

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

February 16, 2006
7:00 P.M.

Shoreline Conference Center
Board Room

COMMISSIONERS PRESENT

Chair Harris
Vice Chair Piro
Commissioner Hall
Commissioner Kuboi
Commissioner McClelland
Commissioner Phisuthikul
Commissioner MacCully
Commissioner Sands

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT

Commissioner Broili

CALL TO ORDER

Chair Harris called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Vice Chair Piro, Commissioners Hall, Kuboi, McClelland, MacCully and Sands. Commissioner Phisuthikul arrived at 7:12 p.m. and Commissioner Broili was excused.

APPROVAL OF AGENDA

The agenda was approved as presented.

DIRECTOR'S REPORT

Mr. Tovar introduced Steve Cohn, the City's new Planner III, who previously worked for the City of Bellevue for a number of years. Mr. Cohn said he was pleased and excited to join the City of Shoreline

staff. Mr. Tovar also announced that Rachael Markle, Assistant Director of Planning and Development Services, would return to work on May 1st.

Mr. Tovar reported that they received five applications for the Planning Commission positions that would become available the end of March. Only one incumbent has submitted an application to date. He said they anticipate additional applications before the deadline of February 21st.

APPROVAL OF MINUTES

The minutes of January 19, 2006 were approved as corrected.

GENERAL PUBLIC COMMENT

There was no one in the audience who expressed a desire to address the Commission during this portion of the meeting.

REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Hall reported that as directed by the Commission, a subcommittee (Commissioner Hall, Commissioner Sands, Commissioner Broili, Mr. Tovar and Mr. Torpey) met to discuss certain critical areas issues. Mr. Tovar reviewed some of the options staff was considering, which all came forward to help frame the City Council's discussion on February 13th.

STAFF REPORTS

Update on Recent Council Land Use Actions

Hazardous Tree Moratorium

Mr. Tovar recalled that on January 3, 2006 the City Council adopted a moratorium on a provision in the City's code that created exceptions for the cutting of hazardous trees. At the same time, they adopted an interim regulation that was much more rigorous. The interim control did not include recreational trails as an exception, which was a specific issue raised by the Innis Arden Club. After conducting a public hearing on February 6th, the City Council amended the interim control to grant permission for someone to remove the hazardous portion of a tree if it could be shown there is an actual risk to someone using a recreational trail. He emphasized that the interim ordinance would still require an individual to contact the City before cutting a hazardous tree, and staff would have the ability to visit the property prior to granting permission. Emergency situations could be approved quickly by the City's Customer Response Team. To date, Mr. Tovar reported that no one has challenged the amended interim control.

Mr. Tovar reminded the Commission that the interim control expires on May 3rd, so the Commission must forward a recommendation for a permanent regulation before that time. He explained that the Commission has the option of recommending adoption of the interim control as it currently exists, adoption of the recommendation they made to the City Council in the fall of 2005, or going back to the previous regulation. He said staff would like to create code language based on the Commission's

previous recommendation to the City Council and bring it back to the Commission for a public hearing in March.

Mr. Tovar reported that since the subcommittee meeting, staff has met with representatives from the Association for Responsible Management of Innis Arden (ARM) and the Innis Arden Club to discuss the general concept. Staff invited these individuals to review the proposal and provide their comments at the public hearings conducted at both the Planning Commission and City Council levels.

Commissioner Phisuthikul asked if the City was contacted regarding any hazardous tree emergencies during the recent wind storm. Mr. Tovar answered that the City only heard reports about trees that actually fell on power lines.

Commissioner Sands asked how the tree cutting ordinance would be applied to trails located in City parks. Mr. Tovar explained that the tree regulations in the Critical Areas Ordinance would be applied equally to both public and private properties. However, under state law, the City is protected from liability within parks as long as they have done a responsible job of maintaining the trails. A private property owner would be subject to a much greater risk of exposure.

Mr. Tovar reminded the Commission that the City Council approved an expenditure of \$50,000 for the Parks Department to work on an urban forest or natural resource management plan. This could include a review of trees and vegetation on all publicly owned land, land within the right-of-way and private property. He said he has already met with the Parks and Public Works Directors to discuss what the project might include.

Critical Areas Ordinance

Mr. Tovar reported that the City Council received the Commission's recommendation for the Critical Areas Ordinance on October 24, 2005, but they were unable to review and deliberate the recommendation until just recently. Since the Planning Commission closed the public hearing, the City Council has received oral and written comments from citizens and the Department of Fish and Wildlife regarding the ordinance. They decided to hold an additional hearing on February 13th to allow the public to respond to comments that were submitted after October 24th. In addition, the public was invited to respond to proposed City Council changes to the ordinance. After the hearing on February 13th, the City Council scheduled further deliberations to take place on February 27th.

Mr. Tovar reminded the Commission that a proposal was made late in the process to adopt the Washington State Department of Ecology's Wetland Classification System. The Commission agreed that they should revisit the option at a later date, so this issue would be scheduled for discussion later in 2006.

Commissioner Hall asked how the clearing ordinance would be related to the Critical Areas Ordinance. Mr. Tovar said some of the issues raised over the past months have been related to people using heavy equipment within critical areas. Therefore, he suggested the Commission not only talk about tree cutting, but any type of modification of land surface that is proposed within a critical area.

Cottage Housing Ordinance

Mr. Tovar recalled that at the last Commission Meeting, staff described six options that would be presented to the City Council regarding the Cottage Housing Ordinance. The City Council requested staff to prepare two draft ordinances; one that that would adopt the Planning Commission's recommendation with additional changes and one that would repeal the ordinance altogether. They ultimately chose to repeal the Cottage Housing Ordinance, and formal action was taken on February 13th (Ordinance 408).

Mr. Tovar further advised that on February 13th, the City Council directed staff to prepare a proposed work program for a comprehensive housing strategy. He recalled that this concept was also discussed as part of the Commission's recommendation regarding cottage housing. Over the next few months, staff would prepare a potential work program for the City Council's review at their April retreat. Mr. Tovar pointed out that code amendments might be necessary as a result of the Council's decision to repeal the Cottage Housing Ordinance. He noted that there are no current permits for the construction of additional cottage housing developments within the City.

Commissioner MacCully pointed out that the most recent *SUNSET MAGAZINE* featured a cottage housing development by Jim Soules on the eastside, which gained a prestigious award as one of the 15 best housing developments on the West Coast.

Commissioner Hall referred to Comprehensive Plan Land Use Policy 27, which states that the City shall have cottage housing. He inquired regarding the timing for the 2006 Comprehensive Plan amendment docket. Mr. Tovar answered that the deadline for submitting amendments for the 2006 docket expired on December 31, 2005. Commissioner Hall asked staff to propose an amendment for the 2007 docket that would remove Land Use Policy 27 from the Comprehensive Plan.

Commissioner McClelland said that if the Commission would be participating in portions of comprehensive housing strategy process, it would be helpful to obtain adequate statistical data regarding the current housing stock in Shoreline. Mr. Tovar agreed that this type of information would be helpful and would be considered by the City Council for possible inclusion in the scope of work for the project. Commissioner McClelland said it would also be helpful to have statistical data to indicate how often the accessory dwelling unit ordinance has been used.

Commissioner Hall requested that future consideration of a comprehensive housing strategy include a discussion on the following policy approaches:

- Requiring a residential component of mixed use development in certain sub areas or on projects over a certain size.
- Implementing inclusionary zoning that would require, by regulation, some percentage of affordable units in projects over a certain size.
- Establishing a minimum net density in certain zones.

Commissioner Kuboi asked staff to clarify what the Planning Commission's role would be in identifying the underlying goals of the comprehensive housing strategy. Mr. Tovar answered that the ultimate scope and schedule would include a work program for the Commission, as well.

Discussion on Potential Work Program and Community Outreach

Mr. Tovar reported that, recently, the City Council has discussed the need to revisit the "vision for Shoreline," and reevaluate the values of the community. This need has been expressed on numerous occasions by members of the public, as well. In addition, the City Council has discussed the community's strong desire to be heard. Much frustration has been expressed by citizens that they have not had enough opportunity to participate in the process. At their retreat, the City Council plans to discuss the option of creating task forces, ad hoc advisory groups, City Council subcommittees, etc. He said staff anticipates changes in the near future. He suggested that the Commission also consider how they could utilize the talents and skills of the Commissioners in a different format or configuration to discuss issues such as an urban forestry plan, a stewardship or vegetation management plan and a design component to address the issue of cottage housing.

Commissioner MacCully suggested that the Commission work to come up with a process that reaches out to the citizens who don't feel comfortable participating in a public process to find out what issues they feel are important. He suggested that a less formal process would have more potential for success in this regard. Mr. Tovar agreed that many citizens do not feel comfortable speaking at public hearings, but there might be other ways to reach these individuals such as surveys, etc.

Commissioner McClelland shared her experience of inviting 120 of the households in her neighborhood to an open house for a candidate, but only two attended. She also shared how one of her neighbors has very thoughtful and strong points of view on many issues, but never attends public meetings to make her voice heard. She suggested that the Commission must find a clever way to fill the gap between people expressing their opinions to neighbors and doing the work it takes to implement change. The citizens who have successfully implemented change have sat through the meetings and public hearings to make sure their voices were heard.

Mr. Tovar said that if the City Council decides to pursue the concept of task forces or advisory groups clustered around specific issues, staff would likely recommend the Planning Commission have some role or representation in the process.

Commissioner Phisuthikul said that on numerous occasions he has recommended that the City Council revisit the "Vision of Shoreline." While the City Council has discussed this concept, they have not made any formal decision on how to proceed. He asked how the Planning Commission could successfully encourage the City Council to provide direction. Mr. Tovar answered that the Commission could certainly express their ideas and opinions to the City Council regarding this issue. However, staff bases its work schedule on the priorities set by the City Council, and this would be a significant discussion at their April retreat.

Commissioner MacCully said it would be helpful to come up with better communication between the City Council and all of the advisory boards, including the Planning Commission. He said he would like the City Council to identify meaningful work for the Commission to do. He expressed his frustration that it takes the City too long to take action on any one issue. He pointed to the Economic Development Task Force, which seemed to accomplish a significant amount of work in a short period of time. Mr. Tovar said the Economic Development Task Force has been used as an example of a successful ad hoc focused effort, with different stakeholder groups that didn't have much interaction with each other. Commissioner Sands said that the difficult task will be implementing the Economic Development Plan, since it would require zoning changes, etc.

Commissioner Sands referred to the detailed Planning Commission Agenda Planner, which is quite lengthy. He expressed the need for the City Council to provide priority direction as soon as possible so that the Commission could move forward. Mr. Tovar agreed that it would be difficult for the Commission to move forward with any of the items on the agenda without further direction from the City Council regarding priorities. Hopefully, additional information would be available after their retreat in April.

Commissioner Hall pointed out that Chair Harris is responsible for establishing Planning Commission agendas, and the only item on the next agenda is a discussion on the Special Use Permit. Since this would not likely take a full meeting, he suggested staff invite someone from the Department of Ecology to provide a presentation on the Ecology Wetlands Manual. He advised that there are other smaller issues the Commission could work on, as well. Chair Harris agreed that there are issues the Commission could work on while they wait for further direction from the City Council on the larger items. The remainder of the Commission concurred and identified the following topics they could start working on now:

- A presentation from the Department of Ecology regarding their Ecology Wetlands Manual.
- A joint meeting with the Parks Board to discuss the upcoming Urban Forestry Plan Project.
- A discussion on the concept of Planning Commissioners becoming involved with Neighborhood Councils.

Chair Harris cautioned that staff has been shorthanded, and the Commission must be careful about having meetings without adequate staff direction.

Mr. Tovar advised that he would contact the Department of Ecology and request a presentation regarding the Ecology Wetlands Manual at a future Commission meeting. The Commission agreed that they are open to staff scheduling any educational opportunity available to help them do their job.

PUBLIC COMMENT

Greg Davenport advised that he is currently contemplating submitting an application to join the Planning Commission. He said that it is apparent to him from the Commission's discussion that there is not an ideal amount of cooperation and coordination with the City Council. He said he is surprised to find that the City Council does not observe or participate in the Planning Commission meetings.

Chair Harris clarified that none of the Commissioners intended to imply that there is not adequate cooperation between the Commission and City Council. He explained that because there are numerous new City Council Members, they have their hands full just working through their issues. He said the Planning Commission worked hard in August, September and October of 2005. But now they have less work to do, and they are all anxious for something to work on. They are waiting for a work plan from the City Council. Chair Harris explained that it is not typical for City Council members to attend Planning Commission meetings, since the Commission is an advisory board for the Council. The Chair of the Commission is invited to attend City Council meetings as necessary.

UNFINISHED BUSINESS

Mr. Tovar referred the Commission to an article in *THE POST INTELLIGENCER* titled, “*The Original Burbs are in Trouble.*” He noted that the City of Shoreline is mentioned in the first sentence of this article as an original suburban area. Mr. Tovar explained that, in the article, King County has been identified as an area where the demographics of the community have changed significantly since World War II. He said he has also spent time working with the group, Cascade Land Conservancy. After adopting their regional conservation strategy, they broke into two subcommittees. He participates on the “Great Cities and Towns” Subcommittee, which is interested in advancing the objectives of the Cascade Land Conservancy’s Conservation Strategy within the urban area. They have been working to collect research materials from various sources to frame the discussion, which would be focused on the suburbs rather than the inner city.

Mr. Tovar referred the Commissioners to a web link for a report that was completed last year called, “*The New Suburbanism.*” This article identifies that the major growth in the country is taking place in the suburbs, and that is also where the job creation is taking place. Many of these issues are typical of places such as Shoreline. He suggested that the report might be a primer for the Commission’s future comprehensive housing strategy discussion.

NEW BUSINESS

Commissioner Hall reminded the Commission that they already have a backlog of issues dating back to their March 2005 retreat. He said he would happy to see any of them introduced and moved forward.

The Commission discussed whether or not it would be appropriate to hold another retreat in 2006. They agreed that a retreat could be scheduled for sometime in April, after the new Commissioners have been appointed.

AGENDA FOR NEXT MEETING

Chair Harris reviewed that a public hearing on a Special Use Permit for the Shoreline Community College Pagoda Building is scheduled for March 2, 2006.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission