

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

January 19, 2006  
7:00 P.M.

Shoreline Conference Center  
Mt. Rainier Room

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### **COMMISSIONERS PRESENT**

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

### **STAFF PRESENT**

Joe Tovar, Director, Planning & Development Services  
Tom Boydell, Economic Development Manager  
Steve Szafran, Planner II, Planning & Development Services  
Juniper Garver-Hume, Planner I  
Jessica Simulcik Smith, Planning Commission Clerk

### **COMMISSIONERS ABSENT**

Commissioner Hall

### **CALL TO ORDER**

The regular meeting was called to order at 7:03 p.m. by Chair Harris, who presided.

### **ROLL CALL**

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

### **APPROVAL OF AGENDA**

A discussion regarding a tree proposal was added as an agenda item under "New Business." The remainder of the agenda was approved as written.

## **DIRECTOR'S REPORT**

### **February 2, 2006 Planning Commission Meeting**

Mr. Tovar recalled that the Commission and staff had originally planned to hold a discussion about 2006 work program ideas at their February 2<sup>nd</sup> meeting. The intent was to present the list of work items to the City Council with a request for feedback on how the Planning Commission should proceed. However, the City Council is scheduled to consider the Cottage Housing Ordinance and the Critical Areas Ordinance in the near future, and the outcome could have an impact on the Commission's future discussions. In addition, the Planning Staff is short one position, which makes it difficult for them to prepare the necessary information in time for the February 2<sup>nd</sup> meeting. Therefore, staff is recommending the meeting be cancelled.

### **Introduction of New Planning Staff Member**

Juniper Garver-Hume was introduced as a new staff member of the Planning Department. She would be assigned to deal with current permits and the permit process.

### **Additional Public Hearing on Critical Areas Ordinance**

Mr. Tovar announced that the City Council scheduled a public hearing on the Critical Areas Ordinance for February 13, 2006. At a recent City Council Meeting, he reminded the Council that the Planning Commission finished their hearing process and sent a recommendation to the City Council in September of 2005. The Commission's recommendation included the record that was established throughout their review. On October 24, 2005 the City Council held a public hearing on the Ordinance, but they didn't really get into a review of the substance of the Commission's recommendation. The issue was carried over to a future meeting.

Since the October 24<sup>th</sup> hearing was closed, the City Council received letters, emails and verbal comments regarding the Critical Areas Ordinance. Now this additional input has become the subject of dispute and confusion as to whether it should be included in the record. While citizens may think their later comments should become part of the record, in staff's opinion they should not because they were not received during an open public hearing process. The City Council decided to conduct an additional public hearing on February 13<sup>th</sup> so that the additional materials and comments could be incorporated into the official record. This would allow the public an opportunity to review the new information and provide comments to the City Council. The City Council concluded that this would offer the public a reasonable opportunity to comment before the hearing is closed and they deliberate and take action.

Mr. Tovar explained that because citizens have raised the issue of not being able to trust their elected officials when making legislative decisions, the City Council must be very careful about the information they rely upon as a basis for the actions they take. All information considered by the City Council must be admitted during an open public hearing process. While the staff would not be able to stop citizens from forwarding additional comments to City Council Members after a public hearing has been closed,

they plan to carefully explain that the record is closed and the City Council would not be able to rely on subsequent comments that are provided. He briefly reviewed the City's current process for legislative issues and pointed out that it is important that the process is consistently administered.

Commissioner MacCully asked how the emphasis on following a specific process for reviewing legislative matters would impact future Commission deliberations. When the Commission reviews an issue and makes a recommendation to the City Council, the City Council often decides to hold another public hearing. He questioned if the Commission would still be able to fulfill their role as an advisory body to the City Council. Mr. Tovar answered that, generally speaking, the City Council should rely upon the Planning Commission to conduct hearings on legislative matters, and they ought not to hold separate public hearings on every issue. If this becomes a practice, the public could start to ignore the Planning Commission and wait to come before the City Council. At the same time, there would be times when the City Council feels it appropriate to hold another public hearing. He said his advice to the City Council would be to only hold additional public hearings if necessary so they don't end up undercutting the utility of having a Planning Commission. In the case of the Critical Areas Ordinance, the City Council felt another public hearing would be appropriate since it had been so long since they first started to consider the Commission's recommendation. He said he would recommend that, in the future, the City Council deal with Planning Commission recommendations as quickly as possible since delaying an issue could place the process at great risk.

Commissioner Sands asked if someone would be present at the February 13<sup>th</sup> hearing to control situations where a citizen provides information that has already been considered by the Planning Commission but was not included as part of their recommendation for various reasons. Mr. Tovar explained that the scope and purpose of the February 13<sup>th</sup> hearing is not to allow citizens to rehash their previous comments. The subject of the hearing would be every document submitted for the City Council's review since the last public hearing was closed. In addition, any additional amendments proposed by the City Council would be posted on the City's website by February 3<sup>rd</sup> so that citizens would be able to provide comments at the hearing. The City Council doesn't want to have citizens provide redundant comments that have already been reflected in the public record established by the Commission. But all they can do is review the scope of the hearing and then rely on the public to follow that guidance.

Commissioner McClelland asked if the Commission should play a role in the City Council's hearing and review process. Mr. Tovar answered that it would be useful for at least Chair Harris to attend the City Council's public hearing on February 13<sup>th</sup>.

### **City Council's Review of the Planning Commission's Recommendation on the Cottage Housing Ordinance**

Mr. Tovar reported that the Commission's recommendation regarding the Cottage Housing Ordinance was transmitted to the City Council and would be discussed at their January 23<sup>rd</sup> meeting. Staff prepared a matrix to summarize all of the public comments received by the Planning Commission. In addition, they prepared a summary of the Commission's review process. The staff has presented the Council with six options for their consideration. On one end of the spectrum, the City Council could do

nothing and leave the code and plan as currently drafted and let the moratorium lapse. On the other end, they could delete all reference to cottage housing from the Development Code and the Comprehensive Plan. However, staff would emphasize that doing so would not guarantee that a future Council couldn't take up the subject again. Staff would also explain the rationale for the Planning Commission's recommendation. One option would be for the City Council to adopt the Planning Commission's recommendation as submitted. Another choice would be to build upon the Planning Commission's recommendation to address some of the comments and suggestions that were provided. Another option would be to increase the number that used to determine how close cottage housing developments could be located to each other. The City Council could also ask the Planning Commission to further study the issue and come back with a process that would improve the design of cottage housing projects. Because the moratorium on cottage housing expires in February, the City Council could decide to expand it so that additional work on the Ordinance could be done by the Commission.

### **Report on City Council's Affordable Housing Workshop**

Mr. Tovar reported that most of the City Council Members participated in an Affordable Housing Workshop. He briefly described some of the participants at the workshop who provided valuable information regarding the issue. The City Council carefully considered options that provide for the needs of low to moderate income households in the City. They are very interested in this part of the housing topic. He noted that in the Commission's recommendation to the Council regarding the Cottage Housing Ordinance, they pointed out that the City needs to consider a broader approach to housing (i.e. needs, demographics, choice, etc.).

Mr. Tovar advised that a City Council retreat has been scheduled towards the end of February. Hopefully, one result of this retreat would be more clarity about what the Planning Commission's work program should be.

Commissioner Sands asked if the January 23<sup>rd</sup> City Council discussion on the Cottage Housing Ordinance would be one last opportunity for citizens to express their views before the City Council decides what to do. Mr. Tovar said his understanding is that the January 23<sup>rd</sup> meeting would be an open record public hearing on the issue of cottage housing. Commissioner Sands pointed out that the Economic Development Task Force is also scheduled to make a presentation to the City Council on January 23<sup>rd</sup>.

### **APPROVAL OF MINUTES**

The minutes of January 5, 2006 were approved as corrected.

### **GENERAL PUBLIC COMMENT**

**Greg Logan, 15709 – 2<sup>nd</sup> Avenue Northwest**, referred to a memorandum that was written by Commissioner Sands to the Commission regarding the issue of Cottage Housing (dated September 1, 2005). The memorandum talks about the intrusion of government regulations and states that density and zoning is not a right and not something someone should rely upon when purchasing a house. The

memorandum states that governments, through the exercise of their police powers, could increase density for the good of the community. Mr. Logan shared his perspective that the purpose of government is to protect people and their property, particularly those who are vulnerable to change. However, this is contrary to the concept shared by Commissioner Sands. He summarized that he does not believe the view expressed by Commissioner Sands would reflect the view of the vast majority of the citizens of Shoreline.

Mr. Logan pointed out that Commissioner Sands lives in The Highlands, and he knows that he is not likely to be subjected to any loss of property rights. Yet he is suggesting that it is okay to allow the police powers to take away the property rights of other citizens in the community. He asked for clarification from the Planning Commission regarding their view on the concept of establishing property rights as sacred rights, which is how he views his property rights and zoning.

Commissioner Sands responded that his comments were based on his knowledge as a real estate attorney. The memorandum was intended to state the existing law rather than a personal viewpoint. The current law is clear that governments have a right to change the zoning laws, but he agreed with Mr. Logan that the majority of the citizens of Shoreline would disagree with what the law allows. He further agreed that if the City tried to change the zoning of his property, he would likely get upset, as well. However, he emphasized that, by law, the City has the right to do exactly what he stated in the memorandum. He concluded that he would stand by the statements he made.

## **REPORTS OF COMMITTEES AND COMMISSIONERS**

There were no reports of Committees and Commissioners.

## **STAFF REPORTS**

### **2006-2011 City of Shoreline Economic Development Plan**

Mr. Boydell thanked the Commission for allowing time on their agenda to discuss strategies for economic development in Shoreline. He also thanked them for their interest in the Economic Development Task Force by allowing one of their members to serve as the Chair. Commissioner Sands' leadership was instrumental in the progress the Task Force was able to make.

Mr. Boydell referred the Commission to the 2006-2011 City of Shoreline Economic Development Plan, which was created by the Task Force. He said the goal of the Task Force was to consider simple economic development strategies that could make a difference. He briefly described the process that was used by the Task Force to review the issue of economic development and create a plan for the City.

Mr. Boydell explained that although the City's brief 2004-2005 Economic Development Plan contains some good elements, it does not provide a lot of language regarding the vision and values of the community. The City Council formed the Economic Development Task Force to come up with some recommendations for an updated 2006-2011 Economic Development Plan. They specifically asked the Task Force to expand the strategy section, add a section regarding priorities, and work on making the

performance standards more meaningful and useful. The Task Force consisted of 14 members who started their work in July of 2005. They held 13 meetings, which resulted in over 30 hours of extensive discussion. In addition to the 14 members, numerous experts on various subjects related to economic development were invited to participate. The result of the meetings was a good body of information and foundation even though the 14 members of the Task Force had different perspectives and backgrounds.

Mr. Boydell referred the Commission to the list of Task Force members. He explained that as the Task Force attempted to balance the values and perspectives of its members and build a consensus around what actually should take place, they recognized the need to listen carefully to each other and consider the voices of reason and insight. The group wanted to make sure that the plan was reasonable and contained some achievable measuring points.

Mr. Boydell noted that Shoreline is a City on the edge of opportunity. While the City has wonderful resources and qualities, there are some problems. It was discussed that if more land and resources could be made available or attention given to issues such as the zoning code, a tremendous result could be achieved. Further, it was discussed that an employment base of 17,000 to 18,000 is just not enough for a City the size of Shoreline, and more intense and quality development must occur in the City to absorb and serve existing businesses in the community.

Mr. Boydell referred the Commission to the goals identified in the 2006-2011 Economic Development Plan. He said the Task Force worked to affirm the goals that were in the 2004-2005 document, organizing them differently and then adding to the list. He particularly noted the goal, "Outreach and Partnership," which has to do with the collaboration of City, regional and civic leadership based on a shared vision of a future for Shoreline. He also referred to the goal, "Community Development," and noted that economic development could be achieved through community development rather than at the expense of the development community. Next, he spoke about the goal, "Sense of Place" and noted another goal added to the plan relating to environmental stewardship.

Mr. Boydell explained how the Task Force worked to combine expectations with resources and tools to identify what could be achieved in the short term and what additional resources would be necessary for the long-term goals. He referred the Commission to the seven strategies in the proposed 2006-2011 Economic Development Plan and briefly reviewed each one as follows:

- **General Government, Outreach and Communications:** This strategy addresses the need for infrastructure improvements, changes to the planning and permitting system, establishing a business license system, gathering information about the regional economy, and conducting some marketing studies. Without these general government strategies, there would be no foundation for the other things the Task Force wants to achieve. It is important that the City be made to function better.
- **Major Investments, Recruitment and Attraction:** This strategy addresses the major projects the City wants to achieve such as redevelopment of the Aurora Square/Westminster Triangle, which would dramatically change the character, future and revenue base of Shoreline. There is close to 60 acres of land available in this location, with a traffic count of about 45,000 cars per day. The property could be developed as a destination shopping or village center type development.

The Task Force discussed the need to undertake City investments and regulatory actions that would better implement the vision of the Central Shoreline Sub Area Vision Plan, particularly along Midvale Avenue. There is a tremendous potential, need and desire to establish a town center in this area but there are also tremendous problems with doing so. The Task Force discussed the option of encouraging the Shoreline School District to explore the feasibility of relocating Shorewood High School to a new site that would result in higher quality educational facilities, a resolution of traffic and parking problems, and a more proactive relationship between the public schools and Shoreline Community College. If achievable, this concept would open up 35 acres of property in the heart of the downtown for a new town center. He cautioned that this concept should not be represented as a recommendation of the Task Force, but only as a possible concept that was considered.

In addition, Mr. Boydell said the Task Force discussed the economic development opportunities that exist at Echo Lake, Point Wells, and other sites throughout the City. If there is going to be substantial residential growth in Shoreline through new construction, redevelopment or remodels, it would be important for the City to consider where businesses could be located to supply the needed work opportunities for the new residents. Currently, there is no place in Shoreline where zoning exists to provide a foothold for these types of developments. They would likely have to create an expanded light industrial zone that would keep property values in line so that rent wouldn't get so high and price these types of businesses out of the market. They also should look at creating enough zones to make it easier to recruit a collection of like businesses. These businesses would not only thrive in the growing Shoreline environment, but they would serve and capitalize on the growth in surrounding communities.

- **Small Business Support:** About 82 percent of the employment opportunities in Shoreline are in businesses with fewer than 20 employees. Because the City has a strong small-business base, they must consider how they can support and grow the businesses. There is a strong and growing international character developing in the North City area. The Task Force talked about the need for City government and businesses to partner with a number of different organizations.
- **Media, Marketing and Promotion:** At this point, the marketing ideas have no funding resources. However, this section suggests some ideas that could be considered in the future. It is important to initiate an active campaign to define and improve the regional perception of Shoreline. It is also important to promote Shoreline sites to regional and national developers. The City cannot rely on others to do this for them.
- **Intellectual Capital:** The goal should be to encourage planning and support for successful workforce training programs, to improve facilities and to sustain the success and outstanding character of education programs at all levels in Shoreline.
- **Local Collaboration-Building and Regional Partnerships:** One action item in this section would be to proactively collaborate with private and public organizations that are working to support the growth of current businesses and bring new companies or institutions to Shoreline.

- **Sustainable Neighborhoods:** This goal would foster the development of neighborhood business areas outside of Aurora Avenue in ways that reflect the concepts of interdependence, sustainability and balance with quality of life in the neighborhoods. They could also learn about new ideas and approaches to neighborhood-level economic development from experts such as the University of Washington School of Architecture, etc.

Mr. Boydell said that once the resources and tools were combined with expectations, the Task Force looked at what could be achieved now. They moved forward with some implementation that could take place immediately such as:

- Preserving the health of the existing small businesses.
- Establishing programs of small business assistance resources in Shoreline such as the Community Capital Development Program, which is currently offering classes in the area.
- Working on environmental outreach and problem solving.
- Reviewing what Shoreline Community College is already doing with their SBDC Adventures Program and exploring how the City could connect with this program. There are a number of SBDC's already located in the County and a couple of satellite operations, but nothing in North County. There have been discussions on establishing a full-blown center for North County, perhaps in Lake Forest Park.
- Discontinuing the contractual relationship with the businesses that were displaced by the Interurban Trail Project. The local businesses indicated that they would like to work with a professional instead, and a professional consultant was hired by the City to work with these individuals. They are still anticipating some progress with businesses. Some have decided it is better to relocate elsewhere, but at least two of them have agreed to stay in Shoreline.

Mr. Boydell said there are a number of places in Shoreline where significant economic development opportunities exist. The City staff would like wisdom and insight from the Commission on how to implement the economic development strategies identified in the plan. For example, they could increase synergy between the City and Shoreline Community college; seek to identify opportunities to recruit clean-technology and/or environmental technology related research and business activities; and promote ideas and a cultural value of creative arts, music, entrepreneurship and invention as an important aspect of the community. All of these efforts would help to establish a Shoreline identity.

Mr. Boydell reported that the Task Force went through several priority setting exercises in an attempt to identify a consensus. They talked about the need to establish a business license system, do some basic marketing, finish the projects that have already been started, and focus on some new major opportunities. They agreed that the City should also take care of the "everyday" types of issues such as making the permit system productive, efficient and popular; making zoning code changes; improving customer service; and improving communication between City staff and business owners.

Mr. Boydell referred the Commission to the draft performance measures, which were provided in the Economic Development Plan as an attachment. He explained that the City's past strategy focused on the basic measures of what it means to accomplish something in economic development: how much building is going on, how many permits were processed, and how they are doing in terms of City



revenues. He pointed out that this short list received criticism from the community that it wasn't enough. Some felt it was too focused on City government. The Task Force talked about both qualitative and quantitative measures. He summarized that the important thing is to clearly communicate the performance measures to the public to help them understand where they stand as a community and whether or not improvements have been made.

Mr. Boydell concluded by stating that even though there are 31 action items included in the plan, it doesn't mean that every detail has been anticipated or inscribed. A lot of process went into developing the framework, but it may not be a perfect statement for everyone in the community. The intent was to develop a framework of ideas, but 95 percent of the critical work would come with implementation. They hope the citizens become very engaged in discussions with the Planning Commission and other bodies about how everyone could mobilize together to implement the plan.

Vice Chair Piro complimented the Task Force for creating a readable and manageable economic development plan that was both visionary and doable. He noted that the 2006-2011 timeline for the plan is consistent with the City's current Capital Improvement Plan timeline. He inquired if the staff intends to update the economic development plan every four or five years, or would it be reviewed and updated every year. Mr. Boydell pointed out that the economic development plan is intended to be long-term, and staff does not know how much time it would take to implement some of the elements.

When asked if the Task Force had completed their work, Mr. Boydell replied that the Task Force has set two meetings in 2006 to move forward with implementation plans. They met during the past week to talk about how to introduce the concepts in the plan to the Planning Commission, the City Council, and others. They plan to meet again in March to talk about implementation. If the City Council adopts the plan, their responsibility would be to communicate the various elements of the Plan to the community so people understand what is in the vision. Ultimately, the City Council must decide the future of the work group. The City Manager would be responsible for monitoring and measuring the success of the plan.

Commissioner MacCully said he finds the plan to be far reaching and visionary, but he questioned how this bold, aggressive plan for growth would survive the scrutiny of the legislative process. He noted that there tends to be a vocal percentage of the population in Shoreline that do not want change. In fact, they want to turn back the clock. What happens if the majority of the City Council Members are opposed to growth? Mr. Boydell said that he has had good experience with members of the City Council, both past and present, when discussing growth and the balance the Task Force is trying to achieve. He has received some positive statements about the values that have been asserted by the Task Force. It has been noted that the plan is not just about big development; it's about small business resources, broad based community leadership, and sustainable maintenance. He said he is hopeful that the plan would be acceptable to the majority of the City Council.

Commissioner Sands said that when the Task Force first met, he stated his opinion that unless they could come up with a consensus, the plan would not go forward. There was a diverse group of people with very different viewpoints, but when the plan was completed there was consensus of approval from everyone. The plan has received approval from nearly every major group it has been presented to. He said he is hoping that if the plan is presented as the consensus of not only of the Task Force members,

but every major group in the City, the City Council would be receptive. He emphasized that the plan does not suggest that Shoreline be turned into an industrial area, but that the existing commercial areas be improved. He doesn't see why anybody in the community could be unhappy with the plan.

Commissioner Kuboi said he anticipates a lot of support for the plan from City officials. He expressed his viewpoint that the plan provides a good framework for ideas. However, there is wide variance of opinion within the business community in terms of what is beneficial to a particular business. He noted that the economic development plan was created by civic, business and education leaders and is not a government document. He asked to what extent the private sector, whose key representatives developed the plan, would use their influence in the community to encourage others to support the vision identified in the plan.

Mr. Boydell explained that there should be no "arm twisting." The hope is that when the vision is articulated to the community, people would become excited about it. However, they anticipate tremendous challenges in implementing the plan. The Task Force allowed themselves to not have to resolve every problem. The community will have to respect that there are polarities in viewpoints and there is value in dialogue from different perspectives. The goal is to turn the problems around and seek better ways to implement economic development. The Task Force did not want to stand in place of the Planning Commission's role in interfacing with the public when reviewing plans of this type.

When Commissioner Kuboi asked for clarification about how the proposed plan would have impacted the outcome of the Aurora Avenue Project, Mr. Boydell said there is a complex history of how decisions have been made regarding this project. The Task Force sidestepped this particular case for the short term, but they also tried to craft language in the plan that pointed to the importance of creating a sense of identity and a town center. He said the plan also recognizes the importance of having a sense of market reality; but at the same time, the Task Force recognized they would not be able to figure out every detail. They also recognized that past plans were not perfect in every detail. He said the City staff recognizes the need to further discuss and analyze this serious case.

Commissioner Sands said that some of the people who originally expressed concerns over the Aurora Corridor plans are slowly coming around. For example, the Economic Development Committee of the Chamber of Commerce expressed a very favorable viewpoint of the proposed plan. Commissioner Sands said one member of the Task Force (the owner of the ice arena) spoke at length regarding the need for improved transportation and infrastructure. He appears to be coming to the conclusion that the changes along Aurora Avenue would be good for his business, and he is now expressing that opinion to his group. Commissioner Sands emphasized that the implementation of the plan would be an evolutionary process.

Commissioner Sands pointed out that the Task Force doesn't want the plan to be implemented in a linear fashion. Everything needs to be done at about the same time, which will not be easy to accomplish. The City leadership has to actually want to implement the plan and spend some of the City revenues to accomplish each of the elements. He said the Task Force had discussions with representatives from the State, the County and major developers regarding opportunities to develop in Shoreline. All of them indicated that if there is going to be a fight to develop in Shoreline, they would just go somewhere else.

If the plan is going to be implemented, the community leaders have to make sure there is no fight. They have to make development opportunities easier.

Commissioner McClelland recalled that a question was previously raised about exactly what the problem is with Shoreline's current image that necessitates an improvement. She asked what the City is lacking financially with regard to tax revenue. She also asked how much of the discretionary income of Shoreline citizens leaks to neighboring jurisdictions because it can't be spent in Shoreline. She said it would be imperative to have a problem statement to describe the existing condition and identify exactly what they are trying to change or improve. It would also be helpful to have some real financial information, such as vacancy rates, rents per square foot, and other details that would attract or repel a business from locating in the City. Mr. Boydell said that some of this information is already available.

Commissioner McClelland said she feels that the Aurora Square concept is good and is confident something will happen to accomplish this goal. She suggested that they work to bring some kind of focal point to the businesses that already exist on Aurora Avenue. This would allow them to influence people to spend their money in Shoreline, which is the fundamental intent of economic development.

Mr. Boydell said he would love to discuss a number of issues with the Commission. For example, much of the zoning along Aurora Avenue is regional business. While there is a lot of flexibility as to what is allowed to occur inside these zones, it has encouraged land prices to move up quickly and has established a price level for the rest of the properties along Aurora Avenue. This tends to crowd out other businesses that are important to the variety and health of the overall economy. The Commission could consider how to counter the negative aspects of regional zoning along Aurora. Another example is the areas zoned for light industrial uses, which are nearly all developed but not always used for light industrial. He pointed out that there is a 65-foot building height limit along Aurora Avenue, and the Commission could consider the concept of allowing greater heights under certain circumstances in exchange for specific tradeoffs.

Mr. Boydell suggested that one approach would be to conduct a design charette for the area at the intersection of Aurora Avenue and 185<sup>th</sup> Street. This could be held at the Planning Commission level, using the expertise of the University of Washington School of Architecture students and inviting the neighborhood citizens to participate. Commissioner McClelland pointed out that the City does have models of good working commercial districts around residential neighborhoods such as Richmond Beach. Mr. Boydell said that he has heard about turnover in this area, and the City should consider what they could do better.

Commissioner McClelland pointed out that there are numerous elements of the plan that are not dependent upon government officials for implementation. Private industry could use the document to make improvements that are not dependent on City financing. Mr. Boydell commented that was one of the goals of the Task Force.

Commissioner Broili said he likes the proposed plan, particularly the concept of sustainable neighborhoods that is implied. Mr. Boydell said the plan emphasizes local spending rather than basic industries. However, it is important to make sure that businesses that are quasi-manufacturing oriented

continue to thrive in the neighborhoods, as well. Commissioner Broili said he also likes the holistic approach of the plan and the concept of combining schools. One of their main reasons for moving to Shoreline was the quality of the school system. It is important to be ahead of the curve by continuing to increase the desirability of Shoreline as far as education. Mr. Boydell agreed that a closer communication between the Shoreline School District and Shoreline Community College would continue to set Shoreline apart from the other 39 communities in King County.

Commissioner Broili said he likes the visionary scope of the whole economic development process that is outlined in the plan. However, he would like more information about the elements of the plan related to environmental stewardship. He said that environmental issues often get left out, but in his view, they are probably the most important driving force. The health and desirability of the environmental system is possibly the one factor that drives the overall health and desirability of the community.

Mr. Boydell said the plan identifies an attempt to recruit clean technology and environmental technology industries. If those types of businesses locate in Shoreline, it could also be assumed that more of these technologies would be employed within the City. Mr. Boydell said one Task Force member has explored the feasibility of incorporating solar technology into the pedestrian bridge and the Interurban Trail design. This could include solar panels along the base of the pedestrian bridge, which would not only help supply lighting for the bridge, but would provide a visual statement of the demonstration project. In addition, Mr. Boydell reported that a non-profit group (ECOS) has been working with businesses to find engineering solutions to save energy, water, etc. The goal is to show individual businesses how environmental stewardship could actually save them money. Mr. Boydell concluded by stating that there are numerous aspects of environmental stewardship that still need to be explored in the future.

Commissioner Phisuthikul said that when the City was formed 10 years ago, there was a great vision about what was important to the City. Many project ideas came out of this effort, including the Central Shoreline Sub Area Plan. A design charette was conducted to involve the community, business owners, property owners, etc. Great visions were created and planned, and zoning changes were implemented for the area. However, the plan was never implemented, and now two important corners of the sub area have been occupied by new development. He summarized that even though they have a vision and concept of what this area should be, the City would continue to lose opportunities to implement the vision if they don't move forward with action now.

Vice Chair Piro pointed out that implementation rests on the shoulders of the elected officials. He said he believes that if the City were to move forward with approval and implementation of the vision for the Central Shoreline area, future developers would have a clear understanding of what the vision is and support it. Commissioner McClelland pointed out that the Central Shoreline Sub Area Plan was adopted as a supplement to the Comprehensive Plan. Commissioner Sands agreed with Commissioner Phisuthikul that some opportunities have been lost, but he still believes there is sufficient opportunity left for the City to proactively implement the vision of the sub area plan for future development. If this does not occur, and the properties in the area are all redeveloped, the City won't have another chance to implement the sub area plan for another 30 to 40 years.

Vice Chair Piro said he appreciates that the Task Force has looked at creative ways to advance economic development. It is important for the City to have some sense of place in the center of the community. While they have lost some opportunities, there are other options that would allow them to accomplish this goal. He noted that it would be useful for Mr. Boydell to talk in his presentation to the City Council about the plan being an open process and that future work must be done. He should talk about opportunities for oversight monitoring and routine reviews. He said it would be appropriate for the plan to have an incremental type of approach, but some people might want it to be more of a roadmap or game plan. It should be made clear that the plan could evolve into this in the future. Commissioner Broili said it would also be important for Mr. Boydell to emphasize the environmental elements of the plan as part of his presentation to the City Council.

**VICE CHAIR PIRO MOVED THAT THE PLANNING COMMISSION ENDORSE THE 2006-2011 CITY OF SHORELINE ECONOMIC DEVELOPMENT PLAN. COMMISSIONER BROILI SECONDED THE MOTION.**

**COMMISSIONER SANDS MOVED THAT THE MOTION BE AMENDED TO READ, "THAT THE COMMISSION RECOMMENDS THE CITY COUNCIL APPROVE THE 2006-2011 CITY OF SHORELINE ECONOMIC DEVELOPMENT PLAN." VICE CHAIR PIRO AND COMMISSIONER BROILI ACCEPTED THE MOTION TO AMEND.**

**THE AMENDED MOTION WAS APPROVED UNANIMOUSLY.**

Commissioner Sands said he found that serving as the Chair of the Economic Development Task Force was an enlightening experience. Besides the proposed economic development plan, another positive outcome of the Task Force was the camaraderie and friendship that developed between previous adversaries. Mr. Boydell agreed and added that because of the friendships that were formed, the Task Force members were able to have productive dialogue about important economic development issues.

Mr. Tovar pointed out that the City of Tacoma pioneered what is known as a "form-based code," which is now a national trend. Using this concept, a code would clearly spell out what a jurisdiction wants buildings to look like in terms of architectural detail, mass, orientation, etc. He suggested that because the City's zoning code does not clearly spell out what type of development is desirable, the Central Shoreline Sub Area Plan has been difficult to implement. He emphasized that the zoning code should provide teeth for the City to implement their plans. He pointed out that this concept has been identified as a 2006 work item.

### **PUBLIC COMMENT**

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

### **UNFINISHED BUSINESS**

Commissioner Sands reported that he was currently attending a seminar regarding the Endangered Species Act. It is interesting to learn how judges are interpreting various clauses of the Endangered Species Act. The sponsor of the seminar has done a good job of getting polar opposites on the panels to represent both sides of the issue. He said he would attempt to focus his attention on how the Endangered Species Act would impact the critical areas in Shoreline.

## **NEW BUSINESS**

### **Discussion Regarding a Tree Plan**

In an effort to deal with the whole tree issue in Innis Arden, Commissioner Broili suggested the Commission recommend that the City Council direct staff to create a Task Force consisting of two Planning Commissioners, two members of the Innis Arden Club Board of Directors, two Members from the Association for Responsible Management of Innis Arden (ARM), and staff support. The goal of the Task Force would be to create a management strategy for the reserves that everyone could support. This would allow the strategy to be developed cohesively using the Economic Development Task Force's process as a model. He said that while he recognizes this would be a significant task, he doesn't see any other way to resolve the problem. Because of the immediacy, he felt the formation of a Task Force would be the best and quickest way to move forward.

Commissioner Phisuthikul pointed out that negotiations between the two Innis Arden groups failed. Commissioner Broili explained that the Innis Arden Club began rapid cutting in the Innis Arden Reserves over the last three months, and ARM became very upset about the situation and walked away from negotiations. They did not feel that the Innis Arden Club was working in good faith effort to come up with a resolution.

Mr. Tovar said he is not convinced that representatives from ARM would participate on the Task Force. He questioned if this would be an indispensable part of Commissioner Broili's proposal. Also, Mr. Tovar asked what would happen if both groups participated but were unable to reach consensus at the end of the process. He suggested that before the Task Force is formed, the City should have an end game plan in mind based on the possible outcome. If no agreement can be reached, the City must have a plan for how to implement procedures and regulations to address the issue.

Commissioner Broili said that if the City Council agrees to form a Task Force, then the Innis Arden Club and ARM could either decide to participate in the process or not. However, it should be clearly indicated that the process would move forward either way. He said he can't imagine either group walking away from having at least some voice in the outcome.

Mr. Tovar said the City must also be clear that the product of the described process would be a draft proposed set of regulations that would be presented for public review at a hearing before the Planning Commission. The Planning Commission would then forward a recommendation to the City Council. He pointed out that a public hearing on the current four-month moratorium on hazardous tree cutting is scheduled before the City Council on February 6<sup>th</sup>. If the process for creating a permanent regulation

would take longer than four months, the City Council would have to extend the moratorium for some length of time. He suggested that the City Council wants to conclude this issue by the end of April.

Commissioner McClelland suggested that one option would be to come up with a plan that would allow the residents of Innis Arden to self-govern the reserves, since the reserves are private property. Perhaps they could agree upon a procedure for identifying and removing hazardous trees, and then enforce the procedure. Mr. Tovar explained that, as the administrator of the City's code, he must enforce the regulations equally across the entire City. This includes private properties, regardless of whether they have covenants or not. As a regulator, it doesn't matter to him who owns a property or how they make decisions. What matters are the circumstances on the ground, State law, the public interest, and what could reasonably be administered with some certainty and fairness. While this issue tends to focus on tree cutting and view preservation in Innis Arden, in all of the discussions with City Council about what the regulations ought to be he has emphasized that the City should not have regulations that only apply to Innis Arden. Instead, the City needs to have regulations that can be applied City-wide, wherever circumstances might exist and regardless of who owns a property.

Commissioner Broili emphasized that the concerns are related to tree cutting in hazardous areas, and the City has a responsibility to administer the Critical Areas Ordinance. While the reserves are privately owned by the Innis Arden Club, the City could add clout to the negotiations by stating that the two groups could either go with whatever the City decides, or they could work together to figure out a solution everyone could live with. It should also be recognized that the final regulation would be revisited on a regular basis to improve upon it and to answer problems that arise. Mr. Tovar agreed that the City has the responsibility to protect the critical areas as mandated by State Law. However, the hazardous tree cutting regulations would also apply to areas of the City that are not critical areas.

Mr. Tovar suggested that, in order to respond to the City Council's timeframe of four months, perhaps the Commission and staff should come up with some proposed regulations to replace the interim regulations of the moratorium. These regulations could spell out all of the requirements, and might look very much like the existing interim controls or the recommendation the Commission already made. If the City Council wants to do something different than what is outlined in the interim regulations, the Commission could recommend that an approved management plan be required. However, it would take time to develop a process for reviewing proposed management plans. He summarized that there must be some reason for the stakeholders to want to come to the table. While tree cutting is a significant issue for the residents of Innis Arden, view is also a big concern. People have tended to use the hazardous tree tool to preserve views, which is not appropriate and has led to a lot of confusion and dissention.

It was pointed out that, within critical areas, no tree cutting is allowed. If a view is disturbed, the only option a property owner has is to use the hazardous tree provision. It was suggested that at some point, the City must address this issue. Commissioner Phisuthikul pointed out that the issue of view is often a fight between two sections of the code and has been going on for years. He questioned the need for the City to get involved. He suggested that view should not be the main issue. The City must focus on management of the critical areas and not view management. Other Commissioners agreed.

Commissioner Broili said the intent of his proposal to form a Task Force to discuss the issue of hazardous tree cutting was to focus on issues related to critical areas. He expressed his belief that views and critical areas are not necessarily disparate. The goal for the critical areas is to achieve a functional quality. If this functional quality could be achieved while still providing some views, the situation would be acceptable for everyone. Because the issue seems to be focused on Innis Arden, perhaps that is where they should begin the discussion. There is no where else in the City where views or trees are really a concern. He pointed out that this situation needs to be resolved as soon as possible.

Chair Harris inquired if there are low-growing trees that could be introduced to critical areas that would perform the same function as the taller trees, but result in less view blockage. Commissioner Broili answered affirmatively. He added that there are many opportunities that have not even been discussed. He would like the stakeholders to come up with a way to achieve everyone's goals at some level, recognizing that no side would get everything they want. He stressed the importance of remembering that Shoreline is an urban environment, and the Innis Arden Reserves are urban forests. No matter what the City wants, there will never be old growth forests in Shoreline in a typical or wild sense. However, there could be old growth urban forests that would be every bit as functional as an older growth wild forest. That is the direction they should be thinking.

Mr. Tovar said that while he can see the value in creating some process that would allow interested parties to talk, he doesn't know if there is time for this elaborate of a process given that the Commission must hold a hearing on the new language in April. One option would be to use the existing interim control as a model for the new regulation, but the timeframe does not allow enough time to come up with a regulation that would address the issue of tree cutting for views.

Speaking to the Commission as a citizen of Shoreline, Ms. Garver-Hume said she has been working with Cascade Land Conservancy. This group has been working with the cities of Seattle and Tacoma to manage the ecosystem function of their parks. She suggested that they have expertise and possibly some of the seed that might be needed to look at Shoreline's interest in this conflict and how they could make sure they safeguard the community values, codes, etc. She further pointed out that when there is an intractable conflict such as the one that currently exists at Innis Arden, having a third party introduce innovative concepts to address environmental issues could be helpful.

Commissioner Broili said he would like the Commission to be proactive and make a recommendation to the City Council on how they could move forward to resolve the problem. Mr. Tovar suggested one option would be to form a subcommittee of Commissioners to discuss and articulate a statement that could be presented to the City Council in writing prior to the public hearing or verbally at the hearing on February 6<sup>th</sup>.

Mr. Tovar again said he does not think there would be sufficient time to conduct a Task Force process as suggested by Commissioner Broili. He said he has a more modest target in mind, which would be to come up with a regulation that works in the near term. A more detailed discussion could take place later when there is more staff time and both parties might be more amenable. He reminded the Commission that the City Council has designated \$50,000 in the 2006 budget to do an urban forest planning strategy, which could include a process as described by Commissioner Broili to address private lands.



Mr. Tovar said he anticipates that the regulations that are subject of the public hearing in April would probably be similar to the current interim control, following the language in the Commission's recommendation. The language could also include a proviso that would call for a longer-term process within the next six to twelve months, perhaps in conjunction with the urban forest plan effort.

Commissioner Broili recalled that the original staff recommendation for the Critical Areas Ordinance included the concept of a stewardship management plan, but this option was removed from the language by the Commission. The Commission discussed that the stewardship management plan strategy was in place for a number of years but was never used to address the tree cutting problems. The Commission also discussed the need to get back to the stewardship plan concept, but in a way that would be more effective. Mr. Tovar said that one thing that would be critical in order to get property owners to buy into a stewardship plan concept would be permission for City staff to go onto private property to monitor activities, the health of the vegetation, etc. Presently, the City doesn't have that permission.

The Commission agreed to form a subcommittee consisting of Commissioners Broili, Sands and Hall to discuss the issue of tree cutting in hazardous areas. Mr. Tovar agreed to contact them regarding some possible dates for their first meeting.

### **Commissioner Term Expiration**

Mr. Tovar advised that the next issue of the *CURRENTS*, would include an article about the Planning Commission and what important things are happening. They will advertise that the City Council would be seeking applications for appointment to four year Planning Commission terms that begin on April 1<sup>st</sup>. All of the Commissioners whose terms expire at the end of March are welcome to submit an updated application. The City Council should make the appointments no later than their last meeting in March.

### **AGENDA FOR NEXT MEETING**

The February 2<sup>nd</sup> meeting was cancelled.

### **ADJOURNMENT**

The meeting was adjourned at 10:28 p.m.

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David Harris  
Chair, Planning Commission

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Jessica Simulcik Smith  
Clerk, Planning Commission