

DRAFT

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF PUBLIC HEARING

March 20, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

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

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Kirk McKinley, Transportation Services Manager
Julie Aynsworth Taylor, Assistant City Attorney
Lisa Basher, Planning Commission Clerk

Others Present

Randy Young, Henderson, Young and Associates

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, Vice Chair Esselman, and Commissioners Craft, Maul, Montero, Scully and Wagner.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of March 6, 2014 were adopted as submitted.

GENERAL PUBLIC COMMENT

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

PUBLIC HEARING: TRAFFIC CONCURRENCY DEVELOPMENT CODE AMENDMENT

Staff Presentation

Mr. McKinley reviewed that when the Transportation Master Plan (TMP) was last updated in 2011, it included direction to update the concurrency policy and methodology, which is the subject of the proposed amendments. He emphasized that transportation concurrency is required by the Growth Management Act (GMA).

Randy Young, Henderson, Young and Associates, explained that concurrency is about comparing existing and planned capacity to trips resulting from growth to make sure there is enough trip capacity to serve development. As per the GMA, the City must deny development if there is not enough capacity and the Level of Service (LOS) Standard would be violated. The proposed amendments are intended to implement a program that protects the City's LOS Standard. As discussed at the last meeting, the City of Shoreline has adopted LOS D for signalized intersections on arterials and unsignalized intersection arterials, as well as a volume-to-capacity ratio of 0.90 for principal and minor arterials.

Mr. Young provided a chart to give more factual background for what the different LOS Standards, particularly LOS D, would look and feel like. The chart illustrates how full a road could get and how much crowding the City is willing to tolerate. He explained that from an economist's standpoint, efficient use of the City's resources would be to have the road system operating close to capacity (80% to 90%). However, it is also important to keep in mind how long the City is willing to allow people to wait to get through an intersection. For those who are anxious to get somewhere, waiting 35 to 55 seconds is too long, but reducing this time to 10 to 30 seconds would require LOS A. That would mean that most of Shoreline would be paved roadways with lots of capacity but nowhere to live. He reminded the Commission that the purpose of tonight's discussion is not to argue or even defend the City's current LOS Standard because it has already been adopted into the City's Comprehensive Plan and Development Code. If the Commission believes there are good reasons to question or doubt the adopted standard, they could recommend that the standard be revisited as a separate process. Because a concurrency program is required, the City must either adopt the proposed amendments or live with the program that is currently adopted, which is still LOS D with a different methodology.

Mr. Young explained that the City's existing concurrency program requires a traffic study for all development that exceeds the 20-trip threshold. The traffic study only looks at adjacent or nearby streets, and the full burden of required improvements would fall on the applicant who exceeds the LOS standard, even if the improvements would also solve preexisting problems and provide capacity for future development. The program does not address the cumulative impacts of small-scale development, and the City ends up with piecemeal improvements. In addition, the program does not allow the City to get mitigation for impacts that occur elsewhere in the system. He pointed out that traffic studies cost applicants a significant amount of time and money, and then they are required to pay the full cost of mitigation. It is difficult to predict the outcome of the current system, which results in a surprise burden to some applicants and surprise lottery win to others who do not trigger the threshold or get a free ride on the developer who went before them. In addition to being difficult to administer and requiring staff to respond to every traffic study, the City's biggest concern is that small-scale development is invisible and they do not get mitigation for impacts other than those in the immediate area.

Mr. Young explained that instead of requiring each applicant to do a study, the proposed methodology involves a citywide approach for addressing future traffic needs. He reminded the Commission that the City of Shoreline has accepted its regional allocation of growth (5,000 people and 5,000 jobs) and the Comprehensive Plan and Development Plan have been updated accordingly. As required by GMA, the City must also have a plan in place to ensure that the traffic system will sustain the growth.

Mr. Young advised that a citywide traffic study was completed to identify the areas where growth is likely to occur, and traffic modeling was done to identify the growth's impact on streets throughout the City. He provided visual information to illustrate how the proposed program would be implemented, noting that the traffic model assigns growth to 141 Traffic Analysis Zones (TAZ). He recalled the Commission's concern about preserving and protecting residential neighborhoods. He explained that the TAZs are not identical to neighborhood boundaries, and in many cases they are smaller. Rather than spreading the growth evenly throughout each of the 141 TAZs, the growth was allocated based on the City's adopted Comprehensive Plan Land Use Map. He reviewed a chart that illustrates the zones where most of the growth is anticipated to occur and advised that the numbers were used to create a traffic model that identifies how the anticipated growth would impact the City's transportation network. Rather than waiting for applicants to mitigate the problem areas one block at a time, the model identifies six specific projects that are necessary to solve LOS problems and maintain LOS Standards.

Mr. Young explained that, as per the proposed program, applicants would no longer be required to complete detailed traffic studies. Instead, they would simply identify the number of dwelling units and/or amount of commercial space associated with the project, and staff would use the Trip Generation Calculator to compute the total number of trips that would be added to the citywide network. Projects would be approved if there is existing or planned capacity in the citywide system to accommodate the additional trips. If a project exceeds the existing and planned capacity, the applicant would be required to either downsize the application or mitigate the additional impact. He reminded the Commission that if capacity in the citywide system falls below 50%, a new study would be required to update the capacity numbers.

Mr. Young explained that applicants would be required to pay a citywide impact fee that will be used to fund the six specific projects throughout the City that are necessary to improve capacity. He explained that, using this approach, no applicant would get stuck building an entire improvement, nor would an applicant get a free ride. He reminded the Commission that the current program exempts small projects that generate fewer than 20 trips. He pointed out that small-scale development would include a multi-family residential development of up to 31 units or an office building of up to 1,300 square feet. He summarized that small-scale development is not invisible and without impacts.

Mr. Young concluded his presentation by pointing out the benefits of the proposed concurrency program:

- No applicants would escape the process.
- The capacity for LOS would be connected to the impact fees that fund the six projects. While all applicants would pay a predictable and consistent share of the improvements, it is important to understand that the City is going to have to pay for a share of the improvements associated with through traffic.

- The mitigation burden would be proportionate to the size of a development. This makes the program fairer and easier for attorneys to defend.
- The trip calculator and trip bank will save both time and money for the City staff and applicants.
- The program would be transparent and easy to administer.
- The program would be predictable for the development community.
- The program would be customized to Shoreline.

Mr. Young recalled that because no formal action was taken by the Commission on March 6th to alter the proposal, no changes were made to the ordinance. However, the Commission requested a cost estimate for updating the available trip capacity. He reported that the estimated cost of updating the available trip capacity is between \$125,000 and \$135,000. Mr. McKinley added that the timeline for the update would be tied to the next update of the TMP. At that time, the City will know more about what will happen at the Sound Transit station areas, etc.

Mr. McKinley reviewed the timeline for moving the proposed amendment forward, starting with a public hearing before the Planning Commission. Staff's recommendation is that the Commission recommend adoption of the amendments to SMC Title 20.

Commission Questions

Commissioner Maul pointed out that, as per the maps provided by Mr. Young, there are already some intersections on Meridian Avenue that are below LOS D. He asked how the City could ensure capacity when the program is first implemented. Mr. Young responded that, while they do not have final numbers, the bank account will be based on the difference between the current number of trips and how many trips a street can handle. He explained that although it would be nice to think the City would not approve a new development unless the six improvements had already been complete to handle future capacity without falling below LOS D, State law allows the City a six-year time period to actually achieve the LOS standard. The proposed program will enable the City time to collect enough impact fees and obtain grant funding to complete the improvements within six years.

Commissioner Wagner pointed out that Point Wells is identified on the map as one of the 141 TAZs. She asked staff to clarify the City's expectations related to this area. Mr. Young reminded the Commission that Point Wells is outside the City boundaries, so the City would not have the ability to impose impact fees on future development. Mr. McKinley explained that the only access to Point Wells is through Shoreline, so the City will suffer all of the impacts associated with the project. Although the City requested that Snohomish County analyze the option of providing access through Snohomish County as part of the draft Environmental Impact Statement, this connection would be very difficult. Even if a connection were provided, most of the people who would live and work at Point Wells would use the City's roads to access Aurora Avenue North and Interstate 5. He advised that the developer is predicting a 20 to 25-year period to complete the project, which will be constructed in four phases. If the City were to annex the site at some point in the process, the impact fee program would be applicable. At this point, the City has negotiated a Memorandum of Understanding with the developer that says the developer would pay for the mitigation identified in the Transportation Corridor Study, which is taking place right now. He noted that when the City initially submitted comments regarding the project in

2009, the estimated cost of mitigation was \$30 million, and he anticipates the actual costs will be double that amount.

Commissioner Wagner asked if impacts associated with Point Wells were considered when identifying the six projects and developing the available trip capacity. Mr. McKinley answered no and said he does not anticipate anyone will live at Point Wells for at least six to eight years. By that time, the City will have completed at least one update of the available trip capacity.

Commissioner Scully expressed concern that, as per the proposed program, the City would no longer have the ability to study the local impacts of a development and require mitigation. He asked if a study of the local traffic impacts would be part of a State Environmental Policy Act (SEPA) review. Ms. Aynsworth Taylor answered that, regardless of the concurrency ordinance, Shoreline Municipal Code (SMC) 20.60.140(B) requires a transportation study for all projects that generate more than 20 peak hour trips. The study requires an analysis of traffic origin, destination, and trip generation. It must also demonstrate how impacted intersections would accommodate the trips and maintain the LOS standard.

Commissioner Montero asked how long it would take the City to address a situation where a large development creates LOS problems at an intersection that is not included on the list of six projects. Would the City have to wait six years to identify a new group of projects? Mr. Young explained that, as per the proposed program, small-scale development would no longer be exempt, and all applicants would be required to pay a predictable mitigation fee. The citywide impact fee would also apply to larger developments (more than 20 peak hour trips). In addition, larger projects would require an additional traffic study to identify and mitigate local impacts. Mr. McKinley clarified that no additional mitigation would be required through SEPA as long as a project does not exceed LOS D.

Chair Moss asked how long it would take to update the Concurrency Trip Capacity Balance Sheet. Chair Moss asked if applications would be put on hold while the update is being done. Mr. Young reminded the Commission that an update would be triggered as soon as the citywide capacity falls below 50% of the trip count. With the exception of a very large project, this provision would allow sufficient capacity for the City to continue to issue permits while the study is being updated.

Commissioner Wagner asked if a project that is done in phases would be charged against the Concurrency Trip Capacity Balance Sheet. Mr. Young answered that the trips would not be deducted from the balance sheet until each phase of the project is at the building permit stage. However, staff will likely start the update sooner if they anticipate a project will trigger the need for an update in the near future. Again, he reminded the Commission that there are three possible triggers for the update: an amendment to the City's TMP as it relates to concurrency, a 30% increase in total traffic volume compared to traffic volume at the time the Concurrency Trip Capacity Balance Sheet was created, and more than 50% of the available capacity in the most recent calculation of available capacity has been reserved.

Commissioner Wagner asked how often the City conducts traffic counts. Mr. McKinley answered that the City conducts citywide traffic counts on a quarterly basis.

Commissioner Craft asked the Assistant City Attorney to respond to the letter from the Shallbetter Law Firm. Ms. Aynsworth Taylor advised that the letter was submitted on behalf of Richmond Beach advocates. The letter proposes language that would limit the City's ability to consider new and more creative strategies. It also raises concerns about what is considered "legitimate and effective." She explained that all strategies implemented by the City will be tied to trip capacity reduction and the changes proposed in the letter are unnecessary. At most, a categorical list of acceptable types of strategies could be added. However, she cautioned against refining the language down to specific strategies, which would unfairly bind both developers and the City from considering other strategies.

Commissioner Wagner noted that the term, "traffic study," was replaced with "transportation impact analysis" in SMC 20.60.140(B). She asked if this is a simple change of terminology rather than creating a different tool. Ms. Aynsworth Taylor said the terminology was changed to be consistent with the rest of the code. Mr. Young added that the term is defined in the code.

Commissioner Maul said it not clear in the language proposed in SMC 20.60.140(B) that a developer would be required to make local improvements if a traffic study shows that an intersection would be impacted beyond LOS D. In addition to changing the terminology, Mr. Young pointed out that the language makes it clear that the analysis must meet the standards established by the City's Engineering Development Manual. The study must analyze the proposed origin/destination trip distribution, identify any intersections that would receive the addition of 20 or more trips during the peak hour, and demonstrate how impacted intersections could accommodate the additional trips and maintain the LOS standard. While the language in this section does not specifically say an applicant must solve the problem, SMC 20.60.140(E) states that if an applicant does not pass the concurrency test, he/she can amend the application to reduce the number of trips generated, provide system improvements or strategies that increase the citywide available capacity, or appeal the denial.

Commissioner Scully said his interpretation of SMC 20.60.140(B) is that a permit would not be issued if it is demonstrated that a project will exceed the City's LOS standard at a particular intersection unless improvements are made. However, this requirement should be made clearer. Commissioner Craft concurred and asked for direction from the Assistant City Attorney. Ms. Aynsworth Taylor explained that if the Commission wants to move the proposed amendments forward to the City Council immediately after the public hearing, they should provide specific language to address their concerns. Another option would be to postpone their recommendation to allow the staff and consultant time to craft new language for their consideration. Commissioner Wagner pointed out that new Commissioners would come on board at the next meeting. She suggested the Commission craft new language to address their concerns and forward a recommendation to the City Council with a request that staff highlight the issue in their presentation to the Council.

Mr. Young suggested adding a paragraph at the end of SMC 20.60.140(B) to read, "If the analysis identifies one or more locations at which the LOS Standard is not maintained, the applicant shall mitigate their impacts sufficient to achieve and maintain the LOS Standard."

Commissioner Maul questioned if it would be more appropriate to place this new language in SMC 20.60.140(E). Mr. Young pointed out that SMC 20.60.140(E) refers to the "concurrency test," and SMC 20.60.140(B) refers to an additional analytical requirement. They must make sure that SMC

20.60.140(B) solves problems identified by the transportation impact analysis, just as SMC 20.60.140(E) solves problems identified in the concurrency test.

Ms. Aynsworth Taylor modified the proposed language to read, “If the analysis identifies one or more intersections where adopted LOS Standards are exceeded, the applicant shall mitigate their impacts sufficient to achieve and maintain the adopted LOS standard.”

Public Testimony

Brent Carson, Seattle, VanNess Feldman Lawfirm, said he was present to speak on behalf of Shoreline Community College (SCC). He said he just recently learned about the proposed concurrency amendments while meeting with the City Attorney and staff to discuss the SCC Master Plan. As a land-use attorney, he is very familiar with the concept of concurrency, and he reviewed the proposal today in an effort to provide some quick comments.

Mr. Carson recalled the question from Commissioner Wagner about phased projects and said he is particularly interested in master development plan permits. He reminded the Commission that SCC is prohibited from doing any development until a master development plan has been adopted for the site. This detailed process identifies all of the development that is expected to occur, as well as associated mitigation. He expressed concern that the proposed language appears to require the SCC and other master planned developments to go through the concurrency test at the time of each building permit application even though traffic impacts and required mitigation were addressed as part of the master development plan. He referred to SMC 20.30.353(G), which says a master development plan permit is vested for 10 years to all the applicable land use codes. He asked if this provision would apply to concurrency, as well.

Mr. Carson also requested clarification about whether a property owner would be required to go through a concurrency test when seeking a development permit to remodel or when changing the use on a commercial site that is already developed.

Lastly, Mr. Carson said he supports a citywide concurrency program. However, he pointed out that most communities that have adopted this approach have eliminated the intersection-by-intersection concurrency standards and used SEPA to address local issues, instead. He reminded the Commission that the goal of the new program is to provide clarity and predictability. Developers of projects that create more than 20 vehicle trips know they must do a traffic analysis as part of the SEPA review, and they understand that mitigation may be required. The SEPA review provides flexibility to make the determination of how much mitigation is appropriate and reasonable. If the City adopts a citywide approach for concurrency, he recommended that the intersection-by-intersection concurrency requirement be eliminated and that the SEPA mitigation requirement be used instead.

Continued Commission Discussion and Questions

To answer Mr. Carson’s question regarding changes in use and remodels, Mr. Young referred to SMC 20.60.140(C)(2)(a) and 20.60.140(C)(2)(b). As currently proposed, alteration or replacement of an existing residential structure that does not create an additional dwelling unit or change the type of

dwelling unit would be exempt from the concurrency test. The same would be true for alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use.

Commissioner Scully said Mr. Carson was actually seeking more information about what is meant by “changes in existing land use,” because “land use” is not defined in the City’s code. He said his interpretation of SMC 20.60.140(C)(2) is that a concurrency test would be required in situations where an existing use is changed to a more intense use that has a much higher traffic count. Commissioner Maul agreed that some commercial uses have much higher parking and traffic requirements than other and would change the impact on streets. However, the proposed language is intended to get away from requiring concurrency and mitigation for changes in use because it has become a nightmare for jurisdictions to implement. This approach would require the City to track every change, and potentially offer credits for changes that result in fewer vehicle trips.

Commissioner Maul asked Mr. Young to respond to Mr. Carson’s comment regarding the new language discussed earlier by the Commission for SMC 20.60.140(B). Mr. Young said Mr. Carson is advocating for a citywide program that uses SEPA to address local intersections, which is consistent with the proposed new language. Commissioner Scully said his interpretation of the new language is that applicants would be required to meet both sections of the transportation code. Mr. Carson is asking them to eliminate SMC 20.60.140(B) and address local intersections through SEPA. Ms. Aynsworth Taylor clarified that Mr. Carson recommended a cross reference to say “mitigation for intersection-specific impacts would be handled through the SEPA process.”

Regarding the earlier discussion about “existing land uses,” Ms. Aynsworth Taylor explained that land use tables are provided in the code to identify the permitted uses in each of the various zoning districts. To provide clarity, she suggested the language be changed to reference the City’s land use tables in the Development Code.

Commissioner Wagner asked if adding an accessory dwelling unit on a single-family residential lot would require a concurrency test. Director Markle recalled a discussion between the staff and Mr. Young where it was determined that accessory dwelling units would be considered new units and a concurrency test would be required.

Mr. Young referred to Mr. Carson’s concern about how the proposed concurrency program would be applied to phased projects such as master development plans. He agreed with Mr. Carson that most jurisdictions allow for concurrency earlier in the process. However, most of these cities have more capability for large development. The initial thought was that the proposed plan includes protections, other than exempting them or giving them a separate and earlier path to concurrency. He reminded the Commission of the requirement built into the proposed concurrency program, which requires the City to take a fresh look at the citywide system capacity if the 50% threshold has been exceeded. While this does not provide the assurance that large scale developers want and prefer, it does provide assurance that the City is not intentionally putting phased-developments at risk. The proposed program is transparent and will be updated regularly as part of the TMP.

Regarding vesting, Mr. Young explained that a citywide impact fee program has been proposed in conjunction with the concurrency program. While vesting creates a lot of protection for properties, it does not vest any property under Washington law from paying an impact fee at the point of a building permit. The impact fee portion of the proposal would not change nor would an applicant be vested from the fee by virtue of being allowed to have concurrency earlier in the process.

Mr. Young commented that allowing master planned and phased developments to use a separate and earlier path to concurrency would enable the City to set aside the trips associated with the development and protect them from being used by other developers in the future. That is good for both the applicant and the City. However, there is a price tag associated with this approach. Because the trips would be placed on the books earlier, the City would need to identify a mechanism for dealing with situations where properties change hands and owners decide to develop them differently than the plans that were previously approved. Would the trips be protected for the property regardless of changes in uses?

Mr. McKinley reminded the Commission that one purpose of the master development plan process is to provide predictability. The City and its citizens have an understanding of what will happen in the future, and the developer knows what to expect and gets prior approval on the context of the development. During the master development plan process, staff advises applicants that impact fees will be assessed at the time a building permit application is submitted. This enables developers to build the fee into their financial plans. Both parties know what to expect so there are no surprises.

Mr. Young recalled that King County's original concurrency system included a provision that allowed early applicants to come in and file for concurrency for plats, preliminary plats, rezones, etc. At the time, he recommended that King County not just warn applicants of the impact fee, but require them to pay the fee as a deposit at the time they were given concurrency. He cautioned King County that if they gave away something of value at no cost, developers would grab it off the shelf very quickly. King County did not follow his advice, and all of the concurrency capacity on the Sammamish Plateau was taken up in just a few short months. King County quickly changed their approach, and his subsequent clients have learned from this mistake. If the City wants to allow an early or special path for concurrency, he urged them to require a concurrency fee that is treated as a payment for the reservation of capacity. The fee should be an amount equal to the cost per trip of the existing impact fee. It should not be considered a prepayment of the impact fee, but a deposit against the final impact fee at the time building permits are in place. This will protect the City in case the impact fee goes up.

Chair Moss referred to Amendment 14 (SMC 20.20.044) and noted that the term "reserve" could be used as both a noun and a verb. She asked if both meanings would be clearly defined in the definition section of the code. Mr. Young explained that each of the subchapters in the "fee" section of the SMC, where the language related to impact fees is located, has its own definition section. However, the Development Code portion of the SMC places all of the definitions in one place to provide consistency. There is currently no definition for "reserve" or "reservation" in Chapter 20, and the proposed definition is written in such a way that it would only apply to Chapter 20.

Chair Moss suggested that punctuation should be added to the definition for "transportation facilities" found in Amendment 15 (SMC 20.20.048) to make it read clearer.

Because the public hearing had not been closed, Chair Moss allowed Mr. Carson another opportunity to address the Commission.

Brent Carson, Seattle, VanNess Feldman Lawfirm, pointed out that “community college” is not one of the uses listed on the Trip Generation Calculator. He asked if applicants would be allowed to provide a study that identifies the number of trips for unique uses. To clarify a point he made earlier, Mr. Carson pointed out that the Trip Generation Calculator identifies a specific number of 3.75 for shopping centers, yet “shopping center” is not a land use category in the City code. He expressed concern that referencing the land use section of the code could require the City to charge property owners when uses change even though the impact fees were paid by the developer when the shopping center was developed.

Mr. Young explained that what takes precedence is whether or not you are responsible for a concurrency test. Impact fees would not be assessed unless a concurrency test is required. The proposed language defines that changes in land use (or land use categories as per the land use tables) would require a concurrency test and an impact fee would be assessed. As long as the use remains within the same category of land use, no concurrency test or impact fee would be required.

Closure of Public Hearing

Chair Moss closed the public hearing.

Commission Deliberation and Action

COMMISSIONER WAGNER MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION TO CITY COUNCIL THAT THEY ADOPT THE PROPOSED AMENDMENTS TO TITLE 20 AS DRAFTED BY STAFF. COMMISSIONER MONTERO SECONDED THE MOTION.

Commissioner Wagner thanked City staff and the consultant for providing a thorough presentation, specifically explaining the reasons why the proposed amendments make sense directionally. She particularly likes that the proposed concurrency program would give predictability to developers and allow staff to apply the requirements consistently for all development applications.

Commissioner Montero also commended staff and the consultant for their thorough presentation. He noted that the proposed program is very similar to the program that has been successfully implemented by the City of Redmond. He felt the document was well drafted and would encourage development in the City.

COMMISSIONER SCULLY MOVED TO AMEND THE MOTION TO CHANGE AMENDMENT 3 [SMC 20.60.140(B)] TO READ AS FOLLOWS:

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 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.

1. The transportation impact analysis shall include:

- a. An analysis of origin/destination trip distribution proposed;*
- b. The identification of any intersection that would receive the addition of 20 or more trips per the p.m. peak hour; and*
- c. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.*

2. If the transportation impact analysis identifies one or more intersections where adopted LOS standards are exceeded, the applicant shall mitigate their impacts in order to achieve and maintain the adopted LOS standard.

COMMISSIONER CRAFT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

The Commission asked staff to review the document and change all “traffic study” references to “traffic impact analysis.”

Commissioner Wagner expressed concern about how the concurrency program would be applied to phased developments. She specifically referred to the Community Renewal Area where redevelopment is encouraged and reminded the Commission of the need to provide predictability, particularly for larger developments. She asked for direction from the staff and consultant about how and where this issue would be best addressed. Ms. Aynsworth answered that phased projects should be addressed in a stand-alone section that is a subset of the concurrency requirement.

COMMISSIONER SCULLY MOVED TO AMEND THE MOTION TO CHANGE SMC 20.60.140(C)(2)(b) (AMENDMENT 4) TO READ:

- b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use as defined in the land use categories as set forth in the trip generation calculator land use categories.*

COMMISSIONER MAUL SECONDED THE MOTION.

Commissioner Scully agreed with the concern raised by Mr. Carson regarding the definition of “land use categories.” He believes the intent is to move away from the massive table of use categories to simple trip generation categories. His proposed change simply clarifies what is meant by “land use category.”

Mr. Young pointed out that the trip generation calculator provided in the presentation is actually just an example from another jurisdiction. A trip generation calculator has not yet been created for the City of Shoreline. Director Markle reminded the Commission that the table Commissioner Scully referred to in

the motion would be adopted as part of the City's new impact fee program, and amendments related to the concurrency program would not be adopted until the impact fee program has been adopted.

Commissioner Montero said he likes the ambivalence of the plain words "land use" and leave it up to the Public Works Director to decide whether a true change in land use has occurred. He would prefer to give the director options instead of using a strict table.

THE MOTION FAILED.

COMMISSIONER SCULLY MOVED TO AMEND THE MOTION TO CHANGE SMC 20.60.140(C)(2)(b) (AMENDMENT 4) TO READ:

- b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use as defined in the land use categories as set forth in the impact fee analysis land use tables.*

COMMISSIONER CRAFT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Chair Moss reminded the Commission that the letter from the Richmond Beach Association asked them to review the language in SMC 20.60.140(E)(4)(b) (Amendment 6). The Commission decided against amending the language in this section.

Chair Moss questioned if SMC 20.20.014 (Amendment 12) should also include a definition for the term, "concurrency fee deposit." Mr. Young said this definition would only be needed if the Commission chooses to establish a separate concurrency path for master development plans. Director Markle said this issue would be better addressed under the code section related to master development plans.

Commissioner Wagner asked if the master development plan option would only be applicable to properties zoned "campus." Mr. Szafran answered affirmatively and said there are currently four properties in the City that are zoned "campus." Commissioner Wagner expressed concern that incorporating a separate concurrency path for master development plans would not address other types of phased development such as the Community Renewal Area. She reminded the Commission of the City's desire for larger, consolidated, multi-use projects; but she acknowledged she does not have enough information to understand whether or not a developer would find the proposed concurrency program less attractive because it does not provide enough certainty.

Commissioner Maul observed that the proposed concurrency program would add a lot of predictability for large projects. The proposed language makes it clear the impact fee would be applied when a permit application has been made, and there would be no advantage for property owners to pay a deposit fee when a master development plan is vested. He said he does not see a need to allow large developments to reserve trips.

The Commission directed staff to make grammatical changes to SMC 20.20.048 (Amendment 15) to clarify the intent of the definition for "transportation facilities."

THE MAIN MOTION TO FORWARD A RECOMMENDATION TO CITY COUNCIL THAT THEY ADOPT THE PROPOSED AMENDMENTS TO TITLE 20 AS DRAFTED BY STAFF WAS UNANIMOUSLY APPROVED AS AMENDED.

DIRECTOR'S REPORT

Director Markle referred to correspondence the Commission received from Ms. Basher concerning training opportunities. The Growth Management Act Course on Local Planning provides an overview of Washington State Law, comprehensive planning in general, and best practices and public participation. She encouraged those who have not attended in the past to consider participating in one of the three local sessions. In addition, the Washington Cities Insurance Authority is sponsoring a training event for public officials that will be specifically geared towards Commissioners and Councilmembers. Risk exposure and controls will be the focus of the training, and she encouraged Commissioners to attend if possible.

Director Markle announced that the deadline for submitting scoping comments related to the Point Wells Project was extended to April 2nd.

Director Markle reported that the fourth of six meetings for the Transportation Corridor Study for Point Wells was held on March 19th, and the upper portion of Richmond Beach Road (Segment B) was the focus of the discussion. There will be one more meeting on Segment B, followed by a wrap-up meeting in mid April. She commented that the process is going well, and the City has received a lot of good, constructive comments.

Director Markle advised that the Chronic Nuisance Ordinance was adopted by the City Council on March 3rd.

Director Markle announced that the City Council confirmed the appointment of new Commissioners, who will start at the first meeting in April. Chair Moss was reappointed, and two new Commissioners (Terry Strandberg and Jack Malek) were appointed.

Director Markle thanked Commissioner Esselman for her four years of service on the Commission. She commented that she has always admired her ability to listen and give thoughtful comments. She particularly appreciated her perspective on the built environment. She also thanked Commissioner Wagner for her eight years of service on the Commission, and commented that her leadership helped to change the dynamic on the Commission so they could work towards consensus. She also appreciates her drive to seek balance and present both sides of an issue in an unbiased way.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

No new business was scheduled on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Letter to Council

Chair Moss referred to a draft letter to the City Council that she prepared on behalf of the Commission. She invited the Commissioners to review the letter and provide comments via Plancom as soon as possible. She specifically requested Commissioners provide information about the other public meetings they attended outside of the regular Commission meetings. She agreed to also seek this information from staff.

Chair Moss said she would present an updated letter at the next Commission meeting for final review and acceptance before it is forwarded to the City Council.

AGENDA FOR NEXT MEETING

Mr. Szafran reviewed that “housing for everyone” will be the topic of the Commission’s April 3rd meeting, and various individuals have been invited to share their perspectives on housing and housing choices.

Councilmember Hall commented that he could not do his job, as a Councilmember on behalf of the community, without the work done by the Planning Commission. There is simply too much for Councilmembers to get into the thorough detail the Commissioners discuss on each issue. The work they do to perfect legislation so it comes to the City Council thoroughly baked is exceptional. While the Council may have slightly different input from time to time that might lead them to amend the Commission’s work, they should never misunderstand that to be a condemnation or criticism of their work. Every single recommendation from the Commission is exceptional and valuable.

Councilmember Hall specifically thanked Commissioners Wagner and Esselman for their thoughtful, hard working, and caring dedication as Planning Commissioners. The remaining Commissioners also thanked Commissioners Wagner and Esselman for their service on the Commission.

ADJOURNMENT

The meeting was adjourned at 9:41 p.m.

Donna Moss
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

TIME STAMP
March 20, 2014

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: 1:25

GENERAL PUBLIC COMMENT: 1:53

PUBLIC HEARING: TRAFFIC CONCURRENCY – DEVELOPMENT CODE AMENDMENT

Staff Presentation: 3:10

Commission Questions: 30:41

Public Testimony: 1:05:45

Continued Commission Discussion and Questions: 1:14:40

Closure of Public Hearing: 1:47:20

Deliberation and Action: 1:47:35

DIRECTOR'S REPORT: 2:25:55

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS:

Letter to Council: 2:30:25

AGENDA FOR NEXT MEETING:

ADJOURNMENT: