

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

November 3, 2005
7:00 P.M.

Shoreline Conference Center
Rainier Room

PRESENT

Chair Harris
Vice Chair Piro
Commissioner Sands
Commissioner Broili
Commissioner McClelland
Commissioner Hall
Commissioner Kuboi

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Rachael Markle, Assistant Director, Planning & Development Services
Jill Marilley, City Engineer
Kim Lehmborg, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

ABSENT

Commissioner MacCully
Commissioner Phisuthikul

CALL TO ORDER

The regular meeting was called to order at 7:05 p.m. by Chair Harris, who presided.

ROLL CALL

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

Chair Harris introduced and welcomed Joe Tovar, the City's new Director of Planning & Development Services. Each of the Commissioners briefly introduced themselves.

APPROVAL OF AGENDA

A discussion regarding the Cottage Housing Transmittal Letter was added to the agenda under "Unfinished Business." The remainder of the agenda was accepted as proposed.

DIRECTOR'S REPORT

Mr. Tovar briefly introduced himself to the Commission. He said he is happy to be with the City of Shoreline and is a city planner, by trade. While attending graduate school at the University of Washington he realized that he wanted to live in the Washington area. He said he has five children and is working on selling his house and moving to this side of the lake. He concluded by stating that his previous position was Assistant City Manager for the City of Covington. Prior to that he worked for the State Growth Hearings Board and as the Planning Director for Kirkland. He said he is working to understand the issues the City of Shoreline is currently dealing with and was impressed with the very competent City staff and how well the City is run. He is currently working to establish contacts within the community to gain a clear understanding of the issues that are important to the community.

Ms. Markle referred the Commissioners to an invitation they each received from the Richmond Beach Neighborhood Association. They are meeting on November 8th and have invited City planning staff, the new Director of Planning & Development Services, and Planning Commissioners to discuss issues regarding development and planning in the Richmond Beach area. She asked that interested Commissioners notify her of their intentions to attend the meeting. Chair Harris indicated that he would attend the meeting on behalf of the Commission. Commissioner Sands said he might attend the meeting, as well.

Commissioner Kuboi requested an update on the vacant positions in the Planning & Development Services Department. Ms. Markle reported that they finished interviews for the Planner III (Team Leader for the Long-Range Planning Team) position. Hopefully, she and Mr. Tovar can meet tomorrow and discuss the applicants, check references, and perhaps hire someone as early as next week. She further reported that they have reviewed applications for the other vacant planner position in long-range planning. They will now work to finalize the candidates and identify the strategy that would be used for interviews.

Commissioner Kuboi recalled that in the near future, the City of Kirkland plans to measure their community's support for the concept of cottage housing now that their two projects have been evaluated. He asked how they plan to gauge the community's response. Mr. Tovar said he would contact their Planning Director to request additional information and provide a report to the Commission at the next meeting.

APPROVAL OF MINUTES

The minutes of October 20, 2005 were approved as amended.

GENERAL PUBLIC COMMENT

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

REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Broili informed the Commissioners that they were invited to participation in a field trip to Vashon Island on November 8th at 11:00 or 11:30 a.m. Their parks department has put together a tour of a park on the Island that was logged about a year and a half ago. The logging occurred in a very sustainable, low-impact way and jumpstarted the process of mimicking an old-growth forest pattern through replanting. He said they actually made \$40,000 in the process for their Parks Department. Interested Commissioners should contact Lisa Dustin. He encouraged all Commissioners to attend the tour.

Vice Chair Piro and Commissioners Hall, Broili and McClelland briefly reported on their attendance at the American Planning Conference. They all reported that the conference was worthwhile, well attended, and they learned a lot.

STAFF REPORTS

Presentation: Sidewalk Program Update

Jill Marilley, City Engineer, provided a presentation on the Sidewalk Program that is currently evolving. She pointed out that her presentation was also provided to the City Council in April, and it had an immediate impact on the Capital Improvement Plan (CIP) that was adopted by the City Council over the summer. She reported that due to the hard work the Commission put into the Transportation Master Plan, the 2006-2011 CIP identified \$5 million over the 6-year period to begin constructing sidewalks where they are lacking throughout the City. Ms. Marilley said that once the Transportation Plan was adopted by the City Council, staff immediately started to focus on sidewalks and how the plan could be implemented. The presentation they made to the Council in April helped them understand the needs in the community, the cost, and some different approaches for implementation.

Ms. Marilley recalled that the City of Shoreline was primarily developed under the King County development standards. When most of the homes were built, there were no requirements for sidewalks. Now, they have to retrofit or rely on redevelopment to address this need. She referred to the recent cooperation between the City and Fred Meyer to provide new sidewalks along Linden Avenue behind the store and along 183rd Street. She noted that they did not require them to rebuild the sidewalk along 185th or provide a sidewalk along Aurora Avenue because their frontage on Aurora Avenue is very small. In addition, the Aurora Project would address this need in the future.

Ms. Marilley recalled that the Commission's Transportation Master Plan Subcommittee spent quite a bit of time working on the sidewalk issue. To get a better idea of the current status of sidewalks in Shoreline, they reviewed the previous bond committee work and the somewhat piecemeal work that had been done prior. The intent was to fold the Sidewalk Plan into the CIP so that implementation could occur. She referred to the results of the recent citizen survey, which clearly indicated a need and desire for more sidewalks. In addition, she noted that sidewalks were a major reason why people wanted to incorporate into the City of Shoreline. She said the Transportation Master Plan Subcommittee felt it was important to clearly inform the City Council about the magnitude of the need for more sidewalks.

Ms. Marilley referred to the colored map that was provided in the Commission's packets to give an idea of where sidewalks are located now. She pointed out that, for the most part, the north/south corridors either have been or will be completed within the next few years. There are also clear east/west corridors that have sufficient space for pedestrians. However, on a number of the arterials there are spaces where sidewalks have not been completed, and there is already a program in the CIP to address this need.

Ms. Marilley said the Sidewalk Plan focused on arterials only because the magnitude of the need for residential sidewalks is so large that they couldn't even begin to estimate the costs. In addition, every residential street has its own individual needs for drainage, engineering, etc. Furthermore, she said the study focused on school zones. She recalled that in August of 2003 a bond committee was formed to place a sidewalk bond issue on the ballot. While they didn't actually go out for a bond issue at that time, a lot of work was done and this was folded into the Transportation Master Plan. School access still remains a priority in the community.

Ms. Marilley reviewed that while the Transportation Master Plan establishes three priorities for sidewalks, the City's study only focused on Priorities 1 and 2 (arterials and school zones) to get an idea about the magnitude of cost. The intent was to come up with low-cost interim solutions that would give pedestrians a sense of place and improve pedestrian safety. Wider shoulders were identified as one of these low-cost solutions. When streets are repaved or restriped, wider shoulders could be provided for pedestrian space.

Ms. Marilley said that as they reviewed long-term solutions, they tried to make sure they were contact sensitive. They looked at the neighborhoods to see how the solutions would fit with what is already there. However, this has the potential of conflicting with development. She explained that the City's standards for development are very clear about what street improvements must be installed (concrete curb, gutter and sidewalk). However, staff recognizes that if it is appropriate for the City to consider options other than the traditional, they must also reconsider what developers should be allowed to do. This issue would be coming before the Commission in the future.

Next, Ms. Marilley referred to the handouts that were provided to illustrate the different types of sidewalk facilities. While the traditional standard style is concrete curb, gutter and sidewalk, there are also other styles such as asphalt paths, concrete curbs with asphalt walkways, etc. There are also different ways to handle drainage issues when constructing pedestrian walkways. For example, a swale between a road and an asphalt pathway could separate the pedestrians from the traffic. Another example would be a wide shoulder with a ditch or swale along side it.

Ms. Marilley said that once they identified the locations where additional sidewalks were needed, as well as different options that could be used, staff attempted to prepare planning level estimates for all of the alternatives for each of the segments that were in the CIP. They evaluated possible construction scenarios and determined that, for some segments, it would not be appropriate to do some of the alternatives. However, they tried to identify at least three options for each segment to come up with a range of cost. For the Priority 1 sidewalks, the range was from \$8 million to \$15 million. However, this would only cover the first 11.5 miles of pedestrian pathways. Just focusing on Priority 1 projects, the City's available funding would be used up fairly quickly. Priority 2 projects would result in another

10.2 miles of pedestrian pathways, but would add somewhere between \$10 and \$22 million to the total cost.

Ms. Marilley explained that the advocacy on the City Council was to put as much funding as possible into the Sidewalk Program. Again, she said that the City Council identified \$5 million over the 6-year CIP for sidewalks. She referred to the document titled, "Possible Scenario -- \$2 Million 6-Year CIP Program." The intent of this document was to make it clear that the available funds would not go very far. Therefore, the City would have to make some hard choices about how they want to move forward.

Ms. Marilley said staff continues to investigate the availability of new materials. Some might work better for surface water, such as porous asphalt. However, there could be some tradeoffs with longevity and there is no hard evidence to indicate its long-term durability. Any type of asphalt product would be less costly to install than concrete surfaces.

Ms. Marilley pointed out that because the City has a Sidewalk Plan, they could compete for various grants to help fund their projects. Much of the money identified in the CIP would be used for leverage or matching funds when competing for grant monies. While there are no large grant funding opportunities for sidewalks, the City has been quite competitive for the monies that are available, and they hope to continue this trend.

Ms. Marilley explained that in the traffic section of Public Works, staff has started the development of "Neighborhood Action Plans." Right now, they are focusing on the following neighborhoods: North City, Briercrest and Ridgecrest. The Assistant Traffic Engineer has been meeting with these neighborhoods to not only learn what their traffic needs are, but also what their public works needs are. The intent is to assess what individual communities see as priorities. The Engineering Department would review the Neighborhood Action Plans to see if the sidewalk plan created by the staff fit the neighborhood's goals.

Ms. Marilley reported that in July, the City Council passed the CIP with \$5 million to fund a larger Sidewalk Program. Staff is in the process of identifying high impact and high visibility projects that could be done next year so people could see that progress is actually being made. In conjunction with public feedback and coordinating with the different neighborhoods, staff could start to develop programs a few years ahead. If the City knows the sidewalk improvements that would be done in two years, the necessary surface water improvements could be combined with the sidewalk improvements for an overall cost savings.

Ms. Marilley advised that at the end of January staff would present the 2006 Sidewalk Program. Staff anticipates that the first sidewalk improvements identified in the plan should begin in early June. She emphasized that in addition to this Sidewalk Program, the City has a sidewalk repair program that focuses on repairing existing sidewalks and closing some of the missing spaces.

Ms. Marilley said that as they consider the appropriate sidewalk solution for each segment, they would present information to the Commission regarding the Fee-In-Lieu-Of Program. They would also have to consider how to handle the City's engineering standards so they are equitable to developers. The

sidewalk alternatives that are appropriate for the City to use should also be appropriate for developers to use.

Commissioner McClelland said it is helpful to have a menu of different sidewalk options. She asked if all the alternatives would be ADA compliant. Ms. Marilley answered affirmatively. She explained that the City teamed up with the City of Portland to create the alternatives provided in the report. The City of Portland did a similar program, so they have already tested many of the alternatives. She said she has also discussed other alternatives that have been used in Portland, which are ADA appropriate and have more to do with the materials that are used. There are unique materials coming out that work better with surface water, and are also ADA compliant.

Vice Chair Piro said he participated in the Transportation Master Plan Subcommittee, and he enjoyed working with staff. He emphasized that the residents of the City have sent a strong message that sidewalks are a number one transportation priority. He said it is delightful to see how the Sidewalk Plan has evolved since the Commission's work on the Transportation Master Plan. The subcommittee emphasized the need of having a menu of options to use when determining what sidewalk treatment would be most appropriate for a development rather than just using the traditional curb, gutter and sidewalk.

Vice Chair Piro suggested that as staff works with neighborhood groups, it would be helpful to provide visual drawings of real life applications for each of the alternatives. This would help the community understand how the different treatments could be applied. He said he could provide some pictures and illustrations to aid in this effort since sidewalks are an issue that interests him a lot.

Commissioner Broili questioned the demand for sidewalks. He said he participated on the advisory committee and the survey that evolved from that effort. His understanding was that the demand was not so much for sidewalks but for pedestrian corridors, trails and linkages. He suggested that the City get into the habit of using a term other than sidewalks. What they are actually talking about are opportunities for people to move through the community somehow other than by vehicle, and this can be achieved through a lot of different alternatives.

Commissioner Broili pointed out that the current Development Code requires developers to construct curbs, gutters and sidewalks. Ms. Marilley said that developers are either required to construct a curb, gutter and sidewalk, or if they qualify, they could pay into the Fee-In-Lieu-Of Program. Commissioner Broili pointed out that there are undeveloped corridors that are owned by the City and provide impromptu paths. He suggested that it wouldn't take a lot of money to develop these paths, and this could help the City reach their goal of providing more pedestrian corridors and opportunities.

Commissioner Broili referenced books about creating "green streets" and "livable street," which were created by the City of Portland. He said these books outline treatments for the streets, sidewalks, pedestrian corridors, etc. He recommended that all the Commissioners review the books for additional information.

Commissioner Hall agreed that it is important to provide connections to pedestrian facilities. Ms. Marilley said that when the Transportation Master Plan Subcommittee discussed the prioritization of sidewalk projects, they discussed this concept. While the Sidewalk Plan primarily focuses on arterials, low cost solutions to link and create the community could be considered as part of “Neighborhood Action Plans.” Commissioner Hall expressed his concern that only focusing on arterials would not help the situation of getting children safely to school. No one wants their child to have to walk over to a main arterial in order to get to school.

Commissioner Hall recalled that the Commission previously expressed concern about the small amount of funding that has gone into the Fee-In-Lieu-Of Program. It has become clear to the Commission that this program would never come close to solving the City’s pedestrian problem. While the Fee-In-Lieu-Of Program is a good way to avoid forcing developers to invest in a sidewalk where it doesn’t make sense, it won’t address the community’s demand for more sidewalks. The City must find creative ways to double or triple the funding that goes into the program if they want it to have an impact.

Commissioner Kuboi said his understanding is that the Fee-In-Lieu-Of Program offers an alternative to developers, but it does not often result in money being put in the program because there is a preference to do the improvement right in front so the City can get a benefit from the developer from that improvement. The City is not in a position to require the developer to contribute to the Fee-In-Lieu-Of Program rather than constructing the sidewalk improvement. He requested insight from staff on how the City could or should provide incentives to encourage developers to put the money into the program, instead. This would allow them to aggregate the funds to do meaningful sidewalk projects. Otherwise, developers would continue to construct “sidewalks to nowhere.”

Ms. Marilley agreed that it is important that these dollars be used for meaningful projects. However, some of the legal limitations that are placed on the program end up limiting the creativity that could go into it. Developers do not participate in the program to create a lot of public improvements; they are out to make a profit. For example, if frontage improvements were required for redevelopment of a single-family lot where no other sidewalk exists, a person would have the ability to contribute to the Fee-In-Lieu-Of Program. The staff would estimate the fee based on what it would cost the property owner to construct the sidewalk. However, if the City were to construct the sidewalk, they would have to pay prevailing wages, etc. that would increase the cost significantly. In addition, the money could only be used in a certain area. The City is in the situation of waiting for sufficient funds to do a meaningful project, and they must figure out how the program could be changed to be much more flexible, while still meeting the legal requirements.

Vice Chair Piro asked Ms. Marilley to explain how the Sidewalk Plan would dovetail with the City’s “Green Streets” effort. Ms. Marilley said the Sidewalk Plan would be one component of the overall Green Streets Program. The issue was discussed at length during the Transportation Master Plan process. She explained that there is a very broad definition for the term “Green Streets,” but the intent is to create a boulevard type feel in certain areas. As the City does improvements to arterials, they try to incorporate the different components of the Green Streets Program. Vice Chair Piro summarized that “Green Streets” are not meant to be just “pretty” streets, but places where bicycles, pedestrians and

vehicles could all move safely and efficiently. In addition, the design of facilities in these corridors would be done in an environmentally sensitive manner.

Commissioner Broili pointed out that the SEA Street Program in Seattle is a good example of combining surface water management with safe pedestrian corridors, traffic calming and beautification. These street designs have ended up being \$100,000 less than the cost of conventional street development. Ms. Marilley pointed out that no development money went into this pilot project. Stormwater management funds and grants were used. As they apply the concept in other areas, however, Seattle has had to use city funds. One of the priorities identified in the Surface Water Master Plan is for surface water and transportation staff to get together and come up with solutions that work cost effectively and can be implemented easily. Commissioner Broili summarized that staff should look for ways to combine stormwater mitigation, sidewalk and street improvement dollars to get a “bigger bang for the buck.” Ms. Marilley said that is exactly what staff is trying to do.

Commissioner Kuboi pointed out that the Federal Government recently re-appropriated the transportation legislation, which includes an approximate \$6 million component for safe routes to school. He recalled that this funding is typically administered at the State level. There is an opportunity for the City to obtain some funding for sidewalk projects through that program, as well.

If sidewalks are such a high priority as per the citizen survey, Commissioner Kuboi questioned why the bond measure that was considered in 2003 did not go forward. Commissioner Broili said the decision had nothing to do with the bond, itself. But because of the economic climate that existed at the time, the bond committee felt that getting a bond issue to pass would be very difficult. Commissioner Kuboi referred to the citizen survey and asked if sidewalks were offered as a choice or if people came up with sidewalks on their own. Ms. Marilley answered that sidewalks were one of about ten choices that citizens were asked to prioritize. Again, Commissioner Broili emphasized that rather than sidewalks, the citizen survey indicated pedestrian facilities as a priority need. The Commission agreed that they should use a term other than “sidewalks.” Commissioner Hall agreed that it is important to find a term that resonates with the community. However, he did not feel the term “pedestrian facilities” would be appropriate, either. The correct term should make it clear that they are talking about a safe place for pedestrians to walk.

Commissioner McClelland reminded the Commission of the importance of connecting pedestrian facilities to destinations to provide safe passage. She asked who would be responsible for “telling the story” that would sell the sidewalk plan to the community. Ms. Marilley said this would be the Staff’s responsibility, and they recently received training on how to sell a problem and offer different solutions that the community can feel a part of. She said that starting in January, she would be visiting the various neighborhood groups to discuss the CIP. Part of this discussion would include options for providing pedestrian facilities. She stated that it was very courageous for the City Council to include \$5 million in the CIP for pedestrian improvements, and it is up to the staff, the Commission and the City Council to deliver a product based on the identified priorities.

Mr. Tovar suggested that public health is another value that could be wrapped into the whole issue of pedestrian mobility. In fact, it is part of the rationale for why the community wants to have more

pathways, walkways, sidewalks, etc. As time goes by, this would become more and more important for personal health, as well as safe passage for children and others who walk to their destinations. He suggested that they cast around for what the right terminology would be so that the City's goals could be clearly communicated to the public.

Ms. Marilley briefly updated the Commission on various other CIP Projects. She reported that construction of the Aurora Avenue Project is on schedule, and they are working on a number of crossings and doing networks to help minimize some of the work when they switch to the other side of the road. They will work nights through the end of November and then everyone will switch to days. During the night, the traffic is significantly reduced and the crews have been able to move much faster through the project. Ms. Marilley reported that excavation for the pedestrian bridges for the Interurban Trail has started. The City had done explorations indicating that the soil conditions would make construction of the footings for the bridge rather difficult. However, the contractor found a much better situation.

Ms. Marilley further reported that last Friday the contractor for the North City Project hosted a party for the workers and business owners to celebrate the topping off of the project. At this time, 98% of the underground work has been completed. Now the aboveground work can begin. She emphasized that dropping the poles would be the last part of the project. Sidewalks are starting to go in, as well. She asked that the Commissioners share the news regarding the City's major projects with others in the community.

PUBLIC COMMENT

No public comment was provided during this portion of the meeting.

UNFINISHED BUSINESS

Workshop Continuation: Annual Development Code Amendments

Ms. Markle reminded the Commission that, at their last meeting, they started reviewing the Development Code Amendments. During their review, the Commission was invited to voice their questions and request additional information that could be provided prior to the public hearing.

COMMISSIONER BROILI MOVED THAT THE COMMISSION ACCEPT THE PROPOSED DEVELOPMENT CODE AMENDMENTS (D-1 THROUGH D-21) AS PRESENTED BY STAFF. COMMISSIONER SANDS SECONDED THE MOTION.

Ms. Markle reminded the Commission that they couldn't make a decision regarding the proposed amendments until after the public hearing scheduled for November 17, 2005. She invited the Commissioners to contact staff with additional questions or requests for information prior to the public hearing.

Commissioner McClelland referred to proposed **Amendment D-12** and requested further clarification regarding the size of “tree pits” and “tree grates” depending on the size of the sidewalk. It was explained that, in some cases, the underneath of the pit is 4’ by 4’, and the part that is exposed on top may be narrower than that. Commissioner Broili said his understanding is that a straight pit is used when a tree is planted in just soil that is mounded at least as high or higher than the surrounding sidewalk. With a grate, the soil would be lower than the sidewalk and the grate would go over the top. Commissioner Hall added that the width of the sidewalk makes a difference in terms of the width of the resulting path. By requiring a grate for narrower sidewalks, there would still be a level surface of sufficient width to accommodate wheel chairs, etc. He clarified that placing a tree within the sidewalk area would not be the preferred alternative. It would be preferable to place the trees within the 4-foot planting strip to provide a much more accessible sidewalk.

THE MOTION WAS TABLED UNTIL AFTER THE PUBLIC HEARING.

Continued Discussion: Cottage Housing Transmittal Letter

Vice Chair Piro recalled that after the Commission’s last discussion regarding the Cottage Housing Ordinance, they agreed to develop a letter of transmittal to accompany the material the City Council would be reviewing. It was also suggested that the letter contain a balance between the people who voted on both sides. Vice Chair Piro said he used input from both Commissioner Kuboi and Commissioner McClelland to make changes to the draft letter. He said he also invited staff to provide guidance to make sure the discussion stayed focused on content rather than wordsmithing.

Commissioner Kuboi referred to Paragraph 3 and pointed out that the motion was to repeal the existing Cottage Housing Ordinance and not the amended ordinance.

Commissioner Sands referred to the comments Commissioner Hall provided right before the Commission voted on the motion in regards to the Comprehensive Plan including a policy that specifically states the City would attempt to institute some type of cottage housing plan. He suggested that this be mentioned briefly in the transmittal letter to remind the City Council that they might want to review and revise that section of the Comprehensive Plan at some point in the future if they choose to eliminate the Cottage Housing Ordinance. The remainder of the Commission agreed.

Commissioner Hall referred to Land Use Policy 27, which states that cottage housing would be allowed in residential areas. He pointed out that if the City Council were to eventually repeal the only code provision that would allow cottage housing, this policy should also be changed. Commissioner Kuboi asked staff if using the word “allow” in Land Use Policy 27 would require the City to implement an ordinance for cottage housing at some point in the future. He reminded the Commission that, philosophically, they supported the concept of cottage housing, but it needed to be approached from a more holistic perspective. The City may go through a period of time where they don’t have any cottage housing ordinance on the books, but hopefully, this would just be an interim period. Ms. Markle said she does not believe that Land Use Policy 27 would require the City to have a cottage housing ordinance on the books right now. She reminded them that the Comprehensive Plan is a 20-year document.

Commissioner Kuboi said he would not want to imply to the City Council that if they were to repeal the Cottage Housing Ordinance, they would somehow be in non-compliance with the Comprehensive Plan.

Commissioner Hall pointed out that the debate within the community regarding cottage housing is not related to code issues. The debate was about whether the City should allow more than six units per acre in an R-6 zone, which is a policy issue. If the City Council wants to allow a density bonus for small houses, the proposed amendments would probably address the code related concerns. But the issue of cottage housing should be discussed as a policy issue of the Comprehensive Plan rather than a code amendment issue. If the community strongly feels that the City should never allow more than six units per acre in an R-6 zone, then this policy should be removed from the Comprehensive Plan.

Mr. Tovar said he is not prepared to provide comments regarding the interpretation of the word “allow.” However, his insight would be that all plans should be clear. If the City interprets the word “allow” to mean “consider at some point,” then it would be considered more aspirational direction than a direct requirement. He concluded that each word in the code and the Comprehensive Plan has a very specific meaning that must be made clear, and Land Use Policy 27 could create a legal issue down the road if the City Council were to eliminate the Cottage Housing Ordinance. Citizens who are concerned about cottage housing could raise some concerns about the concept still being mentioned in the Comprehensive Plan. Therefore, the City must be very candid regarding the meaning of Land Use Policy 27.

Commissioner Sands agreed that if the City Council ultimately desires to eliminate the Cottage Housing Ordinance once and for all, they should eliminate Land Use Policy 27. If they choose to leave the policy in the Comprehensive Plan, they should recognize that the issue could be brought up again at a later date. Commissioner Hall said he would support a statement in the transmittal letter to point out that there is a policy in the Comprehensive Plan to allow cottage housing in residential areas. The remainder of the Commission agreed that it would be appropriate to reference Land Use Policy 27 in the transmittal letter.

Commissioner Hall said that while the Commission voted 4 to 4 to repeal the Cottage Housing Ordinance, the transmittal letter should also point out that the proposed amendments to the Cottage Housing Ordinance were previously forwarded to the City Council on a 7 to 1 vote. It is important that the City Council clearly understand that if they decide to retain the Cottage Housing Ordinance, the Commission recommends adoption of the proposed amendments.

Commissioner Hall referred to the final sentence in the second to the last paragraph of Page 2, which states that cottage housing, by itself, is not a significant contribution in meeting the Growth Management Act goals. He suggested that this language might understate the issue a little bit. If the Cottage Housing Ordinance does get repealed, at some point the City must consider other ways to meet the growth target mandated by the Growth Management Act. He suggested that the language in the transmittal letter be changed to state that cottage housing is not critical in meeting the City’s growth target. The Commission agreed that this paragraph should be clarified to more clearly express the Commission’s viewpoint.

Vice Chair Piro reviewed the following changes to the transmittal letter:

- Strike out the word “amended” in Paragraph 3.
- Add language about the current Comprehensive Plan policy.
- Add language in the first paragraph about the 7-1 Commission vote on the proposed amendments to the Cottage Housing Ordinance.
- Change the second to the last paragraph to indicate that cottage housing is not critical to the City’s ability to meet the City’s growth target as mandated by the Growth Management Act.

Vice Chair Piro advised that he would run a final version of the transmittal by Commissioner McClelland and then forward it to staff to format. It would then be forwarded to Chair Harris for final signature. The Commission agreed that the transmittal letter could be forwarded to the City Council once Chair Harris has signed it.

The Commission referred to the findings and conclusions that were prepared by staff for the proposed amendments to the Cottage Housing Ordinance. Commissioner Hall recalled that Commissioner McClelland raised a concern at a previous meeting that the findings prepared by staff did not accurately capture what the Planning Commission used as its basis. The Commission agreed that staff should review the minutes from the previous meeting to make sure changes are made to address the Commission’s concern. The Commission agreed that once the letter and findings have been finalized, the entire package should be sent to the City Council with no further review by the Commission.

Commissioner McClelland reported that Paul Grace facilitated the committee meeting that was held at the request of the City Council to consider the public process for reviewing the Cottage Housing Ordinance. Based on the Commission’s current view on cottage housing and because the committee meeting was being held so late in the process, after the Commission has already reviewed the proposed amendments, Mr. Grace questioned whether there was a purpose for holding a community meeting. She advised that next Monday the City Council would decide if they still believe that a meeting forum should be held before the amended ordinance is presented to them. If they decide to hold the forum, it would be scheduled for November 29th at the Highlands Recreation Center, and the purpose would be to create an environment where the Planning Commission, the City Council and citizens would all have an opportunity to talk together.

Ms. Markle advised that as soon as the Commission’s transmittal letter regarding the Cottage Housing Ordinance is ready, staff plans to forward it to the City Council instead of waiting for them to make a decision regarding the public forum.

Commissioner Kuboi said it was clearly pointed out that the public forum would provide an opportunity for open dialogue between the citizens, the City Council and the Planning Commission. He said it is essential that the meeting be structured in such a way to ensure that proper order is maintained. The meeting would be advertised to the public. He said that while expectations for Commission attendance was not made clear, it is important that as many Commissioners as possible attend if the City Council decides to move forward with the meeting.

Commissioner Kuboi said it was not clear to him whether the Commissioners would be able to speak at the public forum as both citizens and Commissioners with individual opinions, or if they must speak only of the Planning Commission's position as a body. He said he would be uncomfortable participating in the discussion if he were not able to share his own thoughts that may or may not have been represented in the final recommendation of the Commission as a whole.

Commissioner Kuboi asked if the staff has discussed options for encouraging involvement from the development community as well as the public. Ms. Markle advised that the staff has a mailing list of about 120 individuals, including cottage housing developers, who would receive a personal invitation to the public forum.

The Commission briefly discussed the format for the public meeting. Ms. Markle said that while the Commission could make suggestions about how the meeting should be run, the City Council would be in charge.

NEW BUSINESS

There was no new business scheduled on the agenda.

AGENDA FOR NEXT MEETING

Chair Harris reviewed that a public hearing on the proposed Development Code Amendments is scheduled for November 17th. In addition, staff has tentatively scheduled an update on the Richmond Beach Saltwater Park Master Plan. However, this presentation might be postponed to December 1st.

ADJOURNMENT

The meeting was adjourned at 9:03 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission