



PLANNING COMMISSION AGENDA – PUBLIC HEARING

Thursday, March 20, 2014
7:00 p.m.

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
2. ROLL CALL	7:01
3. APPROVAL OF AGENDA	7:02
4. APPROVAL OF MINUTES	7:03
a. March 6 Regular Meeting – Draft Minutes	
Public Comment and Testimony at Planning Commission	
<i>During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.</i>	
5. GENERAL PUBLIC COMMENT	7:05
6. PUBLIC HEARING	7:10
a. Traffic Concurrency Staff Report – Development Code Amendment	
• Staff Presentation	
• Public Testimony	
7. DIRECTOR’S REPORT	8:10
8. UNFINISHED BUSINESS	8:15
9. NEW BUSINESS	8:20
10. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	8:35
11. AGENDA FOR April 3, 2014	
a. Housing for Everyone, First meeting with New Commissioners	8:36
12. ADJOURNMENT	8:37

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

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17500 Midvale Avenue North
Shoreline, Washington 98133-4921
Agenda Line (206) 801-2236

PLANNING COMMISSION
SPECIAL MEETING NOTICE

PUBLIC HEARING

As required by RCW 42.30, the Open Public Meetings Act, you are hereby notified of **PUBLIC HEARING** of the Shoreline Planning Commission.

When: March 20, 2014
7:00 p.m.

What: **Traffic Concurrency Development Code Amendments**

Where: **Shoreline City Hall – Council Chamber**
17500 Midvale Avenue North
Shoreline, WA 98133

YOU ARE HEREBY NOTIFIED THAT the Shoreline Planning Commission will be holding a public hearing on draft amendments to the Title 20 Development Code concerning Traffic Concurrency.

Dated this 21 Day of February, 2014.

Planning Commission Clerk
City of Shoreline

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DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

March 6, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Moss
Vice Chair Esselman
Commissioner Craft
Commissioner Maul
Commissioner Scully
Commissioner Wagner

Staff Present

Paul Cohen, Planning Manager, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Julie Aynsworth Taylor, Assistant City Attorney
Alicia McIntyre, Senior Transportation Planner
Lisa Basher, Planning Commission Clerk

Commissioners Absent

Commissioner Montero

CALL TO ORDER

Planning Commission Chair, Donna 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, Vice Chair Esselman, and Commissioners Craft, Maul, and Wagner. Commissioner Scully arrived at 7:07 p.m. and Commissioner Montero was absent.

APPROVAL OF AGENDA

Chair Moss made a motion to add a discussion item to the agenda under ‘New Business’. This item proposes adding a new member to the Commission that would serve as an ‘alternate’ in the case that the group does not have a quorum. Commissioner Scully seconded the motion.

The agenda was also revised to change the wording under item 6a from ‘public testimony’ to ‘public comment.’ Otherwise it was accepted as presented.

APPROVAL OF MINUTES

The minutes of January 16, 2014 were adopted as presented. Commissioner Maul mentioned that he had not received the packet and was unable to review the minutes. The Commission Clerk will work with him to find out why he hasn't been receiving the minutes.

GENERAL PUBLIC COMMENT

Dan Dale, Shoreline, introduced himself and provided some feedback about things he noticed at the most recent Design Dialogue workshop. He expressed disappointment that he did not see an existing (specifically Rotary Park) green space represented on the station area renderings that were presented to show growth around the 185th station area. He feels strongly that losing any parks and/or green space to accommodate growth would be a mistake. He said it is imperative that the City slow down the process long enough to develop plans for protecting these assets, and he encouraged the Commission to participate in efforts to preserve green spaces around the Station Areas.

STUDY ITEM: TRAFFIC CONCURRENCY – DEVELOPMENT CODE AMENDMENT

Staff Presentation

Ms. McIntyre explained that the Transportation Master Plan (TMP) adopted by the City in 2011 provided direction to update the concurrency methodology as required by the Growth Management Act (GMA). As per the GMA, transportation improvements or strategies to accommodate growth must be done concurrently with development. However, cities have flexibility regarding how to apply concurrency within their regulations, plans and permitting processes.

Ms. McIntyre reviewed that, as part of the TMP update, the City contracted with Randy Young of Henderson, Young and Company to evaluate the City's existing concurrency process and recommend changes, if needed. She recalled that they initially considered a multi-modal concurrency approach that included bicycles, pedestrians and transit; but it was determined this approach would be cumbersome and expensive for the City to administer and it would not suit Shoreline as a fully-built-out community where large developments are not anticipated. As an alternative, Mr. Young presented a draft framework that focuses on mitigating the impacts of traffic growth only. The concept was presented to the City Council; and on May 20, 2013, they directed staff to proceed with development of a program based upon the approach. They also directed staff to develop an Impact Fee Program, which would be implemented by the City Council and not be subject to review by the Planning Commission.

Ms. McIntyre advised that the purpose of the study session is to introduce proposed amendments to Chapter 20 of the Shoreline Municipal Code (SMC) that would implement a methodology for measuring transportation concurrency that is consistent with the framework direction in the TMP and will work effectively with an Impact Fee Program. The program is intended to be easy to administer, understandable and predictable for the development community and result in paying for improvements needed to mitigate the traffic impacts that occur due to growth. She invited the consultant, Randy Young, to review the details of the proposal.

Randy Young, Henderson, Young and Company, advised that, currently, the City measures concurrency by comparing the existing or planned capacity of transportation facilities to the anticipated capacity that will occur as a result of a development. This is measured using Level of Service (LOS) Standards. If the existing or planned capacity is greater than what is needed for the proposed development, the applicant passes the concurrency test and a development may proceed. If the applicant fails the concurrency test, he/she could modify the proposal to reduce the transportation impacts, propose mitigation that results in an acceptable LOS, appeal the concurrency test results, or the application would be denied.

Mr. Young cautioned that rather than thinking about LOS standards similar to report card grades, they are actually a measurement of the capacity of the system. For example, LOS C means that the system is at about 50% capacity and there is room to accommodate more growth. LOS D means the system is at 67% to 75% capacity, and LOS E means the system is approaching capacity. LOS F means the system has reached or exceeded capacity.

Mr. Young explained that, currently, the City's concurrency program measures LOS at the signalized intersections on arterial streets, unsignalized intersection arterials, and principal and minor arterial street segments. The City has adopted an LOS of D for signalized intersections on arterials and unsignalized intersecting arterials, and a volume-to-capacity ratio of 0.90 (or the equivalent of LOS E) for principal and minor arterials. While this approach has not been onerous, it is a very complicated system. The proposed ordinance would replace the complicated system with one that is easier to understand and administer.

Mr. Young said the guidelines for developing the new system included: easy and inexpensive to implement, easy for the development community to understand, customized to reflect the built-out nature of the City, and work best with an impact fee. He explained that, currently, an applicant is required to pay for all intersection improvements if his/her project causes a street or intersection to exceed the LOS standard. The proposed program would rate the cost of the improvements and have everyone pay a fair share via an impact fee, which would be established by the City Council.

Mr. Young provided a flow chart to illustrate the City's existing concurrency program, which requires an applicant to complete a costly traffic impact study to identify a development's impact on neighboring streets only. It does not consider a development's impact on the entire network. While this approach is familiar to the development community and easy on small-scale development, it deprives the City of an opportunity to consider impacts to the entire roadway network and places the burden solely on applicants who exceed the threshold. Larger projects are required to complete costly traffic impact studies, but small-scale developments are not. This eliminates the City's ability to consider the cumulative impacts of small-scale development.

Mr. Young described the concurrency program outlined in the proposed amendments, which would measure traffic volume compared to road capacity. The program would function as a trip "debit" system wherein the city firsts calculates the maximum allowed vehicle trips the traffic network can accommodate based upon projected growth, adopted transportation LOS and planned transportation improvements. Once the baseline trip "account" is established, new trips generated by future development would be "debited" from it. New trips could easily be calculated at the time of building

permit application, based on a “Trip Generation Calculator” that will be available to applicant’s on line. The concurrency test would be passed as long as trips are still available in the City account. If there are not enough trips in the account to accommodate the proposed development, the applicant would be required to modify the application to reduce the number of trips to an amount equal to or less than the account balance or the project would fail the concurrency test and be denied. For projects that are approved, the applicant would be required to pay a transportation impact fee and provide mitigation for localized transportation impacts. He referred to Attachment B, which illustrates the process the City would use to administer concurrency tests.

Mr. Young summarized that there are several benefits to the proposed concurrency program. Using a Trip Generation Calculator instead of a traffic impact study would save applicants time and cost, and the applicant’s burden would be limited to a proportionate share of the improvements. In addition, the proposed program would allow the City to capture every development’s impact to the system, regardless of its size. While smaller developments would be exempt, the City would need to check local access for projects that exceed 20 units.

Ms. McIntyre explained that no action is required of the Commission at this time. A public hearing is scheduled before the Commission on March 20th; after which, staff will recommend the Planning Commission forward the proposed amendments to SMC 20.60 to the City Council with a recommendation of approval. She reviewed Attachment A, which outlines 15 proposed amendments to implement the new concurrency program. She explained that Amendments 1, 2 and 3 (SMC20.60.140) represent minor changes and clarification to existing language. The remaining amendments are all new to outline the new process in very fine detail.

Ms. McIntyre noted that Julie Aynsworth Taylor, Assistant City Attorney, has extensive background in the area of transportation concurrency and impact fees and helped craft the proposed language. She is a great resource and is available to answer the Commission’s questions.

Commissioner Scully said he would like the concurrency program to include exemptions for small-scale, single-family residential development (five or less trips) based on the premise that these few extra trips would not cause the system’s capacity to overflow. If the system’s capacity is already at LOS D, one additional residential unit might make the situation slightly worse, but it would not push it to the level of LOS F. Because Shoreline is nearly built out, he would hate to implement a concurrency program that is so rigid that someone is prevented from developing a single-family home because a recent larger development pushed the system over capacity.

Mr. Young suggested that this concern could be addressed by Amendment 5 [SMC 20.60.140(D)(2)], which requires the City to update the available capacity in the Concurrency Trip Capacity Balance Sheet within 12 months if any of the following three events occur: 1) If the Transportation Element of the Comprehensive Plan is amended; 2) If traffic grows by 30%; or 3) If more than 50% of the available capacity in the most recent calculation of available capacity has been reserved as result of concurrency tests. He suggested that there is no need to create a specific exemption for single-family residential development because an update of the entire system would be triggered if a developer consumes more than 51% of the capacity. This approach would exempt a small-scale, single-family residential development from the concurrency requirement, but it would not exempt it from the impact fee requirement.

Ms. Aynsworth Taylor added that Amendment 4 [SMC 20.60.140(C)(2)(e)] would exempt any building permit for a development that creates no additional impacts. She felt this would include a single-family home on what is now an existing single-family residential lot or a home on a larger lot that is subdivided. Commissioner Scully expressed concern that while a single-family home would have minimal impact, there would be some impact. Again, he said he would like the ordinance to spell out an exemption for single-family residential from the concurrency balance requirement, but not the fee structure. Ms. Aynsworth Taylor agreed that the City could provide flexibility in its exemptions, but they should still be recorded and their cumulative impact considered when calculating the system's capacity.

Commissioner Maul referred to SMC 20.60.140(D)(2)(b) (Amendment 5) and asked how traffic volumes would increase by 30% if there are no major projects in the City. He also pointed out that SMC 20.60.140(D)(3), which requires that the Concurrency Trip Capacity Balance Sheet be updated at least every seven years, would be consistent with other language in the proposed ordinance that calls for the balance sheet to be continually updated. Mr. Young explained that the balance sheet would be continually reviewed. However, absent of the triggering events identified in SMC 20.60.140(D)(2)(b), a start-over review of the outstanding balance and recalculating a new beginning balance would only occur every seven years.

Commissioner Maul asked if the trigger circumstances in SMC 20.60.140(D)(2) would actually result in the City building new facilities to increase the capacity. Mr. Young answered that updating the Transportation Element (Item a) would certainly result in new transportation projects. Addressing a 30% increase in total traffic volume (Item b) may not require any additional improvements beyond those already identified in the Transportation Element. However, more capacity may need to be built into the system if half of the capacity has been used up since the balance sheet was last updated (Item c).

Commissioner Wagner asked about the process the City would use to identify a street's current trip capacity. Mr. Young replied that the City completed a comprehensive analysis for the entire system as part of the TMP Update. Traffic experts reviewed the street network and traffic counts to identify places where the LOS was already violated and created a list of projects necessary just to accommodate current development. Using this same traffic model, they also identified additional problems based on the growth that is anticipated in the Comprehensive Plan. The TMP provides a list of six streets and/or intersections that, if fixed, would sustain the LOS identified as the City's standard. Because the City has reviewed the entire system, including increased impacts related to anticipated growth and proposed projects to maintain the adopted LOS, it is no longer necessary for applicants to conduct transportation studies on individual intersections and/or streets. The only missing piece is funding the needed projects, and the City is proposing an Impact Fee Program.

Commissioner Wagner asked if the City's analysis for the entire system included the proposed development at Point Wells. Ms. McIntyre explained that because the Point Wells property is not located within the City, it was not included in the overall system analysis. However, a separate Transportation Corridor Study is being done to address impacts associated with this project. Mr. Young added that the concurrency requirement is part of the Development Code and only applies to properties that the City regulates. However, the State Environmental Policy Act (SEPA) provides an opportunity

for the City to talk with neighboring jurisdictions about potential impacts associated with the Point Wells site and opportunities for mitigation. Commissioner Wagner cautioned that the Concurrency Trip Capacity Balance Sheet must account for the additional trips associated with the Point Wells site even if the City does not have jurisdiction over the property. It was noted that those trips would not be taken out of the balance sheet, as there would be separate mitigation to address the impacts.

Vice Chair Esselman asked how the concurrency program and impact fees would be implemented for redevelopment projects where there is no increased impact. Mr. Young answered that redevelopment projects would be subject to the concurrency requirements; however the applicant would only be assessed for the additional trips that would be added. The impact fee system would only charge the developer for the net increase in impacts and not the total amount. If a parcel has been idle for a number of years, an applicant may be assessed for 100% of the impacts.

Commissioner Scully asked how the City would determine what streets to look at when doing a concurrency test. Mr. Young emphasized that rather than assessing a development's impact on a nearby street or intersection, the proposed program would be a citywide system that addresses the impacts a development would have on the entire roadway system.

Commissioner Scully expressed concern that the system is too large to have just one, citywide balance sheet. Mr. Young reminded the Commission that, as per GMA, the City has an obligation to accommodate 5,000 new jobs and 5,000 new residential units. Traffic consultants worked with the City's land-use planners to make thoughtful assumptions about where the growth would likely occur, where there is the ability for it to occur, and where there is capacity for it to occur. This information was incorporated into the traffic model. Because all of the possibilities for growth have been carefully analyzed, he does not anticipate there will be surprises. In addition, the ordinance would require the City to reevaluate the entire system if 50% of the capacity is used up.

Commissioner Maul asked if the proposed concurrency program would require an applicant to pay for improvements at a nearby intersection if it is determined that the project would create problems. Mr. Young answered no and explained that if the City's overall system has the capacity to accommodate the additional trips associated with the project, the project would be approved. However, the applicant would be required to pay a pro rata share of six specific improvements the traffic model says the City needs to fix in order to sustain the growth that is projected throughout the City. While people may complain that projects close to other intersections cause traffic to get slower, the traffic models have not demonstrated that it would be slow enough to trigger LOS D or the 90% threshold.

Commissioner Craft summarized that, theoretically speaking, all impacts associated with development throughout the entire City have been considered, and impact fees that are paid to the City will be used to solve problems at the identified intersections and roadways if and when the LOS drops below Level D. Mr. Young emphasized that the program does not guarantee that development will not cause traffic at intersections to change; but if the LOS drops below Level D, action will be taken to fix them.

Chair Moss asked if other intersections could be added to the list of projects if their LOS drops below D. Mr. Young answered no changes would be made to the list of projects until the entire system is reevaluated; and the entire system would only be reevaluated every seven years unless the total traffic volume

increases by 30% or the available capacity has been reduced below 50%. When the entire system is reevaluated at some point in the future, specific locations of development may identify an additional intersection that was not part of the original list. This intersection would be placed on the list, and the City would no longer be able to defend the simplified system with a check box unless it puts more trips back into the bank account. This is done by fixing the intersection using funding contributed by future impact fee payers.

Commissioner Wagner asked if there is anything, aside from the entire system review, that would refresh the City's list of priority intersections. Mr. Young answered no. The list needs to stay consistent with the Concurrency Trip Capacity Balance Sheet. If the project list is altered, the City might unknowingly change the bank balance. If a citywide system analysis is done at some point in the future because the bank balance is low, it would also trigger a review of whether the project list needs to be changed.

Commissioner Craft asked what the corrective process would be if it is determined, after a development is completed, that an intersection drops below LOS D. Mr. Young referred to SMC 20.60.140(D)(2)(b) (Amendment 5), which would require a reevaluation of the citywide system if traffic volumes increase by more than 30%. The City will have to make an administrative interpretation as to whether this means the sum of all the sites or whether it applies to individual locations. However, the proposed concurrency program does not contemplate either the City or the applicant doing an old-fashioned traffic study near the site to identify the specific problems that might occur.

Commissioner Craft asked if the City would have a system in place to monitor the intersections, other than the prescribed triggers at which point an update of the entire system would be done. Mr. Young clarified that the three robust triggers identified in SMC 20.60.140(D)(2) are intended to protect the City; and the proposed program represents a reasonable and transparent approach, with appropriate defense mechanisms. However, it would be misleading and inaccurate to say that the City would never receive complaints nor have intersections go below the adopted LOS.

Ms. McIntyre said it is important to keep in mind that the traffic models are consistent with the Comprehensive Plan Land Use Map, which identifies where future growth has been allocated. She noted that four different traffic models were considered as part of the TMP Update in an attempt to find all of the problem spots. Growth was allocated four different ways, but they came up with the same problems spots every time. While she acknowledged that a project may have some impact to neighborhood traffic, the real problems will occur at the intersections of the City where all the traffic from various locations throughout the City comes together.

Commissioner Maul asked if the proposed approach is being used in other jurisdictions. Mr. Young answered that the concept has worked well for several years in Redmond and Bellingham, and Issaquah is in the process of implementing a similar approach. However, he acknowledged that many jurisdictions continue to use the old-fashioned method, which consumes a lot of a developer's time and money. The proposed approach provides efficiency and transparency for projects that are anticipated in the City's plan.

Commissioner Scully said he supports the impact fee concept 100%. However, questioned the City's ability to predict exactly where traffic will go without a project-specific study. He suggested the approach could be implemented for a smaller quadrant of the City, but he felt Shoreline was too large to implement a citywide approach. Mr. Young encouraged the Commissioners to study the traffic model and read literature about traffic models that is available on line. Traffic models are remarkable and really do tell, with a high degree of accuracy, where traffic will go. The concept is working in other communities, and he felt confident it would work well in Shoreline, as well.

Commissioner Craft agreed that traffic modeling is very precise and can predict with a high degree of certainty the challenges faced by increased development. However, he anticipates the citizens will be concerned about how overflow traffic from medium and large developments will impact their neighborhood streets. At this time, people are able to get around using less congested intersections (LOS B and C) and avoiding those with LOS D, but increased development will result in fewer opportunities of this type. He suggested that educating the public will be an important element of moving the concept forward.

Commissioner Wagner asked about the cost of reevaluating the system's capacity. Mr. Young agreed that is a great question. However, there are several components involved with the reevaluation, and he is not prepared to provide an answer at this time.

Commissioner Wagner expressed her belief that applying the concept separately to quadrants of the City would be complicated to put into regulation. If the City's goal is to be predictable and fair for developers, they must use an approach that is equitable. She agreed with Ms. McIntyre's earlier comment that the traffic models are consistent with the Comprehensive Plan Land Use Map, which identifies where future growth has been allocated. However, she questioned how they could provide sufficient information to the public at the March 20th hearing to help them understand how and why the growth was allocated in certain areas. Ms. McIntyre said the TMP provides clear information about where the growth has been allocated in every zone, how traffic is anticipated to increase, the delta between current and anticipated future traffic volumes, and the improvements necessary to meet the City's LOS standards.

Commissioner Scully asked if the ordinance could incorporate a more frequent update of the Concurrency Trip Capacity Balance Sheet. Mr. Young said that, as drafted, the ordinance calls for a review every seven years, absent of the other triggers. He agreed that the review could occur more frequently, and he suspects this decision will depend on how costly and time consuming the review is. Ms. McIntyre cautioned that it will take quite some time to accumulate the money, via impact fees, to complete capital projects.

Commissioner Craft requested additional information about the Impact Fee Program. Mr. Young advised that, as currently proposed, impact fees would be assessed on a per trip basis, at \$5,800 per trip. He reminded the Commission of the City's goal to make it easier for developers to build in Shoreline. However, they can't make it cheap or it defeats the purpose of getting developers to partner in the cost of projects. He emphasized that impact fees from future development would not likely provide more than 50% of the funding needed for all of six of the identified projects because 50% of the trips on the City's system come from developments outside Shoreline (through traffic).

Chair Moss asked about the process the City would use to decide how impact fees will be spent. Mr. Young clarified that the City is allowed to pool the resources to move forward the highest priority projects, but the impact fees can only be used for the six projects identified. While State law prohibits impact fees from being used for just pedestrian and bicycle improvements, the six projects can use a “Complete Streets” approach that includes pedestrian and bicycle facilities, in addition to road surface improvements. Ms. McIntyre added that the projects will be designed using the City’s adopted design standards, and impact fees can be used to fund any stage of a project’s development. For example, impact fees could be utilized for project design, which the City would use to apply for grants to subsidize development. In addition, the City could ask a large developer to complete one of the projects in lieu of paying an impact fee.

At the request of Commissioner Wagner, Ms. McIntyre reviewed the list of six identified projects as follows:

- Capacity road widening on 175th from Stone Avenue to Meridian Avenue
- Capacity road widening on 175th from Meridian Avenue to Interstate 5
- Intersection improvements at Meridian Avenue and 175th
- Intersection improvements at 185th and Meridian Avenue
- Re-channelizing 185th Street from 1st to 10th to a 3-lane cross section and doing some repair work.
- Re-channelizing Meridian Avenue from 145th to 205th to a 3-lane cross section.

Mr. Young reminded the Commission that they are not responsible for implementing the Impact Fee Program. While it is helpful for them to have background information about impact fees, he encouraged them to focus their discussion on the proposed amendments to SMC 20.60. The Commission reviewed the draft amendments (Attachment A) and commented on the following:

- Amendment 3 [SMC 20.60.140(B)]. Commissioner Craft noted that the City’s Engineering Development Manual would provide a chart that allows applicants to prepare the required transportation impact analysis themselves. However, he asked if also requiring that the estimated number of trips for a development be consistent with the Trip Generation Manual would require applicants to hire traffic consultants. Mr. Young answered that “Trip Generation Manual” is the title of the Institute of Traffic Engineer’s (ITE) published document that was used to create the spreadsheet. If the analysis is prepared as per the City’s manual it will be consistent with the ITE manual, as well.

Ms. McIntyre explained that the City’s Engineering Development Manual has a very specific list of all the things the City wants to see in a transportation impact analysis. The proposed amendment simply changes the term “traffic study” to “transportation impact analysis” to be consistent with the terminology used in the Engineering Development Manual, which is broader to include transit, bicycles, pedestrians, etc.

- Amendment 4 [SMC 20.60.140(C)]. Commissioner Scully commented that this section would be the appropriate place to include an exemption for single-family residential development.

The Commission indicated support for moving forward with a public hearing on the proposed amendments to SMC 20.60 on March 20th. Ms. Aynsworth Taylor recommended the Commission identify additional changes and concerns as soon as possible so they can be incorporated into the draft ordinance and other documents that will be published on the City's website in preparation for the public hearing. The Commission specifically discussed the following:

- Exemption for a single-family house. It was noted that the language already includes an exemption for the replacement of a single-family home, but not for a new single-family home. However, because the concurrency program would be based on the citywide system, it is unlikely that a single-family home would exceed the capacity of the balance sheet.
- Frequency of updating the Concurrency Trip Capacity Balance Sheet. The Commission requested additional information about the costs associated with updating the balance sheet in preparation for their continued discussion about how often the balance sheet should be updated.

The Commission had a brief discussion about the process for the upcoming public hearing. It was noted that by both Ms. Aynsworth Taylor and Mr. Young would attend the public hearing to present the proposed amendments to the public. The Commission commended the staff and consultant for their comprehensive and complete report.

Public Comment

There was no one in the audience.

DIRECTOR'S REPORT

Mr. Cohen reported that the Traffic Corridor Study for Richmond Beach Road and Richmond Beach Drive is in progress. Two public meetings for Segment A (Richmond Beach Drive) have been held to date, and there was a large turnout at both. Additional meetings for Segment B (Richmond Beach Road) have been scheduled between now and mid April.

Mr. Cohen announced that Part 2 of the Design Dialogue for the 185th Street Station Area Planning has been completed, including several meeting with various interest groups, as well as a general community meeting. Three alternatives, with zoning and renderings, have been created and were presented to the City Council. The Council directed staff to move forward, recognizing the importance of providing a full-range of alternatives for the Environmental Impact Statement (EIS). The three alternatives will be analyzed internally by April, and the Draft EIS should be completed in early summer. Staff anticipates the item will come back to the Commission by the end of the year.

Mr. Cohen concluded his report by informing the commission that the planning department has been busy with several recent development proposals that have been submitted and that there has also been a steady diet of smaller projects and residential permits.

UNFINISHED BUSINESS

Steve Szafran reported that the Planning Commission recruitment process is nearing its conclusion with the selection by the Council Subcommittee of three potential new members from the pool of applicants. The council will vote on whether to uphold the recommendation of the subcommittee at their regular meeting on March 17, 2013. Donna Moss is being recommended for reappointment along with two others: Jack Malek and Terri Strandberg.

NEW BUSINESS

Donna Moss restated her proposal that the Planning Commission ByLaws be amended to include a provision for allowing the Planning Commission to recruit an extra person to serve as an alternate. She reports that she has been a member of other boards or organizations and many of them have had this in place. She has concerns about cancelling meetings due to lack of quorum and feels this would be a good way to ensure that future meetings not be cancelled. Commissioner Scully agreed that he would be supportive of adding an alternate. Commissioner Wagner expressed a concern that the alternate would be expected to attend meetings but have not power or participation in the meetings unless there was not a quorum and feels hesitant to put someone in that position. Other Commissioners expressed agreement that this might be a hard position to fill and keep filled. Discussion led to the amount of cancelled meetings in the recent past and Paul Cohen explained that there have been many meetings cancelled in recent weeks due to the fact that the Planning Commission no longer heard quasi-judicial items and also because there hasn't been anything for them to review. He also explained that the Commission has had to work extra meetings at time or longer meetings in order to complete large projects and we try to consider the Commissions professional and personal lives and not hold meetings when they are unnecessary. He added that very rarely has the Commission had to cancel meetings due to lack of quorum. The discussion concluded with the commissioners agreeing that this step may not be necessary at this time.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Nothing to report.

AGENDA FOR NEXT MEETING

There will be a Public Hearing on Traffic Concurrency.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

Donna Moss
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

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Planning Commission Meeting Date: March 20, 2014
Agenda Item**PLANNING COMMISSION AGENDA ITEM**

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Update to Concurrency Regulations**DEPARTMENT: Public Works****PRESENTED BY: Alicia McIntire, Senior Transportation Planner****Public Hearing****Study Session****Recommendation Only****Discussion****Update****Other****INTRODUCTION**

In 2011, Council adopted an updated Transportation Master Plan (TMP). One chapter in the TMP discusses transportation concurrency and level of service. The TMP includes policies identifying the transportation levels of service in the City as well as direction to adopt an impact fee program. The TMP serves as the Transportation Element of the Comprehensive Plan and was adopted as such in 2011. The TMP also includes a draft framework for evaluating transportation concurrency. The purpose of this study session item is to introduce a draft methodology for measuring transportation concurrency that is consistent with the framework direction in the TMP and will work effectively with an impact fee program.

BACKGROUND

Concurrency is one of the goals of the Growth Management Act (GMA) (RCW 36.70A.020(12)). The GMA also requires the development of a Comprehensive Plan to provide for a generalized coordinated land use policy statement for the City of Shoreline. The Comprehensive Plan contains mandatory elements, with special attention called out for transportation (RCW 36.70A.070(6)). The importance of transportation in comprehensive planning is demonstrated by the GMA's requirement that transportation improvements or strategies to accommodate growth are made concurrently with development. "Concurrent with the development" is defined by the GMA to mean that any needed "improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years." (RCW 36.70A.070(6)(b)). While concurrency is a mandate, cities have flexibility regarding how to apply concurrency within their regulations, plans and permitting processes.

Transportation concurrency is measured by comparing the existing or planned capacity of transportation facilities to the anticipated capacity that will occur as a result of a development. This is generally measured using Level of Service (LOS) standards.

If the existing or planned capacity is greater than what is needed for the proposed development, the applicant passes the concurrency test and a development may

Approved By:**Project Manager** _____**Planning Director** 

proceed. The applicant fails the concurrency test if the proposed development exceeds the existing or planned capacity of the transportation facilities. If an applicant fails the concurrency test, the following alternatives are available:

- The applicant can modify the proposal to reduce the transportation impacts;
- The applicant can propose mitigation (transportation improvements and/or strategies) that results in an acceptable LOS;
- The applicant can appeal the concurrency test results; or
- The application is denied.

A description of the City's existing concurrency program, Level of Service (LOS) standards and the Council direction to develop an updated concurrency methodology were outlined in the March 6, 2014 staff report which can be viewed at <http://shorelinewa.gov/home/showdocument?id=15846>. The staff report also discussed the implementation of proposed methodology and the benefits and drawbacks of this methodology. The Planning Commission discussed the draft amendments to SMC 20.60.140 at the March 6, 2014 study session.

PROPOSAL & ANALYSIS

At the March 6, 2014 study session, the Planning Commission discussed the proposed amendments, including possible exemptions from the concurrency test, the requirements for updating the City's available trip capacity, the process for identifying needed transportation improvements and development project review under the State Environmental Policy Act. The Planning Commission also discussed the relationship between the proposed concurrency methodology and an impact fee program.

During their discussion, the Commission requested staff return with an estimated cost for the update of the City's available trip capacity that would be required by 20.60.140(D). While exact costs would vary based upon the complexity associated with updating the traffic model, identification of future traffic problems and development of solutions, it is estimated that the update work would range from \$125,000-\$135,000.

The Planning Commission did not suggest any changes to the draft development code amendments presented at the March 6, 2014 study session. Attachment A outlines the proposed amendments to the development code that would be incorporated within Title 20 of the City's Municipal Code, the Unified Development Code.

TIMING AND SCHEDULE

The Planning Commission held a study session to discuss the proposed amendments on March 6, 2014. A public hearing to receive testimony is scheduled for March 20, 2014. The Planning Commission is scheduled to adopt a recommendation to the City Council on March 20, 2014.

Notice of the March 20, 2014 public hearing on these amendments was published in the Seattle Times on February 18, 2014. Due to an error in the original notice a correction was published on February 25, 2014. Notice of the proposed code amendments was

sent to the Washington State Department of Commerce on February 13, 2014. Copies of these notices were provided to the Planning Commission as part of the March 6, 2014 staff report.

RECOMMENDATION

Staff recommends the Planning Commission hold a public hearing to receive public testimony regarding the proposed amendments to Title 20 of the Shoreline Municipal Code. Staff recommends the Planning Commission forward to City Council a recommendation to approve the draft amendments to Title 20 of the Shoreline Municipal Code as outlined in Attachment A.

ATTACHMENTS

Attachment A – Draft Amendments to Title 20

ATTACHMENT A – DRAFT AMENDMENTS TO TITLE 20

AMENDMENT #1 SMC 20.60.140

This change provides new language to more comprehensively outline the purpose of Chapter 20.60.140.

20.60.140 Adequate Streets.

~~The intent of this subchapter is to ensure that public streets maintain an adequate level of service (LOS) as new development occurs.~~ The purpose of this chapter is to set forth specific standards providing for the City's compliance with the concurrency requirements of the State Growth Management Act (GMA), 36.70A RCW. The GMA requires that adequate transportation capacity is provided concurrently with development to handle the increased traffic projected to result from growth and development in the city. The purpose of this chapter is to ensure that the city's transportation system shall be adequate to serve the future development at the time the development is available for occupancy without decreasing current service levels below established minimum standards.

AMENDMENT #2 SMC 20.60.140(A)

The proposed change adds minor clarifying language regarding the adopted Level of Service standard.

20.60.140(A). Level of Service. The level of service standard that the City has selected as the basis for measuring concurrency is as follows:

1. LOS D at signalized intersections on arterial streets and at unsignalized intersecting arterials; or
2. A volume to capacity (V/C) ratio of 0.90 or lower for principal and minor arterials.

The V/C ratio on one leg of an intersection may exceed 0.90 when the intersection operates at LOS D or better.

These level of service standards apply throughout the City unless an alternative level of service for a particular streets or streets has been adopted in the Comprehensive Plan Transportation Element.

AMENDMENT #3 SMC 20.60.140(B)

This change clarifies the requirements for transportation impact analyses submitted with development proposals.

20.60.140(B). Development Proposal Requirements. All new proposals for development that would generate 20 or more new trips during the p.m. peak hour must submit a traffic study transportation impact analysis prepared by the applicant in accordance with the standards established in the City's Engineering Development Manual at the time of application. The estimate of the number of trips for a development

shall be consistent with the most recent edition of the Trip Generation Manual, published by the Institute of Traffic Engineers. The traffic study shall include, at a minimum, an analysis of the following:

1. An analysis of origin/destination trip distribution proposed;
2. The identification of any intersection that would receive the addition of 20 or more trips during the p.m. peak hour; and
3. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.

AMENDMENT #4 SMC 20.60.140(C)

This change would delete the language describing the City's current methodology used to evaluate the capacity for concurrency. This new language identifies the requirement for administering a concurrency test prior to issuance of a building permit and identifies proposals that are exempt from a concurrency test.

~~**20.60.140(C). Concurrency Required** — Development Approval Conditions. A development proposal that will have a direct traffic impact on a roadway or intersection that causes it to exceed the adopted LOS standards, or impacts an intersection or a road segment currently operating below a level of service identified in subsection B of this section, will not meet the City's established concurrency threshold and shall not be approved unless:~~

- ~~1. The applicant agrees to fund or build improvements within the existing right-of-way that will attain the LOS standards; or~~
- ~~2. The applicant achieves the LOS standard by phasing the project or using transportation demand management (TDM) techniques or phasing the development proposal as approved by the City of Shoreline to reduce the number of peak hour trips generated by the project to attain LOS standards.~~

20.60.140(C). Concurrency Requirement. The City shall not issue a building permit until:

1. A concurrency test has been conducted and passed, or
2. The building permit has been determined to be one of the following that are exempt from the concurrency test:
 - a. Alteration or replacement of an existing residential structure that does not create an additional dwelling unit or change the type of dwelling unit.
 - b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use.

c. Miscellaneous improvements that do not generate increased need for public facilities, including, but not limited to, fences, walls, residential swimming pools, and signs;

d. Demolition or moving of a structure.

e. Any building permit for development that creates no additional impacts, insignificant and/or temporary additional impacts on any transportation facility, including, but not limited to:

i. Home occupations that do not generate any additional demand for transportation facilities;

ii. Special events permits;

iii. Temporary structures not exceeding a total of 30 days;

f. Any building permit issued to development that is vested to receive a building permit pursuant to RCW 19.27.095

AMENDMENT #5 SMC 20.60.140(D)

This new language identifies the requirements for the City to determine the availability capacity for concurrency and when the capacity must be updated.

20.60.140(D). Available Capacity for Concurrency

1. The City shall determine the available capacity for concurrency as of the effective date of this ordinance and record it in the Concurrency Trip Capacity Balance Sheet.

2. The City shall update the available capacity in the Concurrency Trip Capacity Balance Sheet within twelve (12) months of any of the events listed below.

a. Update or amendment of the City's Transportation element as it relates to concurrency management.

b. Total traffic volume increases by 30 percent compared to traffic volume at the time the Concurrency Trip Capacity Balance Sheet was created, or was updated with new data from the traffic model.

c. More than 50 percent of the available capacity in the most recent calculation of available capacity has been reserved as a result of concurrency tests conducted by the City.

3. If none of the events listed in subsection 2 occurs within seven years of the most recent calculation of the available capacity, the City will update the available capacity recorded in the Concurrency Trip Capacity Balance Sheet.

4. Each update of available capacity in the Concurrency Trip Capacity Balance Sheet shall carry forward the reservations of capacity for any building permits for development that has not been completed prior to the update of available capacity.

5. In order to monitor the cumulative effect of exemptions from the concurrency test on the available capacity, the City shall adjust the available capacity in the Concurrency Trip Capacity Balance Sheet to record the number of p.m. peak hour trips generated by exempt building permits in the same manner as though a concurrency test had been performed for the exempt building permits.

AMENDMENT #6 SMC 20.60.140(E)

This new language outlines the methodology the City will employ to test for concurrency, the conditions under which a development passes or fails a concurrency test, options available to an applicant if a concurrency test is not passed and the order in which tests are administered for applications. This section also identifies that concurrency tests are exempt from the State Environmental Policy Act.

20.60.140(E). Concurrency Test.

1. Each applicant for a building permit that is not exempt from the concurrency test as provided in SMC 20.60.140(C)(2) shall submit the type of development to be constructed pursuant to the building permit, the number of square feet of each type of development, and the number of dwelling units.

2. The City shall perform a concurrency test for each application for a building permit that is not exempt from the concurrency test.

3. The concurrency test is passed if the number of trips from an applicant's proposed development is equal to or less than available capacity in the Concurrency Trip Capacity Balance Sheet that has been adjusted to subtract reserved trips . If the concurrency test is passed the City shall record the concurrency test results in the Concurrency Trip Capacity Balance Sheet in order to reduce the available capacity by the number of trips that will be generated by the applicant's development. The reservation of capacity shall be valid for the same time as the building permit for which it was reserved.

4. The concurrency test is not passed if the number of trips from an applicant's proposed development is greater than available capacity after it has been adjusted to subtract reserved trips. If the concurrency test is not passed, the applicant may select one of the following options:

a. Amend the application to reduce the number of trips generated by the proposed development, or

b. Provide system improvements or strategies that increase the city-wide available capacity by enough trips so that the application will pass the concurrency test, or

c. Appeal the denial of the application for a concurrency test, pursuant to the provisions of subsection H of this section, or

5. The City shall conduct concurrency tests for multiple applications impacting the same portions of the transportation network/intersection chronologically in accord with the date each application was deemed complete pursuant to SMC 20.30.110.

