

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

April 2, 2009
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present

Chair Kuboi
Vice Chair Hall
Commissioner Broili
Commissioner Perkowski
Commissioner Pyle
Commissioner Wagner

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

Commissioners Absent

Commissioner Behrens
Commissioner Kaje
Commissioner Piro

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

Mr. Tovar provided reported on the following legislative items:

- House Bill 2006 would have moved back the mandate for updating comprehensive plans from 2011 to 2013. However, this bill did not make it out of the house, and 2011 is still the deadline.

- House Bill 1481 mandates that unless local jurisdictions adopt regulations dealing with the siting and configuration of improvements for electrical vehicle recharging facilities by July of 2010, they would be allowed anywhere. If this bill is passed into law, the issue would be added to the Commission's work program.

Mr. Tovar reported that staff forwarded a letter they received from Futurewise and the Transportation Choices Coalition dealing with light rail alignments. He suggested the Commission may want to discuss this letter with the City Council at their joint meeting.

APPROVAL OF MINUTES

The minutes of February 26, 2009, March 5, 2009 and March 19, 2009 were all accepted as presented.

GENERAL PUBLIC COMMENT

Sigrid Strom, Shoreline, reported that a few weeks ago climate scientists made another announcement that global warming is proceeding at an even faster rate than predicted, and this is not the first time they have moved the schedule up. She suggested the City is no longer in a position to avoid their changing priorities, and they cannot back away from the challenges. She encouraged the Commission to think in terms of green infrastructure, much the same way as they look at any other kind of municipal infrastructure for the City, and create a comprehensive plan to address the issue. They need to look closely at what it costs to remove trees, and balance that against the need for solar access for solar panels. She further suggested they provide more education to people. It's not impossible, and she urged the Commission to continue to move in that direction.

STAFF REPORTS

Development Code Amendment for High Schools

Mr. Tovar explained that the Shoreline School District is going through the preliminary schematic design process for Shorewood and Shorecrest High Schools. At Shorecrest, they are looking at a renovation of the physical plant, and Shorewood would be a completely new school. The School District and their architects have met a number of times with the public to take comment on their schematic alternatives. In early discussions with the City it became apparent that their desire for taller buildings would be constrained by the current zoning of the properties. He reminded the Commission that the building height in a single-family zone is 35 feet, and a new gymnasium would require up to 55 feet. A new theater with a fly space would require up to 70 feet. The proposed amendment would raise the maximum building height for high schools in these zones to 50 feet, gymnasiums to 55 feet, and fly space for theaters to 70 feet. Mr. Tovar explained that the existing theater at Shorecrest High School is about 68 feet high so 70 feet does not seem like too large a number, but it would be sufficient to accommodate the needs of the school. Mr. Tovar advised there are two other high schools in Shoreline that would be affected by the amendment: CRISTA and Shoreline Christian.

Mr. Tovar summarized that staff believes the proposed amendment is reasonable and consistent with the City's objective for sustainability to encourage a smaller and more vertical footprint for these sorts of institutions. For purposes of relative scale, he pointed out the new City Hall Building is 4 stories and

52-feet high, which is roughly the magnitude staff feels would be appropriate for maximum height of the gym, and the theater fly space would have to be as high as 70 feet. He explained that the purpose of the meeting was to review the proposed amendment with the Commission and provide background information. He invited Commissioners to make request for additional information and pose questions they would like staff to address prior to the hearing.

Commissioner Pyle asked Mr. Tovar to define the term “institutional structure.” Mr. Tovar said he used the term fairly generically. The high school is an institution, as is the City Hall Building. Commissioner Pyle said the proposed amendment would allow a structure to be located anywhere on the property assuming you could meet all the other zoning parameters (setback, lot coverage). He asked if the topography of the site would be a factor. Mr. Tovar pointed out that conditional use permits are required for high schools in residential zones, and this would give the City the authority to require that the taller buildings be in the best places given the existing uses and topography. He noted that three of the four alternatives for Shorewood High School place most of the building mass away from the single-family neighborhood and closer to the commercial zoning to the east, and the tallest portion of the project (theater fly wings) would be placed in the northeast corner, which is as far away from the single-family properties as possible.

Commissioner Pyle referenced Shoreline Christian High School in the Briarcrest Neighborhood. It happens to sit on top of a hill that is 30 feet higher than the road grade at Northeast 25th. If you considered 25 feet of grade separation in addition to a 70-foot building, the structures would dominate the landscape and change the appearance of the neighborhood from the neighbors’ perspective. If a large building is placed on top of a hill above a neighborhood of single-family homes, the impact would be significant. Mr. Tovar pointed out that the existing fly space at Shorecrest High School is 68 feet high, and they haven’t seen any proposals to enlarge or relocate this space. He said staff could provide additional information about Shoreline Christian High School prior to the Commission’s next meeting.

Commissioner Wagner pointed out that even if the amendment is adopted a conditional use permit would still be required, which would be subject to the Planning Director’s approval based on public input, impacts, and other adopted standards. Mr. Tovar explained that, currently, the only standard requirement is the conditional use permit, which is intended to create a process by which the City can make sure the use is in the appropriate location and configuration. It also enables the City to place conditions on the project approval.

Mr. Tovar explained that a master plan requires a more intensive process, with more requirements. Therefore, it would subsume whatever the Conditional Use Permit would allow them to do. The City would have more discretion with a master plan than with a Conditional Use Permit. The School District would present their proposed master plan for their two high school sites to the Planning Commission for a public hearing and recommendation to the City Council. Commissioner Wagner inquired if there would be some benefit to the City if the master plan requirement applied to middle schools and elementary schools, as well. Mr. Tovar said the immediate question was posed because two public high schools are going through a process of design and would go before the voters next spring for funding. Mr. Tovar reported that the City Attorney advises it would be more appropriate to include private as well as public high schools. He emphasized that the proposed amendments would deal only with high schools since it is probably unlikely they would see a request for a theater with a 70-foot high fly space at a junior high school.

Chair Kuboi pointed out that the Development Code categorizes both junior high and high schools as secondary schools. He questioned how the City would differentiate that the amendment only applies to high schools. Mr. Tovar said the proposed amendments are intended to apply to only high schools since these have traditionally been the facilities that have gymnasiums and theaters. Chair Kuboi expressed concern that a table in the Development Code inferred that secondary schools were different than high schools. Mr. Cohn said the footnote in the actual code language would specifically call out high schools. Mr. Tovar advised that the actual Development Code amendment text would be provided to the Commission at the public hearing.

Chair Kuboi clarified that the two public high schools have expressed a desire to build up to three stories, and they have heard comments that the benefit would be a smaller footprint. However, it is not clear that the tradeoff would be built into the process. Mr. Tovar said the School District has expressed a desire for a taller building that would suit their program needs better. Because developments with less footprint, impervious surface, and roof are more sustainable, the City wants to accommodate that concept. While it used to be popular to spread low buildings throughout the campus, the School District does not want to go that route this time and the City should not force them to have a sprawling school.

Vice Chair Hall recalled that when the issue was first brought to the attention of the Planning Commission they discussed that the proposed amendments would allow for more efficient use of land. In addition, he sees tremendous environmental benefits with less impervious surface that can be used as open space. The School District may need to increase their square footage to serve the students in the district, but no matter what square footage they need, a three-story building would provide the needed space using a smaller footprint. While they may not be able to capture the land for other purposes, there are advantages in having a smaller rooftop even if it's just more open space or athletic fields.

Mr. Tovar said a two or three-story structure for classrooms or offices would be more efficient to heat. The students earlier expressed concern that the campus is really spread out, and it is difficult to have a lot of social interaction. That is another reason why the School District has proposed that Shorewood High School be more than one-story tall. Chair Kuboi agreed that there are benefits of allowing taller buildings, but the staff report should talk more about the underlying benefits of the proposal. Mr. Tovar said staff would do a more thorough job at the public hearing to explain the rationale, reasoning and benefits they would expect.

Commissioner Pyle asked what controls staff envisions being in place to limit the size of the footprint. He also asked why it would be better to change the Development Code rather than rezone the property to fit what is already on the ground. Mr. Tovar agreed one option would be to create a whole new zone for school sites. However, the only existing zoning that allows school uses outright is the Regional Business zone. Some jurisdictions have institutional zones which require site development permits and master development plans; but given the nature of the use and what has been described so far, he suggested this type of requirement would be overkill.

Tree Regulations Background Information

Mr. Cohen said the purpose of his presentation is to provide an overview of the tree regulations. He advised that he would come back before the Commission at a future date to talk about the amendment concepts that were presented to the Commission in February. He would also talk to the Commission

about comparing the City's current tree regulations with other jurisdictions, including the tree code that was proposed by various citizens in the community. He advised that, eventually, staff would present draft code amendments and the Commission would conduct a public hearing in the summer. He noted that this is a complex topic, and staff anticipates a large outpouring of public comment.

Mr. Cohen distributed binders for each Commissioner to collect information regarding the tree regulations. He noted the binders include the staff report that was presented to both the City Council and the Planning Commission. He advised that the Growth Management Act provides strong principles for protecting the environment and property rights and retaining open space and habitat. One of the difficult tasks will be to figure out how to protect the environment while at the same time, protect property rights. He noted the Comprehensive Plan contains a lot of good policies to:

- Protect the natural environment
- Minimize impacts to vegetation
- Design site development in accordance with the natural environment
- Design developments that are compatible with the surrounding environment
- Protect, enhance, and restore habitat in balance with a property owners' right to develop.

Mr. Cohen reminded the Commission that the City Council recently adopted the Sustainability Strategy, which talks mostly about forest health, canopy health, and no net loss of canopy. He said it is also important to identify what other parts of the code would be impacted by the tree regulations. For example, the Critical Areas Ordinance says all trees and plants are preserved in critical areas and their buffers except invasive plants and hazardous trees. He noted that developing a definition for the term "hazardous trees" would be a big issue. There is also language in the tree code that refers to the critical areas, and the landscape code requires that new plantings in setbacks, sidewalks and parking areas should be suitable for the northwest (not necessarily native). It further states that preservation of existing vegetation can substitute for the landscaping requirement. It also requires native plant species in undisturbed critical areas or around preserved trees.

Mr. Cohen pointed out that the full title of the tree regulations found in the Development Code is "Tree Conservation, Land Clearing, and Site Grading Standards". The section mixes clearing and grading with tree preservation, but the Commission's goal should be to separate the clearing and grading standards from the tree preservation standards. He reviewed the sections that apply to trees as follows:

- **Section 20.50.290.** Items D, F, H, I, J, and L specifically talk about the protection of trees. Even though they don't have any code that says trees should be preserved to protect views or screen from certain views, Item D calls for preservation and enhancement of trees and vegetation which contribute to the visual quality and economic value of development in the City and provide continuity and screening between developments.
- **Section 20.50.300.** Item G specifically calls out that replacement of trees planted under the requirements of the subchapter shall be regulated as protected trees. Item H states that any disturbance to vegetation within critical areas and their corresponding buffers would be required to meet the critical areas code standards.

- **Section 20.50.310.** Items A.1.a through A.1.i were part of a 2006 code amendment related to hazardous trees. Staff is looking into some legal questions, particularly under Item A.1.c where it talks about imminent hazard or immediate threat to public health and safety. They need to have a better idea of exactly what that means. They must allow some room for emergency situations without requiring a long process to remove a tree when there is a dangerous situation. Item A.1.h talks about approval to cut hazardous trees that constitute an actual threat to life, property, homes, private yards, building, public and private streets, improved utility corridors, etc. when approved by an arborist. This section further defines when a tree can be considered hazardous. Staff anticipates situations will occur where trees might fall on one of these land uses, and staff should have a clear process for making a decision as to whether or not these trees are hazardous. Item B.1 allows for the removal of up to six significant trees and associated removal of understory vegetation from any property within a 36-month period. Item B.2 talks about landscape maintenance and alterations of property that involves the clearing of less than 3,000 square feet or less than 1,500 square feet in a critical drainage area. Clearing of less than these amounts is considered exempt from the regulations, and the Commission must decide if this exemption is reasonable.

Vice Chair Hall asked Mr. Cohen to clarify what type of areas would be considered “critical drainage areas.” Mr. Cohen explained that critical drainage areas would primarily be piped streams and associated wetlands. Vice Chair Hall asked if the Critical Areas Ordinance delineates critical drainage areas. Mr. Cohen said they are delineated, but not every stream in the City is classified. Usually, they require any development that has a stream to hire a biologist to provide the classification.

- **Section 20.50.330.** Item B allows the Director to require submittal of a professional evaluation or tree protection plan prepared by a certified arborist at the applicant’s expense. The Director can also ask for a third party review, which would be paid for by the applicant. While staff agrees they need an arborist to look at hazardous trees, they are still working to come up with a fair process to get the best result. Item D says trees that are designated for protection can be put in protective growth easements or tracts to provide added protection.
- **Section 20.50.350.** Item A states that no trees or ground cover can be removed from critical areas or buffers unless they are consistent with the critical areas standards. Item B outlines the minimum retention requirements, which the staff deals with on a day-to-day basis. When this code section is not properly understood, both the neighbors and developers have expectations they feel aren’t being met. Item B.1 requires a developer to preserve at least 20% of the significant trees on the site, excluding critical areas and critical area buffers or at least 30% of the significant trees on a given site, which may include critical areas and buffers. The Commission should review this section in order to understand the confusion. Item B.3 requires further preservation of retained trees following construction for a period of 36 months and shall be guaranteed through an approved maintenance agreement. The key question is what happens after three years. The current language would potentially allow the property owner to remove another six significant trees. The Commission should consider how they can make the intent more clear to enhance the forest canopy of the City.

Commissioner Broilli pointed out that a property owner could remove all of the replacement trees after three years because they wouldn’t be considered significant. Mr. Cohen agreed that the current language protects the replacement trees for only three years. Trees that are not considered significant

after three years could be cleared without notification to the City. He said the existing code has a lot of good ideas, and the goal is to make it work better so they can gain ground in regard to tree retention.

Vice Chair Hall noted that for a predevelopment site with 30 significant trees, a 20% requirement would result in the retention of 6 trees. The replacement standard would require a developer to plant 48 small trees. All six of the remaining significant trees and all of the new trees could be cut down after three years. While this is an extreme example, he suggested it would be helpful to provide graphic examples of the various extremes. Mr. Cohen agreed and pointed out that they could begin with 36 trees and remove six prior to development. He said that because trees are a changing resource, they are very difficult to track.

Commissioner Pyle pointed out that Section 20.50.310.G states that replacement trees planted under the requirements of the subsection on any parcel in the City of Shoreline shall be regulated as protected trees under SMC 20.50.330.D, which requires that they be protected for the life of the tree.

- **Section 20.50.350.B.** Item 1 authorizes the Director to allow a reduction in the minimum significant tree retention percentage to facilitate preservation of a greater number of smaller trees, a cluster or grove of trees, contiguous perimeter buffers, distinctive skyline features, etc. This means that pure numbers may not give the best result. The Director would have the discretion to decide if it is better to preserve 100 smaller trees than four larger trees.
- **Section 20.50.350.C.** This section authorizes the Director to grant reductions or adjustments to other site development standards if the protection levels identified in Section B are exceeded. This can be done by reduction or variation of the area, width or composition of the required open space and/or landscaping; variation in parking lot design or access driveway requirements; variation in building setback requirements; and variation of grading and stormwater requirements. The City must give people a reasonable ability to develop property, but the Director should promote opportunities to save more trees by being somewhat flexible about the site development standards.
- **Section 20.50.350.D.** Item 2 requires that site improvements be designed to give priority to protection of trees based on certain characteristics. The bulleted list describes the different qualities that trees and tree stands can have. However, if a site were required to meet all of the qualities, many would be unable to develop. The Commission must decide if this is a reasonable list to work from and if all of the items on the list must be satisfied.
- **Section 20.50.350.E.** This section allows cutting and pruning of protected trees. However, pruning does not mean topping a tree. In staff's mind, topping a tree is the same as removing it. The City's current policy allows people to remove up to 25% of a canopy to thin and open it up but not damage the tree.
- **Section 20.50.360.C.** This section allows a property owner to remove up to six significant trees and associated vegetation per parcel with no replacement of trees required. Any significant tree proposed for removal beyond this limit would have to be replaced at the ratios identified in the section. The maximum replacement requirement would be three trees for every significant tree. Staff has found that in many situations, so many trees have to be removed that there is not enough room on the site for

all of the replacement trees. However, Item C.2 authorizes the Director to allow a reduction in the minimum replacement trees required or off-site planting of replacement trees if they can meet certain criteria. Staff will review this provision to see if it is workable. Perhaps they could add a provision that would give people an option to plant the trees off site somewhere else in the City.

- **Section 20.50.360.K.** Item 2 requires a maintenance bond after the installation of required site improvements and prior to the issuance of a certificate of occupancy or finalization of permit following landscape installation or tree replacement. The bond shall be for an amount not to exceed the estimated cost of maintenance and protection measures for a minimum of 36 months or as determined by the Director. Staff would research to find out if Section 20.50.310.G would protect replacement trees for the initial 36-month period.
- **Section 20.50.370.** Staff has found the tree protection standards in this section work well, and they do not have any recommendations to alter them. He noted that these standards pertain to tree protection during construction.

Mr. Cohen said he provided the Commission with sections from the Landscape Code, which block out those sections that talk about trees. He also provided the Critical Areas Ordinance and particularly identified Section 20.80.030H, which talks about the removal of hazardous trees in accordance to the tree code. Section 20.80.045 describes the Ordinance's relationship to other regulations. He noted that Section 20.20.048 provides numerous definitions related to trees. He also informed the Commission that he attached letters that were received from the community regarding the tree regulations.

Commissioner Wagner thanked Mr. Cohen for providing a great overview of the current tree regulations. She noted that there is still not a definition for the terms "protected tree" and "critical drainage areas." In addition, the definitions are not necessarily inclusive of all the terms contained in the regulations. She suggested staff keep a running list of terms that need to be defined so the definitions can be standardized and the intent of each term can be made clear. Mr. Cohen said the tree regulations refer to "sensitive areas", but the correct term is "critical areas."

Commissioner Wagner asked if staff has any statistics for how many permits they receive each year for significant tree removal above and beyond six. She cautioned that they don't want to create a process that is too burdensome so they end up with a bunch of people in violation of the code. Mr. Cohen agreed to provide a report regarding the number of permit applications the City receives each year for hazardous tree removal, significant tree removal, and tree removal as part of development review. Staff could also provide data about how many enforcement calls they receive each year regarding trees.

Vice Chair Hall asked staff to identify the meeting dates at which the City Council and Planning Commission previously discussed tree regulations so that Commissioners and members of the public could download the applicable minutes from the City's website. Mr. Cohen said the City's website would be updated to provide information regarding the topic of tree regulations. The site would include the Planning Commission's schedule, comment letters, and a list of dates where the issue was discussed previously by the Commission and City Council.

Commissioner Perkowski referred to Sections 20.50.360.2.H and 20.50.360.2.I, which provide a lot of discretion as far as replacement of illegally removed trees. He asked staff to provide examples of what

would be required if certain significant trees were removed. He also asked staff to provide additional information to describe the penalties that would be imposed when significant trees are illegally removed.

Commissioner Pyle asked if the binder provided by staff includes the proposal that was submitted by the Innis Arden Club. He noted that the Citizens Tree Preservation Code Proposal was provided, but there was another proposal previously presented by Mr. Hollenrake that he didn't see in the binder. The Commission agreed this proposal should be part of the binder. Ms. Simulcik Smith pointed out that it was handed out to the Commission at its February 26th meeting and staff would make sure they got a copy for their binders.

PUBLIC COMMENT

Barbara Guthrie, Shoreline, thanked the Planning Department staff for their thoughtful review and suggestions for revamping Shoreline's tree code. It's going to be a difficult process, and she wants to make sure that the City's logo (a nice stand of conifers) is still relevant in the future. She suggested they need to develop and put in place a comprehensive tree code and some of the items that need to be included are:

- Establish a City goal to create and implement an urban forestry management plan.
- Create a separate chapter for the tree code to help with understanding and compliance for homeowners and builders alike.
- Establish a City policy goal of an overall healthy tree canopy of not less than 40% citywide.
- Amend the definition of a significant tree to be that of a tree six inches in diameter, and then require a permit to cut down any significant tree.
- Require that every significant tree that is cut be replaced according to an established system such as tree units.
- Establish stronger enforcement measures.

Ms. Guthrie suggested that because not all homeowners clearly understand the codes, the City should require tree service companies to be registered with the City in order to conduct business within the City limits. That way they would be aware of the City's tree ordinance and permit requirements. She also suggested that increasing public awareness about the value of trees in the urban environment would be an important component of compliance. She summarized that if the City is serious about doing something about the loss of their tree canopy, they need to develop a robust tree ordinance that will protect and enhance the tree canopy, require permits for tracking purposes, and require replacement of significant trees so we will have a no net loss of tree canopy.

Nancy Rust, Shoreline, said she is the chair of a committee that developed proposed changes to the City's tree ordinance. She is discouraged that staff did not forward their proposal to the Commission, and she reminded staff that the City Council directed them to send the proposal to the Planning Commission for their discussion and review. Mr. Cohen explained that the tree code proposal put forward by Ms. Rust's committee was part of the packet of information provided to the Commission for their February 26th meeting. He explained that staff would prepare a comparison of tree ordinances from different jurisdictions, and the proposal put forth by Ms. Rust's group would be part of that comparison.

Ms. Rust asked if the Commissioners receive public comment letters as soon as they are received by the City. Chair Kuboi answered that staff forwards public comments to the Commissioners as soon as they are received, and they have seen her committee's proposal. Ms. Rust summarized that the committee attempted to provide ideas for solving some of the problems associated with the City's current tree regulations. For example, the definition of a "significant tree" needs to be changed. She expressed her belief that property owners should be required to replace all significant trees so there is no net loss. She noted that Lake Forest Park requires permits for tree removal so they have a record of what trees have been removed. They also require property owners to replace all trees that are removed. She suggested the permit for removing one or two trees could be simple and not require a professional.

Ms. Rust said the committee is also recommending that a unit system be used for minimum retention standards. This would give a value to the trees depending on their diameter. It would be a way to encourage keeping mature trees rather than just counting them. She noted that while Bainbridge Island has an even more complicated system that is different for coniferous and deciduous trees, most jurisdictions treat all trees the same. She pointed out that some native trees do not reach the size that would classify them as "significant" based on the City's current tree regulation. She said she would also like the City to have stronger enforcement for their tree regulations. Perhaps they could make the bond period five years, which would be similar to other cities. She asked that the Commission consider their proposals and include their ideas in their final recommendation to the City Council.

Christine Southwood, Shoreline, said she moved to Shoreline in November of 2001 because she loves all trees and their associated wildlife. Since that time there have been a number of significant trees cut down with no replacement. In addition, there have been a number of smaller sized trees cut down so the overall impact is even greater. She provided two examples of beautiful significant trees that were cut down by new owners. One property owner removed an 80-foot Pine and a 50-foot Mountain Ash. Purple Finches and Cedar Waxwings used the Mountain Ash and a lot of birds of many species used the tall pine, including several Band-Tailed pigeons. Another property owner cut down a 70 to 80-foot pine tree and an 80-foot Lombardy Poplar, in addition to all of the smaller evergreens in the backyard. Now when it rains, the runoff goes right into the street gutters and creek. Before that, the trees caught most of the rain that made it through their branches to the ground. The pine tree was another habitat for the Band-Tailed Pigeons, and the Lombardy Poplar was often used by raccoons and finches.

Ms. Southwood suggested that if trees need to be cut down because of disease and/or incompatibility with power lines, sewer lines, or in some cases roofs, snags need to be left and new trees planted on the property to replace the carbon dioxide absorbing properties and stormwater retention that was lost when the significant trees were eliminated. She suggested that the tree regulations should also include a definition for "snag," and she provided a sample definition from the National Wildlife Foundation. She explained how snags can provide an important habitat for wildlife.

Ms. Southwood pointed out that as recent as two weeks ago, the City removed a large dead pine tree. It was cut to the ground and no snag was created. She expressed disappointment that an opportunity was missed. She noted there are a lot of snags in the Briarcrest area, and this year there have been a lot of new holes made. This is evidence that the birds are using the snags for nesting because trees are being eliminated. She said she does not want Shoreline to turn into another Ballard where all the tall trees are gone. She used to be able to see significant trees all around her property, but now there are two holes

where they have been removed. Removal of significant trees changes the feel of Shoreline. She emphasized the importance of educating people, perhaps via a flier in their garbage bills. She summarized the need to create snags, replace trees, and control the removal of trees.

PREPARE FOR JOINT MEETING WITH CITY COUNCIL

Mr. Cohn reminded the Commission that a joint City Council/Planning Commission meeting has been scheduled for April 13th at 6:00 p.m. He referred to a list of agenda topics identified by staff for possible discussion at the joint meeting and invited the Commission to share their ideas for possible agenda topics.

Vice Chair Hall felt that in addition to talking about the next steps for implementing the Vision, it would also be helpful to discuss how the Vision would flow into the future update of the Comprehensive Plan and Development Code. He said it is important for the City Council, Planning Commission and public to all have a clear understanding of how the Vision would move forward over the next few years.

Vice Chair Hall recalled Mr. Tovar's recent discussion about the potential for considering the light rail alignment on Aurora Avenue instead of along Interstate 5 and suggested this should be a topic of discussion. While they cannot make any decisions at this time, it will be a very important discussion for the community. He suggested it would be important to have an early discussion with the City Council, perhaps framed around their hopes and fears for light rail.

Vice Chair Hall said whatever changes are eventually adopted for the high school sites, the proposed amendments represent an exceptional example of the City being responsive to a very important constituent group. The speed at which staff responded to bring a code amendment proposal to the Commission represents a positive story to share with the City Council as they discuss the tradeoffs between trying to move quickly and taking their time to review proposals and changes.

Commissioner Broili asked staff to clarify what was meant by the statement "one size doesn't fit all parcels," as it relates to RB zones. Mr. Cohn pointed out that, at this time, RB zoning is located all along Aurora Avenue North. Staff previously discussed the idea of providing a map that shows more intensive development in a few locations along Aurora and perhaps less in other locations. In addition, he recalled that Mr. Tovar previously suggested the concept of dividing Aurora Avenue into seven discreet segments. He suggested that rather than having a "one size fits all" RB zoning ordinance, there is probably good reason to distinguish some of the RB areas as being appropriate for more intense development.

Commissioner Wagner recalled the significant amount of time the Commission spent looking at different areas of the City and considering different approaches for dealing with RB and other special zones. She suggested it would be valuable to develop a consistent process for addressing all of the RB and other specially zoned areas in the City and create a priority list for the order in which each area would be considered.

Commissioner Perkowski suggested that as the Commission and City Council discuss implementation of the Vision, they could start by reviewing the framework goals and identifying action steps and information needs for each one. Commissioner Wagner voiced concern about reviewing each of the

framework goals at the joint meeting since time would be limited. Commissioner Perkowski suggested that perhaps the discussion could be limited to just a few of the framework goals in order to be more efficient. Commissioner Broili suggested it might be more rewarding to go through the Vision Statement, itself, to identify the thinking behind the language. Mr. Cohn advised that while the Commission's final draft of the Vision Statement and framework goals have been posted on the City's website, the documents have not been specifically forwarded to the Council.

Vice Chair Hall pointed out that the City Council would conduct a public hearing on the Vision Statement and framework goals after the joint meeting on April 13th. Therefore, it would be beneficial to spend time at the joint meeting talking about the documents and describing how the Commission came up with the proposed language. He suggested that through the course of this conversation, each of the Commissioners would have opportunities to fold in some of the other issues of concern, without actually structuring the agenda that way. The staff and Commission concurred.

Commissioner Pyle pointed out that property taxes in Shoreline are quite a bit higher than many other jurisdictions that have a retail tax base to draw on. Vice Chair Hall suggested it would be valuable to review the Long-Range Financial Planning Committee's findings before they go into a discussion about improving the City's retail tax base. He cautioned that it is important to understand that most of the property taxes collected from residents of Shoreline do not go directly to the City. Most of the money goes towards the Fire District, School District, etc. Commissioner Pyle pointed out that property taxes are used to fund City operations, whether it is via the School District, Fire Department, etc. Many other jurisdictions receive more retail tax revenue to help augment these operating costs. Mr. Cohn pointed out that at least two of the framework goals talk about economic development in one form or another.

Chair Kuboi suggested the Commission identify the specific items they want to discuss at the joint meeting so the discussion does not stray into other less important issues. If the focus of the meeting is to provide background information to the City Council prior to their hearing, then a lot of the discussion should be guided by what they need to know. He suggested the Commission communicate to the City Council that they have a role to play in identifying what areas they want to know more information about. Mr. Cohn agreed to forward this request to the City Council. Each Commissioner was invited to choose a framework goal that is particularly important to them and prepare to share their comments regarding that goal at the joint meeting.

NEW BUSINESS

Election of Chair and Vice Chair

Ms. Simulcik Smith reminded the Commission that their Bylaws require them to elect a Chair and Vice Chair at their first regular public meeting in April. She opened the floor for nominations for Chair of the Planning Commission.

COMMISSIONER KUBOI NOMINATED COMMISSIONER HALL AS CHAIR OF THE PLANNING COMMISSION. THERE WERE NO OTHER NOMINATIONS SO NOMINATIONS WERE CLOSED. THE VOTE WAS UNANIMOUS IN SUPPORT OF COMMISSIONER HALL AS CHAIR.

Chair Hall thanked Commissioner Kuboi for his service as chair of the Planning Commission for the past year. He opened the floor for nominations for Vice-Chair of the Planning Commission.

COMMISSIONER BROILI NOMINATED COMMISSIONER WAGNER AS VICE CHAIR OF THE PLANNING COMMISSION. THERE WERE NO OTHER NOMINATIONS, SO NOMINATIONS WERE CLOSED. THE VOTE WAS UNANIMOUS IN SUPPORT OF COMMISSIONER WAGNER AS VICE CHAIR.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Pyle reported that because of time constraints, he recently resigned his role in the Southeast Neighborhoods Subarea Plan Citizen Advisory Committee. He reported that the group is moving along well, and they are starting to put some thoughts together. Mr. Cohn suggested the Commission appoint another liaison to attend the advisory committee meetings. He reminded the Commission that, at some point in the future, they would be asked to respond to the advisory committee's final report and participate in the process of adopting a subarea plan. Chair Hall suggested this item be placed on the next meeting agenda as "Old Business."

Chair Hall reminded the Commission that the Federal Government has passed the American Recovery and Reinvestment Act. He encouraged the Commissioners to share their ideas with the appropriate City staff for how Shoreline might benefit from any of these funding sources. He noted there is a lot of money available to local governments for alternative energy projects. He announced that he would attend a Puget Sound Regional Council coordination meeting on April 3rd to discuss this issue, and he is hoping to bring back ideas for what Shoreline can do to take advantage of this funding.

AGENDA FOR NEXT MEETING

Chair Hall reviewed that the agenda for April 16th includes public hearings on the proposed Development Code Amendment related to high school building heights and the proposed Point Wells Comprehensive Plan amendment. Because he would continue to recuse himself from deliberations related to Point Wells because he is an employee of Snohomish County, Vice Chair Wagner would chair the hearing.

The Commission discussed whether or not it would be necessary to conduct a meeting on July 9th. Because of the Commission's full agenda for 2009, Chair Hall suggested the meeting remain on the extended agenda, recognizing that it could be cancelled at a later date.

ADJOURNMENT

The meeting was adjourned at 9:00 P.M.

Sid Kuboi
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission