

DRAFT
CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING

July 20, 2017
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Craft
Vice Chair Montero
Commissioner Chang
Commissioner Mork
Commissioner Malek

Staff Present

Rachel Markle, Director, Planning and Community Development
Uke Dele, Surface Water and Environmental Services Manager
Carla Hoekzema, Planning Commission Clerk

Commissioners Absent

Commissioner Maul
Commissioner Thomas

CALL TO ORDER

Chair Craft called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Chair Craft, Vice Chair Montero, and Commissioners Chang, Malek and Mork. Commissioners Maul and Thomas were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The July 6, 2017 minutes were approved as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

STUDY ITEM: SURFACE WATER MASTER PLAN UPDATE

Staff Presentation

Ms. Dele explained that storm water is rainwater that falls on impervious surfaces (roofs, sidewalks, driveways, streets and saturated surfaces). Rainwater runs along these surfaces and collects pollutants and toxins until it is collected in the storm water system. Storm water is typically not treated, and it eventually drains into surface waters (streams, creeks, lakes and ponds). The quality of the water decreases due to the amount of pollution it collects, and the quantity increases due to the number of impervious surfaces. Managing storm water is important to protect and improve the quality of the surface waters and to reduce flooding and property damage.

Ms. Dele advised that, in Shoreline, the Surface Water Utility is responsible for managing the storm water system, and this is done by maintaining and monitoring the drainage of storm water infrastructure and ensuring that the system functions properly to keep the water flowing and to reduce flooding.

Ms. Dele advised that the storm water utility's current goals include flood protection, water-quality protection and aquatic-habitat protection. The goals are accomplished via programs that meet regulatory requirements and reflect the community's priorities. She noted that the utility must also follow the requirements of the National Pollution Discharge Elimination System (NPDES) Permit. The NPDES permit allows the utility to discharge water from the storm water system into the state's surface waters. The utility is funded by storm water management fees that are paid by rate payers. The utility is an enterprise, so the rates paid are for the utility to provide the services.

Ms. Dele reviewed that the City adopted its first Surface Water Master Plan as part of the 2005 Comprehensive Plan. The initial plan prioritized surface water projects that included capital improvement projects and operational/maintenance programs to reduce flooding and address drainage issues at that time. After major flooding occurred in the Ronald Bog area of Thornton Creek in 2009, the City completed its first basin plan (Thornton Creek Watershed Plan), which included a floodplain analysis and a list of prioritized projects to reduce flooding. In 2011, the City updated its Surface Water Master Plan and established a prioritized schedule for doing basin planning for the remaining 10 basins in the City.

Ms. Dele summarized that the 2005 plan focused on addressing immediate needs at the time with projects that reduced major flooding throughout the City. It also prioritized surface water projects that included Capital Improvement Projects (CIP) and a maintenance program to reduce flooding and address drainage issues. The 2011 plan was more programmatic and built on the efforts of the 2005 master plan and 2009 basin plan. In addition to establishing a management plan until the basin plans were completed, it also included a condition assessment on the storm water pipes that resulted in a Pipe Repair and Replacement Program to address critical pipes as they are being recommended for repair and replacement in the various basin plans. It also included an Asset Management Framework (Cityworks), which provides tools for staff to capture work done against the assets. Cityworks has set the utility in a position of being able to analyze the level of effort and cost associated with maintenance of the system. The 2011 master plan also set the City in a position to meet the requirements of the current NPDES permit for the 2013-2018 permit cycle. The 2017 master plan will help the City meet the requirements of the 2018-2022 NPDES cycle.

Ms. Dele advised that, with the completion of the final basin plan, the consulting team is now ready to compile all of the information into a Comprehensive Surface Water Master Plan that includes all of the

identified activities from the basin plans. In addition, the City is also incorporating more Low-Impact Development (LID) requirements and projects. It is important to coordinate future projects and sources of funding for storm water related projects in the various plans. Lastly, the City is anticipating more stringent NPDES permit requirements in the 2008-2022 permit cycle.

Ms. Dele advised that on June 6, 2016 the City Council authorized the City Manager to execute a professional services agreement with Brown and Caldwell, a consulting team. The work on the 2017 plan started in July of 2016. Not only will the 2017 plan update the 2011 plan, it will also provide a framework for moving forward. It will be a comprehensive plan that provides recommendations for programs, rates and funding. It will also provide direction to the City Council on where policies may need to be updated or do not currently exist. A key element of the 2017 plan is defining the Level of Service (LOS) the utility will provide to its customers. Through the basin plans, condition assessment, and operation and maintenance activities, a growing list of projects have been identified to address the growing needs in the surface water system. Having defined LOS targets will help frame the activities and projects in the context of the customers' expectations. It will also help inform the City Council on the actions and cost impacts of the services the utility will be providing for the next five to ten years.

Ms. Dele said another objective of the 2017 master plan is to develop an Asset Management Framework that the utility can use to articulate how well it is providing expected LOS at the lowest life cycle cost. For example, one of the LOS is to manage public health, safety and environmental risk from flooding and failed infrastructures, and the actions needed to meet that LOS are dependent on the LOS target. If the LOS target is zero flooding and/or no property damage due to failed infrastructure, the utility must increase or adjust its maintenance activities, and this could translate into additional cost to meet the expected LOS. Increased costs result in increased rates.

Ms. Dele said the 2017 master plan represents progress on many fronts in developing a Comprehensive Management Plan for the utility. The elements of the plan include updating the LOS to guide utility activities; evaluating the current activities of the utility to identify gaps and resource needs to fill the gaps via a prioritized list of projects and program recommendations; analyzing the cost of the activities; and presenting a plan of activities that the utility will focus on for the next six years.

Again, Ms. Dele said two key objectives of the master plan is to match the LOS provided by the utility with the expectations of the customers, and to prioritize the projects and programs and establish a management strategy for implementing the activities within a corresponding financial strategy. This requires having a clear understanding of the customers' expectations and preferences. To accomplish the objectives, staff and the consultant team had two workshop discussions, and the recommended LOS were presented to the public at an open house and via a public survey. She briefly reviewed the recommended LOS and LOS targets identified in the plan as follows:

- LOS A – Manage public health, safety and environmental risk from impaired water quality, flooding and failed infrastructure.
- LOS B – Provide consistent, equitable standards of service to the citizens of Shoreline at a reasonable cost, within rates and budget.

- LOS C – Comply with regulatory requirements for the urban drainage system. This means that the utility must meet not only the NPDES Permit requirements, but also Federal Emergency Management Agency (FEMA) regulations.
- LOS D – Engage in transparent communication through public education and outreach.

Ms. Dele said the basin plans identified over 100 projects that need to be done to address needs found in the system. To prioritize these projects over the next six years, the utility needed to come up with a process that was fair and met the established LOS. The projects identified in the basin plans were refined and similar projects were combined. Programs were developed to address those that are geared towards ongoing projects. Using the established criteria and objectives, each project was scored and ranked. Once the projects were scored and ranked, they were aligned with management strategies that would help facilitate the discussion of timing and resources to accomplish the work. The prioritized projects were examined through three management strategies, which range from minimum to optimum based on how well they address regulatory requirements, system needs and LOS. She reviewed that each of the projects were categorized into the following general management strategies:

- Minimum – Projects and programs that meet the minimum in terms of existing system needs and regulatory requirements.
- Proactive – Minimum plus new high-priority projects and new/enhanced programs that address high priority long-term needs, as well as anticipated new regulatory requirements.
- Optimum – Proactive plus additional priority projects and programs that enhance water quality and aquatic habitat beyond what is already required.

Ms. Dele reviewed that the utility has engaged the public through open houses and a survey. She reported that 23 residents attended the open house that was held in September of 2016, at which the recommendations for LOS were presented. Eight residents attended the second open house on July 13, 2017 where the management strategy was presented. An internet LOS Survey was conducted September 2-16, 2016, and a Management Strategy Survey was conducted July 5-16, 2017. About 171 residents responded to the LOS Survey, and the results indicated that 63% of residents were not familiar with the utility or its services and 59% had concerns with storm water services. The Management Strategy Survey received 140 responses and key results indicated that 48% preferred the “proactive” management style. About 29% agreed with increased fees to fund services, but 27% strongly disagreed. The consulting team is still analyzing the results from the last survey, and the findings will be incorporated into the plan that is recommended to the City Council.

Ms. Dele reviewed that the next step for the master plan is to refine the project and program recommendations and present them to the City Council on August 7th. Feedback from the City Council will be used to develop a plan that reflects the public’s expectations and how the LOS will be met. The Commission will have a workshop discuss on the draft plan in 2018, and it is slated for adoption by the City Council in 2018 as part of the 2018 Comprehensive Plan Update.

Commission Questions

Vice Chair Montero asked how successful the previous two Surface Water Master Plans have been. Ms. Dele answered that the previous plans have been successful and within budget. The 2005 plan addressed

a number of flooding issues and they are not experiencing as much flooding now. Although the 2011 plan did not include major flooding projects, it created a schedule for basin planning, which has now been completed.

Commissioner Malek asked if the master plan characterizes flooding based on the amount of dollars. Ms. Dele answered no. However, this approach is used by insurance agencies. Commissioner Malek said he lives in Richmond Beach, where the LOS from 2001 and 2007 was poor and his house would routinely flood during heavy rain. Since the 2011 plan was adopted, the LOS has improved significantly. The effort has been appreciated.

Commissioner Chang asked if the new NPDES Permit requirements will be more stringent. Ms. Dele said the NPDES Permit is a water regulation that is based on the Clean Water Act, and it will become more stringent as more experience is gained about how to maintain the systems. The 2013 NPDES Permit has certain requirements that were not addressed as part of the 2011 plan. For example, the utility is not currently meeting the requirement to maintain catch basins within six months after finding a defect. It is anticipated that the next NPDES Permit requirements will be even more stringent, but the details are not known yet.

Commissioner Chang asked if the utility is doing any capacity assessments, given the growth that is planned. Ms. Dele answered that capacity monitoring is one of the recommended projects, and a process similar to the one used for basin planning will be utilized, starting with the high-priority areas where increased capacity is anticipated.

Commissioner Chang asked if the utility charges an impact fee to fund projects. Ms. Dele answered that there is no impact fee, and projects are funded via a surface water fee. She explained that surface water fees are based on the type of property. Single-family residential properties pay a standard rate and commercial properties pay an escalating rate.

Commissioner Mork asked Ms. Dele to provide more information about funding sources. Ms. Dele said King County is the utility's collecting agency, and surface water fees are paid as part of property taxes. However, it is a fee and not a tax. Commissioner Mork asked if the surface water fee has been consistent since 2011, and Ms. Dele explained that the 2011 plan established a rate structure for the next five years, and the rate has increased by 4% to 5% per year. If the rates were not increased as recommended in the plan, the utility would not be able to fund all of the projects and programs recommended in the plan.

Commissioner Mork asked if the City of Shoreline has been found in violation of the NPDES Permit. Ms. Dele explained that if a utility is aware it will not meet a NPDES deadline, it must self-report by sending a letter of non-compliance to the Department of Ecology (DOE) explaining what is going on and how the utility intends to meet the requirement. The City is not in compliance with all of the requirements, but it is not necessarily in violation, either. The City has always been open with the DOE in letting them knowing when they will be in compliance.

Commissioner Malek asked about the benefits of compliance versus non-compliance. Ms. Dele said that utility is required to be in compliance with the NPDES Permit, and there are fines associated with non-

compliance. There is also the threat of suit from environmental groups. Commissioner Malek asked if non-compliance can impact the City's ability to obtain federal grant funding. Ms. Dele answered no.

Commissioner Chang asked if the plan is to continue collecting surface water fees via King County property taxes, or will there likely be an impact fee at some point in the future. Ms. Dele answered that is one option to consider. Chair Craft said it appears the study is more about how effective the City is at collecting fees rather than whether or not the fees are sufficient to meet all of the NPDES requirements. Ms. Dele said the rate study will also identify how well the utility will be able to meet the LOS based on the amount of money it will collect. Chair Craft asked if it would also provide options for generating more revenue if the utility is not collecting sufficient fees to cover the cost of needed projects and programs. Ms. Dele answered that various funding options to pay for the recommended LOS would be studied as part of the financial analysis.

Commissioner Mork asked if Commissioner Chang is suggesting that the utility consider an impact fee for new construction that adds impermeability. Commissioner Chang answered affirmatively. She explained that, as new construction occurs, infiltration must be the top priority. However, storm water that cannot be infiltrated will go into an overflow and then into the storm water system. At some point, there may not be sufficient infrastructure to handle the additional storm water. She said she would like to see a list of the recommended projects to get a better sense of the magnitude of what will be required. Ms. Dele said increased storm water from development will be addressed via a storm water permit. When creating policy, it was discovered that the City needs to establish a more comprehensive system for development that cannot infiltrate on site, as required by the NPDES Permit. This could involve an additional fee or projects to handle the extra capacity.

Chair Craft asked for examples of what would constitute a high-priority project. Ms. Dele responded that some of the highest priority projects are those related to recurring flooding and property damage. One established LOS is to manage the utility to protect the public and prevent property damage. An example is the 25th Avenue Northeast Project, where the City has received several claims for property damage due to flooding.

Chair Craft observed that one of the biggest concerns is the neighborhood on the bluff (Richmond Beach) where all of the storm water from impervious surfaces impacts residential homes and causes erosion. While this may not be a priority, there are opportunities to infiltrate storm water along large swaths of area with impermeable surfaces. The City of Seattle has done a good job addressing these types of issues by creating swales, etc.

Ms. Dele said the new and enhanced programs that are recommended for "proactive" management include increasing funding for small works projects that do not fall under the CIP. A large number of projects have been identified, and there are not enough resources to do all of them within the next six years. The intent is to prioritize the projects in a way that is transparent and clear.

Chair Craft commented that the Commission would review the draft master plan again in 2018. Ms. Dele said the update was unable to meet the deadline for the 2017 Comprehensive Plan Update, and it will now be included as part of the 2018 update. A more complete plan will be presented to the Commission for review and a recommendation to the City Council in 2018.

Commissioner Malek noted that the idea is to retain as much water on each individual property as possible and slowly release any surplus into the storm water system. A development is required to have a certain amount of open space where water can be absorbed. Ms. Dele said the goal is to ensure that water is getting back to the ground water in the cleanest way possible, which involves managing the water on site as much as possible. Commissioner Malek suggested the City consider a reward system rather than a punitive system to encourage property owners to retain storm water on site. Chair Craft pointed out that the lack of storm water management at the top of the hill near 8th Avenue in Richmond Beach has created a situation where runoff is significant because there is no on-site infiltration. The entire commercial area where the QFC is located has no drains so water sheets onto the street and runs down the hill. There has been significant erosion over the past five years, and he is concerned about the City's potential liability.

Commissioner Mork said there is also a problem with storm water at Shoreline Place. A previous presentation talked about combining storm water improvements made at Shoreline Place with projects on other commercial properties. She asked how this concept would fit in with the proposed plan. Ms. Dele said maintaining storm water on site is a DOE requirement. One of the basin plans recommends a regional project at Boeing Creek, which will handle a large quantity of water from properties in the area. A feasibility study will be done to determine how best to fund and implement the project. They cannot expect all of the rate payers to pay for something that only benefits a small group of people.

Chair Craft pointed out that the existing facility at Boeing Creek handles quite a large swath of drainage. He asked if the project would increase the radius from which Boeing Creek draws storm water from other areas. Ms. Dele answered no and said it would be designed to handle the increased runoff from development, and slowly release it into the drainage system.

Commissioner Chang asked if there is a map of the City that shows areas where infiltration is likely not feasible. Ms. Dele answered that the information is not currently available to residents. However, there is a list of criteria in the Engineering Design Manual for determining whether or not a site is feasible for infiltration, and it is available online.

Commissioner Mork asked if the new NPDES Permit requirements would place more stringent requirements on the City of Shoreline for protecting the environment, particularly as it relates to fish. Ms. Dele said the NPDES Permit primarily focuses on water quality and aquatic habitat. It does not necessarily help address flooding issues and how much money should be spent on retrofit projects.

Public Testimony

There was no public testimony.

DIRECTOR'S REPORT

Director Markle reported that 2017 and 2018 are shaping up to be a big year for permitting and development. There is a steady stream of applications coming in, and many of the school district's bonded projects have started coming in and will require a considerable amount of work by staff in 2017 and 2018. In addition, Shoreline Community College is still planning to move forward with its dormitory project in October 2017, and they are looking to open the new facility in the fall of 2019. There has been a lot of

activity on the North City Post Office site, and it looks like a permit will come in by the end of the year for a 240-unit apartment building. Staff will continue to work with Sound Transit permits, as well.

Director Markle advised that the upcoming City Council meeting will include a discussion about the affordable housing fee-in-lieu and the recommended plan for staffing an affordable housing program. There will also be an update on the implementation of light rail subarea projects and policies. Staff will also report on the District Energy Feasibility Study. She noted that the person presenting the District Energy Feasibility Study to the City Council will also make a presentation as part of the Green Speaker Series on July 25th at 7:00 p.m. in the Council Chambers. Both meetings will be available on video for Commissioners to view.

Director Markle announced that the Hearing Examiner will be busy with land use items, as well. A rezone application for three parcels on North 167th Street will go before the Hearing Examiner on August 23rd before moving to the City Council for a final decision. In addition, the hearing examiner will hear the special use permit application for the North City Water District Maintenance Facility on August 1st. They are looking to complete the project in early 2019, so the building permit application will come in in 2018.

Director Markle announced that the City's "Night Out Against Crime" is August 1st, and the North City Jazz Walk is August 15th. The Ridgecrest Ice Cream Social is August 17th.

Vice Chair Montero asked what is going on at the Aurora Square and Westminster Triangle properties. Director Markle advised that the most recent report is that the receiver is still in control of the Westminster Triangle and working towards permitting and environmental cleanup associated with a dry cleaner business that was previously located on the site. The Economic Development Manager continues to work on the Aurora Square project, but there is no new activity to report.

NEW BUSINESS

There was no new business.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS FROM COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Mork thanked staff for the great storm water presentation.

AGENDA FOR NEXT MEETING

Director Markle announced that a public hearing on the Wireless Communication Facility Amendments is scheduled for August 3rd.

ADJOURNMENT

4a. Draft Minutes from Thursday, July 20, 2017

The meeting was adjourned at 7:30 p.m.

Easton Craft
Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

DRAFT