6. A concurrency test, and any results, shall be administrative actions of the City that are categorically exempt from the State Environmental Policy Act.

AMENDMENT #7 SMC 20.60.140(F)

This new language identifies the conditions under which available capacity is reserved.

20.60.140(F). Reservation of Availability Capacity Results of Concurrency Test

1. Upon passage of a concurrency test, the City shall reserve capacity on behalf of the applicant in the Concurrency Trip Capacity Balance Sheet.

2. A reservation of available capacity shall be valid for the same period as the approved building permit for which it was made, and may be extended according to the same terms and conditions as the underlying building permit.

3. A reservation of available capacity is valid only for the uses and intensities authorized for the building permit for which it is issued. Any change in use or intensity is subject to an additional concurrency test of the incremental increase in impact on transportation facilities.

4. A reservation of available capacity is non-transferrable to another parcel of land or development proposal. A reservation of available capacity may be transferred to a subsequent purchaser of the land for the same uses and intensities.

5. A reservation of available capacity shall expire if the underlying building permit expires; the application or permit is withdrawn by the applicant; the permit is revoked by the City; application approval is denied by the City; or the determination of completeness expires.

AMENDMENT #8 SMC 20.60.140(G)

This new language identifies the fees associated with administering the City's concurrency program.

20.60.140(G). Fees.

1. The City shall charge each applicant for a building permit that is not exempt from this section a concurrency test fee in an amount to be established by resolution by the City Council.

2. The City shall charge a processing fee to any individual that requests an informal analysis of capacity if the requested analysis requires substantially the same research as a concurrency test. The amount of the processing fee shall be the same as the concurrency test fee authorized by subsection G.1.

3. The fees authorized in subsections G.1 or G.2 of this section shall not be refundable, shall not be waived, and shall not be credited against any other fee.

AMENDMENT #9 SMC 20.60.140(H)

This new language identifies the process for appeals.

20.60.140(H). Appeals. Determinations and decisions by the Director that are appealed by an applicant shall follow the procedures of SMC 20.30 for an Administrative Decision-Type B.

AMENDMENT #10 SMC 20.60.140(I)

This new language identifies the Director of Public Works as the responsible official for implementing the City's Concurrency requirements and provides the authority for the City to adopt guidelines for the administration of concurrency, including procedural rules.

20.60.140(I). Authority. The Director of Public Works, or his/her designee, shall be responsible for implementing and enforcing the concurrency requirements of this chapter. The Director of the Department of Public Works is authorized to adopt guidelines for the administration of Concurrency, which may include the adoption of procedural rules to clarify or implement the provisions of this section.

AMENDMENT #11 SMC 20.20.010

This amendment adds a new definition for "Available Capacity".

"Available Capacity" means the number of motor vehicle trips that can be accommodated by the transportation facilities during the p.m. peak period for current and planned development while maintaining the adopted level of service standards. Available capacity is calculated as set forth in the table below:

Step 1	<u>Calculate the baseline total number of trips on the existing City-wide network of transportation facilities during the p.m. peak period using the most recent traffic counts.</u>
Step 2	<u>Identify any existing deficiencies of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).</u>
Step 3	<u>Identify capital improvements that will eliminate existing deficiencies identified in Step 2.</u>
Step 4	<u>Add the improvements from Step 3 to the existing network</u>

	<u>to create the current non-deficient network</u>
Step 5	<u>Add future development to the current land use.</u>
Step 6	<u>Identify any future deficiencies of the current non-deficient network of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).</u>
Step 7	<u>Identify capital improvements that will eliminate future deficiencies identified in Step 6.</u>
Step 8	<u>Add the improvements from Step 7 to create the improved network</u>
Step 9	<u>Calculate the total number of future trips on the improved network of transportation facilities during the p.m. peak period by the combined total of current and planned development.</u>
Step 10	<u>Calculate the available capacity by subtracting the baseline trips as calculated in Step 1 from the future trips as calculated in Step 9.</u>
Step 11	<u>Record the available capacity as the beginning balance in the City's Concurrency Trip Capacity Balance Sheet conducted by the City pursuant to Step 10.</u>

AMENDMENT #12 SMC 20.20.014

This amendment adds new definitions for "Concurrency", "Concurrency Test" and "Concurrency Trip Capacity Balance Sheet".

"Concurrency" means the level of service standard will be achieved and maintained for new development by adequate transportation facilities that are in place or will be completed no later than six (6) years after occupancy of development.

"Concurrency Test" means a comparison of the number of motor vehicle trips that will be generated during the p.m. peak period by development to the available capacity of transportation facilities.

"Concurrency Trip Capacity Balance Sheet" means the document created and maintained by the City to record the available capacity, reservations of capacity, and the balance of the available capacity that has been adjusted to reflect reserved trips.

AMENDMENT #13 SMC 20.20.032

This amendment adds a new definition for "Level of Service Standard".

"Level of Service Standard" means the levels of service in SMC 20.60.140.A. For the purpose of determining capacity for concurrency, the level of service standards shall be compared to the actual levels of service at the p.m. peak period.

AMENDMENT #14 SMC 20.20.044

This amendment adds new definitions for "Reserve" and "Reservation".

"Reserve" and "Reservation" means to set aside or otherwise note in the City's Concurrency Trip Capacity Balance Sheet in a manner that assigns capacity to the applicant's building permit and prevents the same capacity from being assigned to any other applicant.

AMENDMENT #15 SMC 20.20.048

This amendment adds a new definition for "Transportation Facilities".

"Transportation Facilities" for the purpose of Concurrency means roads and streets functionally classified as principal and minor arterials and signalized intersections on arterial streets and at unsignalized intersecting arterials except those facilities specifically identified as exempt in the City's Transportation Master Plan.

