

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

January 15, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Vice Chair Hall
Commissioner Behrens
Commissioner Broili
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle
Commissioner Wagner

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
David Levitan, Associate Planner, Planning & Development Services
(arrived at 7:30 p.m.)
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Chair Kuboi
Commissioner Kaje

CALL TO ORDER

Vice Chair Hall called the regular meeting of the Shoreline Planning Commission to order at 7:05 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Vice Chair Hall, and Commissioners Behrens, Broili, Perkowski, Piro, Pyle and Wagner. Chair Kuboi and Commissioner Kaje were excused.

APPROVAL OF AGENDA

The agenda was accepted as proposed.

DIRECTOR'S COMMENTS

Mr. Tovar made no comments during this portion of the meeting.

APPROVAL OF MINUTES

The minutes of December 4, 2008 were approved as amended.

GENERAL PUBLIC COMMENT

No one in the audience expressed a desire to provide public comment.

STAFF REPORTS

2009 Work Program Discussion

Mr. Tovar announced that the City Council discussed the 2009 Work Program at their January 5th meeting, and adjustments were made to the work program document to reflect their comments and direction. He noted that no negative comments were received from Commissioners about the notion of changing the meeting time from 7:00 to 10:00 p.m. rather than 7:00 to 9:00 p.m. in order to accomplish the items on the 2009 Work Program. In addition, staff received no negative comments regarding the proposed agenda planner of the Commission's activities for the first six months of 2009, which identifies at least two meetings and sometimes three meetings per month. He expressed his belief that a sustained schedule of three meetings per month would probably be too much for the staff and Commission to accomplish.

Mr. Tovar briefly reviewed each of the significant items on the Commission's 2009 Work Program as follows:

- **Visioning Process** – Later in the agenda, Mr. Cohn and Mr. Levitan would talk to the Commission about the joint meeting on January 29th with the City Council. Michael Pendleton, a professional facilitator who has worked with the City Council in the past, would facilitate the joint meeting. Staff met with Mr. Pendleton and the City Manager to discuss ideas for conducting the joint meeting. The Commission would spend time working on the Visioning Process in January, February and March. It is hoped the City Council would adopt a Vision Statement and Framework Goals for the Comprehensive Plan in April.
- **Design Review** – The City Council agreed with the Commission that the issue of design review is important and want the Commission to address it this year, but felt it would make more sense to postpone the discussion until the second half of 2009. This would allow the Commission to finish their work on the Visioning Process and new regulations for the Regional Business Zone. It might be more fruitful for the Commission to consider design review in conjunction with their discussion about the Town Center Subarea Plan. The City Council suggested it would make sense to address these items during the same timeframe.
- **Development Code Amendments** – The Commission already conducted a public hearing on a package of code amendments related to requiring recycling and electric car charging facilities in multi-family projects. In addition, staff is recommending the City codify their annual docketing

process for Comprehensive Plan amendments. Staff would propose an amendment that would set a deadline and format for people to initiate amendments.

Some City Councilmembers are very interested in amending the tree regulations to be more protective of trees, and the issue has been identified as a priority. Staff would like to have a discussion with the City Council and Commission to develop a scope and schedule for the process. The City Council has been approached by citizens of the single-family neighborhoods who are concerned about the loss of trees whenever short plats or building permits are processed. Citizens have asked the City to revisit the question of how to deal with tree removal in subdivisions and short plats. Staff has also heard from property owners who want the City to revisit the concept of vegetation management plans for large tracts of land, such as the reserves at Innis Arden. This item will be addressed by Council in a scoping session on February 9.

- **Permanent Development Regulations for the Regional Business (RB) Zone** -- There is currently a moratorium in the RB zone, and interim regulations have been adopted that place a cap on density in the RB zone at 110 units per acre. Staff is working on a package of potential permanent regulations to review with the City Council on February 2nd, requesting them to identify a scope for future discussions. In addition, the Commission would begin their work on the Town Center Subarea Plan in the second half of 2009, and it may be appropriate to revisit issues related to density, height, bulk, and design for those parts of the subarea that are currently zoned RB.

