

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

April 4, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### **Commissioners Present**

Chair Moss  
Commissioner Craft  
Commissioner Maul  
Commissioner Scully  
Commissioner Wagner

### **Staff Present**

Steve Szafran, Senior Planner, Planning and Community Development  
Kim Lehmborg, Associate Planner, Planning and Community Development  
Ray Allshouse, Building Official  
Jessica Simulcik Smith, Planning Commission Clerk

### **Commissioners Absent**

Commissioner Montero  
Vice Chair Esselman

### **CALL TO ORDER**

Chair Moss 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: Chair Moss and Commissioners Craft, Maul, Scully and Wagner. Commissioner Montero and Vice Chair Esselman were absent.

### **APPROVAL OF AGENDA**

The agenda was accepted as presented.

### **APPROVAL OF MINUTES**

The Minutes of March 7, 2013 were approved as submitted.

### **GENERAL PUBLIC COMMENT**

There was no one in the audience.

## **PUBLIC HEARING: REGIONAL GREEN DEVELOPMENT CODE AMENDMENTS**

Chair Moss referred the Commission to the rules and procedures for public hearings and then she opened the public hearing.

### **Staff Presentation**

Ms. Lehmborg explained that the proposed green development code amendments are part of a regional effort, with several jurisdictions participating. The intent is to make green building techniques easier for developers to implement by having similar requirements in all the participating jurisdictions. She reviewed the decision criteria (SMC 20.30.350), which must be considered when reviewing development code amendments:

- The amendment is in accordance with the Comprehensive Plan; and
- The amendment will not adversely affect the public health, safety or general welfare; and
- The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Ms. Lehmborg reviewed the proposed code concepts and development code amendments as follows:

#### **1. Concept: Energy Savings.**

**Amendment:** The amendment would allow setback flexibility for rigid exterior insulation on additions. The intent is to encourage energy efficiency for existing structures without reducing floor area. The amendment would apply particularly to small houses. Instead of tear down or rebuild, it can be more efficient to add insulation on the outside without reducing the floor area.

Ms. Lehmborg provided an example to illustrate how insulation could be applied to the exterior of a building.

#### **2. Concept: Water Savings**

**Amendment:** The amendment would allow setback flexibility for rainwater catchment systems, including rain barrels and cisterns. The intent is to encourage rainwater use for flushing, laundry or irrigation.

Ms. Lehmborg provided examples to illustrate how rainwater catchment systems could be implemented.

#### **3. Concept: Reduce Light Pollution and Light Trespass.**

**Amendment:** The amendment changes the regulations relating to light fixtures. The intent is to reduce glare, promote safety, and preserve the aesthetic quality of the night sky.

Ms. Lehmberg pointed out that bad lighting can disturb the aesthetic appearance of the community, cause dangerous glare, irritate neighbors and wildlife, and deprive people of the beauty of the night sky. She provided examples of both acceptable and unacceptable types of lighting fixtures, noting that the proposed amendment would prohibit the unacceptable types. Unacceptable types are those that do not shield the lamp in the fixture or the light shines upward or outward. Acceptable types are fully shielded, they shine down, and the fixtures are not visible. She provided an example of a full cutoff fixture, showing that the light is not visible beyond 90 degrees.

#### **4. Concept: Reduce Greenhouse Gas Emissions.**

**Amendment:** The amendment would require installation of conduit for electric vehicles in multifamily developments. The intent is to promote the use of electric vehicles.

Ms. Lehmberg said that because the current definition for “multifamily” is broad, staff is proposing that the amendment would only apply to multifamily developments that do not provide individual garages. Townhouse style development is considered multifamily, but garages (with electrical outlets) are generally provided. The conduit would be required for multifamily projects that do not provide garages. The provision would be enforced by ensuring that the appropriate electrical permit is finalized prior to issuing the Certificate of Occupancy. She provided a summary of Article 625 in the National Electrical Code, which was cited in the proposed amendment. The City assumes the electrical provider will be familiar with this code language.

**Amendment:** This amendment would require short and long-term bicycle parking facilities in commercial and multifamily developments. The intent is to promote the use of bicycle transportation.

Ms. Lehmberg provided examples of long-term bicycle parking.

Mr. Lehmberg reviewed the public process that has taken place to date, mostly via the City of Seattle and King County. The City did advertise on the City’s website with a notice of public hearing. They did not receive any comments on either the State Environmental Policy Act (SEPA) Determination or the proposed amendments. She advised that the amendments and the Commission’s recommendation are scheduled to go before the City Council for review on April 29<sup>th</sup>, with final adoption on May 20<sup>th</sup>. She added that related Building Code amendments are set for adoption on July 1<sup>st</sup>.

#### **Questions by the Commission**

Chair Moss asked if the Commission’s recommendation will include the proposed amendments to the Building Code. Ms. Lehmberg answered that the Building Code amendments would be handled through a separate process. The amendments currently before the Commission pertain only to the Development Code.

Commissioner Scully asked if the term “floodlighting” is defined in the Code, or if it is a commonly-known term. Ms. Lehmberg said it is not defined in the code. While the amendment language may be redundant, the intent is that fixtures must be pointed down rather than out or up. Commissioner Scully

pointed out that it is possible to purchase floodlighting that shines up and out rather than down. Ms. Lehmberg agreed that some floodlight fixtures swivel so they can shine out, but the code would require them to shine down. Commissioner Scully expressed concern that the updated language may have been narrowed beyond staff's intent so it would no longer be acceptable to have any type of fixture other than floodlighting. Using the term floodlighting also implies that only a particular type of light (floodlight) must be pointed down. Ms. Lehmberg pointed out that the language in SMC 20.50.115(A) makes it clear that the standard would apply to any light fixture.

Chair Moss recalled what one element of a "block watch" program is people providing lights on the outside of their homes to illuminate and provide a sense of visibility. She noted that many homes in Shoreline have colonial or similar types of light fixtures, which would not be consistent with the proposed new standard. Ms. Lehmberg said staff reviews the electrical plans submitted with building permit applications and requires that all exterior lighting must be shielded and down lit. She acknowledged that the existing lighting on many homes would be noncompliant. She said she does not anticipate complaints unless the situation is bad enough. In these cases, issues could be handled via the City's code enforcement process. She emphasized that the City would not require all existing homes to change their light fixtures.

Chair Moss asked if motion-activated floodlights would also be prohibited if they are not in strict conformance with the standard. Ms. Lehmberg said this type of lighting could fall under the exemption for "emergency lighting." However, the code would prohibit sensitive motion sensor lights that turn on frequently and stay on for long periods of time.

Commissioner Maul asked if the proposed new lighting standards would apply to street lights, as well. Ms. Lehmberg answered no. Chair Moss noted that the illustration provided by staff includes unshielded street lighting in the category of lights that are unacceptable. Mr. Szafran pointed out that, typically, the development code applies to private property, only. There are different standards for public rights-of-way in the municipal code. Ms. Lehmberg suggested that, for clarity, the language could include a provision that exempts right-of-way lighting from the standard.

Commissioner Wagner suggested that when presenting amendments for multiple sections of the code, it would be helpful for staff to provide headings so it is clear exactly what types of development the proposed amendment would apply to. For example, SMC 20.50.115 applies to single-family development, and SMC 20.50.205 applies to multifamily development, but it is unclear what type of development SMC 20.50.240(H) would apply to. Ms. Lehmberg explained that SMC 20.50.240 would be added to the new Commercial Design Standards that were just adopted.

Commissioner Wagner asked what would be included as "electrical vehicle infrastructure." Ms. Lehmberg answered that it would include the pipe, conduit, wiring, and any ventilation required. However, it would not include the actual plug-in connector and station. Commissioner Craft observed that the details in SMC 20.20.018(E) are slightly more involved than just laying conduit for future wiring. As currently written, a developer would be required to provide all of the wiring for the station, as well. He expressed concern that this additional requirement would result in significantly greater costs than just laying down conduit. Commissioner Wagner asked staff for information about what the cost

delta would be. Ms. Lehmberg answered that staff does not have the cost data. She said the Commission could recommend that just conduit, and not the actual wiring, should be required.

Commissioner Craft summarized that rather than simply creating the infrastructure for an electric vehicle charging station to be installed in the future, the proposed language would require a developer to essentially pay for and install everything but the actual charging station. Again, he pointed out that this would result in significantly higher costs than those associated with simply installing conduit.

Chair Moss pointed out that research is being done to find alternative energy sources other than fossil fuels. She questioned if the language should focus strictly on electric vehicle charging stations or if it should look at other alternative energy sources. Commissioner Scully said he does not foresee plug-in electric cars becoming the wave of the future. There are so many other alternatives. Rather than saddling developers with extra costs that may or may not result in a benefit, he suggested that the language only require conduit and not the actual wiring. Mr. Allshouse pointed out that some types of batteries require a certain level of ventilation, and the goal is to avoid inordinate costs to retrofit the spaces at some point in the future. He suggested that a good compromise would be to not require installation of the wiring, but require a panel that is large enough to accommodate an electric vehicle charging station without having to replace the panel. He observed that Mountlake Terrace has been very aggressive in requiring infrastructure for electric vehicle charging stations, and their major concern is that it be relatively easy and inexpensive to install the stations. He said he is involved with the State of Washington's Electric Vehicle Task Force. He advised that there is a major push in this direction, and statistics indicate that the demand for electric vehicles is climbing rapidly.

Commissioner Craft asked Mr. Allshouse to further describe Mountlake Terrace's approach to addressing electric vehicle charging stations. Mr. Allshouse said Mountlake Terrace actually requires that this capability be installed in all new single-family homes, as well as all new multifamily development. While they do not require the actual wiring, they do require conduit and a panel of sufficient size to accommodate the use. While this results in an incremental cost increase at the time of construction, the cost is much less than replacing a panel that is insufficient in size in order to install a station.

### **Public Testimony**

There was no one in the audience.

### **Final Questions and Deliberations**

There were no final questions and deliberations.

### **Vote to Recommend Approval or Denial or Modification**

**COMMISSIONER WAGNER MOVED THAT THE COMMISSION RECOMMEND THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS AS DRAFTED BY STAFF. COMMISSIONER CRAFT SECONDED THE MOTION.**

Commissioner Wagner said the amendments are logical and will help protect the health, safety and welfare of both the public and the natural environment. They will move the City towards better environmental protection, which is an important community goal. She said she supports all of the amendments in principle, but she would like to have the opportunity to go through the amendments page-by-page and comment in finer detail.

Commissioner Craft agreed that the amendments are an important step for the City of Shoreline. He agreed it would be appropriate to go through the amendments page-by-page to gain a clearer understanding of exactly what is being proposed.

Commissioner Wagner said she supports the proposed definition for “electric vehicle infrastructure” in SMC 20.20.018(E) as proposed by staff. The definition represents a positive step in moving away from fossil fuels. However, she may reconsider her position if information is available that indicates implementation of the amendment would be extremely cost prohibitive.

**CHAIR MOSS MOVED TO AMEND THE MAIN MOTION TO CHANGE THE TERM “ELECTRIC VEHICLE PARKING SPACE” IN SMC 20.20.018(E) TO “ALTERNATIVE ENERGY PARKING SPACE,” AND THAT THE DEFINITION BE AMENDED TO INCLUDE HYBRID, ELECTRIC AND OTHER VEHICLES THAT ARE NOT PRIMARILY DEPENDENT UPON FOSSIL FUELS. COMMISSIONER SCULLY SECONDED THE MOTION FOR DISCUSSION PURPOSES.**

Chair Moss acknowledged that there is a growing trend towards electric vehicles, as well as hybrid cars that are more energy efficient and charge without electricity. She said she has also heard futuristic suggestions of cars that run on non-fossil fuels such as hydrogen and compressed natural gas. It’s great to award people who are looking at alternatives rather than limiting it to just “electric vehicles.” Commissioner Maul said that while this is a good idea, it might be hard to define these other alternative energy sources.

Commissioner Scully suggested that the intent of this section is less about encouraging electric vehicle purchases and more about how to make electric vehicle use possible. He has heard frustrating comments from electric vehicle users about combining electric vehicle and hybrid parking spaces. When the two uses are combined and the spaces are taken up by hybrid vehicles, there is no place for electric vehicles to charge. The electric vehicle spaces are necessary and should be designated specifically for that use. He acknowledged that designating other spaces for alternative vehicles is an interesting, broader conversation. However, to meet the intent of the amendment, they should leave it as electric.

Chair Moss referred to Table 20.50.390(A), which mandates that 10% of required spaces in multifamily and residential portions of mixed-use development where no individual garages are provided must be equipped with electrical vehicle infrastructure. She asked the Commission to comment on whether or not the percentage is sufficient. Commissioner Scully emphasized that the amendment would not require dedication of the spaces; it would just require the infrastructure. A decision can be made in the future as to whether or not the spaces must be dedicated or if the definition should be broadened.

Commissioner Craft agreed that designating parking for vehicles that use other alternative energies would be a good subject for a future discussion. However, it is important to keep in mind that electric vehicle parking stations are intended to primarily service the types of vehicles that must plug in.

**THE MOTION TO AMEND THE MAIN MOTION FAILED BY A VOTE OF 5-0**

Commissioner Craft said that while he agrees with the spirit and intent of the definition for “Electrical Vehicle Infrastructure,” he is concerned about the associated costs. However, rather than changing the definition now, perhaps this could be the subject of a later discussion with staff. He said it is difficult to make an assessment of the proposed language without knowing what the cost delta would be.

Ms. Lehmborg said that, at the request of Director Markle, language was added to SMC 20.50.040(I)(1)(e)(2) to clarify the provisions for rain barrels and cisterns that are located in front yards. As proposed, the language would require that cisterns and barrels that are located in the front yard must be compatible with the architectural style of the building which it serves, or otherwise adequately screened by fencing and/or landscaping, as determined by the Director.

Ms. Lehmborg pointed out that Item 1 in the “Exemptions” section of SMC 20.50.115 should read, “Lighting required for emergency response by police, fire . . .”

**CHAIR WAGNER MOVED THAT THE MAIN MOTION BE AMENDED BY CHANGING ITEM 1 UNDER THE “EXEMPTIONS” SECTION OF SMC 20.50.115 TO READ, “LIGHTING REQUIRED FOR EMERGENCY RESPONSE BY POLICE, FIRE OR MEDICAL PERSONNEL (VEHICLE LIGHTS AND ACCIDENT/CRIME SCENE LIGHTING).” COMMISSIONER MAUL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**COMMISSIONER CRAFT MOVED THAT THE MAIN MOTION BE AMENDED TO INCLUDE THE LANGUAGE IN THE PREVIOUS AMENDMENT WHERE APPROPRIATE THROUGHOUT THE DOCUMENT. COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

Chair Moss questioned how the standard in SMC 20.50.205(A) would be applied. She pointed out that almost all outdoor lighting in single-family residential areas would be visible from adjacent residential properties. Ms. Lehmborg explained that the standard refers to the actual bulb, and not the light fixture. If the bulb is shielded, it would still project light, but the bulb would not be visible. The bulb is what causes the glare. Chair Moss noted that a frosted covering around a bulb would impair the glare and would be considered acceptable. Commissioner Wagner suggested it would be helpful to include the picture provided in the Staff Report to clarify the language in SMC 20.50.205.

Commissioner Maul said that, as per the pictures provided in the staff’s presentation, a frosted covering would not meet the proposed standard. The bulb must be covered by an opaque material that shields it. Ms. Lehmborg said the standard would be met if the actual bulb is not visible.

The Commission accepted the language in SMC 20.50.205(A) as written and agreed that it may need to be amended at a later time to provide additional clarity. They also agreed that including an illustration would be appropriate.

**COMMISSIONER WAGNER MOVED THAT THE MAIN MOTION BE AMENDED BY INCORPORATING THE ILLUSTRATION PROVIDED IN THE STAFF'S PRESENTATION TITLED, "LIGHT POLLUTION PREVENTION EXAMPLES OF FIXTURES" INTO SMC 20.50.115, 20.50.205, AND 20.50.240. SHE FURTHER MOVED THAT THE TITLE OF THE ILLUSTRATION BE CHANGED TO BE CONSISTENT WITH THE LANGUAGE USED THROUGHOUT THE SMC. COMMISSIONER CRAFT SECONDED THE MOTION.**

Commissioner Wagner asked if the proposed amendments related to lighting would be applied equally to all commercial and residential zones. She reminded the Commission that the intent is to protect from light trespass in residential neighborhoods, but also light pollution into the sky. Lighting in commercial zones could also have an impact if lights are pointed upward. Ms. Lehmborg noted that lighting for signs would be exempt from the standard (See Exemption 3), but parking lot lighting would not. Commercial developments must down light and shield lights from residential properties.

**THE MOTION CARRIED UNANIMOUSLY.**

Commissioner Craft referred to SMC 20.50.240(H)(3)(c) and asked if LED lighting would be considered high-intensity. Ms. Lehmborg said "high-intensity lighting" refers to lights that are intended to project a long way, such as advertising search lights. LED lights are high intensity in that they are very efficient and come on bright and fast, but they would not be prohibited by this provision as long as they are down lit and shielded.

Commissioner Maul asked if a developer would be exempt from the minimum spaces required as per Table 20.50.390(A) if some garages were provided, but not a garage for every unit. Ms. Lehmborg said the intent is that spaces would still have to be provided for the units that do not have garages.

**COMMISSIONER MAUL MOVED THAT THE MAIN MOTION BE AMENDED BY CHANGING THE REQUIREMENT FOR APARTMENTS IN TABLE 20.50.390(A) TO READ, "TEN PERCENT OF REQUIRED SPACES IN MULTIFAMILY AND RESIDENTIAL PORTIONS OF MIXED-USE DEVELOPMENTS MUST BE EQUIPPED WITH ELECTRIC VEHICLE INFRASTRUCTURE FOR UNITS WHERE AN INDIVIDUAL GARAGE IS NOT PROVIDED." COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

Commissioner Wagner asked if the short-term and long-term requirements for bicycle parking (SMC 20.50.440) could overlap. Ms. Lehmborg answered that they are intended to be additive rather than overlapping.

Commissioner Maul pointed out that Exception 20.50.440(A)(2) would allow the Director to require additional electrical vehicle parking spaces at playfields, marinas, etc. He questioned how the Director would determine the quantity of spaces. Ms. Lehmborg noted that this language is part of the existing

code, and the Transportation Planner suggested that “office,” “campus zoned properties” and “transit facilities” be added in anticipation of the future light rail stations and the possible expansion of Shoreline Community College. The Director would make a determination on a case-by-case basis.

**THE COMMISSION UNANIMOUSLY APPROVED THE MAIN MOTION TO ADOPT THE PROPOSED REGIONAL GREEN BUILDING CODE AMENDMENTS AS PRESENTED BY STAFF AND SUBSEQUENTLY AMENDED BY THE COMMISSION.**

### **Closure of Public Hearing**

Chair Moss closed the public hearing.

### **DIRECTOR’S REPORT**

Mr. Allshouse did not provide a Director’s Report.

### **UNFINISHED BUSINESS**

#### **Annual Report to the City Council**

Chair Moss referred the latest version of the Commission’s report to the City Council. She invited the Commissioners to share their comments and suggestions. She noted that she was not quite sure when Commissioner Craft was sworn in as a Commissioner, and Ms. Simulcik Smith agreed to check the minutes for clarification. She also noted that Mr. Eernisse’s name was misspelled. Some grammatical corrections are also needed.

Commissioner Craft explained that he recommended deleting the issue of “minimum densities” from the list of potential study items. He pointed out that the issue can be addressed via staff research and an answer from the City Attorney, and it is not something that needs to be studied further. Including it in the report as a potential study item gives the impression that the Commission does not entirely understand the scope of the issue. Chair Moss pointed out that there are large lots in the City, as well as large areas of land that are under single ownership, and the City should give some thought about requiring a minimum density to address these situations. The Commission agreed that rather than a full paragraph in the report, the item could be added to the enumerated parking lot list.

The Commissioners agreed that, aside from the small change identified, the report is well done and ready to move forward to the City Council. Ms. Simulcik Smith recalled that last year, the Commission presented the letter to the City Council at a joint meeting. However, the topic of the next joint meeting will be “light rail station area planning.” Staff is considering the best approach for presenting the report to the City Council.

### **NEW BUSINESS**

#### **Annual Officer Elections**

Ms. Simulcik Smith explained the procedure for electing officers and then opened the floor for nominations for Planning Commission Chair.

**COMMISSIONER WAGNER NOMINATED COMMISSIONER MOSS TO SERVE A SECOND TERM AS PLANNING COMMISSION CHAIR. THERE WERE NO OTHER NOMINATIONS AND NOMINATIONS WERE CLOSED. THE COMMISSION UNANIMOUSLY ELECTED COMMISSIONER MOSS AS CHAIR OF THE PLANNING COMMISSION.**

Chair Moss opened the floor for nominations for Planning Commission Vice Chair.

**COMMISSIONER WAGNER NOMINATED COMMISSIONER ESSELMAN TO SERVE A SECOND TERM AS PLANNING COMMISSION VICE CHAIR. THERE WERE NO OTHER NOMINATIONS AND NOMINATIONS WERE CLOSED.**

Chair Moss clarified that she and Commissioner Wagner have confirmed that Commissioner Esselman is willing to serve another term as Vice Chair.

**THE COMMISSION UNANIMOUSLY ELECTED COMMISSIONER ESSELMAN AS VICE CHAIR OF THE PLANNING COMMISSION.**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

None of the Commissioners provided reports or announcements.

**AGENDA FOR NEXT MEETING**

Mr. Szafran reviewed that on April 18<sup>th</sup> he would present the Commission with a batch of miscellaneous development code amendments, and the Commission will conduct a study session. Also on April 18<sup>th</sup>, the Light Rail Station Area Planning Committee will present their report for Commission discussion. The Commission will also discuss the purpose of the Point Wells Committee. Ms. Simulcik asked the Commissioners to arrive at the meeting 15 minutes early for a group photograph. The photograph would be rescheduled if any of the Commissioners are absent.

**ADJOURNMENT**

The meeting was adjourned at 8:35 p.m.

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Donna Moss  
Chair, Planning Commission

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Kate Skone  
Clerk, Planning Commission

**TIME STAMP**  
**April 4, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA: 0:48**

**APPROVAL OF MINUTES: 0:52**

**GENERAL PUBLIC COMMENT: 1:15**

**PUBLIC HEARING: REGIONAL GREEN DEVELOPMENT CODE AMENDMENTS: 1:22**

**Staff Presentation: 2:02**

**Questions by the Commission: 9:10**

**Public Testimony: 31:58**

**Final Questions and Deliberations: 32:08**

**Vote to Recommend Approval or Denial or Modification: 32:15**

**Closure of Public Hearing: 1:20:10**

**DIRECTOR'S REPORT: 1:20:30**

**UNFINISHED BUSINESS:**

**Annual Report to the City Council: 1:21:03**

**NEW BUSINESS:**

**Annual Officer Elections: 1:28:38**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:31:13**

**AGENDA FOR NEXT MEETING: 1:31:29**

**ADJOURNMENT**