

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

January 5, 2006
7:00 P.M.

Shoreline Conference Center
Rainier Room

PRESENT

Chair Harris
Vice Chair Piro
Commissioner Phisuthikul
Commissioner McClelland
Commissioner Broili
Commissioner Hall

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Rachael Markle, Assistant Director, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

ABSENT

Commissioner Sands
Commissioner MacCully
Commissioner Kuboi

CALL TO ORDER

The regular meeting was called to order at 7:04 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 Phisuthikul, McClelland, Broili, and Hall. Commissioners Sands, MacCully and Kuboi were excused.

APPROVAL OF AGENDA

The agenda was approved as drafted.

DIRECTOR'S REPORT

Moratorium and Interim Controls to Regulate Tree Cutting

Mr. Tovar reported that on January 3, 2006 the City Council adopted Ordinance 407, which put in place a moratorium and interim controls to regulate tree cutting. He referred the Commission to Section 20.50.310.A.1 of the Shoreline Municipal Code (SMC), which describes actions exempt from permit requirements. As written, it grants broad discretion for a property owner to determine what trees, including significant trees, are hazardous and to cut and remove any number of them without a permit or City oversight. He said that, in his judgment, this language allows far more trees to be cut under the rubric of "hazardous" than actual circumstances warrant, particularly in the Innis Arden Reserves. These situations have been the subject of numerous City contacts from citizens and property owners, which has consumed much of the City staff's attention.

Mr. Tovar referred to a table that was provided to the City Council during their discussion regarding the moratorium ordinance. The table shows the number of hazardous tree exemption forms the City received during 2005. The most significant activity occurred during the last three months of the year and was related to the Innis Arden Reserves. He recalled that staff attempted a mediation process involving both the Innis Arden Club and the Association for Responsible Management of Innis Arden (ARM) to see if some middle ground could be reached. A mediation consultant was retained to help with this effort, but on December 27th a representative from ARM announced that they were withdrawing from the mediation process.

Mr. Tovar explained that staff reviewed the requests to cut hazardous trees that were received in the last three months of 2005 and concluded that it would make sense to suspend the use of the exemption for the time being. As a result, they presented a draft moratorium ordinance for the Council's consideration, and it was adopted on January 3rd. He further explained that the purpose of an interim ordinance is to stop the operation of a portion of the current code for a period of time. It was the staff's belief that more cutting was going on than the current regulations for the City should allow. He referred the Commission to the memorandum he provided to the City Council to explain the situations that occurred to prompt the staff's recommendation for a moratorium.

Mr. Tovar explained that the City Council did not hold a public hearing prior to adopting the moratorium, and notice was neither given nor required for an emergency of this type. However, because a public hearing is required within 60 days, the City Council scheduled the hearing for February 6, 2006. After the public hearing, the City Council could decide to repeal the moratorium, adopt a modification of the interim control, or let the moratorium run its course for the entire four months. Before the end of four months, the Commission would likely have an opportunity to review their previous recommendation regarding the tree cutting provisions and make a recommendation to the City Council.

Mr. Tovar announced that the City Council would review the rest of the Commission's recommended changes for the Critical Areas Ordinance on January 17th. But some City Council Members have already expressed a number of questions about the subject. He further noted that subsequent to the Planning Commission submitting their recommendation to the City Council, the City received a comment letter from the Department of Fish and Wildlife. The City Council is reviewing the letter and requesting a response from staff regarding the issues that were raised. He advised that staff would make

it clear to the City Council that the letter was not available to the Commission during their review. If the City Council wants to rely upon the letter when making a decision, they would have to reopen the public process so the letter could be entered into the record and the public could comment on the new information.

Chair Harris reported that one City Council Member stated her belief that the Planning Commission had “passed the buck” during their review of the Critical Areas Ordinance. He said that, in his opinion, the Commission directed the issue rather than “passing the buck.” He said he assumes the City Council Member meant that the Commission passed the Critical Areas Ordinance to them without resolving the tree removal issue. Commissioner Hall said that if the City Council believes the solution should have all citizens in Shoreline in agreement, then perhaps the Commission did “pass the buck.” But they forwarded a clear recommendation to the City Council that was supported 7-1 by the Planning Commissioners. Chair Harris emphasized that this comment was made by only one City Council Member.

Commissioner McClelland said the failure of mediation should send a message to the City Council that the internal argument regarding views versus trees at Innis Arden will not go away as long as these citizens remain in the City. Neither side was willing to give up anything, and trees were even being cut down during the mediation process. Mr. Tovar said staff requested that the Innis Arden Club stop cutting trees until the issue could be resolved through mediation, but they were informed that only the Club Board could make that decision, and they wouldn’t meet again until January 10th. Staff also asked permission to go on private property to investigate whether the exemption had been complied with, and they were told that permission could not be granted until the January 10th meeting. He pointed out that the new interim regulation would require permit review, and the applicant would have to grant permission for staff to visit the site before and after any cutting to make sure it complies with the permit and code. He said it is important to understand that the moratorium is on the exemption for cutting hazardous trees, and not on cutting trees in general. Even the interim control would not prohibit the cutting of hazardous trees.

Vice Chair Piro expressed his belief that the staff presentation and recommendation and the subsequent action of the City Council really reflected the spirit and intent of the Planning Commission’s recommendation regarding hazardous tree removal. The same type of discussion the Commission had is now being continued in the City Council arena. The moratorium also supports the Commission’s recommendation when updating the Development Code that there were several issues related to trees that needed to be looked at more comprehensively in 2006. This issue was also raised in the Planning Commission’s draft Annual Report that would be forwarded to the City Council.

Mr. Tovar advised that he would forward each of the Commissioners a copy of Ordinance 407 via email. For the Commission’s information, he briefly read the new language for SMC 20.50.310.A.1. Commissioner McClelland inquired if there would be penalties associated with tree removal that are inconsistent with the new ordinance. Mr. Tovar said the same penalties that are associated with other provision of the code would apply to the new language, as well.

Commissioner Broili pointed out that the interim ordinance does not address the City's ability to be timely. It is important that an applicant can expect a reasonable amount of time for the City to review the situation and issue a permit. Mr. Tovar pointed out that at the City Council's meeting on February 6, staff would have the ability to recommend the insertion of additional language, and he agreed it would be appropriate to insert the following sentence" "The City review and decision will be timely and not unreasonably withheld."

Commissioner Hall pointed out that the Commission knew there was an opportunity to do something better with the tree provisions in the code, and that is why they placed the issue on their 2006 agenda. Commissioner Broili recalled that the Commission took out the language related to the management plan because they didn't feel it had been successful in the past. The Commission agreed to come back and revisit the concept and attempt to make it more palatable and effective.

Commissioner Phisuthikul asked if the City received any applications outside of Innis Arden for removing hazardous trees from a critical area. Mr. Tovar answered that there were no tree removal applications associated with critical areas outside of Innis Arden during 2005. Commissioner Phisuthikul pointed out that the critical areas in The Highlands are similar to those found in Innis Arden. Mr. Tovar agreed but said The Highlands area does not experience the same tree cutting and view preservation issues that Innis Arden does. He concluded by stating that although the moratorium would be applied citywide, most of the disputes currently occur in Innis Arden.

Mr. Tovar asked the Commissioners to contact him regarding their suggestions for improving the interim ordinance. The Commission's ideas could be presented to the City Council on February 6th. He said the Commission would not be reviewing the current regulation until March since it would take staff some time to complete their research and collect comments from others. It is staff's anticipation that the Commission would be able to make a recommendation to the City Council by their second meeting in April.

Cottage Housing

Mr. Tovar said the Commission's recommendation regarding Cottage Housing would be reviewed by the City Council on January 23rd. In an attempt to make the cottage housing information more understandable, staff prepared an "Issues Matrix." This document lists the comments the Commission heard from the citizens and the motions they made on the different issues. Staff expressed concern that in preparing the matrix, they would be unable to characterize all of the events that occurred during the public hearings and Commission discussions. They would emphasize to the City Council that they still have to review all of the meeting minutes and written comments that are part of the record. Staff would also ask to put the community forum discussion in context, as well. The City Council's options range from doing exactly what the Planning Commission recommended to repealing the entire Cottage Housing Ordinance. If the City Council makes more than minor changes to the Commission's recommendation, they would have to start the public hearing process over again.

Commissioner Hall suggested that it would be misleading to suggest that the Planning Commission's recommendation sits at the opposite end of the option to repeal the ordinance. He noted that the

Commission's recommendation is much more restrictive than the current regulations. He suggested that allowing the moratorium on cottage housing to expire and the current regulations to continue would be one extreme and a complete repeal of the Cottage Housing Ordinance would be at the other end. The Planning Commission's recommendation would be a middle alternative, representing a method for resolving the problems without a complete repeal.

The Commission emphasized that if the City Council decides to repeal the Cottage Housing Ordinance, the Comprehensive Plan must also be amended to take cottage housing out as a housing option. Mr. Tovar suggested that it would be appropriate to inform the City Council that repealing the Cottage Housing Ordinance would be inconsistent with the Comprehensive Plan. Unless the option of cottage housing is removed from the Comprehensive Plan, the issue could come up again in the future.

Commissioner Broili said he was not satisfied with the outcome of the community forum on cottage housing. While the citizen input was good, he had hoped to participate in a one-on-one discussion with the City Council that would have allowed the Commissioners to share their views on what should happen. For example, he raised some pertinent environmental issues. If the City Council members were to consider these issues, they might decide to take a different position. Because cottage housing is a contentious issue, a discussion between the Planning Commission and City Council might have some value.

Commissioner McClelland reminded the Commission of the comment she made at the last meeting that because they allowed a cottage housing developer to answer so many of the questions, it appears the City Council is interested in the real estate angle of cottage housing. Again, she suggested that they should pay Mr. Soules to complete a market analysis on cottage housing.

APPROVAL OF MINUTES

The minutes of December 1, 2005 were approved as submitted.

Commissioner Phisuthikul suggested that it would be appropriate for the Commission to recommend the City Council hold a discussion regarding the City's vision for the future. If the vision has changed from what was previously identified, the City Council should make this clear. Then they need to make sure they follow through with the vision.

GENERAL PUBLIC COMMENT

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

REPORTS OF COMMITTEES AND COMMISSIONERS

Annual Report to Council

Chair Harris referred the Commission to the draft Annual Planning Commission Report that was prepared by Vice Chair Piro, Commissioner Hall, Commissioner Sands and Commissioner Broili. Vice Chair Piro explained that the report summarizes the Commission's key recommendations and integrates language that is reflective of their accomplishments and current challenges. He suggested that the Commissioners review the document and resolve the bigger issues regarding the content or tone now. Wordsmithing changes could be done by staff after the meeting, before it is signed by the Chair and forwarded to the City Council.

Commissioner Hall said he found the draft report did a good job of summarizing the Commission's work over the past year. If any Commissioner feels that major issues were left out of the document, he suggested that changes be made now so that the report could be forwarded to the City Council as soon as possible. Commissioner Broili added that the report would help the new City Council members learn what issues the Commission has been working on.

COMMISSIONER HALL MOVED THAT THE PLANNING COMMISSION CHAIR FORWARD THE ANNUAL REPORT TO THE CITY COUNCIL AFTER MINOR TYPOGRAPHICAL CORRECTIONS HAVE BEEN MADE. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Chair Harris announced that Commissioner Sands would be providing a presentation regarding economic development at the annual Forward Shoreline Meeting on January 6th. He congratulated Commissioner Sands for his efforts.

STAFF REPORTS

Quasi-Judicial Procedures Refresher

Mr. Szafran provided brief overview of the rules related to quasi-judicial decisions. He explained that the Planning Commission's role in quasi-judicial decisions is to conduct the public hearing and to make specific recommendations on the proposal. The Commission should consider the application and any public testimony and develop a recommendation for site-specific land use applications such as rezones, special use permits and formal subdivisions.

Mr. Szafran explained that when applications are submitted to the City, the first question should be whether or not the matter is quasi-judicial. The following key questions must be asked when making this decision:

1. Is a public hearing required?
2. Will the decision maker consider evidence for or against the proposal?

If the answers to Questions 1 and 2 are yes, then two additional questions must be asked:

3. Will the decision impact specific parties?

4. Will it have an area-wide impact of community significance?

If the answer to Question 3 is yes, then the proceeding would be quasi-judicial. If the answer to Question 3 is no and the answer to Question 4 is yes, then it could possibly be legislative. When there is doubt, the application should be treated as a quasi-judicial proceeding.

Mr. Szafran further explained that “procedural due process” is the legal method that must be used to reach a decision on land use requests. For land use hearings, procedural due process includes the following: appearance of fairness for decision makers, proper notice of hearing, a proper hearing process, a complete record, and a decision based on the record that meets the legal requirements. He reviewed the five key elements of procedural due process as follows:

1. **Fairness.** Fairness exists in a public hearing when all of the participants are given an opportunity to present testimony and evidence to an unbiased decision maker.
2. **Notice.** Notice is required because it provides advance warning to parties so that they can intelligently prepare for and participate in the hearing.
3. **The Hearing.** The Hearing is a fact finding forum from which a decision must result.
4. **The Record.** All land use decisions must be based on the official record (testimony and exhibits) that is developed at the public hearing.
5. **The Decision.** The decision must be a result of a deliberative process after a review of all testimony and exhibits presented at the hearing.

Mr. Szafran concluded by stating that procedural due process and the appearance of fairness are two major factors in quasi-judicial proceedings. While all of the elements of procedural due process must be present, fairness and the appearance of fairness must be most present to make an unbiased recommendation.

Commissioner Phisuthikul referred to the “Record” element of procedural due process, which states that all land use decisions must be based on the official record that is developed at the public hearing. Therefore, knowledge or information that was obtained prior to the public hearing would not be applicable in the decision making process. Mr. Tovar pointed out that Commissioner Phisuthikul’s comment is more related to legislative items. When reviewing quasi-judicial matters, the Commission would only need to rely on things that are in the record. When reviewing legislative matters, the Commissioners could rely on their prior experience as residents in the community, as long as this information is stated as part of the record. He summarized that the rules for legislative procedures are much more relaxed in that regard.

Commissioner McClelland asked staff to provide an example of when the Commission would have to make a decision based only on the record. Commissioner Hall explained that in quasi-judicial proceedings, the Planning Commission holds the public hearing to establish the record. The City Council would not be allowed to consider additional testimony outside of this public hearing. The Commission’s recommendation must be based on the record that is established. If Commissioners obtain factual knowledge outside of the public hearing, they must disclose the information during the hearing so that it can be included as part of the record.

Commissioner Broili reviewed that each of the Commissioners comes to the table with their own personal experience in terms of careers, knowledge, etc. Because he is an environmental designer, his personal knowledge on best available science could also color his final decision on a matter. Mr. Tovar said Commissioners could use their life experiences as a basis for making a judgment on a matter. However, he cautioned that the Commissioners should use their life experiences to inform their judgment rather than to constitute facts upon which their judgment is based. He explained that the official record would be created the moment the Commission closes the hearing. Once the hearing has been closed, no additional testimony or documents could be accepted. The Commission should not close the record until they are sure they have collected all of the evidence they need to take action.

Role of the Applicant at Public Hearings

Mr. Szafran reviewed that the applicant's role in the land use hearing process is to present their proposal in a clear and concise manner so the Planning Commission can make a recommendation and the Council or Hearing Examiner can make an informed decision. He pointed out that the Planning Commission has the opportunity to offer suggestions to better define the applicant's role so that the hearing process can be smoother and less time consuming.

Mr. Szafran advised that the current hearing process starts out by the Chair of the Commission reviewing the Appearance of Fairness Doctrine and the general Rules of Procedure approved by the City Council for conduct at public hearings. The Planning staff then introduces the agenda items. They review the request, surrounding land uses, site information, Comprehensive Plan designations, how the project conforms or does not conform to adopted codes, and how an item does or does not meet the goals and policies of the Comprehensive Plan. They present a staff recommendation on the item, which may or may not include conditions on the project. The applicant then presents the project in their own words. This is the applicant's chance to further explain how their project meets the criteria for the proposed land use action. The applicant may use drawings, models, elevations, etc. of the proposed project to illustrate what might be possible on the site should the land use application be approved. The applicant may also use this time to address written and oral comments regarding the project. The presentation also offers the applicant an opportunity to ask the Commission to consider alternatives to staff recommendations, including conditions.

Mr. Szafran concluded by stating that there is an opportunity for the Commission and staff to brainstorm ideas to better define an applicant's role in the Planning Commission hearing process. This may involve a dialogue with past applicants about what does and does not work and possibly a review of the processes used by similar jurisdictions.

Vice Chair Piro said that in the few times he chaired public hearings where he had to review the Appearance of Fairness Doctrine and the Rules of Procedure, he found the verbal version a little awkward. He noted that the language was written to meet the needs of the City Council, and perhaps staff could revise the language so that it flows better for the Commission. Ms. Simulcik Smith referred the Commission to the newly revised language that was provided in the staff report as Attachment A.

Commissioner McClelland recalled that in the past the Commission has been accused of letting the applicant speak indefinitely, but then the citizens were only allowed to speak for three minutes per person or five minutes per group. In addition, the public is not allowed to enter back into the discussion after the applicant has provided rebuttal comments. She suggested that perhaps they should consider a time limit for the applicant's presentation.

Mr. Tovar explained that it is possible something could be said during the public hearing that staff didn't know or had never considered. Staff should be allowed an opportunity to provide their final thought on a subject. However, he agreed that it could inflame some citizens if the staff is allowed to comment last. But someone must have the last word.

Commissioner McClelland said that because staff reviews the applications, the public often perceives the staff as a project proponent. She suggested that the staff presentation should be totally objective so that the public perceives a level playing field. Mr. Tovar agreed that the staff report should never speak for the applicant, and there are ways for staff to present a fair and objective staff report.

Commissioner Hall agreed that, in the past, the hearing procedures have resulted in an unlevel playing field. Applicants are allowed to make much longer presentations than the citizens. In addition, applicants are allowed to clarify issues and answer questions throughout the hearing, when the citizens are not. However, by and large, he said he has found that the Commission's quasi-judicial proceedings have run very well. This is due, in a large part, to Chair Harris' gentle and effective management of the audience. He said he would not support an effort to create a procedure that is so different that it would allow the public to engage in a debate with the applicant. However, he felt the procedures should be clearer to address why applicants are allowed to speak longer than the citizens.

Commissioner Broili referred to the last sentence on Page 23 of the staff report, which states that the process also offers the applicant an opportunity to ask the Commission to consider alternatives to staff recommendations, including conditions. He said his understanding is that after the public comments have been provided, the applicant would have an opportunity to address the Commission and offer conditions. This could change the proposal, but the public would not have an opportunity to state whether they are for or against the proposed changes. Commissioner Hall recalled that this situation has been raised previously, and the Commission has been able to make decisions regarding the proposed changes based on the testimony that had already been provided.

Commissioner Broili suggested that perhaps the procedures should be consolidated into a succinct, bulleted, one-page document that could be made available to the public. Mr. Tovar agreed that would be a good idea. He asked how much information the Commission expects the public to have acquired before they come to a public hearing. Does the Commission expect the public to do some homework before coming to the hearing? Commissioner Broili said it would be nice if the citizens could come to a public hearing with knowledge of the proposal, but often people hear about a proposal at the last minute and they are new to the public hearing process. Mr. Tovar agreed. However, he suggested that the applicant should come to the public hearing with a clear understanding of the staff report and be able to identify issues that they don't agree with upfront.

Commissioner Hall referred to Page 16 of the staff report, which states that the purpose of notice is to provide advance warning to parties so they can intelligently prepare for and participate in the hearing. He suggested that if the Commission were to create some additional step that allows the public to ask questions and then come back two weeks later to provide more comment, the process would be delayed unnecessarily. He pointed out that the Commission is willing to listen even when citizens are not well-prepared.

Vice Chair Piro said he likes the idea of placing some type of time limit on an applicant's initial presentation. This would show a little more balance. He pointed out that an applicant's presentation could also be supplemented with written materials for the Commission. Again, he suggested that the applicant should be able to present a proposal within a limited timeframe. This would communicate that everyone must follow the rules rather than giving the applicant free rule. However, he said he would be more leery about placing a time limit on an applicant's ability to respond to questions and concerns raised by the public and the Commission.

Vice Chair Piro suggested that rather than letting people speak before the Commission in the order that they signed up, they could divide the speakers into two groups: those that are in favor of a proposal and those that are against it.

Vice Chair Piro recalled that, in the past, the Commission has been disappointed with some of the reports provided by staff, and this has added to the public's misconception that staff is in cahoots with the developer. He expressed his belief that it is okay for a staff report to be positive and supportive, but there had been a pattern where it appeared staff was "cherry picking" certain criteria to support a particular proposal. He said that over the past year, the Commission has received much more across-the-board reports that talk to both the positive and negative aspects of a project.

Chair Harris said it has never been his experience that an applicant took too much time to make a presentation. Vice Chair Piro agreed, but he said that the public's perception is that the applicant is allowed to speak for a longer period of time than the public. Putting down rules could help resolve this problem. Commissioner Phisuthikul pointed out that the applicant's presentation time would vary depending on the size of a project. Some applications could be presented to the Commission in just a few minutes, where others might take much longer to cover all of the details.

Commissioner McClelland suggested that the public is more concerned that applicants are allowed to answer questions and concerns throughout the hearing. The real problem is that the public feels their speaking time is so constricted, and the Commission could improve upon this perception of imbalance.

Chair Harris suggested that the Commission could anticipate the larger and more controversial issues. Perhaps on those nights, the Chair could offer a little more explanation regarding the rules and procedures. The remainder of the Commission agreed that the rules and procedures should be clearly outlined for the public at the start of a public hearing.

Pros and Cons of Advertising the Public Hearing Prior to SEPA Appeal Deadline

Commissioner Hall reviewed that last fall a very controversial issue came before the Commission in which the SEPA deadline was the same day that the public hearing was scheduled. A SEPA appeal was timely filed the morning of the public hearing, and there was no opportunity to notify the citizens who showed up at the meeting to testify. The Commission Chair was placed in the extremely uncomfortable position of having to explain to the numerous citizens in attendance at the hearing that they would not be allowed to testify on the issue until the joint meeting with the Planning Commission and Hearing Examiner. Commissioner Hall summarized that the Commission must balance the need for process efficiency with their desire to let people know if a hearing gets cancelled as a result of a SEPA appeal.

Commissioner McClelland mentioned noticing both the SEPA application and public hearing at the same time allows the City to reduce the cost of advertising. Mr. Tovar pointed out that advertising costs are the burden of the applicant, so money should not really be a factor in making this policy decision. Extending the process by a few days should not really be a factor, either.

The Commission discussed the possibility of creating a new policy that would mandate the City wait until after the SEPA appeal deadline to advertise a public hearing. Commissioner Hall suggested that another alternative would be to advertise the public hearing at the same time as the SEPA application, but schedule the public hearing to take place at least a week after the SEPA appeal deadline. This would give the City the opportunity to at least post any public hearing delay on their website.

Commissioner Broili pointed out that if a project requires a SEPA review and an appeal is filed, the proposal would likely be fairly consequential. He suggested that even a two week timeframe between the SEPA appeal deadline and the public hearing would be appropriate. Commissioner Hall pointed out that the City has a statutory time limit for processing an application. Two weeks would represent 10 percent of the total time the City has to complete staff review, etc.

Mr. Tovar expressed his concern that if the hearing date is pushed out a week or two after the SEPA appeal deadline, the public hearing notice would be published at least three weeks before the actual hearing date. Vice Chair Piro said he has never heard anyone testify that the City advertised a public hearing with too much lead time. Typically, the public is more concerned about receiving late notice with little time to absorb all of the information.

Mr. Tovar explained that the SEPA appeal period allows 14 days, depending on the action, for citizens to comments or appeal. The Commission agreed that a public hearing should be scheduled 21 days after the notice in the paper. If an appeal were filed, the Commission would have to cancel the public hearing. This would allow a week to notify the public of the cancellation.

Discussion on How to Involve More Citizens

Mr. Szafran referred the Commissioners to the information he provided in the staff report outlining the methods used by the Department of Finance to invite the citizens to participate in their long-range financial planning sessions. He explained that this item was placed on the agenda to allow the Commission to discuss what they can do to inform citizens and encourage them to become more involved in the planning process.

Commissioner McClelland pointed out that many citizens have never spoken at a public meeting before, and the Commission should take steps to make them feel comfortable. Chair Harris does a good job of doing this. In addition, she said it is awkward when citizens provide written information to the Commission at their meetings and there is no opportunity for them to read the documents. It would be better if the written information were provided earlier.

Mr. Tovar recalled a citizen's remark at the Cottage Housing Forum that some of the Planning Commissioners didn't even live in Shoreline. He suggested it would be helpful to explain at the start of each meeting that they are appointed citizen Planning Commissioners and residents of Shoreline. Vice Chair Piro agreed it would be helpful for the public to understand that, although some of the Commissioners are planners, they are all citizens of Shoreline. The remainder of the Commission agreed.

Vice Chair Piro suggested that perhaps an article could be published in the local newspaper to describe the role of the Commissioners as citizen planners. Ms. Simulcik Smith pointed out that in the near future the City would advertise the upcoming vacant Commission positions in the newspaper. She suggested that perhaps this would also provide an opportunity to describe the role of the Planning Commission. The remainder of the Commission concurred that this would be helpful. Vice Chair Piro suggested that perhaps the newspaper article could also include a brief statement from each of the Commissioners about why they participate on the Commission. It is important that the Commissioners are portrayed as people who care about the community. Their role is to provide a buffer, listen to the public, and provide a recommendation to the City Council. The Planning Commissioners should be more accessible to the public than the City Council Members.

Commissioner McClelland suggested that Commissioners could participate in community outreach by attending their community council meetings to find out what is going on and let people ask them questions. This would provide an informal setting for Commissioners to converse with the public. Commissioner Hall recalled that the Commissioners have also heard from time to time that they are not as geographically dispersed throughout the City as they could be. He cautioned that they should avoid any expectation that the Commissioners geographically represent the neighborhoods, since that is the role of the Council of Neighborhoods. Instead, the Commission agreed that it would be appropriate to assign one Commissioner to each of the 13 neighborhoods. They further agreed that it would be appropriate to forward a copy of the Commission's annual report to each of the 13 neighborhood groups.

The Commission agreed that they would never be able to get all citizens involved in the planning process, but they could make progress in that direction. Commissioner McClelland pointed out that somehow citizens who are against an issue or proposal receive adequate notification of what is going on. She suggested that perhaps obtaining a more balanced audience should be the Commission's objective. The Commission agreed that it would be appropriate to invite representatives from groups such as Forward Shoreline or the Chamber of Commerce to attend the Commission meetings and report back to their individual groups.

PUBLIC COMMENT

There was no one in the audience to comment before the Commission.

UNFINISHED BUSINESS

Continued Discussion on 2006 Work Program

Commissioner Hall suggested that, because of the lateness of the hour, the Commission's discussion on the 2006 Work Program should be deferred to February 2nd as the first and perhaps only discussion item on the agenda. The remainder of the Commission concurred.

Commissioner Broili suggested that as part of the Commission's discussion regarding their 2006 Work Program, they could prioritize some of their parking lot issues and identify where they would fit into the 2006 work schedule. Commissioner Hall pointed out that all of the staff report agenda items were on the list of parking lot issues, and the Commission was able to resolve each one.

The Commission asked staff to explain why the meeting location is being switched back and forth between two locations. Ms. Simulcik Smith explained that because meetings were already scheduled in the Shoreline Center on the same dates as both of the Commission meetings in February and one meeting in April, the location of the Commission meetings had to be changed. Commissioner Broili suggested that the Commission seek a permanent meeting place so that the public clearly knows where the meetings would be held each week. The remainder of the Commission concurred.

Commissioner Hall asked that staff provide the draft list of 2006 Work Items to the Commission again, along with some ideas for how they could most efficiently structure their time on February 2nd.

NEW BUSINESS

Commissioner Phisuthikul recalled that terms end on March 31st for four of the Commissioners. He asked if these four Commissioners would have to apply to be reappointed. Commissioner McClelland explained that each Commissioner can serve two consecutive terms on the Commission, but at the end of the first term, they must reapply. She noted that she and Commissioner Harris are halfway through their second term. Vice Chair Piro pointed out that all four of the Commissioners whose terms expire on March 31st are finishing their first term, so all are eligible to apply for reappointment. Other citizens would also be invited to apply for the position, and the City Council would interview applicants and make a selection for each position.

REVIEW OF AGENDA FOR JANUARY 19, 2006

There were no additional comments provided regarding the agenda for January 19, 2006.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission