

DRAFT

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

April 21 2016
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Pro Tem Montero
Commissioner Chang
Commissioner Maul
Commissioner Malek
Commissioner Mork
Commissioner Moss-Thomas

Staff Present

Rachael Markle, Director, Planning & Community Development
Steve Szafran, Senior Planner, Planning & Community Development
Kendra Dedinski, Traffic Engineer
Lisa Basher, Planning Commission Clerk

Commissioners Absent

Chair Craft

CALL TO ORDER

Chair Pro Tem Montero 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 Pro Tem Montero, and Commissioners Chang, Maul, Malek and Mork and Moss-Thomas. Chair Craft was absent.

APPROVAL OF AGENDA

Director Markle requested that the order of the two study items be switched, which the Commission agreed to, and the remainder of the agenda was approved.

APPROVAL OF MINUTES

The minutes of April 5, 2016 were adopted as amended, and the minutes of April 7, 2016 were adopted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

STUDY ITEM: LIGHT RAIL SYSTEM AND FACILITIES PERMITTING PROCESS AND APPLICABLE REGULATIONS

Staff Presentation

Director Markle advised that the topic of the study session is amendments to the Shoreline Municipal Code (SMC) designed to set the standards for development of light rail system/facilities. It represents the second round of such amendments. She recalled that Sound Transit asked the City to delay the amendments to allow them more time to provide input, and some changes have been made in response to comments from Sound Transit. She reviewed each of the proposed amendments as follows:

- **SMC 20.20 – Definitions.** The definitions for “Light Rail Transit Facility” and “Light Rail Transit System” were amended to make it clear that they are “Essential Public Facilities.” Also, a definition for “Regional Transit Authority” was added to be consistent with State law. The definition for “Development Agreement” was amended, as well, since it was determined that Development Agreements are not the appropriate mechanism for processing permits for “Essential Public Facilities.”
- **SMC 20.30.100 – Applications.** This amendment would allow Sound Transit to apply for permits related to property that it does not yet own or control. The intent is to allow them to move forward while the final property negotiations are completed, and permits would be conditioned to stipulate that work is allowed only on parcels owned by Sound Transit or where Sound Transit is authorized by the owner to use the property.
- **SMC 20.30.330 – Special Use Permit.** The City Council recently adopted the Special Use Permit (SUP) process as the means to approve light rail system/facilities. She explained that an SUP can be used by the Hearing Examiner to condition a project in order to meet the adopted criteria. The original intent was to use the SUP decision criteria applicable to all special uses in the City, and the proposed amendment would add additional criteria for SUP’s that are specific to light rail system/facilities. Sound Transit has noted that Essential Public Facilities cannot be precluded through the application or review of a SUP, and staff agreed that was never the intent. The amendment would add this language into the actual purpose for the permit to provide clarification.
- **SMC 20.30.330(C) – Decision Criteria for Special Use Permits.** In addition to the existing criteria used to review SUPs, staff is proposing additional criteria specific to light rail transit system/facilities. The intent of the three proposed new criteria is to ensure that the proposed light rail stations, garages and other associated facilities use energy efficient and environmentally sustainable architecture and design, demonstrate the availability of sufficient capacity and infrastructure to safely support light rail systems/facilities, and reflect the City’s Guiding Principles for Light Rail Facility Design. The purpose of the SUP criteria is to allow Essential Public Facilities (light rail system/facilities) in a way that is also compatible with other uses in the zone.

- **SMC 20.40.438 – Supplemental Application Submittal Requirements.** The proposed amendment would add supplemental application submittal requirements for all light rail system/facilities in any zone. The submittal items are typical for larger development projects in Shoreline, and the intent is to streamline the requirements by listing them all in one place. The supplemental requirements include:
 - A **Construction Management Plan** to work out such details as where staging areas will be located, how haul routes will work, hours of construction, noise reduction practices, daily clean up, parking for construction crews, etc.
 - A **Parking Management Plan** to examine such issues as overflow parking, signage, and parking enforcement.
 - A **Multi Modal Access Plan**, which would be folded into Sound Transit’s Access Assessment Report to address on and off-site needs for sidewalks, bicycle facilities, buses, traffic calming and parking impacts attributed to development of the proposed light rail stations.
 - A **Neighborhood Traffic Plan** would be used to look at traffic speeds and volumes with residents in an effort to anticipate issues and solutions. A typical outcome is the identification of traffic-calming measures for various locations if the need arises following the opening of the service. This plan would also be folded into Sound Transit’s Access Assessment Report.
 - A **Transportation Impact Analysis** is already required for any large project in the City as a way to ensure concurrency. However, Sound Transit has pointed out that they are not subject to concurrency. The Access Assessment Report will allow the City to identify the impacts and solutions, similar to a Transportation Impact Analysis, but the City cannot tie it to concurrency. It must be done through negotiation and agreement.

- **SMC 20.50.240(F)(6)(g) – Utilities for Public Places.** This amendment would require that publicly-accessible water and electrical power supply be supplied at high-capacity transit centers and stations and associated parking. These utilities could be used to support outdoor vendors in the future and create a sense of place.

- **SMC 20.50 – Compliance with Tree code and Related Provisions.** A largely unavoidable impact related to the construction of the light rail stations/facilities is the removal of hundreds of trees. The City’s existing regulations are a great starting place for determining tree replacement ratios and sizes, but they are a little weak in regard to potential impact on off-site trees. The proposed amendment would improve the off-site tree regulations citywide to broaden the scope of an arborist’s evaluation and site design to include trees and their critical root zones when located within five feet of development. It also adds specific requirements for tree replacement when the tree that is being replaced is located off site. As proposed, the replacement trees would need to be larger (8 feet instead of 6 feet in height).

- **SMC 20.50.360(C)(3) – Replacement of Trees.** It was recently pointed out that this provision is cause for some confusion. Using the phrase “replacement trees” rather than “trees replaced” makes the language much clearer. It was noted that this amendment was not included in the list of

proposed code amendments currently before the Commission for consideration, but it would be included in the next round.

Director Markle advised that the proposed amendments are scheduled for a public hearing before the Commission on May 5th. They will be discussed by the City Council on June 6th and potentially adopted on July 11th.

Public Comment

David Lange, Shoreline, said he has been taking buses out of the north end for a number of years, and the closest thing to the station design for 145th is the old Northgate Park and Ride on 5th Avenue where a mixture of cars and buses used the same off-street lanes for the parking lot and bus stops. Pedestrians had to walk through the parking lot to get to the bus stops and buses had to cross oncoming traffic at an unsignaled driveway into the facility. This old facility was replaced by the Northgate Transit Center, which is visible from the freeway and has much larger parking areas, a dedicated pair of bus lanes around a center station, and stoplights on both street accesses. Pedestrians are fenced in and enter the station area near either end. He said the station at Northgate is moving to the road another step in order to advance Sound Transit and Metro's designs. During all of the changes at Northgate, the 65th Street Park and Ride in Seattle keeps ticking with buses serving stops on the roadway and pedestrian accesses along sidewalks on busy streets, but the vast parking lots still stretch on for blocks. He summarized that when you think ahead and get lucky with the design, the results do not have to be knocked down every decade. The Roosevelt rail station passes about four blocks to the east, with no additional parking, and the first Northgate Park and Ride is now a green park.

Mr. Lange said he has strong feelings about where the 145th Street Station should be located. He spent part of the day doing research and bumped into numerous comments about getting bus stops off the public roads and using bike racks that allow for higher density and a less-costly solution. There were also some thoughtful hints for station design that focused on either picking the options you want and then looking for a location or picking the site and limiting the features that fit. He referred to ideas he previously forwarded to the Commission. He asked that they review the existing station design and grade the effort against four principles: segregation of bus and non-bus traffic, segregation of pedestrian and vehicular movement, segregation of pedestrian flows, and segregation of transportation and non-transport activities. He stressed that the City must do better, and the Development Code is a good place to start.

Yoshiko Saheki, Shoreline, commented that everyone has had the experience of driving north on Interstate 5 from Seattle to come home to Shoreline. You know when you enter Shoreline because there are a lot of trees, many of which are native Conifer. She understands that some of the trees on the east side of the freeway will need to be removed to accommodate the light rail station. However, she suggested that language should be added to the code to require that these trees be replaced with new native Conifers, which denote the spirit of the City. She noted that the City's logo is an artistic rendition that represents the native Conifer.

Commission Discussion

Commissioner Moss-Thomas referred to the proposed amendments in **SMC 20.40.438** and said that, in addition to addressing parking and traffic impacts associated with the completed station, the Transportation Impact Analysis and Parking Management Plan should also address parking, traffic and other impacts associated with construction. She questioned where construction workers would park if the existing park and ride is eliminated to accommodate the new building. Director Markle explained that the City already requires Construction Management Plans for all large projects, including the light rail system/facilities, and the Engineering Development Guide will outline the types of things required in any Construction Management Plan, including parking during construction.

Commissioner Mork also referred to **SMC 20.40.438** and questioned if the City would have the same ability to address parking and traffic impacts via the Access Assessment Report as opposed to the Transportation Impact Analysis and Parking Management Plan. Director Markle explained that the code language that would be eliminated did not specifically outline what each plan must include. She is confident that the titles convey the types of things that must be included in the plan, and staff will continue to work out the details of what Sound Transit will provide and when as part of the agreement process. All of the requirements of the Traffic Impact Analysis and Parking Management Plan would be included in the Access Assessment Report. In addition, the City could require a third-party review at the applicant's expense if the City does not agree with the results and assumptions used in the analysis.

Commissioner Moss-Thomas recalled that the City previously discussed that Sound Transit would need to provide the supplemental plans by 60% design. She asked if the Access Assessment Report would have to meet that same timeline. Director Markle responded that the Construction Management Plan must be submitted prior to construction and the 60% timeline should work. However, the timeline for the other plans would be negotiated with Sound Transit, trusting they will be completed prior to when they are needed. The City will not issue any permits until the information is in hand.

Commissioner Mork requested clarification of how the proposed review method would work. For example, how would the City address a situation in which Sound Transit proposes refrigeration units in their side tunnels that the City determines are too loud next to residential homes. Director Markle said the SUP criteria would be used for the review, one of which addresses impacts on adjacent properties. The City would identify the impact and recommend some type of mitigation. If the Hearing Examiner decides against staff's recommendation, he/she would have to make findings as to why staff's recommendation exceeded the City's ability to condition the project or did not have merit.

Commissioner Chang asked if **SMC 20.30.330** would apply to Essential Public Facilities in general and not just light rail systems/facilities. Director Markle answered affirmatively. Commissioner Chang summarized that, as per SMC 20.30.330, the SUP would be used to condition a project as opposed to preventing it from happening. She asked if there would be any reason the City would want to prohibit an Essential Public Facility. Director Markle emphasized that the City cannot preclude the citing of an Essential Public Facility, it can only reasonably condition it.

Commissioner Moss-Thomas said she supports the proposed amendments to **SMC 20.30.330(C)**, which would require power supply infrastructure in public areas. She asked if it would also be appropriate to

require conduit for electrical vehicle charging stations or if this is something that Sound Transit routinely includes in its garages. She recognized that the code language should not be too specific, since technology can change over the next several years. Mr. Szafran said the Commercial Design Standards, which apply to Sound Transit's parking garage, require that conduit be provided for a percentage of parking stalls to accommodate electric charging stations.

The Light Rail Station Subcommittee agreed to meet again with staff prior to the May 5th public hearing.

Commissioner Mork asked how the City can impact Sound Transit's plans for bicycle access, etc. Director Markle answered that the City's adopted standards would be applied to Sound Transit. The intent is that Sound Transit will identify any standards that cannot be met as part of the SUP process. If Sound Transit cannot meet the criteria, they will have to propose something else that gets to the same end. The Hearing Examiner will make the final determination in these situations.

Commissioner Mork requested clarification about how the Engineering Development Guide would be used to guide the Sound Transit projects. Director Markle explained that staff intends to create a very detailed list in the Engineering Development Guide to identify what must be included in the Construction Management Plan. This specific list does not currently exist.

STUDY ITEM: COMPREHENSIVE PLAN DOCKET 2016

Staff Presentation

Mr. Szafran reminded the Commission that the Growth Management Act (GMA) limits review of the proposed Comprehensive Plan amendments to no more than once per year. The Commission has already voted to forward Amendments 1 through 4 and 11 to the City Council, with a recommendation that they be included on the 2016 Docket. They postponed Amendments 5 through 10 at the March 17th meeting in order for the City's Traffic engineer to be present for the discussion. He reviewed each of the amendments as follows:

- **Proposed Amendment 5** seeks to amend language in the Point Wells Subarea Plan Policy PW-1. The policy has to do with the public access road to Point Wells through Woodway.
- **Proposed Amendment 6** would add the language to the introductory language for the Point Wells Subarea Plan Policy PW-11.
- **Proposed Amendment 7** would add language to the Point Wells Subarea Plan Policy PW-12.
- **Proposed Amendment 8** would amend Transportation Policy T-44, and has to do with no through movements less than Level of Service (LOS) E.
- **Proposed Amendment 9** would also amend Transportation Policy T-44, and has to do with the volume over capacity (V/C) ratios for Collector Arterial Streets.

- **Proposed Amendment 10** would amend Transportation Policy T-44, and has to do with no more than one leg of an intersection may have a V/C ratio greater than .90.

Mr. Szafran summarized that the Commission is charged with making a recommendation to the City Council on which of the proposed amendments should be included on the 2016 final docket. Staff is recommending that proposed Amendment 5 through 10 not be included on the draft docket.

Ms. Dedinski, Traffic Engineer, commented on proposed Amendments 5 through 10 as follows:

- **Proposed Amendments 5 and 6.** Staff does not support the amendment. Providing the excess language in the form of hypothetical scenarios does not add value, in staff's opinion. Impacts from development must be mitigated. If adequate mitigation cannot be achieved, the development cannot proceed or has to be changed until it can. The restrictive criteria are, essentially, the LOS Standard and not whatever iteration of numbers might come down the line. It is important to keep in mind that the number of vehicles traveling over the roadway changes on a regular basis. At the time of the study is when the number should be measured and the extra capacity of the roadway determined.
- **Proposed Amendment 7.** Staff does not support this amendment as it is already addressed by the City's LOS Standards. While Mr. McCormick has pointed out it is not staff's place to recommend changes to the proposed amendment, the City's Capital Improvement Program (CIP) includes a project to restripe Richmond Beach Road in this segment from four lanes to three. This would be the future roadway configuration, which would limit capacity more than it is today. Therefore, in staff's opinion, the capacity is driven by the future CIP.
- **Proposed Amendments 8, 9 and 10.** Staff does not support this revision, which could significantly change the City's adopted LOS Standard and have major implications to the current concurrency structure and code. Revising the standard before studying the impacts to the Development Code would be cause for concern, and it would take considerable staff time to reconcile. Staff is scheduled to complete a Transportation Master Plan (TMP) update in 2017, at which time LOS Standards will be reevaluated. Before any changes are made to the LOS Standards, a significant amount of work would be needed to identify the implications.

Public Comment

Tom McCormick, Shoreline, said he assumes that the public would be invited to speak separately on each of the docket items, similar to the procedure that was followed at the February 18th meeting. Vice Chair Montero agreed that would be acceptable.

- **Proposed Amendment 5**

Mr. McCormick said he is tired of hearing from staff that it is premature to talk about a second road and the area of annexation. If the premature argument is used, then the Point Wells Subarea Plan and Comprehensive Plan Policies should all be eliminated, since they are designed to look to the future. He explained that the intent of Amendment 5 is to hone in on the annexation issue by saying, if there is a separate road east of the tracks, it should be in Woodway's territory and the City should not be

annexing. He referred to an email he sent the City summarizing comments made by Ryan Countryman at the recent Richmond Beach Association Meeting. Mr. Countryman basically said that Snohomish County would not support cross-boundary annexation, so the whole idea of annexation is a mirage. However, the subarea plan should at least state that, if for some reason the City does annex the property and a second road is added, Shoreline is not laying dibs on what is east of the tracks. That should be for Woodway.

Tom Mailhot, Shoreline, said he supports proposed Amendment 5, which states that if a second public road is built into the Point Wells area to connect to the Town of Woodway, the future service and annexation area for Shoreline should only be the area west of the track and not the entire Point Wells island. He disagreed with the City's response that the amendment is premature since the second access road leading to Point Wells is uncertain. He commented that if certainty is a requirement for inclusion in the Comprehensive Plan, the entire Point Wells Subarea Plan should be repealed since it is only valid if the City were to annex Point Wells, something that is far from certain.

Mr. Mailhot suggested the City's argument is backwards. The City develops a Comprehensive Plan, not to guide existing development, but to guide future situations that, by definition, are uncertain to occur. The City is currently working with the Town of Woodway on a financial analysis of various annexation options, including a split option that has Shoreline annexing the area west of the tracks and Woodway annexing the area east of the tracks. Should the option become the preferred option, he believes it is important for the City's Comprehensive Plan to recognize that if a second road is built, the City's Future Service Annexation Area should no longer include the area east of the tracks. He said he does not want this reasonable annexation compromise endangered by the argument that the City's Comprehensive Plan requires the entire area to be annexed. He asked that Amendment 5 be included on the 2016 Docket to give the City flexibility should future annexation options come to pass.

Commissioner Mork asked the downside of adding Amendment 5 to the docket. Mr. Szafran said that is something that would be studied if the item is added to the docket.

COMMISSIONER MALEK MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 5 BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER CHANG SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

- **Proposed Amendment 6**

Tom McCormick, Shoreline, explained that the purpose of Amendment 6 is to incorporate what the City has already decided in its Capital Improvement Plan (CIP), which is to restripe Richmond Beach road to three lanes. As he pointed out at the March 17th meeting and again in his email to the City, the Staff Report does not accurately summarize the proposed language. Staff has not made any attempt to address the inaccuracies. The Comprehensive Plan should take into account that the City's CIP has already concluded that Richmond Beach Road will be restriped in 2017. Contrary to what Ms. Dedinski stated, the amendment is not hypothetical. The number of Average Daily Trips (ADTs) that come out of Point Wells is irrelevant. What they need to know is the capacity of the street and what standard will be used to measure when there is too much traffic. He recalled that the City commissioned a study, and

they know they will not be able to have much additional traffic on Richmond Beach Road before they run into a breakage under the City's .90 Volume/Capacity (V/C) supplemental LOS Standard. This should be called out in the subarea plan. Specifically, with a three-lane Richmond Beach Road, and applying the .90 V/C LOS Standard, there will only be capacity for X number of additional trips, and the City's own study says that number is 4,000 peak hour trips if it is restriped just up to 8th Avenue. If it is restriped all the way to Dayton, there would be no additional capacity. This important information needs to be set forth in the policy to send a clear message to Snohomish County. Snohomish County will be deciding what can and cannot be developed at Point Wells, so the proposed amendment would have no impact on the City's Development Standards.

Mr. McCormick summarized that the language in the proposed amendment makes it clear that the road's right-of-way is insufficient to permit widening to increase capacity. It also makes it clear that the City has studied the issue, and there is a hard number of extra capacity the road can accommodate. He noted that hard numbers have been set forth in two other locations in the subarea plan for Richmond Beach Drive. These are valid numbers and not hypothetical, and there is a capacity problem on Richmond Beach road.

Vice Chair Montero asked about the specific language that is being recommended. Ms. Dedinski read Mr. McCormick's proposed language for Amendment 6.

Ms. Dedinski clarified that her use of the term "hypothetical" is not meant to refer to capacity. The City already knows the capacity, as determined by the LOS Standard and the City's TMP. The .90 V/C ratio is the hard number. However, the number of trips that will be on the road when it is eventually studied is currently unknown. She explained there are two components of a V/C ratio: volume and capacity. The capacity is fixed and is part of the LOS Standard. All of the other numbers noted in the proposed amendment are hypothetical.

Commissioner Moss-Thomas voiced concern that the language in the proposed amendment gets into too much detail that might not be appropriate for the Comprehensive Plan. The City will learn more when the TMP is updated in 2017. At this time, the City does not know exactly what will happen at Point Wells or if any action will occur in 2016. She felt the proposed amendment is premature until the process is further along. If appropriate, the amendment could be presented again for the 2017 Docket.

Commissioner Chang asked if the LOS Standard is associated with a particular V/C ratio. Ms. Dedinski answered affirmatively and explained that the .90 V/C ratio is the supplemental LOS Standard. For example, the LOS Standard for intersections is "D," with an adopted supplemental LOS Standard of .90 V/C. Commissioner Chang asked if the standard could change at some point in the future. Ms. Dedinski answered affirmatively. She explained that the LOS policy is set forth so that jurisdictions can dictate how their city should look and feel and how it accommodates development with road infrastructure. As part of the 2017 update of the TMP, the LOS Standards will be reevaluated and brought to the City Council for a recommendation.

Commissioner Malek said he sees no reason to postpone adding the amendment to the docket for further study. In fact, he suggested it would be a misfire to exclude it, given what is coming up on Point Wells. There are a lot of unknowns and the pace of development varies with the developer's ability to move

studies and permits forward. The Traffic Corridor Analysis is due soon, and he felt the proposed amendment is very relevant. The amendment is intended to call attention to the fact that further up Richmond Beach Road there is no capacity, and the current language does not make this clear. Whatever comes up that road is likely to overwhelm that portion of roadway beyond 3rd Avenue.

Commissioner Chang said the Draft Environmental Impact Statement (DEIS) for Point Wells will be available during the summer. Although full build out will not occur until at least 2035, work is happening right now. She also understands that Snohomish County is trying for concurrency with Shoreline's road standards, so clarifying the standards makes sense.

Commissioner Mork said her understanding is that the amendment is intended to make sure that Snohomish County is not confused about what Shoreline wants. She asked the downside of the proposed amendment. Ms. Dedinski said that, in staff's opinion, the LOS Standard the City adopted in the 2011 TMP is clear and concise and will not be misinterpreted by Snohomish County. The proposed language adds additional content of a hypothetical situation. While it does not have any negative implications, per se, staff believes it waters down the City's standards. The amendment does not alter the standards, it simply provides more hypothetical details. Commissioner Mork summarized that staff is concerned the language in Amendment 6 would add confusion and make the standards more difficult to understand and staff agreed.

Commissioner Maul pointed out that the .90 V/C Standard is already identified in the code, and tied to the CIP. The restriping project is documented and applicants are required to use that as their baseline for moving forward. He agreed with staff that the proposed amendment adds a lot of words and could result in additional confusion. The existing language is clean and clear.

Commissioner Chang pointed out that there are times when the .90 V/C Standard can be exceeded, even though it is an adopted City standard. For example, averaging is allowed at intersections. Ms. Dedinski agreed that averaging is allowed at intersections, but a developer cannot force the City into accepting a different standard, and the cases that have been accepted in the City's TMP are situations where the City felt the standard would be financially burdensome on the City. In the case of Point Wells, there would be no downside to the City enforcing the .90 V/C Standard. Commissioner Chang asked if the City could accept a standard greater than .90 V/C as part of the Development Agreement. Ms. Dedinski agreed that is possible, but it would require approval by the City Council.

Commissioner Chang requested feedback from staff regarding the statement in the note that was attached to the proposed amendment, stating that even a single additional trip per day to/from Point Wells could result in a total traffic volume that exceeds the City's LOS Standard. Ms. Dedinski explained that traffic counts can vary depending on the day the counts are taken, and there are a number of factors that could decrease the amount of cars on that corridor in the future. Currently, using the 2011 numbers, it is correct to state that between Dayton and 3rd Avenue there is not spare capacity for a three-lane scenario.

Commissioner Moss-Thomas asked if the City has plans to address the entire Richmond Beach road with a three-lane approach. Ms. Dedinski said the project is in the CIP, but the scoping process has not started yet. It could be that it's not recommended to do a three-lane section in that particular part of the

corridor. Commissioner Malek suggested that these are reasons for including the amendment on the docket.

COMMISSIONER MALEK MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 6 BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER CHANG SECONDED THE MOTION. THE MOTION RESULTED IN A TIE, WITH COMMISSIONERS MAUL, MORK AND MOSS-THOMAS VOTING IN OPPOSITION AND COMMISSIONERS MALEK, CHANG AND MOTERO VOTING IN FAVOR.

Mr. McCormick clarified that, because the vote was tied, the motion neither passed nor failed. Mr. Szafran confirmed that the amendment would go forward without a recommendation.

- **Proposed Amendment 7**

Tom McCormick, Shoreline, explained that, from a legal standpoint, there is a significant difference between introductory text and the policies, themselves. He clarified that Amendment 6 is related to the introductory text to Policy PW-11, and Amendment 7 is related to Policy PW-12. He pointed out that Policy PW-12 references a study commissioned by the City and not a hypothetical situation, as staff has suggested. It also identifies a hard number ADT limit of 4,080 for Richmond Beach Drive. The amendment would add the following as a separate limitation, *“The maximum number of new vehicle trips a day entering the City’s road network from/to Point Wells at full buildout shall not exceed the spare capacity of Richmond Beach Road under the city’s .90 V/C standard based on Richmond Beach Road being a 3-lane road (the .90 V/C standard may not be exceeded at any location along Richmond Beach Road).”*

Mr. McCormick clarified that the CIP clearly identifies 3-lanes on Richmond Beach Road. The decision on whether or not the 3-lanes should extend all the way to Dayton was made by the City Council when it approved the CIP, and any change would require City Council action. He said the proposed new language should not be objectionable because it states the obvious. There is going to be a 3-lane Richmond Beach Road, and the City’s .90 V/C Standard should apply. He stressed the need to call this out as a separate limit as opposed to just referring generally to LOS Standards so that staff cannot negotiate an agreement that results in a different V/C ratio that allows a greater level of traffic. He pointed out that the .90 V/C Standard is consistent with the current Development Code and TMP.

Mr. McCormick referred to the statement in parenthesis, which was added to make it clear that the .90 V/C Standard should apply to all of Richmond Beach Road and not just the major intersections. For example, the traffic volume at the intersection of 190th and Richmond Beach Road is nearly the same as at 8th Avenue and Richmond Beach Road. He said that, upon doing a public records request, he learned that there has been discussion about changing the V/C Standard to allow more flexibility and accommodate the developer. He emphasized that the proposed amendment would send a clear message to Snohomish County.

Commissioner Mork asked the downside of including the amendment on the docket. Ms. Dedinski agreed with Mr. McCormick that the City Council would have to approve any changes in the CIP. The

Richmond Beach Road restriping project would require approval from the City Council before it is contracted out for construction. Changing the V/C Standard would also require City Council approval. Any exception made to the LOS Standard would be done via a Development Agreement, which would require City Council approval. She summarized that, while the text in the proposed amendment would not have any major implications, it adds language that is already the City's standard protocol.

Commissioner Malek said he believes it is highly likely that secondary access to Point Wells will be provided through Woodway. Regardless of where the secondary access is located, most traffic will filter through Richmond Beach. The Richmond Beach Neighborhood is very concerned about the significant increase in traffic that will be channeled through the small community. He said he supports the proposed amendment, which will reiterate and reinforce the fact that the residents do not want something to be overlooked or increased without City Council approval and legislation. It is important to consider the potential for traffic stagnation and maintain the ability to mitigate.

Commissioner Maul said he sees no negatives for including Amendment 7 on the docket. Rather than muddying the water, it simply states the obvious.

COMMISSIONER MAUL MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 7 BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER MALEK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

- **Proposed Amendment 8**

Tom Mailhot, Shoreline, said he was present to represent Save Richmond Beach. He advised that Proposed Amendment 8 would add a phrase to Transportation Policy T-44 to ensure there is no through movement on any leg of intersection that is less than LOS E. He reviewed that staff has voiced concern that the proposed amendment would cause a lot of extra work, and consideration should be delayed until the TMP is updated. He pointed out that the staff, itself, has proposed multiple Comprehensive Plan amendments for the 2016 Docket, knowing full well that the staff work required to assess the impact of the proposed amendments would not be done until next year (i.e. Amendments 1, 3 and 4). The intent of including the items on the docket was to provide instruction to staff about issues that must be addressed in future staff work, and Amendment 8 is no different. While the work to assess the impact of the proposal may not be done until 2017, the TMP review will start in 2016 and the proposed amendment provides direction to staff about an issue they need to study as the review moves forward.

Mr. Mailhot summarized that by waiting until the 2017 Docket to submit the amendment, he can easily imagine the City responding that they just completed a bunch of work on the TMP that did not include the suggestion, and it is too expensive to go back and do the work over again. He asked that the Commission recommend Amendment 8 for inclusion on the 2016 Docket to provide direction to staff as they work on revising the TMP in 2016, with the expectation that it will likely need to be carried forward to the 2017 Docket once the work is finally completed.

Commissioner Maul requested clarification related to LOS Standards D and E. Ms. Dedinski explained that balance must be considered when reviewing the overall LOS at an intersection. For example,

although, overall, an intersection may function at LOS C, one of the legs could be functioning at LOS F. This means the side street could be waiting quite a long time to get through the light, but the mainline could be flowing relatively well. It is possible, through modeling and a developer's impact study, to adjust the signal timing and/or intersection function in a way that favors the major through movement but unfairly penalizes the side street. The .90 V/C Standard is intended to ensure that no movements are impacted unfairly. The additional phrase identified in Amendment 8 could impact the concurrency structure. In her opinion, it would be reckless to change policy without knowing what the implications are first. The existing LOS Standards were thoroughly studied and later adopted by the City Council for implementation. Moving a potential change forward would likely result in unforeseen implications.

Ms. Dedinski briefly explained the concept of concurrency. She reviewed that the City hired a consultant to do a network-wide model of the City as part of the 2011 TMP update. The model studied all of the existing streets in Shoreline and identified their existing capacities and future anticipated volumes based on land use. This process allowed the City to identify potential LOS failures that needed to be addressed (Concurrency Model), and the intent is to fund the needed improvements via Transportation Impact Fees (TIF). She emphasized that this work was based on the City's current LOS Standard, and changing the standard could impact the network-wide Concurrency Model. In addition, the City is responsible to fund any identified improvements that are not funded via the TIF. She summarized that while the proposed amendment would not likely have a significant impact, she cannot confirm that with certainty. She would not recommend the change without studying it first, which staff has been instructed to do by the City Council.

Commissioner Mork asked staff to respond to Mr. Mailhot's concern that if the amendment is not included on the 2016 Docket, it may not be studied as part of the 2017 TMP update. Ms. Dedinski answered that the City Council has authorized funding for the TMP Update and is on record as specifically requesting that LOS Standards be studied as part of the update. The concerns that Amendments 8, 9 and 10 are intended to address would be considered as part of this future work.

Commissioner Mork summarized that staff is concerned about including the amendment on the docket without knowing the impact it will have on the concurrency model. Ms. Dedinski added that, if the City Council adopts Amendment 8 and it does have major implications, the City may have to increase the TIF and taxpayers may be responsible for paying for a lot more mitigation than what was initially anticipated. Commissioner Mork summarized that staff believes the amendment is unnecessary and would result in potential negative impacts and no positive impacts.

Commissioner Moss-Thomas pointed out that Amendments 8, 9 and 10 are related to Transportation Policies that apply Citywide and not just to areas impacted by the Point Wells Development. Changing the LOS Standard requires additional study, which will occur as part of the TMP Update. The TMP is incorporated into the Comprehensive Plan by reference. She reminded the Commission that the amendments to the Comprehensive Plan cannot be done without first updating the TMP. Therefore, amending the Comprehensive Plan is not the proper way to inform the City Council of the concerns that need to be addressed. A better approach would be to forward a transmittal letter to the City Council advising of the elements the Commission believes are important to be studied as part of the TMP update. Ms. Dedinski agreed that the City's LOS Standards need to be reevaluated as part of the TMP update, but the proposed amendments are not the right mechanism.

COMMISSIONER MOSS-THOMAS MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 8 NOT BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER MAUL SECONDED THE MOTION.

Again, Commissioner Moss-Thomas explained that amending the Comprehensive Plan is not the appropriate mechanism for addressing LOS Standards. LOS Standards will be reevaluated as part the TMP Update, and doing a separate study for this one amendment would be an unwarranted extra cost to the City.

Commissioner Malek voiced concern about timing and when the LOS Standards for this particular area would be reevaluated as part of the TMP Update. Ms. Dedinski explained that many jurisdictions separate their concurrency models by area, which may be a more progressive approach that allows for varying LOS Standards that are more or less restrictive. There are also ways to wrap multi modal LOS into the concurrency standards, which the City does not currently do. The City can prioritize what it is trying to address via the concurrency model, but the timeframe is more difficult to determine. At this time, staff has no realistic timeline for when the LOS evaluation work will begin in Richmond Beach.

Commissioner Mork asked if the City Council would have the ability to make Richmond Beach Road a priority in the TMP Update, and Ms. Dedinski answered affirmatively. However, she noted that it may require that staff time be shifted from other high-priority projects such as the Sound Transit stations. She cautioned against shifting an entire work program to accommodate something that might happen in one neighborhood.

Commissioner Chang referred to the applicant’s statement that Proposed Amendment 8 is consistent with the Memorandum of Understanding (MOU) the City negotiated with BSRE, which includes a statement that Richmond Beach Road should be LOS D with no through movement less than LOS E. Ms. Dedinski agreed that it is consistent, but said the proposed amendment would change the policy Citywide and not just for this one area. The City’s agreement through the MOU is that the developer would uphold this standard. But the MOU would not impact the Citywide policy.

THE MOTION CARRIED 5-1, WITH COMMISSIONER MALEK VOTING IN OPPOSITION.

- **Proposed Amendment 9**

Tom McCormick, Shoreline, asked the Commissioners to reconsider their recommendation relative to Amendment 8. While Commissioner Moss-Thomas’ idea of sending a transmittal letter to the City Council is a good idea, the Comprehensive Plan amendment process is the public’s opportunity to put forward ideas through a legally-recognized channel. If amending the Comprehensive Plan is not the correct approach, he questioned how the public could put forward issues that need to be addressed in the TMP. He emphasized that including the amendment on the docket would not automatically change the standard, but it would allow for additional study going forward. He also questioned why the MOU included both the .90 V/C Standard and the “no through movement less than LOS E” if there is no difference between the two. He questioned why BSRE’s counsel objected vigorously to including the “no through movement less than LOS E” standard in the MOU. He expressed his belief that there is a

significant difference between the two. He is looking down the road and does not want to see “traffic gone wild.” He asked why it would be a big deal to change the TIF Standards if the phrase “no through movement less than E” causes a slight tightening. The Council did not immutably adopt TIF standards that can never be changed. This is a reasonable exercise that would apply throughout the City, just as the MOU standard applies throughout the City. The amendment would deal with any intersection in the City.

Tom Mailhot, Shoreline, said he represents Save Richmond Beach. He observed that there seems to be a real misunderstanding about what the Commission is being asked to do. He and Mr. McCormick are not asking them to recommend approval of the proposed amendments, but simply to include them on the docket that will result in further study. The Comprehensive Plan amendment process is the forum for citizens to present ideas they want studied.

Mr. Mailhot referred to Proposed Amendment 9 and commented that if the City has standards for Principal and Minor Arterials, it should also have standards for Collector Arterials. If not, the City could end up with more traffic on Collector Arterials, which are neighborhood streets, than on Principal Arterials. He suggested that this concept should be studied as part of the TMP Update that will take place in 2016 and 2017. He is concerned that if the amendment is postponed to the 2017 Docket, the City will have already completed its major study without including it as part of the discussion. The amendment needs to be on the 2016 Docket so it is included as part of the TMP study. Saying that the TMP Update will include a study of traffic volumes and concurrency does not guarantee that this particular suggested change will be studied. Having it on the docket guarantees that this particular change gets considered.

Mr. Szafran recalled that the same amendment was proposed for the 2015 Docket, and the City Council directed staff to look at this particular language as part of the TMP Update. Therefore, it is included within the scope of the TMP work plan. Including the language proposed in Amendment 9 would duplicate what is already in the work plan.

Commissioner Moss-Thomas summarized that the applicant is not necessarily bringing the amendment forward to change the Comprehensive Plan, but to bring it to the Council’s attention for further study. Again, she emphasized that, unless the amendment identifies an essential element that is missing in the Comprehensive Plan, this is not the appropriate mechanism for accomplishing the goal. The Comprehensive Plan is a living document that applies to the entire City and references the TMP. She commented that the City Council would have an opportunity to review the Commission meeting minutes.

Commissioner Mork asked the downside of including the amendment on the docket. Ms. Dedinski explained that changing the language in the Comprehensive Plan as set forth in Amendment 9 would have implications. The Comprehensive Plan is a living policy document, and perhaps the language should have been clearer if the intent was for staff to study the impacts of the proposed change and not actually change the policy.

Commissioner Moss-Thomas observed that, if adopted, the amendment would apply to all Collector Arterials in the City. The City Council has already allocated a budget for the TMP Update, and this is a

specific area that staff has been directed to study. While it is important to convey the importance of the message to the City Council, she does not believe that including the amendment on the 2016 Docket is the appropriate mechanism. The Council has already directed staff to study the issue, and the amendment would be redundant.

Commissioner Mork said redundancy, on its face, is not a reason to recommend or not recommend approval. Mr. Szafran summarized that there would be no down side to including the amendment on the docket because it is already there.

COMMISSIONER MAUL MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 9 BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER MALEK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

- **Amendment 10**

Tom McCormick, Shoreline, said he is concerned about the future of the City and its streets, and he is not putting ideas forward frivolously. He recognized that Amendments 8 through 10 would apply to the City, as a whole, and not just to Point Wells. However, Amendment 9 is an example of why Amendment 8 should be reconsidered. He explained that the only reason that staff is going to be studying Collector Arterials and assigning the .90 V/C ratio to them as part of the TMP Update is because he put forward a proposal in 2015 that Collector Arterials be included with other arterials. The Comprehensive Plan Docket, including the TMP, was the vehicle for bringing the issue to the attention of the staff, Planning Commission and City Council. Not only did the City Council agree to include it on the docket, but they agreed to have it studied, as well. Again, he said he disagreed with the Commission's recommendation related to Amendment 8. They are not asking for it to be adopted, but that it be added to the docket so the City Council can decide if more study is warranted.

Mr. McCormick commented that the language proposed in Amendment 10 would make it clear that only one leg of intersection could exceed the .90 V/C Standard. Staff should not have an objection to this language, since it is already contained in the Development Regulations and/or Comprehensive Plan. Secondly, amendment 10 would make it clear that an LOS Standard lower than .90 V/C shall not be permitted for Richmond Beach Road or Richmond Beach Drive, if it is ever designated as an arterial. The intent is for there to be a strong presumption that the .90 V/C ratio will apply for Richmond Beach Road, and they will request that the City Council adopt the language, as proposed. They want the streets protected, and they do not want too much traffic.

Tom Mailhot, Shoreline, said he represents Save Richmond Beach. He read from the front of the City's Comprehensive Plan Amendment General Application as follows: *“Proposed General Amendment: This can be either conceptual, a thought, or idea, or specific changes to wording in the Comprehensive Plan, but please be as specific as possible so that your proposal can be adequately considered.* Based on the City's direction to make the amendment request as specific as possible, he wrote the actual wording he thought should be studied. Again, he reminded the Commission that they are not asking to change the Comprehensive Plan immediately. They are simply asking for further study about whether it is a good idea or not.

Mr. Mailhot referred to the MOU the City signed with BSRE regarding the Transportation Corridor Study, and said he supports the requirement that intersections perform at an LOS D with no through movement less than E and a street segment V/C Ratio greater than .90. This standard will promote safe movement through the corridor, and it should be applied throughout the entire City. The amendment is not necessary in order for the change to be considered for Richmond Beach Road, since it is already identified in the MOU. But if it is good for Richmond Beach Road, it should apply to the entire City.

Mr. Mailhot referred to the parenthetical statement in the proposed amendment, which states that “*a lower LOS standard shall not be permitted for Richmond Beach Road, or Richmond Beach Drive, if it is ever designated as an arterial.*” He said this language is an attempt to prohibit the City from negotiating the standard away without more public visibility. He emphasized that it is important to include Amendment 10 on the docket this year so the suggested change can be studied by the City. Once the TMP Update is done, the City will be able to answer whether or not this is a good idea or not. Submitting the amendment in 2017 will be too late.

Ms. Dedinski said it is a bit misleading to say that if a more restrictive LOS Standard is good for Richmond Beach, it is good for the entire City. It actually depends on the Concurrency Framework Goal. If the goal is to encourage development in particular areas, the more restrictive LOS Standard may not be appropriate since it would impose more fees. She reminded the Commission that the intent of the Growth Management Act is not to restrict growth through limiting the LOS Standard. The intention is to build enough roadway infrastructure to accommodate your LOS Standard. It does not restrict development or the additional trips from occurring, it just means that you have to make wider roadways. They must keep in mind what the City wants moving forward. Do they want wider intersections and wider roadways or do they want to encourage more pedestrian and transit opportunities? The TMP needs to be even more comprehensive and include things like bicycle and pedestrian infrastructure.

Vice Chair Montero recalled that the Point Wells Subcommittee discussed the description of an intersection and how the LOS is averaged. Ms. Dedinski explained that the LOS Standard at intersections is strictly based on the delay of the approach (how long you are waiting). It does take into account such things as pedestrian LOS, etc. The current Citywide policy lacks the ability to geographically put things into context. Most jurisdictions have separated out areas for different concurrency frameworks that fit the context of the neighborhood.

Commissioner Chang pointed out that the language in proposed Amendment 10 would be specific to Richmond Beach and would not necessarily result in wider roads because the MOU includes a promise not to widen beyond the existing right-of-way except for at certain intersections. Ms. Dedinski agreed that is currently in the MOU, but the City is unclear as to whether or not the requirement would actually be enforceable. She emphasized that developers cannot take people’s properties, they must be purchased, and this is another measure of restriction. She clarified that, while the entire policy would apply Citywide, the proposed new language would apply specifically to Richmond Beach Road and Richmond Beach Drive.

Commissioner Mork asked the downside of including the amendment on the 2016 Docket. Ms. Dedinski answered that it would add unnecessary language to the Comprehensive Plan that could result

in more staff time for study. Commissioner Chang said it also asks the City to consider holding to the current standard. Ms. Dedinski said she does not see denying the amendment as a way to allow the City to negotiate away the existing standards and structure.

Commissioner Mork summarized Ms. Dedinski's earlier comments that there may be different parts of the City where flexibility might be a good thing. She asked if including the amendment on the docket would tie the City Council's hands as far as flexibility, and Ms. Dedinski answered it is not likely.

COMMISSIONER MALEK MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT 10 BE INCLUDED ON THE 2016 DOCKET FOR FURTHER STUDY. COMMISSIONER CHANG SECONDED THE MOTION, WHICH CARRIED 5-0, WITH COMMISSIONER MOSS-THOMAS ABSTAINING.

DIRECTOR'S REPORT

Director Markle provided an update on Point Wells. She reviewed that the Transportation Corridor Study was put on hold in 2014 pending BSRE rerunning the traffic model to include the City of Shoreline's requested data corrections. The City has several unresolved comments that are quite important, one being the modeling of Richmond Beach Road at three-lanes west of Dayton to the triangle at Northwest 195th Street. The final design for the upper section of Richmond Beach Road (Segment B) was not completed, and they never came to a final recommended design for the triangle area between Northwest 195th and 196th Streets. The implications of not having agreement and not rerunning the model is that there could be definite differences in the recommended designs that come out of the Transportation Corridor Study. They cannot move forward until that work is done.

Director Markle reported that the Draft Environmental Impact Statement (DEIS) and permit review might be completed in the summer of 2016, but Snohomish County is also waiting on some transportation data and other revisions. Snohomish County will most likely move forward with the issuance of a DEIS at the applicant's request, despite not having complete agreement on the assumptions and methods used for transportation analysis. If they haven't reached agreement and/or don't have all the information they've requested to date, they will just use the DEIS as a means to point that out. The inconsistencies will be reflected in the DEIS and may necessitate a supplement Environmental Impact Statement (EIS). Snohomish County's principle concerns involve internal trip capture rates, transit ridership rates, and the 2nd access road.

Director Markle further reported that plan resubmittal for permits and permit review will begin following the DEIS. This way, BSRE can incorporate changes based on the supplemental review from Snohomish County, as well as the public and City comments on the DEIS and input from the Urban Centers Design Review Board. These comments would be reflected in the Final Environmental Impact Statement (FEIS) and would address the modified submittal. Depending on the degree of change, there may be need for supplemental EIS work between the DEIS and FEIS. The environmental process will be long.

Director Markle reported that annexation was discussed by the Snohomish County Project Manager, Ryan Countryman, at a presentation to the Richmond Beach Community Association. Staff does not

have an update on the City's position and is still operating in accordance with the City's Point Wells Subarea Plan designation of the approximately 50 lowland acres of Point Wells as the Future Service and Annexation Area. She also reported that a tolling study has been included in the 2016 budget, but it is not scheduled to start until the 4th quarter of 2016 or early 2017.

Commissioner Maul asked what the process of annexation would look like, given Snohomish County's attitude towards cross-border annexation. Director Markle said it may have to move to a political level. The steps outlined in Snohomish County's Comprehensive Plan are completely arduous and something the City cannot imagine doing. When she asked the County to walk her through the steps for annexation, she found the process to be very lengthy and convoluted. She also approached the County Commission leadership for guidance, but nothing has been resolved. Commissioner Chang stressed the importance of resolving the process, since many future decisions and negotiations with the developer will be based on the idea of annexation. Director Markle commented that now that things have settled down, it may be appropriate for the City to approach the County again to reevaluate the process.

Director Markle announced that the Shoreline Preservation Society's appeal of the 185th Street Station Subarea Plan was dismissed by the Growth Management Hearing Board at the request of the Shoreline Preservation Society. There are no more pending appeals on the 185th Street Station Subarea Plan.

UNFINISHED BUSINESS

After attending the Richmond Beach Community Association General Meeting, Commissioner Malek observed that City staffing and the ability to build staff to address so many projects that are happening at this particular time is a concern to the community members. They are concerned they will be caught off guard or unawares. If the City does have the budget for more staff, how will they be brought up to speed to have the level of skill and knowledge that will be needed. This needs to be addressed at some point.

NEW BUSINESS

There was no new business on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

There were no reports or announcements.

AGENDA FOR NEXT MEETING

There was no discussion about the next meeting's agenda.

ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

William Montero
Chair Pro Tem, Planning Commission

Lisa Basher
Clerk, Planning Commission