

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

**Please note: There is no audio available for this meeting.**

May 1, 2014  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### **Commissioners Present**

Chair Scully  
Vice Chair Craft  
Commissioner Malek  
Commissioner Maul  
Commissioner Moss  
Commissioner Strandberg

### **Staff Present**

Rachael Markle, Director, Planning & Community Development  
Paul Cohen, Planning Manager, Planning & Community Development  
Steve Szafran, Senior Planner, Planning & Community Development  
Kirk McKinley, Transportation Services Manager  
Lisa Basher, Planning Commission Clerk

### **Commissioners Absent**

Commissioner Montero

### **CALL TO ORDER**

Planning Commission Chair, Keith Scully, 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 Scully, Vice Chair Craft, and Commissioners Malek, Maul, and Strandberg. Chair Moss arrived about 20 minutes after Roll Call. Commissioner Montero was absent.

### **APPROVAL OF AGENDA**

The agenda was accepted as presented.

### **APPROVAL OF MINUTES**

The minutes of April 17 were not yet available to be approved. They will be approved at the next regular meeting.

## **GENERAL PUBLIC COMMENT**

Chair Scully reviewed the rules for public comment. No one was signed up for general public comment.

## **STUDY ITEM: UPDATE ON POINT WELLS TRANSPORTATION CORRIDOR PROCESS**

### **Staff Presentation**

Kirk McKinley, Transportation Services Manager, introduced himself and explained that the purpose of his report was to update the Commission on the status of the Point Wells Transportation Corridor Study. He explained that members of the Commission were welcome to interrupt to ask questions or ask for clarification throughout his presentation.

Mr. McKinley reviewed that the proposed development, while being under the purview of Snohomish County, will have a severe impact on traffic throughout the Richmond Beach area since there will be no other way to access Point wells from any other direction. He acknowledged that residents of the community have expressed great concern for the impact that a development of this scope will have on the community. He explained that early on in the process, it was decided that the best way for the City to have input and influence on the BSRE project to mitigate traffic concerns was to sign a Memorandum of Understanding with BSRE. The MOU established a process to develop a Transportation Corridor Study funded by the developer and the City. Following completion of the TCS, the data, in conjunction with a development agreement, will be used to inform decisions on the DEIS, mitigation, phasing, the traffic cap (set at a maximum of 11,587 ADT) and future potential annexation plans.

\*Mr. McKinley described the TCS process and meeting schedule explaining that there were 7 public meetings held from mid-February to mid-April and that the purpose of these meetings was to hear from the community about transportation issues and concerns and then develop mitigation relating to proposed development at Point Wells. The final meeting presented design options resulting from the feedback given by residents. He mentioned that about 500 residents attended the seven meetings and provided a variety of feedback from concerns over traffic and diversion, pedestrian and bike safety, parking, quality of life, pollution and an overall change to the character of the neighborhood brought about by such a large development. Mr. McKinley described specific concerns about the 196th / 195th 'Triangle' and Richmond Beach drive.

Note: a follow-up request was submitted that the minutes be amended to include the following verbage to more accurately reflect what was said at the meeting, in the opinion of the requestor:

Noting how the City needed to work and join hands with BSRE, Mr. McKinley described the TCS process....

Next steps will include additional analysis, finalization of mitigation package leading to a public open house tentatively scheduled in late summer or early fall, followed by City Council action early fall 2014. Following Council Action the TCS results will be submitted to Snohomish County for inclusion in the Draft Environmental Impact Statement (DEIS). .

## **Public Comment**

Delores Jensen, George Mayer, and James Joke, Shoreline, all spoke against development at Point Wells citing safety concerns and pointing out that the Point Wells site has been designated a corrosion and slide prone zone. Delores recalled the recent events in Oso as an example of what happens when hazards are disregarded in favor of development. They agreed that the development will have a tremendous impact on the character of their neighborhood and that the amount of traffic coming through the neighborhoods will overburden the roads.

Tom McCormick, Shoreline, expressed concern about Staff's statement at the meeting that the City has "joined hands" with the developer on the Transportation Corridor Study, and commented that joining hands with the developer was at the expense of Richmond Beach residents. He urged the Commission to resist efforts to raise the 4,000 trips per day traffic cap for Richmond Beach Drive that is contained in the City's Point Wells Subarea Plan, noting that 4,000 daily trips is about seven times the current traffic volume. He also requested that the existing pedestrian crosswalk at the intersection of Richmond Beach Road and 23rd Ave NW be improved when traffic increases.

## **STUDY ITEM: DEVELOPEMENT CODE AMENDMENT BATCH**

### **Staff Presentation**

Steve Szafran, Senior Planner, began by explaining that the amendments to the Development Code are processed as Legislative decisions. The Planning Commission is tasked with reviewing the amendments and forwarding a recommendation the City Council. He gave a brief review on the purpose of development code amendments. Amendments serve to bring regulations into conformity with the Comprehensive Plan; to respond to changing conditions or needs of the City; and to comply with State Law. In many cases amendments are also necessary to reduce confusion, clarify existing language, respond to local policy changes, update references, and eliminate redundant or inconsistent language.

Mr. Szafran said this batch of 31 proposed amendments were brought forward by Director Markle and staff with one exception, which was introduced by the Seattle Golf Club whose representatives are in attendance to provide information about their proposed amendment and to answer questions. He outlined that the format of the discussion will be to go over each amendment and talk about its purpose, discuss any feedback the Commission might have, and determine if the Planning Commissioners need any additional information or analysis on the proposed amendments. He indicated that the amendments begin on page 14 in the Commissioners packets. Changes to the amendments suggested by the commission will be considered and there will be an opportunity to go over the amendments again in a Public Hearing in the coming weeks.

**Amendment 1 - 20.10.050 Roles and responsibilities** - Mr. Szafran explained that this amendment catches the code up a change that was implemented three years ago that shifted oversight on quasi-judicial matters from the Planning Commission to the Hearing Examiner. The Commission had no comment on this change.

**Amendment 2 - 20.20.012 B definitions** - This amendment clarifies the definition of a Binding Site Plan. The Commission had no questions or comments about this change.

**Amendment 3 - 20.20.16 D definitions** - This corrects an error where the code incorrectly refers to the Department by its former name. The Commission had no questions or comments about this change. Commissioner Moss requested that staff do a keyword search on the department name throughout the code to correct all instances.

**Amendment 4 - 20.20.40 P definitions** - This amendment seeks to clarify the difference between a public agency or utility office and a yard. The Commission had no questions or comments about this change.

**Amendment 5 - 20.30.040 Ministerial Decisions - Type A** - This amendment provides for additional noticing requirements for when multiple homes are built on one lot. This addresses an issue that was recently brought to our attention. The Commission asked several clarifying questions about this amendment but no changes were proposed.

**Amendment 6 - 20.30.045 - Neighborhood meeting for certain Type A proposals.** Continues applying additional noticing requirements to mitigate potential impacts to residents.

**Amendment 7 - 20.30.060 Quasi Judicial decisions - Type C** - Removes street vacations from the table as it is regulated elsewhere in State Law and SMC Title 12. Commissioners had no comments or questions about this amendment.

**Amendment 8 - 20.30.120 Public notices of application** - This amendment adds necessary public comment periods related to the Shoreline Master Program into the appropriate section of the code. Commissioners had no comments or questions about this amendment.

**Amendment 9 - 20.30.370 Purpose** - This amendment deletes condominiums from the subdivisions section of the code. Condominiums are not subdivisions of land - they are a type of ownership and the City does not regulate forms of ownership (Condominiums, apartments, rental homes). The Commission had some clarifying questions related to what constitutes a subdivision versus multiple units on one lot. The Commission did not suggest .

**Amendment 10 - 20.30.380 Subdivision categories** - A condominium does not necessarily need a Binding Site Plan unless parcels of land are actually being created. The Commission had no questions or comments about this change.

**Amendment 11 - 20.30.390 Exemptions (from subdivisions) Justification** - The Code currently lists uses that are exempt from the subdivision section based on State Law. This amendment seeks to delete these exemptions since it is in State Law and subject to change. The Commission had no questions or comments about this change.

**Amendment 12 - 20.30.480 Binding site plans - Type B action** - Section A is not written well and seems to imply an either/or method of review when in fact the word "may" means the review could be

done in whatever way is appropriate depending on the circumstances. This language clarifies how the City may review Binding Site Plans. The Commission had no questions or comments about this change.

**Amendment 13 - 20.30.680 Appeals** - Correcting an error that incorrectly states that the Hearing Examiner does not review Type C actions. The Commission had no questions or comments about this change.

**Amendment 14 - 20.40.130 Nonresidential Uses** - This amendment adds Daycare Facilities II as a permitted use in the R-6 and R-8 zones with additional criteria (P-I means permitted with additional criteria) the additional criterion is explained in the 20.40.320 amendment. The Commission had no questions or comments about this change.

**Amendment 15 - 20.40.140 Other Uses** - combining public agency/yard and Public Utility office/yard in the use table and making them a Special Use in the R-4-R12 zone.

**Amendment 16 - 20.40.320 Daycare facilities** - amendment 16 seeks to allow Daycare II in R-4 and R-6 zones if they are proposed within existing facilities such as churches and schools. Commissioner Strandberg pointed out that there seem to be inconsistencies to the two amendments and the tables illustrating them that relate to Daycare II facilities. Mr. Szafran will look at the code and try to address these contradictions.

**Amendment 17 - 20.40.480 Public Agency or utility office & 20.40.490 Public Agency or utility yard.** Staff proposes requiring a Special Use Permit to locate in a residential area without any indexed criteria. This will allow staff to impose conditions that are appropriate for the site in which one of these uses will go or deny the use if the stringent criteria for a Special Use Permit are not met. This will allow staff to be flexible and allow projects to fit into existing residential areas. The Commission had no questions or comments about this change.

**Amendment 18 - 20.40.600 Wireless telecommunication facilities/satellite dish and antennas** - corrects an error in a table changing the acronym CUP to SUP. The Commission had no questions or comments about this change.

**Amendment 19 - 20.50.020 Dimensional requirements.** This amendment fills a gap in exception number 8 of Table 20.50.020. R18 should also be included in the exemption along with other multifamily zones above and below R-18. The Commission had no questions or changes.

**Amendment 20 - 20.50.090 Additions to existing single-family house - Standards.** The City allows a home owner to make additions that are non-conforming to setbacks as long as the addition is the same height as the existing height of the house. If a home owner wants to add on to a home horizontally as well as vertically, then the portion of the addition that is higher has to meet current setbacks. For example, if an existing home is 3 feet from the side property line, the owner may extend the home as long as the home goes not closer than 3 feet from the property line. If the owner wants to add a story onto the addition, the second story must be stepped back to meet the existing side yard setback requirement of five feet. Mr. Szafran and Mr. Cohen answered multiple questions about this amendment, and the Commission did not suggest any changes. Director Markle also pointed out that the Commission

is free to recommended additional changes to the amendments before them. Commissioner Moss suggested that Figure 20.50.090 (A) be drawn proportionately or to scale to better illustrate the 60% of existing facade.

#### **Amendment 21 - 20.50.240 Site design (Commercial Code Amendments)**

**A.4** - The term "town center" was missed in the last commercial code consolidation amendment. It is no longer a separate subarea from the remaining commercially zoned property and should be deleted but included under "commercial development".

**C.1.b.** This would require commercially zoned buildings to have 12 ft ceilings, which would make it difficult for the floor plates to match with the remainder of the building ceiling heights. Mr. Cohen stated that this is too stringent of a requirement for commercial developers and shouldn't be a requirement.

Commissioner Maul made a case for maintaining the 12 ft ceiling at street level requirement. He also suggested possibly a 4-6 ft height bonus for buildings that have 12 ft ceilings on the ground floor. After debating this point, Staff agreed that it would be a good idea to look at surrounding jurisdictions code and see what their commercial design requirements are. Also staff indicated that the 12 ft ceiling height could be reduced to 9 ft through and Administrative Design Review (ADR) process.

**C.1.c** - The current code is too inflexible and would not include windows below 30 inches in height or windows above 10 feet in height. A building with a full glass facade and doors would be penalized unnecessarily.

**F.1** - the existing standard does not take into consideration mixed uses. A mixed use that is 90% multifamily with a 10% commercial would have a huge public place based on the lot size plus the multifamily open space. Based on current development proposals this standard is improbable to meet. the proposed amendment allows the multifamily open space and the public place requirement to be on the same site and proportional to each use.

**G.1.c** - Environmental equipment such as solar panels cannot be screened to perform as desired. It is logical to exempt such equipment from this code section.

**Amendment 22 - 20.50.310 Exemptions from permit** - Mr. Szafran explained that this is the amendment brought forward by Seattle Golf Course (SGC) to allow for a more streamlined process for maintaining and repairing golf courses in Shoreline. He explained that these activities are ongoing and so frequent that it is inefficient for them to apply for a permit each time. Many surrounding jurisdictions exempt golf courses from these activities. In the past the Director has issued a 5 year permit allowing SGC to perform these maintenance activities with conditions. The proposed amendment requires golf courses to maintain a minimum tree retention percentage of 35% and conform to the City's regulations when making decisions about their grounds.

Chair Scully pointed out that this agreement would essentially give the Golf Club 'carte blanche' to do whatever they want. His concern is not only how they would decide to use that freedom, but also that it

might set a precedent for other large properties wanting to have the same decision making freedom to the detriment of the environment and possibly public safety. There is nothing built-in to the amendment to define what is 'normal and routine maintenance' and he is hesitant to move forward without such limits being written into the amendment.

Commissioners also were curious about the properties on which the Parking Lot and the Clubhouse occupied, and if they would also be exempt from permitting requirements. Mr. Cohen indicated that those properties were different parcels and therefore not covered by this amendment.

Another element included in the amendment would allow for the Golf Course to stockpile organic materials for use or recycling on a golf course in excess of 50 cubic yards. Both Commissioner Moss and Commissioner Strandberg wondered about the implications of this as it does not specify where this 'material' is to be stored; will it be screened; or how the environment will be protected from runoff. Questions also arose from the Commission regarding the extent of grade change that would be allowed as a result of this amendment.

**Amendment 23 - 20.50.440 Bicycle facilities - Standards.** SMC 20.50.440 was amended in 2013 to provide for more long-term bicycle parking; however there has been feedback from developers indicating that the new standard is difficult to meet with other development standards. Shoreline's standards are among the highest in the region and the highest in suburban cities. This amendment is intended to make bike parking standards less cumbersome for developers while still making sure ample bike space is set aside. The merits of this amendment were discussed and debated. Commissioner Moss expressed concern that .5 per studio was not enough to handle the volume of a growing community of bike riders. She also commented that family sized apartments with 30 more bedrooms could generate the need for more bike storage. Commissioners discussed whether realistically it's fair to provide the heavy bike parking and storage requirements in a suburban area since most people are reliant on cars. Adding Light Rail could bring more residents that bike and will be less dependent on car travel but in recent years Shoreline hasn't seen much growth in this population so it doesn't make sense to have such a high requirement if it's not being used.

**Amendment 24 -20.50.532 - Permit Required, Amendment 25 - 20.50.550 Prohibited Signs, & Amendment 26-20.50.590 Nonconforming Signs.** The intent of these amendments is to prohibit installation of new electronic changing message or reader board signs in existing, non conforming signs in zones where electronic changing message or reader board signs are prohibited. An exception is proposed that would allow for replacement where the electronic changing message unit is legal nonconforming. Previously installation of these digital signs in existing cabinets was treated as a copy replacement. This has allowed for installation or replacement of digital signs without review and sometimes in signs which exceed the current maximum sign area size for the zone.

**Amendment 27 - 20.50.600 - Temporary Signs.** Current temporary sign standards do not provide a means for non-residential uses in residential zones to temporarily advertise events or programs. A board signs are prohibited as are electronic message centers in residential zones. As currently worded it is not clear whether temporary signs could be considered for approval under a Temporary Use Permit or Administrative Design Review. This change allows use of banners for schools and churches comparable to what is allowed without permit in commercial zones. Separate provisions for signs without a permit

are available for home occupations, adult family homes, and daycares under 20.50.540 (J) Government agencies are allowed to install incidental signs without limits under 20.50.610 (D) which is commonly used by public schools, but this provision is limited to two (2) square feet for all other incidental signs.

Commissioner Moss expressed concern that these restrictions don't allow for schools which can take up entire blocks and therefore would only be allowed to place one sign if they are advertising an upcoming school event or activity. She reasons that they should at least be able to have a sign on each street frontage surrounding the block that the school occupies.

**Amendment 28 - 20.80.240 Alteration** - the City adopted the International Building Code in 2004 and this code amendment reflects the updated code.

**Amendment 29 - 20.80.310 Purpose. / Amendment 30 - 20.80.320 Designation, Deliniation, and Classification.**

RCW 36.70A.175 requires that the wetlands are to be delineated in accordance with the manual adopted per RCW 90.58.380. RCW 90.58.380 states the Ecology must adopt a manual that implements and is consistent with the 1987 manual in use on Jan 1, 1995 by the Army Corps of Engineers and the US Environmental Protection Agency. If the corps and the EPA adopt changes or a different manual is adopted, Ecology shall consider these changes and may adopt rules implementing them.

This is what Ecology has done with WAC 173-22-035. The proposed amendments to 20.80.310 and 20.80.330 mirror the language. However, 20.80.330 doesn't need to include the language that all wetlands meeting the designation criteria are designated as critical areas. SMC 20.80.310 already does this. There is no need to repeat the language in 20.80.330 since this is where buffers are regulated.

The amendments delete the identification/delineation phrase in 20.80.310 and 20.80.330 and move it into 20.80.320 and change that title to "Identification, Delineation, and Classification." this keeps "Purpose" being just Purpose and then creates a new section for the other aspects.

**Amendment 31 - 20.80.330 Required buffer areas** - brings the code to compliance with WAC 173-22-035.

Mr. Szafran concluded his presentation.

### **Public Comment**

No one in the audience indicated a desire to address the Commission, and the public comment period was closed.

### **DIRECTOR'S REPORT**

Ms. Markle announced that there would be a Joint meeting with Council on May 12th to discuss 145th street Light Rail planning. She asked the Commission clerk if she was able to determine who would be



there. Ms Basher indicated that 5 people had said they could make it and that she was still waiting to hear back from Commissioner Strandberg. Commissioner Strandberg indicated that she did not yet know if she could make it.

### **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

### **NEW BUSINESS**

There was no new business scheduled on the agenda.

### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

There were no committee reports.

### **AGENDA FOR NEXT MEETING**

Ms. Basher indicated that there will be a retreat on May 15 and because of this the Planning Commission meeting will start at a different time, 6:00 pm. The Commissioners will be served dinner and Ms. Basher will be in touch with them about food options. Mr. Szafran indicated that the retreat will still be held in Chambers, however it will not be up at the dias but in a more informal room setup. Chair Scully asked if staff needed any suggestions on agenda items and staff responded that the agenda was pretty much set. Director Markle clarified that even though the agenda is set we are always open to suggestions.

### **ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.

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Keith Scully  
Chair, Planning Commission

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Lisa Basher  
Clerk, Planning Commission