **Suggested Amendment 1**; not because he doesn't believe the issue raised by Mr. Logan is important but because it could be better addressed as a Development Code amendment. If the amendment is docketed, it should be done for the specific purpose of defining the word "compatible." However, that is not how the proposal was submitted.

Commissioner Broili said he is undecided regarding **Suggested Amendment 1**. However, he would be in favor of including a definition for "compatibility" or "compatible" since this is a fairly nebulous term that can be misconstrued or have different meanings. A definition might add more clarity to the overall Comprehensive Plan. He said he would support docketing **Suggested Amendments 2, 3 and 4**.

Commissioner Kaje said he supports moving all of the suggested amendments forward, but he does have some concerns about **Suggested Amendment 1**. While Mr. Logan's concern is valid, he cautioned that it would be very difficult to come up with a definition for compatibility. He recalled recent Commission discussions about the City's vision where they talked a great deal about neighborhood character and the need for transition between different types of uses, and these issues speak to compatibility of adjacent uses. He said he is not confident that going through an exercise to define the term would address the needs of the City or Mr. Logan. At the same time, he appreciates Mr. Logan's concern and noted the City is struggling with the issue of compatibility in a variety of different venues. He concluded that he is not confident that **Suggested Amendment 1** is the right approach for solving this problem, but he would support it going forward if only to force the discussion upon the City Council. He stated that both the Commission and the City Council has wrestled with the issue of compatibility in recent years as the City has grown, and they need to figure out how to address the issue when proposals come before them.

Vice Chair Hall referred to a comment letter the Commission received related to the vision statement. The letter suggests that while the proposed vision statement and framework goals are appropriate, the challenge will be aligning the vision in the Comprehensive Plan with the Development Code. In addition, they must ensure that day-to-day implementation of the permitting process is aligned with the

Development Code and Comprehensive Plan Policies. He suggested that the Commission and City Council would deal with the issue of compatibility frequently as they implement the vision statement and framework goals and revise the Comprehensive Plan and Development Code. While this process may be slow, he does not feel they need to amend the Comprehensive Plan at this point. He would rather strengthen the compatibility issue by updating the Comprehensive Plan and amending the Development Code.

Vice Chair Hall pointed out that the proposed framework goals include a new goal that should help address concerns such as Mr. Logan's. They retained Framework Goal 2 that talks about promoting quality building and development that is compatible with the surrounding environment. However, they recommended the word "environment" be changed to "area." In addition, the Commission is recommending Framework Goal 8, which says "respect neighborhood character and engage the community in decisions that would affect them." Hopefully, as the City goes forward, they will figure out how to do just that.

UNFINISHED BUSINESS

Follow-Up Work on Drafting a vision statement and framework goals

Mr. Cohn explained that the purpose of this discussion is for the Commission to identify the language they want to include in the final documents that would go forward to public hearing. The Commission will postpone their formal recommendation until the March 26th meeting when a quorum of Commissioners would be present.

Mr. Levitan announced that a public hearing before the City Council has been scheduled for April 13th, and staff was planning to post the final version of the vision statement and framework goals on the City's website March 27th. He reported that the deadline for public comments on the draft was March 18th. Written comments were provided to each of the Commissioners. He recalled that at their March 5th Meeting, the Commission asked staff to prepare updated options for a "vision map." He referred the Commission to the three map versions, which vary slightly in how they illustrate the commercial corridor and more intense commercial nodes along Aurora Avenue.

Mr. Levitan recalled the Commission also asked staff to review and consider the tense of the vision statement in hopes of addressing some of the City Council's confusion. The Commission suggested that additional language be added to clarify that even though the document is written in the present tense, it is talking about the future. He invited the Commissioners to provide suggestions for how to address this concern.

Lastly, Mr. Levitan recalled that the Commission agreed to add a new framework goal that addresses the issue of art, history and cultural services and resources. He referred to the draft language that was prepared by Vice Chair Hall and invited the Commissioners to share their ideas and comments.

Commissioner Kaje suggested it would also be appropriate and fairly easy to add something about the value the City places on art and heritage to the actual vision statement, perhaps near the beginning

where they list all the excellent attributes of the City in 2029. He said he would attempt to create language over the next few days and forward it to the Commissioners in advance of the March 26th Meeting. He recalled the Commission heard quite a bit of talk about arts and heritage at the various public meetings. Therefore, it would be appropriate to address the issue in both the framework goals and the vision statement.

Commissioner Kaje said he read through the vision statement again and did not find the tense of the text to be inconsistent. However, he suggested the confusion could be addressed by inserting “Shoreline in 2029 is a place where people of all ages . . .” after the first clause in the very last paragraph. Perhaps this type of language could be inserted in another location, as well. He summarized that there are a few sentences in the vision statement that could be massaged without adding any new content. He offered to prepare a recommendation for the Commission to consider at their March 26th meeting.

Vice Chair Hall said he supports keeping the vision statement in the present tense. He suggested inserting the following sentence at the very beginning: “Imagine for a moment that it is the year 2029 and you are in the City of Shoreline. This vision statement is what you will see.” Rather than sprinkling references to the year 2029 into the text, “In 2029” could be added to the headings. For example, “In 2029 Shoreline is a City of Neighborhoods.” This would remind readers that their mind set should be the year 2029. Commissioner Kaje agreed that Vice Chair Hall’s proposed change would resolve the confusion related to tense without sprinkling 2029 throughout the text. Commissioner Behrens concurred.

Mr. Cohn said Commissioner Perkowski called staff just prior to the meeting to share his thought that the current tense seems to work fine. He recommended the Commission add a heading on the top that says “Shoreline in 2029” and then refer to “2029” in a few places throughout the document. Mr. Cohn summarized that Vice Chair Hall’s recommendation would fit very well with Commissioner Perkowski’s recommendation.

Mr. Cohn said Commissioner Perkowski also suggested that language related to having a vibrant arts scene and thriving economy could be added to the 3rd Paragraph. The Commission concurred that it would be appropriate for Commissioner Perkowski to draft additional language for the 3rd paragraph for the Commission’s consideration on March 26th.

Commissioner Kaje referred to the last sentence of the second to the last paragraph of the vision statement. While he agrees with the intent, he suggested the language be changed to read something like “As the population has gotten older over time, the availability and diversity of senior services, housing choices and other amenities have kept pace with these population changes.” Vice Chair Hall agreed the sentence reads awkwardly. He suggested the following alternative language, “As the population has gotten older over time, people have benefited from the senior services, housing choices and other amenities that are available in Shoreline.” Commissioner Kaje observed that the intent of this sentence is to make it clear that as the senior population grows, the City’s priority is to keep pace with the change.

Vice Chair Hall noted that staff incorporated the comments the Commission provided at their March 5th meeting into the latest draft of the framework goals. In addition, he referred to the changes he submitted to staff after the March 5th Meeting and invited the Commissioners to provide their comments.

Commissioner Kaje referred to the language Commissioner Hall proposed for a framework goal to address art, history and culture. He suggested that while he agrees with the intent, “programs” might not be the right term to use. While some things may be programs, they are talking about encouraging arts in a variety of ways. Vice Chair Hall said his intent was to make the statement as broad as possible. Commissioner Broili suggested the following: “Encourage an emphasis on arts, culture and history throughout the community.” Commissioner Behrens reminded the Commission that Shoreline’s History and Cultural Museum has identified a handful of historic sites throughout the City. He suggested the language identify the importance of these sites and the need to create more. Vice Chair Hall noted that the Shoreline Historical Museum is specifically mentioned in the vision statement, but naming specific sites as part of the framework goal would probably not be appropriate at this point. The Commission directed staff to incorporate the language recommended by Commissioner Broili.

Commissioner Kaje recalled that the Commission discussed the option of talking about the environment and natural resources in one goal and the role of environmentally friendly, progressive and innovative development in another. He said he is not convinced it is appropriate to lump both concepts together into one statement. Commissioner Broili said the current language does not make it clear that the City would welcome and pursue innovative approaches. Vice Chair Hall observed that the intent of the proposed language was not only to protect the environment through development, but also encourage restoration of the environment through development. However, he agreed it does not call out the built environment as a separate goal. Commissioner Broili pointed out that City is, by nature, a built environment. He suggested the issue is much more comprehensive than buildings and streets; it involves a more systemic approach to urban development by embracing the bigger picture. The Commission agreed to discuss this issue again at their March 26th meeting.

Vice Chair Hall referred to the introductory paragraph of the framework goals and noted that he added an introductory sentence based on the Commission’s previous discussion. He also noted the last sentence, which makes it clear that the framework goals are not listed in order of priority. Commissioner Broili questioned if it is necessary to number the framework goals since this implies some prioritization. The goals must be considered as a whole way of looking at how the City is developed and what it will look like in 20 years. The Commission agreed to move the last sentence to the beginning of the opening statement.

Commissioner Hall noted that Framework Goals 3 and 15 were combined to read, “Provide a variety of gathering places and recreational opportunities for all ages. . .” Commissioner Kaje expressed concern about striking out Framework Goal 15 and combining it with Framework Goal 3 because gathering places are distinctively different than recreational opportunities. He suggested it would also be appropriate to provide more definition to describe what is meant by a “gathering place.” Commissioner Broili agreed. He suggested the framework goal be changed to make it clear that the purpose of a “gathering place” is to build community and connect people. Commissioner Kaje suggested that Framework Goal 15 stand on its own, but be rewritten to describe the purpose of gathering places.

Vice Chair Hall observed that whenever one of the framework goals is considered in isolation of the others, the concept of a holistic approach is lost. He encouraged the Commission to keep the framework goals short and succinct. He pointed out that the intent of “gathering places” is described in two different places in the vision statement. Commissioner Behrens suggested they change Framework Goal 15 to read, “Provide a variety of places where the community can interact.” This better describes the purpose of the goal.

Vice Chair Hall summarized that the Commission has agreed with most of the language in the vision statement and the framework goals. However, they still need to work on the last sentence of the second to the last paragraph of the vision statement and Framework Goal 15. He suggested staff incorporate all the changes they have agreed on and highlight the language that is still in question. The Commission could resolve the remaining issues at their next meeting on March 26th.

Commissioner Behrens reminded the Commission that the City Council would hold a separate public hearing on the draft vision statement and framework goals. He suggested it would be appropriate to forward the Commission’s comments regarding unresolved issues to the City Council and ask them to provide their suggestions.

Commissioner Kaje said he struggles with putting maps that look like they were done with 1990 software into a 2029 vision statement. He observed that the maps could communicate more information without being busy and complicated. Mr. Cohn said the maps were intended to identify the various neighborhoods and their commercial areas. In addition, the maps identify the transportation corridors (railroad, Highway 99, Interstate 5, Sound Transit, and Interurban Trail). The Version 3 map was an attempt to respond to Commissioner Piro’s recommendation that development along Aurora Avenue North be differentiated. Vice Chair Hall expressed a preference for Version 1 of the maps because it is more generic. He agreed with Commissioner Kaje that the appearance of the maps could be improved. He observed that the City does not have adequate policy basis or subarea planning in place yet to differentiate without running the risk of inadvertently tying the City’s hands in the future.

Vice Chair Hall left the meeting at 8:30 p.m.

Commissioner Kaje recalled that when the Commission and City Council met together to review vision statements from various places, they were very attracted to the sketches provided by the City of Corvallis to illustrate what neighborhoods, neighborhood centers and commercial centers might look like. He suggested that including similar sketches in the City’s vision statement would support the notion of trying to convey what they think the City should look like in the future. He said that if the maps are intended to support the vision, they should keep in mind that the vision is about principles, ideas, goals, etc. At this time, they don’t know where the boundaries of the various areas will be in the future. He summarized that maps draw attention away from the principles and vision and make people focus on where their properties are located on the map. He recommended they eliminate the maps and provide artist renderings to illustrate ideas and concepts.

Mr. Cohn said it was staff’s intent to provide sketches in the vision statement, and Mr. Levitan has already selected some pictures that could be presented at the Commission’s next meeting. He cautioned

that while staff could provide examples of illustrations that could be incorporated into the document, they won't have any final renderings. Commissioner Kaje said he does not think the sketches need to be finished before the language can be approved. He suggested they finish the vision language and then invite local artists to submit sketches that describe the concepts. He summarized that while the sketches will be important and valuable, they don't need to be part of the package that gets adopted.

Commissioner Broili said he believes that graphic illustrations are powerful tools that have been used successfully in other locations. He referred to a traffic corridor project in the southeast that took many years to get approved. He observed that they were not able to gain significant community support until they provided graphics to illustrate the concepts. He liked Commissioner Kaje's idea of casting out into the community to find artists who can contribute. He asked staff to visit the website, livingbuildingchallenge.com, where they will see some cutting edge zero footprint buildings that are being proposed not only in the United States, but globally. The buildings are self sustaining, and that is where the future is. Graphics that illustrate this concept will help drive home the point of the vision. He announced that the Cascade Building Council's Living Building Challenge is happening right in Seattle, and the Northwest is one of the leaders. There are a number of examples of buildings that have already been proposed and some that are even under construction.

Commissioner Behrens said he is also intrigued by Commissioner Kaje's suggestion to use local artists. He suggested that anyone who has the potential of having a graphic piece put into a public document that has a life span of up to 10 years is good advertisement, and they would probably receive a good response from artists within the community. He agreed that artist renderings can be powerful tools to describe the intent of the vision statement. He recalled that when the Commission, City Council and community members reviewed vision statements from other jurisdictions, everyone was struck by Corvallis' presentation because it provided numerous graphic illustrations.

Commissioner Kaje observed that there is a big difference between an artistic representation of a future vision of a part of town and a graphic illustration. The maps draw attention to things being more specific and intentional than the Commission intends, and this could draw away from the purpose of the vision. He suggested the Commission revisit this issue again next week. Based on the comments the Commissioners have provided on the vision statement and the framework goals, the Commission should be able to finish up next week. He suggested they circulate their additional comments via email prior to the next meeting.

Mr. Levitan agreed to send the absent Commissioners a summary of the meeting discussion as soon as possible. Staff could update the vision statement and framework goal language based on the Commission's recommendations. The updated language could be forwarded to each Commissioner via email, and the Commissioners would have an opportunity to respond and recommend changes.

DIRECTOR'S REPORT

Mr. Cohn advised that at the next City Council Meeting, Mr. Tovar would make a presentation regarding Regional Business (RB) Zones. He would recommend the moratorium be extended for six more months to give the Commission time to work on permanent regulations. He would also

recommend calling out a special demonstration district for Midvale Avenue between 175th and 185th Streets to encourage redevelopment during the moratorium period. The old RB rules would be applied in the demonstration district, which calculate unit count based on bulk and height. However, the following conditions would apply:

- Height would be limited 50 feet for properties within 200 feet of single-family zones.
- Development must meet Level 3 Built Green Standards.
- Plug ins for electrical cars must be provided.

Commissioner Broili asked why a developer would only have to meet the Level 3 Built Green Standards in order to build to the greater density. He said he would support the greater density if the developer were required to meet Level 5 Built Green Standards. He summarized that he is not opposed to high density, but he is opposed to the way they currently develop high density. Mr. Cohn said he would research this question more and provide an answer at a later date.

Commissioner Behrens asked if the unit count within the special demonstration district would exceed 110 units per acre. Mr. Cohn answered affirmatively. He said staff would expect to see development proposals for between 140 and 160 units per acre. Commissioner Behrens pointed out that this particular corridor holds a large portion of the City's existing low-cost housing. If they are going to look at allowing people to build at a greater density, the City needs to consider opportunities to require a substantial number of units of low-cost housing. They should not give tax breaks for building one-bedroom apartments; they need to be family-oriented units. In addition, developments must be compatible with, and hopefully expand, the open space that currently exists. He would like to see a project that provides a lot of open space in front of the building and adjacent to the Interurban Trail. He observed that adding a large number of residential units in an area that is already heavily congested would also require a very thorough traffic plan.

Mr. Cohn explained that the special demonstration district would be part of the six-month moratorium extension. The proposal would be presented to the City Council on March 23rd. Commissioner Kaje asked if the City Council would have the ability to consider the moratorium and the special demonstration district as separate issues or would they have to remain bundled together. Mr. Cohn said they could be considered separately.

NEW BUSINESS

There was no new business scheduled on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

None of the Commissioners provided reports during this portion of the meeting.

AGENDA FOR NEXT MEETING

Ms. Simulcik Smith referred the Commissioners to the packet that was prepared for the March 26th meeting, which would include a study session on the Point Wells Comprehensive Plan Amendment. Mr. Cohn said the agenda also includes a discussion regarding the process for setting growth targets. He explained that while the countywide group has not come up with any numbers, staff would tell the Commission about the different allocation models the countywide group is considering. He noted that the agenda would be revised to add a discussion regarding the vision statement and framework goals at the end of the meeting.

Commissioner Kaje pointed out that the Commission would conduct elections for new officers on April 2nd. Ms. Simulcik Smith advised that elections would be scheduled as the first item under “New Business.” Commissioner Kaje said he may not be able to attend the April 2nd Meeting, and he asked if staff could estimate the time at which the elections would occur so he could come for just that portion of the meeting. He also asked if he would be able to enter his thoughts on the matter in absentia. Ms. Simulcik Smith explained that nominations are made live at the meeting, so it would be difficult to get his vote ahead of time. However, an estimated time for the elections would be identified on the agenda. Commissioner Kaje asked if it would be appropriate for him to show up just in time to participate in the election. Mr. Cohn answered affirmatively.

Commissioner Kaje noted that since the website has been reworked, it no longer provides the audio recording from the Commission meetings. Ms. Simulcik Smith clarified that the audio recording of the Commission meetings has never been available via the City’s website. Commissioner Kaje said he would like to have access to the audio from the March 5th Meeting. Ms. Simulcik Smith agreed to provide the audio.

Commissioner Behrens referred to the minutes of March 5th and recalled there were a number of times throughout the proceedings where people referred to the concept of cross-through traffic. He requested traffic statistics to identify how much of the traffic on Shoreline’s arterial and collector streets is actually cross-through traffic and how much is generated by residents of the City. He said he is not sure there are accurate statistics to support the assumption that the majority of the traffic is just crossing through Shoreline to reach another location. Mr. Cohn said that he would ask about the possibility of obtaining statistics, but he cautioned that origin and destination studies are difficult to gather.

Ms. Simulcik Smith announced that the Volunteer Breakfast is scheduled for Friday, April 17th. Commissioners should receive their formal invitations within the next few days.

ADJOURNMENT

The meeting was adjourned at 8:50 P.M.

Will Hall
Vice Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission



Memorandum

DATE: March 26, 2009

TO: Shoreline Planning Commission

FROM: Joseph W. Tovar, FAICP, Director PDS
Steven Szafran, AICP, Associate Planner

RE: High School Building Height Development Code Amendment

At your next meeting, the Commission will hold a study session on modifying the Development Code to increase the allowable building height for high schools constructed in Shoreline. A public hearing on the proposal is scheduled for April 16, 2009.

BACKGROUND:

The Shoreline School District is in the preliminary phase of site and building design for the renovation of Shorecrest High School and the complete rebuilding of Shorewood High School. Shorecrest High is in an R-6 zone (See Attachment 1), while Shorewood High's zoning is split between R-6 in the west and "I" and R-12 on its eastern portion. See Attachment 2. A high school in the R-6 and R-12 zones is a conditional use, while in the I zone it is a permitted use.

The Shoreline School District has begun its process of public outreach and preliminary design work for the two public high schools in Shoreline, Shorecrest, located at 15343 25th Ave. N.E., and Shorewood, located at 17300 Fremont Avenue N. After development of conceptual design elements, the next step will be schematic design development, prior to a bond issue anticipated in winter 2010. The bond issue approved in 2006 included funds for the design of both high schools.

In preliminary meetings with School District staff and project architects, City staff reviewed the existing zoning and permitting processes involved, which in both cases would be a Conditional Use Permit, an administrative review process. We also discussed the City's Environmental Sustainability Strategy and major capital projects in the vicinity, including mile two of the Aurora project, which will be just east of the Shorewood site. During those discussions, it became clear that the School District would like to build up to three story structures (similar to the

Agenda Item 7.a

existing Shoreline Historical Museum in height, but not necessarily in other ways). However, the existing R-6 zoning for Shorecrest, and most of Shorewood, would not allow that height (35 foot maximum). In addition, the customary height for a high school gymnasium ceiling or theater flyspace would need to be higher still.

In order to give the School District the flexibility to build high school buildings with a smaller footprint, the staff proposes that we amend the height provisions of the R6 and I zones. We recommend that the allowed height for high school buildings in these zones be 50 feet, while the maximum height for gymnasium will be set at 55 feet and theater flyspaces set at 70 feet.

Staff believes that a 50 foot height for an institutional structure is appropriate, for example, the new (four story) City Hall presently under construction is 52 feet tall. The amount of building mass that would be above that height (i.e., up to 70 feet) is limited by the proposed code stipulation that it not be habitable area (i.e., used for offices or classrooms). Further, the conditional use permit provides authority to direct that these taller elements be limited in extent and located further away from single family areas.

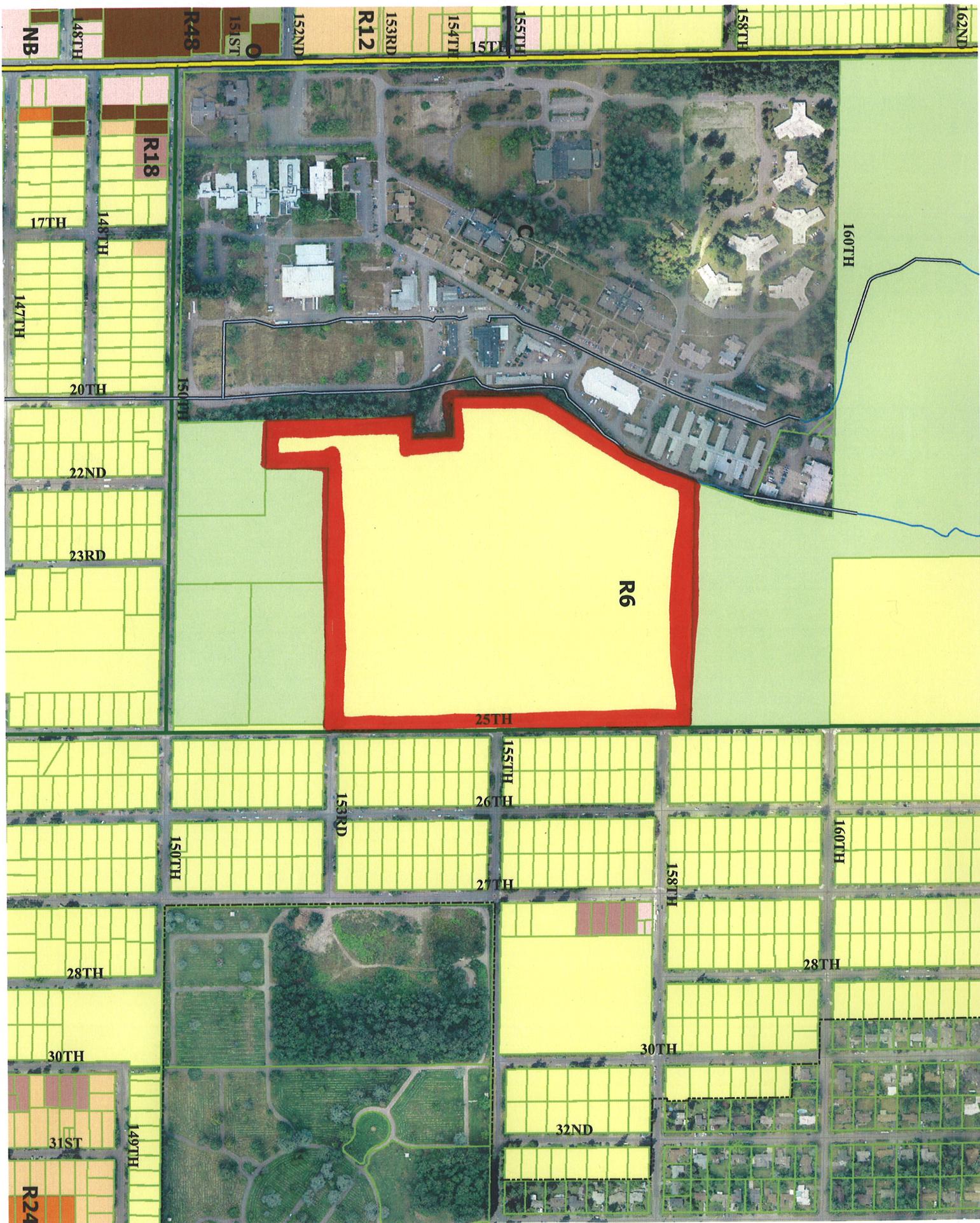
This proposal would apply to all high schools in Shoreline, both public and private. In addition to Shorewood and Shorecrest, there are two other high schools: King's (on the Crista campus) and Shoreline Christian School (K-12, located in Briercrest)

If you have questions prior to the meeting, please contact Steve Szafran at 206-801-2512 or email him at sszafran@shorelinewa.gov.

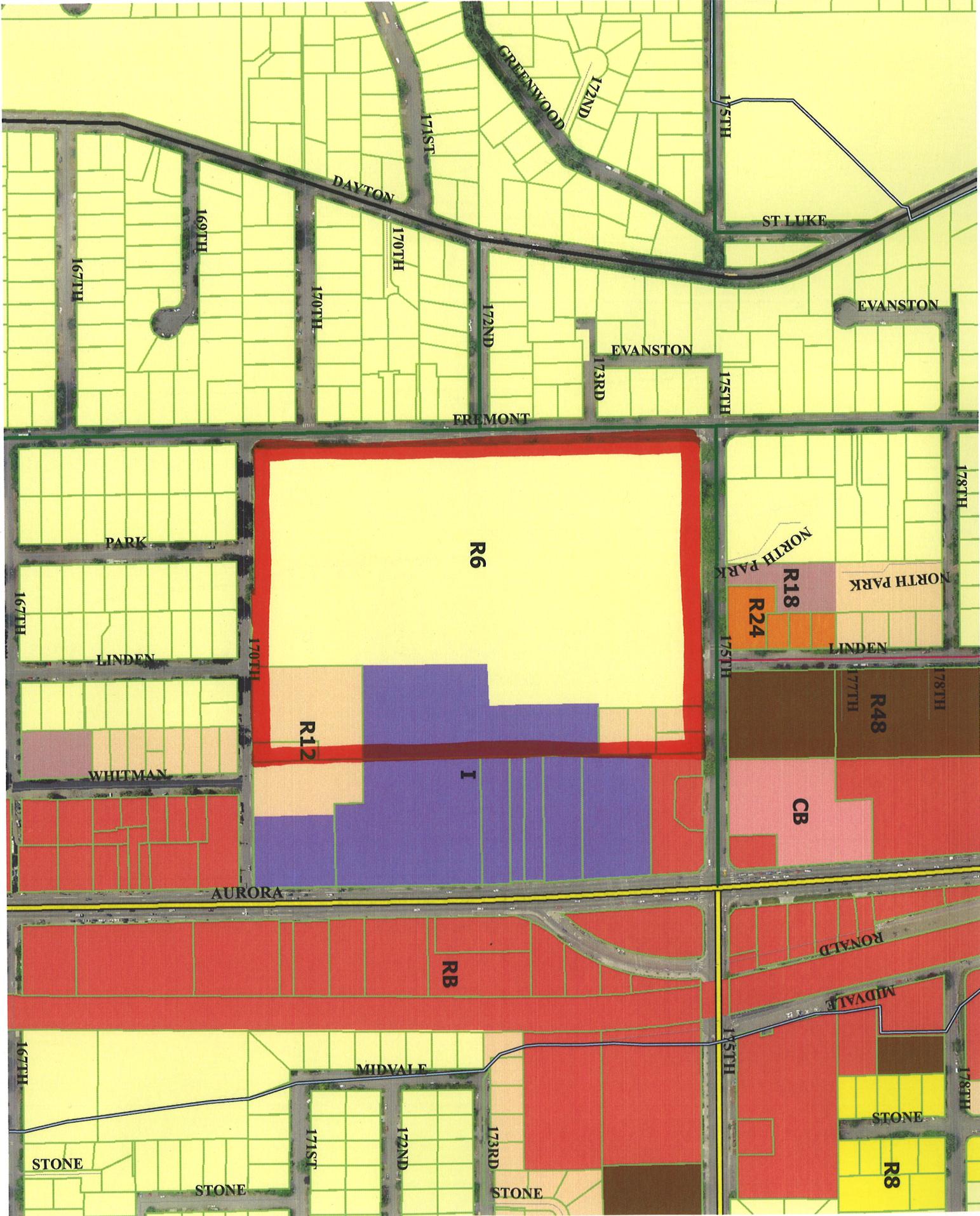
Attachments

Zoning Maps

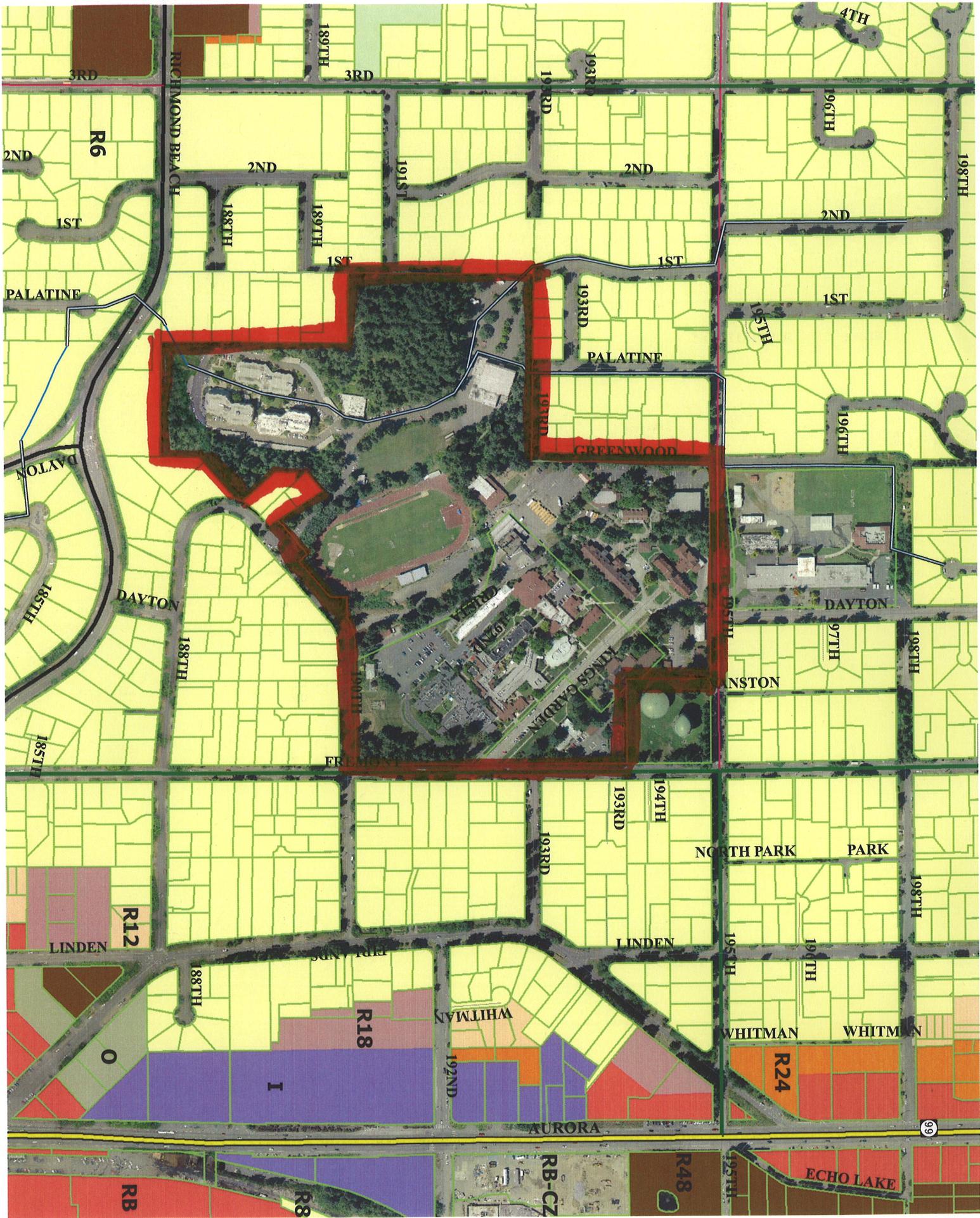
1. Shorecrest High School and vicinity
2. Shorewood High School and vicinity
3. King's High School and vicinity
4. Shoreline Christian School and vicinity



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Memorandum

DATE: April 2, 2009

TO: Shoreline Planning Commission

FROM: Jessica Simulcik Smith, Planning Commission Clerk

RE: 2009 Officer Elections

The Planning Commission Bylaws state that, “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.” In accordance with the Bylaws, the election of Chair and Vice Chair will be held Thursday, April 2.

A Commissioner may serve as Chair no more than two consecutive years, and the same is true for Vice Chair. Both Chair Kuboi and Vice Chair Hall are eligible for another term in their current positions.

Excerpts from Article II and III of the Planning Commission Bylaws, explaining the duties of officers and the election procedure, are attached. If you have any questions please contact Jessica by phone (206) 801-2514 or email jsmith@shorelinewa.gov.

Attachments

1. Planning Commission Bylaws excerpt

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ARTICLE II - OFFICERS AND DUTIES

SECTION 2: OFFICERS

Officers shall be a Chair and a Vice-Chair; both elected members of 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 shall call special meetings when necessary. The Chair shall be a full voting member of the Commission. The Chair shall sign minutes and official papers, appoint all committees and their respective Chairs, and 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.

ARTICLE III - 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.

Item 11.a - Attachment 1

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 (five 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.