When looking at RB zoning issues along Aurora Avenue North, it occurred to staff that there are a number of parcels that could arguably be zoned something else; some type of transition zone that is less than RB in terms of intensity, density and building height. This issue was included on the 2009 Work Program as a placeholder and could involve either the creation of a separate zone or a refinement of the RB zone to include additional development standards to address minimum lot size, access criteria, etc.

- **Check-In Points for the Transportation Master Plan and Shoreline Master Program** – Kirk McKinley previously addressed the Commission about the modeling work that is taking place as part of the Transportation Master Plan process. An update would be provided to the Commission in March. The City has hired a consultant to work with staff on the Shoreline Master Program.
- **Point Wells** – The City Council concluded that they would like the Planning Commission to consider some refinements to the City’s Comprehensive Plan related to Point Wells. The current plan merely states that Point Wells is within the City’s potential annexation area and is an appropriate location for mixed use. However, it doesn’t provide details about what should happen and what the process for change should be. The City Council directed staff to draft amendments that make the City’s concerns and objectives clear. Some of the discussion would be fed by a proposal that has been submitted to Snohomish County. In addition, staff is talking to representatives from the Town of Woodway to gain a better understanding of their concerns and interests. In the past, Woodway’s official position has been that the property should not be annexed into the City of Shoreline. The City Council agreed that they want the Comprehensive Plan to indicate that at least a portion of the Point Wells property is appropriate for annexation into the City of Shoreline at some point in the future. Staff has met with

the Richmond Beach Neighborhood Association to discuss the status of the property, and they plan to meet again in February.

- **Town Center Subarea Plan** – Almost two years ago, the City Council adopted framework policies identifying the study area. One framework policy talks about the need to look at the park space that is between Midvale Avenue and Aurora Avenue North. A number of other policies give direction for starting the subarea planning process. As they approach the start of these discussions in the summer, staff would seek input from the Commission about the process. By that time, the City should have a better idea of what the citywide 20-year growth target would be and how much of the target could be accommodated in the Town Center area. It might be helpful to conduct a Commission tour of the town center area to look at what currently exists.
- **Southeast Neighborhoods Plan and Zoning Update** – A citizen advisory committee and staff have been working on this effort since last spring, and would meet again on January 20th. At some point, the committee will articulate a proposed set of plan and code amendments to be presented to the Commission for review and a public hearing. The project is still on schedule, but the committee has not started drafting goals and policies. A proposal should come before the Commission in June or July.
- **Master Development Plans (Crista Campus, Fircrest, Health Lab and Shoreline Community College)** – The Commission spent quite a bit of time discussing potential master plans for these properties and forwarded a recommendation to the City Council in May. After numerous meetings to discuss the recommendation, the City council adopted Development Code and Comprehensive Plan amendments that rezoned all of the properties, using new acronyms for each one. The campuses are no longer zoned Single-Family or Single-Family Institutional. In addition to the map changes, the amendments require the campuses to obtain a Master Development Plan Permit if they want to expand the existing uses. The City Council has made it clear that the City is not authorizing any new uses on the campuses as part of the Master Development Plan process. Instead, the campus would be required to go through a Comprehensive Plan amendment process to name the new use as a permitted use that could later be proposed as part of a Master Development Plan. They agreed that the Master Development Plan permit would require a quasi-judicial process. As adopted, the Commission would conduct a public hearing on the proposal and forward a recommendation to the City Council, who would make the final decision. The process adopted by the City Council would also require a stakeholder meeting prior to the pre-application neighborhood meeting. The purpose of the stakeholder meeting is to have a broad discussion of the objectives of the campus development, what they are trying to do, and general ideas for how the property might be developed. The stakeholders would be able to provide their thoughts before the site plans become more detailed.

Commissioner Wagner inquired how the term “stakeholders” would be defined. She also asked if notice of the stakeholders meeting would be required. Mr. Tovar said the term “stakeholder” refers to anyone the property owner or City identifies as a discreet, identifiable stakeholder. He pointed out that it could be difficult, in some cases, to identify all of the stakeholders.

- **Master Development Plan for the Crista Campus** – Crista is ready to conduct a stakeholder meeting near the end of January regarding their application for a Master Development Plan Permit. A neighborhood meeting would then be scheduled, and property owners within 500 feet and nearby community clubs would be notified. An actual application may not be submitted until sometime in February.
- **Master Development Plan for Fircrest** – The Department of Social and Health Services (DSHS) spent a fair amount of money and time talking to people about what should happen at the Fircrest site. However, the new regulation would require them to start the process again, and staff has already discussed the new rules and process with DSHS. They have expressed an interest in creating uses other than institutional on the surplus portion of their property. Mr. Tovar noted that this would require a Comprehensive Plan amendment.

Mr. Tovar pointed out that the proposed agenda planner does not include any quasi-judicial items coming before the Commission because there are no applications at this time. If a quasi-judicial application is submitted, the Commission would be required to adjust their schedule. He suggested the Commission once again recommend to the City Council that some quasi-judicial applications be temporarily routed to the Hearing Examiner for the public hearing. The final decision would still be made by the City Council. He recalled that when this option was discussed by the Commission in 2008, they were reluctant to support the change because they did not foresee such a full 2009 Work Program. Commissioner Broili recalled that the Commission indicated their willingness to try the concept for at least one year.

Commissioner Piro said he appreciates the updates staff made to the 2009 Work Program in response to some of the comments and input provided by the Commission and City Council. While the updated document represents a better balance, he is still concerned about the Commission's work load and their ability to successfully get through all the items. He expressed his belief that the 2009 Work Program would not allow the Commission to accommodate a large number of quasi-judicial issues. He suggested they notify the City Council of their interest in sending these items to the Hearing Examiner on a temporary one-year basis.

Commissioner Behrens asked if it would be possible for the Commission to decide on a case-by-case basis whether they want to hear a quasi-judicial item or send it to the Hearing Examiner. Commissioner Wagner said she would be reluctant to make this decision on a case-by-case basis without having very specific criteria for making the decision. She cautioned that this approach could violate the Appearance of Fairness Laws. Commissioner Piro recalled the Commission previously suggested the idea of establishing a threshold for determining which quasi-judicial items would come before the Commission as opposed to the Hearing Examiner. He said he would be comfortable allowing staff to identify the appropriate threshold, but he is not comfortable with the Commission making this decision on a case-by-case basis. Commissioner Broili suggested they recommend turning all quasi-judicial rezone application over to the Hearing Examiner for one year. Trying to second guess and review each rezone application to determine if it should come before the Commission or the Hearing Examiner would be inappropriate and could violate the Appearance of Fairness Laws. Adopting this temporary process

would allow the Commission the time needed to deal with other priority issues. The Commission could reconsider their position again at the end of 2009.

Commissioner Pyle noted that the Hearing Examiner process is criteria driven and the findings are based on a pre-established set of criteria. He recommended that if there are unusual circumstances involved, the Hearing Examiner should also have the ability to condition approval. He said he would be in favor of sending all rezones to the Hearing Examiner for one year. However, he suggested that staff provide regular updates to the Commission regarding these items, including the Hearing Examiner's Findings. The remainder of the Commission concurred.

The Commission agreed to recommend to the City Council that all quasi-judicial items should be sent to the Hearing Examiner for one year, with the exception of Master Development Plan Permits, rezone applications for properties within the Town Center and Southeast Shoreline Subarea Planning areas, and Special Use Permits. All other rezone applications, as well as subdivision applications and street vacation applications should be forwarded to the Hearing Examiner.

Vice Chair Hall expressed his belief that reviewing the tree regulations would take longer than identified on the schedule, particularly given all the other work the Commission has on their plate. While he agreed the issue must be addressed at some point, he has reservations about undertaking the task at this time. He reminded the Commission that the City Council recently adopted a Sustainability Strategy that would be incorporated into the City's Visioning Statement. He suggested it makes more sense to develop a clear Vision for Shoreline first, and this process might result in ideas for handling trees.

Commissioner Broili noted that a community committee is already working to come up with a proposal for tree regulations, etc. In addition, several City Council Members are anxious for the City's tree regulations to be updated. He agreed the issue would be difficult and time consuming, but the City Council has identified it as a priority in 2009. He suggested they assign a subcommittee of Commissioners to work with the community committee. This would provide an opportunity for the community committee to deal with some of the Commission's concerns before the proposal is presented.

The Commission discussed the idea of forming subcommittees for various items on the 2009 Work Program. Mr. Tovar suggested that a subcommittee of three members would be helpful to scope some of the tasks such as the tree regulations, Town Center Subarea Plan, and design review. Later in the meeting, the Commission would talk more about the concept of subcommittees. If Commissioners want to meet with community groups to talk about regulations, the discussion would probably have to take place at a public meeting. Legally, it might not be possible for individuals or small groups of Commissioners to meet privately with community groups.

Vice Chair Hall said he was disappointed to see that the Town Center Subarea Planning Process has been delayed until the latter part of 2009. It has been on their work plan for quite some time. He stressed the importance of completing the plan before the economy turns around again so that it could be applied to future redevelopment.

Commissioner Pyle recalled that the Commission previously discussed the concept of requiring a neighborhood meeting in advance of a quasi-judicial rezone application. They also discussed the need to revamp the neighborhood meeting process. He recalled that Commissioner Behrens created a set of ideas that he felt had merit, and he would like an opportunity to talk about what the City could do to help the community feel more vested in the process. Mr. Tovar said this issue was previously scheduled on the Commission's agenda planner as a Development Code amendment. He agreed that a package of code amendments related to this issue could be presented to the Commission at some point in 2009.

The Commission accepted the 2009 Work Plan as drafted.

Visioning: Preparation for January 29th Workshop

Mr. Levitan reported that staff has been working with the City Manager's Office over the past few weeks to establish an agenda and format for the January 29th joint City Council/Planning Commission Meeting. He advised that the agenda would be facilitated by an outside facilitator, Michael Pendleton. The agenda is in a preliminary format at this time, but the Assistant City Manager would meet with the Mayor and Deputy Mayor on January 16th to finalize the agenda and discuss the respective roles of the two bodies.

Mr. Levitan recalled that two Town Hall Meetings were conducted. At the November 19th Town Hall, the community was invited to comment on a set of 12 or 13 themes drafted based on community feedback from the October meetings. Four additional themes were developed for presentation at the January 8th Town Hall. He said the purpose of tonight's discussion is for the Commission to share their observations about the January 8th Town Hall and their ideas for incorporating the themes into a draft vision statement and framework goals, which would be the focus of the upcoming joint meeting.

Vice Chair Hall provided a brief report of the January 8th Town Hall Meeting for the benefit of those who were unable to attend. He noted that fewer people attended the January 8th meeting as compared to the November 19th meeting. All but four of the people who attended the meeting indicated they also attended the previous meeting. Several tables were set up for participants, and people generally expressed that the themes had captured the public comments well. At his table there was a lot of emphasis on job creation and economic revitalization, recognizing the current difficult economy. Some people at his table articulated the belief that in their vision of the City 20 years from now, Shoreline would no longer be a bedroom community. Instead, it would become an urban center where people live and have opportunities to work.

Commissioner Wagner recalled that most of the comments made at previous meetings focused on land use and the Comprehensive Plan's ability to guide land use and development. However, at the two Town Hall Meetings, there was more input on issues that were not necessarily specific to land use, such as the value that Shoreline's citizens place on public education. There was also a lot of talk about the jail, which is a timely topic. She said none of the discussion at her table was inconsistent with what the Commission has heard previously. She noted there was some criticism about the City's ability to reach out to people at a variety of different times throughout the day. Most of the meetings were held in the evenings.

Commissioner Behrens said that throughout the course of the public meetings, he attempted to ask questions of the people he spoke with to get them thinking about how the various elements of the community (job opportunities, training opportunities, community college, etc.) could be joined together to come up with a grand new plan for the City. He said that at all the meetings, he received responses from people who indicated they were happy with the way the City is right now.

Commissioner Piro pointed out that the City has gathered an incredible amount of input from the citizens, and he appreciated staff's efforts to bundle the comments together. He suggested the Commission discuss the best method for organizing the material and developing options and alternatives for moving forward with vision framing. Commissioner Broili agreed and asked if there are options for organizing the materials so they are more manageable. Mr. Cohn said staff would attempt to categorize the information prior to the January 29th Joint Meeting. However, it would be the Commission and City Council's responsibility to review the pages of comments to identify ideas that might not have been captured in the themes. He agreed the task would not be easy. Mr. Levitan added that grouping the comments based on the 16 themes might be a good process for developing a Vision Statement and Framework Policies since it would allow them to cross reference each theme with the comments.

Vice Chair Hall referred to Pages 34 and 35 of the Staff Report, which provides a list of preliminary themes that were developed by staff based on the public comments that were received. He suggested the Commission review the list and finalize the document in preparation for the January 29th joint meeting where the City Council and Commission would work to turn the themes into a Vision Statement and Framework Goals. The Commission discussed each of the themes as follows:

1. **Protect our natural areas and conserve our resources.** Vice Chair Hall said he heard this message strongly at every public meeting, making it clear that this is a core value of the City. Many people felt more words could be added, and this could be done when they get into the natural environment policies of the Comprehensive Plan. He suggested that, at some point, "sustainability" should also play a central theme. Commissioner Piro agreed that "sustainability" should be addressed more explicitly in this theme since it captures many of the community comments. Vice Chair Hall noted that the City's Sustainability Strategy provides a definition for "sustainability." Commissioner Perkowski suggested that this statement is too generic and doesn't really capture the citizens' stated desire for going beyond protection by requiring restoration enhancement, innovative low-impact development options, etc. Commissioner Broili agreed.
2. **Be an attractive, vibrant and inviting place to live and work.** Vice Chair Hall suggested that design should be a major element of this theme. Commissioner Piro agreed and noted that he did not see design stated explicitly as an element of any of the themes. He suggested it might also be appropriate to address health and safety issues as part of this theme since it was a common theme in most of the public meetings. Commissioner Behrens suggested that many of the other items fall inside the concept of what the citizens would think of as an attractive, vibrant and inviting place to live and work (i.e. Items 5, 9, 10 and 14). He suggested they either drop Item 2 and allow the other bullets to define the intent or connect some of the other bullets under Item 2. Vice Chair Hall pointed out that one distinct characteristic of Item 2 is related to design and aesthetics. The other items referred to by Commissioner Behrens definitely make it attractive, but they are more related

to function than design. If the items are combined, they need to ensure that the concept of design is not lost.

3. **Offer a range of house types and prices to ensure a choice of attractive living accommodations.** Commissioner Wagner suggested this statement should be more specific to focus on the appropriate placement of housing development and bringing a variety of housing opportunities into appropriate places. Vice Chair Hall said the real challenge would be making sure they accommodate economic growth in appropriate places while preserving the traditional neighborhoods. Commissioner Wagner agreed with Vice Chair Hall that there were numerous comments in support of growth in certain areas, but citizens still want to protect single-family neighborhoods. The Commission discussed the option of adding the phrase, “while preserving the traditional single-family neighborhoods.” Commissioner Broili expressed his belief that change is going to happen, and the vision and goals should state this fact, as well. Commissioner Wagner pointed out that the Housing Strategy has wording that might supplement and better frame the ideas discussed by the Commission.
4. **Encourage a strong and diverse economy, with commercial areas located and sized to serve all residents throughout the City.** Commissioner Piro expressed his belief that this item was similar to the concept discussed by Vice Chair Hall related to Item 11, which is to provide ways for more of the community to walk to basic services. The Commission agreed there is some overlap.
5. **Provide a diversity of active and passive recreation opportunities for all ages to gather and play.** Vice Chair Hall recalled that a citizen expressed concern about providing recreation opportunities for all ages to gather and play. He clarified that when this theme was drafted, it was not intended that these recreation opportunities should always be provided at the same time and place.
6. **Provide high-quality services and exceptional schools.** Vice Chair Hall recalled that when some of the Commissioners met earlier to frame some of their thoughts, many of the items were lumped under high-quality services and exceptional schools, since this would include fire and police services, community services, human services, etc. Several people commented that these different services should be specifically mentioned.
7. **Be a place where ideas are respected and action is taken based on collaborative decisions.** Commissioner Behrens expressed his belief that if the City could strive to become a community where this concept occurs, it would be a very successful community. Most of the other issues would be effective and good decisions would be made. They would be able to figure out the best places for growth and how to create the environment they want to have for their City. He feels strongly that this theme should be the first bullet point. Vice Chair Hall pointed out that because the City’s values would change over time, it will become more and more important to respect the ideas of other people.
8. **Support a variety of community gathering places.** No additional comments were made regarding this item.

9. **Promote walking and bicycling with sidewalks and bicycle trails that connect the entire City.** Commissioner Broili pointed out that the 9th, 10th and 15th themes could be integrated into one item. The remainder of the Commission concurred. Commissioner Behrens recalled that one of the most frequent public comments was related to the lack of sidewalks in the City. He suggested that a better way to measure this concept would be to have all retail services in the City connected by sidewalks. Commissioner Piro pointed out that the current language states that the entire City should be connected, and this is a very inclusive statement.
10. **Encourage a variety of transportation options including frequent bus service that provides both north/south and east/west connections.** Commissioner Broili pointed out that the 9th, 10th and 15th themes could be integrated into one item. The remainder of the Commission concurred.
11. **Provide the opportunity for the location of more retail stores and personal services in areas close to residential communities and designate specific commercial areas for more intense and efficient development and jobs and housing growth.** Commissioner Pyle questioned the intent of this item. Vice Chair Hall said one concept discussed at the public meetings was the idea of providing ways for more of the community to walk to basic services. This involves adding infill and commercial services, while being sensitive to the residential neighborhoods. However, he agreed that the current language does not really reflect the intent. Commissioner Piro suggested that this concept is also addressed in Item 4. The Commission agreed there was some overlap.
12. **Encourage and foster neighborhood identity (a “City of Neighborhoods”).** No specific comments were made regarding this item.
13. **Develop partnerships with Shoreline Community College, Shoreline School District and other local agencies.** Vice Chair Hall agreed that it is important to have relationships with Shoreline Community College, Shoreline School District and other local agencies. The City is also blessed to have a very important and good partnership with their fire district. He stressed the importance of continuing to build on partnerships with both adjacent jurisdictions and other agencies.
14. **Create a business environment that supports small and local businesses.**
15. **Support transit-oriented development, most notably in the areas surrounding the future light rail stations.** Commissioner Wagner noted that the term “transit-oriented development” can mean different things to different people. She suggested the wording of this theme neglects some of the other goals that were discussed related to walkability, pedestrian access, bicycle access, etc. The current wording could imply mass transit and car, which is not necessarily what was intended. Mr. Cohn explained that the term “transit-oriented development” means certain things to planners, and includes pedestrian oriented options. Vice Chair Hall expressed his belief that the community would buy into the vision better and appreciate and live it more if they avoid using planning terms. Commissioner Broili pointed out that the 9th, 10th and 15th themes could be integrated into one item. The remainder of the Commission concurred.

In addition to the 15 draft themes, the Commission discussed the following concepts:

- **Good relationship with neighboring cities and the region.** Commissioner Wagner suggested it is important for the City to think about how they interact with and impact other jurisdictions. She suggested that this theme could also consider the City's relationship with other agencies such as Sound Transit.
- **Cultural diversity.** Commissioner Pyle pointed out that many different languages are spoken in the schools, and the City should embrace this diversity and consider it a resource. The remainder of the Commission concurred that this should be added as a theme.
- **Establish a metrics system for monitoring successes in meeting the community vision.** Commissioner Pyle referred to the email that was received from Shoreline resident, Bill Bear, (page 37 of the Staff Report) regarding the need to have a balance of measurable indicators between social, natural and human environment and the built and economic environment. He noted that generally speaking, the Comprehensive Plan talks about all the great things they want to have in the community, but there is no method for measuring the City's success in this regard. He suggested it would be reasonable to establish metrics monitoring successes in meeting the community Vision. Mr. Levitan said it would be possible to incorporate metrics indicators, especially considering that the Sustainability Strategy would be incorporated into the Vision Statement. Indicators for housing and economic development could also be drawn from the other two respective strategies or be developed as part of the Visioning process or at a later stage. Commissioner Pyle noted that specific indicators need not necessarily be added, but suggested that the Vision Statement should encourage the use of metrics and indicators to measure progress towards the City's Vision. He suggested that, over time, this system should be built into the Development Code to indicate if the City is succeeding.

Vice Chair Hall pointed out that other jurisdictions in the region do use indicators and measures, including for Comprehensive Plan performance. For example, the City of Redmond has an award winning program. However, this concept is something that is well understood by planners, but not all that meaningful to the community. He agreed it is important to recognize the value of measuring things, but he suggested that, at this time, the Commission should continue to focus on what it is they want to achieve. Commissioner Piro agreed that monitoring is another part of the process, but should not be identified as a specific theme. The majority of the Commission agreed this concept would be better addressed as part of the implementation plan.

- **Attempt to divine all resources from within a 50 to 100-mile radius.** Commissioner Broili said that 20 years from now, he would like all of the City's resources to be locally grown and provided. Commissioner Piro summarized that Commissioner Broili's intent is that the City take advantage of food production opportunities from within the region, which could be considered an inspirational goal.
- **Make the Vision Statement more inspirational.** Commissioner Perkowski pointed out that while the list of themes offer a good, solid summary of the public comments, none of them are really inspirational. He suggested the themes be redrafted to identify specific goals, such as reducing

impervious surface area to a certain percentage by a specific time or having the best schools in Puget Sound. He suggested this concept could be tied in with the idea of measuring success. Vice Chair Hall agreed that the Vision Statement should be inspirational. He invited the Commissioners to put together their thoughts and ideas for specific Vision Statement language, which could be shared with the City Council on January 29th.

Mr. Cohn announced that the joint meeting on January 29th is scheduled to take place from 4:00 to 9:00 p.m., and dinner would be served. He advised that the City Council would have an opportunity to speak first at the meeting, and then the Commission and City Council would have a facilitated discussion. He expressed his belief that the discussion would center around getting ideas on the table, but probably not wordsmithing. Staff anticipates that at the end of the meeting the City Council would provide direction to the Planning Commission to prepare a draft document using the ideas and concepts identified at the joint meeting. The Commission would spend their February meetings in workshop discussions related to this topic.

Vice Chair Hall encouraged the Commissioners to keep in mind that 16 people would be participating in the facilitated discussion on January 29th. He encouraged the Commissioners to carefully focus their comments so that the time could be efficiently utilized.

Vice Chair Hall noted the presence of Councilmember Eggen, and invited him to comment before the Commission. Councilmember Eggen expressed his belief that the Commission has done a good job creating a draft vision statement document, and he looks forward to the joint discussion on January 29th. He suggested it would be useful for the City Council to receive the same counsel regarding discipline during the meeting and not spending too much time wordsmithing at this early stage of the process.

PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this part of the meeting.

DIRECTOR'S REPORT

Mr. Cohn reminded the Commission that their January 29th meeting would be a workshop with the City Council. On February 2nd, staff would go before the City Council to talk about scoping for the Regional Business study. They would approach the City Council on February 9th, to discuss scoping for the Tree Regulations. At their February 23rd meeting, the City Council would likely spend time talking about the Vision Statement and Framework Goals, and staff suggests that at least some Planning Commissioners attend the meeting to address the Council. This meeting would be in preparation of the March 2nd Town Hall Meeting.

Mr. Cohn reminded the Commission of the Open Meetings and Public Records Acts and how they apply to the Commission's process for communicating with each other via email. He said the City Attorney has advised that it would be appropriate for citizens to send emails to Commissioners outside of the regular meetings. However, new email addresses have been created for each Commissioner, which is their first initial, full last name, and then @shorelinewa.gov. Ms. Simulcik Smith advised that the new

system would allow the public to email the Commission using one email address; and each Commissioner, as well as the staff, would receive a copy of the email. Commissioners no longer have to use their private email accounts for City business, and all emails sent using the new City email will automatically be saved for public disclosure requests. In addition, she noted that staff would forward all information related to Planning Commission business to the Commissioners' City email accounts instead of their private accounts.

Commissioner Broili said he likes the new email approach since it would allow Commissioners to keep their personal emails out of the realm of public disclosure requests. Mr. Cohn said the new system should solve the problem, assuming that people send their emails to the new addresses. Ms. Simulcik Smith said she has never given out private email addresses for Commissioners, and the City would continue this process. Only the new City address would be offered to the public. Vice Chair Hall suggested that when Commissioners receive email from citizens on their personal accounts, they should notify them of the new system and forward a copy of the email to their City email account. He said it is important that citizens have a clear understanding that all emails to public officials become part of the public record. He summarized that the public would need some training to learn to use the new email addresses.

Mr. Cohn reported that the City Attorney has advised that the Open Meetings Act prohibits e-meetings, which take place amongst Commissioners via emails. He explained that Commissioners are welcome to forward their thoughts to Commissioners, but other Commissioners would not be able to forward a reply related to those thoughts. In other words, it would not be legal to have email conversations back and forth amongst the Commissioners regarding a particular topic.

Mr. Cohn recalled that, upon occasion, the Commission has formed subcommittees to meet and discuss a particular topic and prepare a recommendation for the Commission to consider. Mr. Cohn referred to the City Attorney's March 5th memorandum, which provides his legal opinion on the matter. The City Attorney has advised that subcommittee meeting are a violation of the Open Meetings Act unless the meeting dates and places are published in the newspaper. Vice Chair Hall questioned why in the memo the word "action" (for the purposes of a quorum) is being interpreted differently than for the Open Meetings Act. If three Commissioners get together to discuss a topic, they would not be taking action (as the term "act" is defined for the Planning Commission) without a quorum present. Mr. Cohn agreed to seek additional definition from the City Attorney about the Design Review Subcommittee's ability to meet and talk about their scope of work. The effort would not result in an action since the subcommittee would bring their findings back to the Commission as a whole for a final decision.

Vice Chair Hall expressed his belief that as long as a subcommittee's purpose is to present their findings to the full Commission, their efforts should not be construed as "taking action." He expressed concern about a citizen's ability to interpret a discussion between two Commissioners as a public meeting. This could have a chilling affect on the Commission's ability to chat amongst each other. Again, Mr. Cohn agreed to obtain additional clarification from the City Attorney. Commissioner Pyle expressed concern that this requirement could impact progress in a community with regards to trying to come to a consensus. There is only a limited amount of time to talk at meetings, and it is sometimes difficult to flush out all of the issues without having the ability to meet in small groups. Vice Chair Hall said he is

not aware of any other governmental body that interprets the Open Meetings Act in this way. All the jurisdictions he deals with believe that two members of a body can get together and talk about business because they cannot take action until they bring it back to the entire Commission. Commissioner Piro said his experience has been the same.

Vice Chair Hall encouraged staff to consider looking at how other jurisdictions interpret the law and then have another conversation with the City Attorney about what is and is not allowed by the law. Commissioner Behrens pointed out that the Municipal Research and Services Center (MSRC) site provides a 20-page, down loadable pamphlet regarding the Open Meetings Act. This document was published in 2007 and concisely covers a lot of information. He agreed with Vice Chair Hall that the tendency is to interpret the law to be much more restrictive than it really is and to stretch it beyond its initial intent, which was to make sure the public had access to information. He agreed that the City Attorney's interpretation eliminates the ability for Commissioners to exchange information with each other. The Commission agreed that the City Attorney should review the pamphlet that is available on the MSRC site.

Commissioner Pyle said he knows there are several software packages used by jurisdictions on the East Coast that create an on-line blog environment that is open to the public. He suggested the City could purchase the software, post it to their website, and allow citizens access to a chat room where Commissioners are allowed to type in their thoughts. However, the members of the public would only be able to view the thoughts and not enter into the conversation. He suggested that if the Commission is bound by the City Attorney's current interpretation, this is another option that would allow them to have a conversation. Mr. Cohn said staff suggested this same concept when the Housing Committee was formed a few years ago, and the City Attorney advised that this type of activity would still violate the Open Meetings Act.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

No new business was scheduled on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

None of the Commissioners provided reports during this portion of the meeting.

AGENDA FOR NEXT MEETING

Again, Vice Chair Hall reminded the Commission of the Special Joint City Council/Planning Commission Meeting on January 29th. The next regular meeting is scheduled for February 5th.

ADJOURNMENT

The meeting was adjourned at 9:32 P.M.

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission