

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

November 17, 2005  
7:00 P.M.

Shoreline Conference Center  
Rainier Room

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### **PRESENT**

Vice Chair Piro  
Commissioner Phisuthikul  
Commissioner Sands  
Commissioner Broili  
Commissioner McClelland

### **STAFF PRESENT**

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

### **ABSENT**

Chair Harris  
Commissioner MacCully  
Commissioner Hall  
Commissioner Kuboi

### **CALL TO ORDER**

The regular meeting was called to order at 7:10 p.m. by Vice Chair Piro, who presided.

### **ROLL CALL**

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

### **APPROVAL OF AGENDA**

A discussion on the community meeting regarding Cottage Housing was added to the agenda as part of "Reports of Committees and Commissioners."

### **DIRECTOR'S REPORT**

Ms. Markle announced that the Development Code updates were provided in the Commission's mail envelopes. The last edition of *THE PLANNING COMMISSION JOURNAL* was also included. She noted that the subscription for the Journal expires soon, and she questioned if the Commission wants to

continue to receive the publication. The Commission agreed that they would like to continue to receive the journal.

Ms. Markle introduced new Long-Range Planning Team Member, Steve Szafran. He was already on staff, but has been promoted to Planner II to fill David Pyle's position. He has been on the permit services team for the past year. Before coming to Shoreline, he spent about four years in the Clark County (Las Vegas) area. He has a lot of experience working with planning and other types of commissions on presenting reports and permits.

Lastly, Ms. Markle advised that the Planning Director, Joe Tovar, was unable to attend this Planning Commission meeting, but he did forward information regarding the cottage housing meeting.

### **APPROVAL OF MINUTES**

The minutes of November 3, 2005 were approved as corrected.

### **GENERAL PUBLIC COMMENT**

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

### **PUBLIC HEARING ON ANNUAL DOCKET OF CODE AMENDMENTS**

Vice Chair Piro opened the public hearing at 7:18 p.m. and noted that there was no one in the audience to participate. The Commission agreed to move on to the staff report and their deliberations, but leave the public hearing open in case someone arrived to provide comment.

### **COMMISSION DELIBERATION ON ANNUAL DOCKET OF CODE AMENDMENTS**

Because there was no one in the audience and staff has already presented the proposed amendments to the Commission, Ms. Markle kept her staff report extremely brief. She recalled that at the end of the Commission's last meeting the public comment period was still open, but they received no additional written comments. They did receive one phone call from Ms. Biery regarding her proposed amendments related to trees. The message was relayed to her that while the Commission had some interest in her tree amendments, they wanted to review the entire tree ordinance in a more comprehensive fashion in 2006.

Vice Chair Piro recalled that at the last meeting, Commissioner Broili made a motion, seconded by Commissioner Sands, to move the docket of code amendments forward with a recommendation for approval, and the motion is still on the table for Commission discussion. He suggested that the Commission start their deliberations by noting the proposed amendments that they would like to discuss further before taking action.

Commissioner Sands said he would like the Commission to further discuss **Amendments D-2, D-3, and D-5**. None of the other Commissioners indicated a desire to further discuss any of the amendments in greater detail before taking action.

Commissioner Sands referred to **Amendment D-2** and said he does not see a point in designating “landmark” trees, other than to possibly tie up property for extensive periods of time. However, since the City already has this provision, he would be opposed to an amendment that would reduce the size necessary to be considered a “landmark” tree. He summarized that he would prefer not to make it any easier to designate a “landmark” tree than it already is.

Vice Chair Piro recalled that the Commission moved the other proposed amendments related to trees to future action items. He suggested that it would be appropriate for **Amendment D-2** to be part of the overall tree package that is considered at a later date. Commissioner Broili agreed that all of the other amendments related to trees have been set aside for future discussion, and he would support a decision to do the same with **Amendment D-2**. This would allow them to deal with the tree issue in a holistic manner in conjunction with the City’s upcoming potential effort to consider an urban forest management strategy.

Commissioner McClelland said **Amendment D-2** states that only the property owner could apply to have a tree classified as “landmark.” She asked if the classification could be revoked if a property is sold in the future. Commissioner Broili answered that the classification would stand, even after a property has been sold.

The Commission concurred that **Amendment D-2** should be removed from the docket of code amendments and placed on the Commission’s 2006 work plan for future discussion, along with all of the other amendments related to trees. They emphasized that they are not voting against the proposed amendment, but it should be dealt with in a more holistic fashion.

Commissioner Sands referred to **Amendment D-3** and asked staff to explain the difference between the existing language and the new proposed language. Ms. Markle responded by stating that the amendment is not intended to change the regulation, but to make it more clear. Commissioner Sands said the current language would only require a property owner to obtain a grading permit if proposing a new or expanded building complex. Commissioner Broili asked staff to provide clarification about what would trigger the need for a building permit. Ms. Markle said anytime more than 50 cubic yards of earth is being moved, a grading permit would be required regardless of the type of project.

Commissioner Sands said the staff report indicates that **Amendment D-3** would adjust the requirements to require a clearing and grading permit for all development activity. He asked if this would be interpreted as all development over the threshold of 50 cubic yards. Ms. Markle answered that the threshold would still apply. She explained that the words “new and expanded building complex” are inconsistent with the rest of the chapter. The proposed amendment would make the language more consistent and clear. She referred to Section 20.50.320 of the Development Code, which lists all of the activities that require a permit for clearing and grading. This section would not be changed, and **Amendment D-3** is intended to be a technical rather than a substantive change.

Commissioner Sands referred to **Amendment D-5** and recalled that the Commission previously voiced their opposition to the use of barbed wire or razor wire in the City of Shoreline. At that time, they suggested that if the Police Department wants to use these materials for fencing, they should provide further explanation to the Commission about why it would be appropriate. He noted that the Police

Department never approached the Commission with an explanation for why barbed wire was essential. He suggested that the Commission continue to oppose the use of barbed wire fences.

Vice Chair Piro said that while the Commission did not vote on this issue, a strong majority of them voiced opposition to these types of fences. The Commission suggested that other types of treatments could provide for security and be less aesthetically offensive than barbed or razor wire.

Commissioner Broili said he was not part of the Commission's previous decision, but he would also be opposed to the use of barbed or razor wire in the City of Shoreline. He said he finds it would be unnecessary and there are more aesthetically pleasing options that are not quite so extreme. If the Police Department feels strongly about the use of these materials, they should provide further explanation to the Commission.

**COMMISSIONER BROILI MOVED THAT THE COMMISSION NOT RECOMMEND AMENDMENT D-5, A PROVISION TO ALLOW FOR BARBED WIRE AND RAZOR WIRE FENCES FOR PUBLIC AND INFRASTRUCTURE FACILITIES IN RESIDENTIAL AND COMMERCIAL ZONES SO LONG AS THE FENCE IS EFFECTIVELY SCREENED FROM NEIGHBORING PUBLIC AREAS, AS AN AMENDMENT TO THE DEVELOPMENT CODE. COMMISSIONER MCCLELLAND SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**COMMISSIONER SANDS MOVED TO AMEND THE MAIN MOTION (Made November 3, 2005 to accept the proposed development code amendments as presented by staff) AND FORWARD APPROVAL OF THE PROPOSED DEVELOPMENT CODE AMENDMENTS AS PRESENTED BY STAFF WITH THE EXCEPTION OF PROPOSED AMENDMENTS D-2 AND D-5. HE FURTHER MOVED THAT THE COMMISSION RECOMMEND THAT AMENDMENT D-2, LANDMARK TREES, BE PLACED ON THE 2006 WORK PLAN WITH A GOAL OF REVIEWING THE ISSUE OF "TREES" MORE HOLISTICALLY, AND THAT AMENDMENT D-5, THE SECURITY FENCING AMENDMENT, NOT BE SUPPORTED AS A 2004 DEVELOPMENT CODE AMENDMENT. VICE CHAIR PIRO SECONDED THE AMENDMENT TO THE MAIN MOTION. THE MOTION TO AMEND AND APPROVE THE MAIN MOTION CARRIED 5-0.**

**COMMISSIONER BROILI MOVED THAT THE PUBLIC HEARING BE CLOSED. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

### **REPORTS OF COMMITTEES AND COMMISSIONERS**

Commissioner McClelland said she and Commissioner Kuboi attended the recent meeting to discuss the process for conducting a public forum on the issue of cottage housing. The City Council has decided to move forward with the public meeting, and the original plan was that the meeting would be hosted by the City Council and the Planning Commission. However, the document the Commission received in their packet indicated the meeting would be hosted by the City Council. She noted that the City Council decided to use the term "community dialogue" to describe the meeting.

Ms. Markle referred the Commission to the notice that was published in the newspaper and mailed to everyone on the cottage housing mailing list. She said the agenda for the meeting would include a brief introduction by staff and then 20 minutes would be set aside for the Planning Commission to present the amendments they forwarded to the City Council. She suggested that the Planning Commission discuss and determine how they want to prepare for this presentation. She emphasized that the Commission should not feel as though they have to defend their recommendation, just present it.

Vice Chair Piro said it would be important for the Commission to provide a summary of the events that have taken place to date regarding the cottage housing issue, starting from when the ordinance was first adopted. He pointed out that the transmittal letter the Commission recently forwarded to the City Council provided a good summary of their most recent work.

Commissioner McClelland recalled that Commissioner Kuboi previously suggested that the public meeting should start by allowing the citizens to express their concerns and frustrations. She agreed that people would be more interested in the ability to voice their opinion rather than hearing a historical summary of the Cottage Housing Ordinance. She said she finds it frustrating that, even with the existing ordinance and the proposed amendments, they still do not have the product they want.

Commissioner Broili referred to the transmittal letter that was recently forwarded to the City Council regarding cottage housing. He suggested that Chair Harris could just read this letter, which states both sides of the Commission's opinion. Then during the course of the evening, each Commissioner would have an opportunity to express their own thoughts and positions. The remainder of the Commission agreed that this would be an appropriate outline. It was emphasized that none of the Commissioners were satisfied with their work thus far, and that they all have frustrations. They agreed that Chair Harris should act as spokesperson for the Commission, and Commissioner McClelland would serve as back up spokesperson if Chair Harris is unable to attend. Ms. Markle advised that staff would help the spokesperson summarize the high points of their recommendation prior to the meeting.

Commissioner Broili referred to the document illustrating the proposed seating arrangement for the meeting and asked if the Commission could propose some changes. Ms. Markle said the chart illustrates the seating that is being proposed, but she does not believe it is locked in. Commissioner Broili suggested that the citizens be dispersed evenly throughout the room and mixed with the City Council and Commission Members. This would open the door to a more inclusive roundtable dialogue. Commissioner Sands explained that they will probably have a limited number of seats for citizens in the main circle. The intent was to provide an opportunity for citizens to sit down for a while and then leave so that others could participate.

Commissioner McClelland said that creating a big hole in the middle is one of the worst arrangements because all of the energy falls into a blank area. She suggested that a "U" configuration would be better than a circle. She said she also likes the concept of dispersing the citizens amongst the Commission and City Council Members. She said it is also important that everyone be able to see each other. Rather than having a set arrangement, they should feel free to make adjustments after people arrive at the meeting. Commissioner Broili said he prefers the roundtable configuration. When everyone is looking across from each other, there would be no head of the table and everyone would be on equal footing.

Commissioner Sands provided an update on the Economic Development Committee Meetings. He said they have just one more meeting next week, and then they will have a working draft of an amended Economic Development Plan. He anticipates presenting this plan to the City Council on January 23<sup>rd</sup>. He said the revised plan provides more detail and uses a more holistic approach. He said he would provide a copy of the draft document to each Commissioner and advised that the City Council might choose to continue the committee to help implement the Economic Development Plan.

Commissioner Sands extended an invitation to interested Commissioners, and advised that the next meeting would be November 22<sup>nd</sup> from 7:30 to 9:00 a.m. in the third floor conference room at City Hall. Commissioner McClelland requested that she be placed on the committee's next agenda so that she could provide comments.

Commissioner Broili reported that he participated in the tour of the Vashon Island Park, which went very well. He said he was disappointed to be the only Planning Commissioner in attendance, but there were a number of people from the Parks Board, City Staff and the Parks Director. He said it had been a year and a half since he last visited the 30-acre park, and he found the progress to be quite remarkable. The park provides an excellent model of a well-restored small park, second growth forest. After the tour, they visited the Vashon Forest Stewardship Groups' small sawmill. They paid for the trees that came from the Vashon Park site, and they milled the best ones to sell on the island. The long-term intent is to create a market for lumber that is cut, milled and sold on the island. They are doing well.

### **UNFINISHED BUSINESS**

Commissioner McClelland referred to the letter from Tracy and Jenny Owen regarding The Highlands. She said the Commission should make it clear that they did not grant The Highlands the ability to act as a government agency. Ms. Markle said this issue has to do with the fact that The Highlands is recognized by the City as a utility provider because they have their own sewer facility. Commissioner McClelland suggested the Commission provide a letter of response to the Owens to explain the situation. Ms. Markle noted that the letter was also sent to the City Council, who would likely provide a response anyway. Vice Chair Piro asked that staff notify the Commission about how the City responds to the Owen's letter.

### **NEW BUSINESS**

There was no new business scheduled on the agenda.

### **ANNOUNCEMENTS**

Commissioner McClelland announced that the wife of Nicholas Knatts, from the Bellevue Planning Department, passed away unexpectedly from a brain aneurysm.

### **AGENDA FOR NEXT MEETING**

Vice Chair Piro reviewed that the December 1<sup>st</sup> meeting agenda would include an update on the Master Plan work for the Richmond Beach Saltwater Park.

**ADJOURNMENT**

The meeting was adjourned at 8:05 p.m.

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Rocky Piro  
Vice Chair, Planning Commission

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Jessica Simulcik Smith  
Clerk, Planning Commission