

**DRAFT**  
**CITY OF SHORELINE**

**SHORELINE PLANNING COMMISSION**  
**MINUTES OF REGULAR MEETING**  
*(Via Zoom)*

February 4, 2021  
7:00 P.M.

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**Commissioners Present**

Chair Mork  
Vice Chair Malek  
Commissioner Callahan  
Commissioner Lin  
Commissioner Rwamashongye  
Commissioner Sager

**Commissioners Absent**

Commissioner Galuska

**Staff Present**

Rachael Markle, Planning Director  
Nora Gierloff, Planning Manager  
Steve Szafran, Senior Planner  
Carla Hoekzema, Planning Commission Clerk

**Guest Present**

Kirsten Larsen, Senior Planner, Growth Management  
Services, Washington State Department of Commerce

**CALL TO ORDER**

Chair Mork 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 Mork, Vice Chair Malek, and Commissioners Callahan, Lin, Rwamashongye and Sager. Commissioner Galuska was absent with notice.

**APPROVAL OF AGENDA**

The agenda was accepted as presented.

**APPROVAL OF MINUTES**

The minutes of January 21, 2021 were accepted as presented.

**GENERAL PUBLIC COMMENT**

There were no general public comments.

**STUDY ITEM: WASHINGTON STATE DEPARTMENT OF COMMERCE GROWTH MANAGEMENT ACT (GMA) BRIEFING**

**Kirsten Larsen, Senior Planner, Washington State Department of Commerce**, explained that the Department of Commerce works with local governments, providing technical assistance, as well as advising on transportation policies. Their core mission is to strengthen Washington communities. It operates a multitude of programs aimed at helping communities reach their potential in all areas that are important to them.

Ms. Larsen advised that her presentation is part of a Short Course on Local Planning, and the entire course is available on their website, with a very concise video guide. The website also provides links to a full-length guide book and Open Public Meetings Training. She also encouraged Board Members to check out the Municipal Research and Services Center (MRSC) Website, which provides resources on a wide-range of topics for local governments that are easily accessible.

Ms. Larsen shared a list of reasons why it is important to plan. She observed that planning results in more effective and efficient outcomes. The public expects fairness and transparency, and the GMA establishes a framework for planning that provides a public decision-making process and offers predictability to the public that, once decisions are made, development will be reviewed consistent with those decisions.

Ms. Larsen advised that, according to data provided by the Office of Financial Management, Washington State's population grew from 4.1 million to 6.7 million in the 20-year period between 1990 and 2010. The state is expected to exceed 9 million by 2040. With its natural beauty, recreational opportunities and other desirable attributes, the state will continue to grow. They must plan to maintain quality of life while accommodating that growth.

Ms. Larsen reviewed that the legislature adopted the GMA in 1990 in response to concerns that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in conservation and wise use of lands, posed a threat to the environment, sustainable economic development and the health, safety and high quality of life that is enjoyed by the residents of the state. The GMA provides a statewide planning framework that addresses these concerns and requires local planning that is guided by state law and is regionally enforced.

Ms. Larsen advised that only the state's largest counties and cities are required to fully plan under GMA. This includes those in the Central Puget Sound region. Counties and cities fully planning under GMA are required to meet all of the acts, goals and requirements. This means they must agree on countywide planning policies and develop detailed comprehensive plans. She provided a map of the 39 counties in the state, noting that 18 are required to fully plan under GMA and 10 others chose to do so because they saw the value in the planning framework. The 11 smallest and slowest growing counties and cities only need to plan for resource lands and critical areas.

Ms. Larsen very briefly shared the GMA's 14 goals to guide the development and adoption of comprehensive plans and development regulations and emphasized that all of the goals should be looked at to compliment and reinforce each another.

Ms. Larsen said the first thing counties had to do when GMA was passed was designate and conserve natural resource lands and designate and protect environmentally critical areas. Natural resource lands of long-term commercial significance are designated and conserved based on specific criteria that looks at parcel size, soil and proximity to markets. All counties and cities are required to designate and protect environmental critical areas against risk to human life and investment and to protect the important functions and values that are provided by wetlands, critical aquifer recharge areas and fish and wildlife habitat. Local governments must use the best available science (BAS) and adopt regulations to protect functions and values of the five critical areas. Counties and cities may use information that local, state or federal natural resource agencies have determined represent BAS or scientific information can be produced through a valid process. She noted that Washington Administrative Code (WAC) 365-195-900 through 925 provides guidelines related to BAS.

Ms. Larsen explained that science is used to identify land that is prone to flooding and steep slopes that may be vulnerable to landslides. These measures protect humans from harm and are more important as weather patterns and landscapes change with the impacts of climate change. Critical aquifer recharge areas are particularly porous areas that fill underwater resources for drinking water and must be protected from uses that may introduce hazardous substances to ground water. Areas adjacent to well heads with a direct link to underground water must also be protected from impervious surfaces that may limit ground water recharge. She said science is also applied to determine the type of buffers that are needed between development and sensitive areas that provide important and often irreplaceable biological services.

Ms. Larsen shared a graphic provided by King County to illustrate how the GMA is implemented through the various levels of planning, noting that the GMA requires the adoption of multi-county planning policies for the central Puget Sound Region. These policies provide for coordination and consistency among the metropolitan counties that share common borders and related regional issues. The Puget Sound Regional Council (PSRC) is the regional planning authority for the Puget Sound, and its members include King, Kitsap, Pierce and Snohomish Counties. She advised that the PSRC adopted Vision 2050 in October of 2020. In addition to studying the multi-county planning policies, it includes actions and regional growth strategies to guide how and where the region grows through 2050. It informs updates to the Regional Transportation Plan and Regional Economic Strategy and sets the stage for updates to the countywide planning policies and local comprehensive plans done by the cities and counties. The multi-county planning policies of Vision 2050 are guided by the following: provide opportunities for all, increase housing choices and affordability, sustain a strong economy, significantly reduce greenhouse gas emissions, keep the region moving, restore health of Puget Sound, protect a network of open space, and grow in centers and near transit.

Ms. Larsen explained that the countywide planning policies help ensure that plans within the county are consistent with one another and that they work together to manage growth. The policies may include a means to allocate the Office of Financial Management's forecast 20-year countywide population targets for incorporation into each city's comprehensive plan. Some counties have chosen to also allocate employment targets using the 20-year employment projections. The policies can also be a mechanism for a county to designate urban growth areas (UGAs). UGAs are drawn by counties and cities to accommodate growth in a collaborative process using a land-capacity analysis.

Ms. Larsen advised that policies that address the siting of public facilities of a countywide or statewide nature may include policies that address the need for affordable housing and other locally-important regional issues. The policies should be supported by financially-realistic plans to provide adequate public facilities. She noted that King County is in the process of updating its Countywide Planning Policies and expects to adopt them by the end of 2021 in advance of the 2024 periodic update of local comprehensive plans to reflect a number of changes to the regional policy framework. She pointed out that changes to the vision and framework chapters set the context for the topic-specific chapters and reflect the guiding principles, which include: establish focus scope for review based on the 2012 baseline; consistent with the local annual comprehensive plan amendment review process and the scope of Vision 2050; center on social equity and health; ensure that comprehensive plans enable equitable health and quality of life outcomes for all; integrate regional policy and legislative changes that have occurred since 2012; provide clear actionable direction for comprehensive plans through specific policies; and implement a regional growth strategy with 2044 growth targets that quantify land use, infrastructure and other needs to be addressed in the periodic comprehensive plan updates.

Ms. Larsen explained the county receives a population growth projection from the Office of Financial Management, and a generally-cooperative countywide process allocates population growth to cities and unincorporated urban and rural areas. The PSRC has provided guidance for the Puget Sound Region based on regional geography, allocating larger populations to cities and centers. Cities decide how to plan for the allocated growth. Several counties are subject to the Buildable Lands Program, which requires jurisdictions to measure growth and compare actual development to planned densities within specific time periods. The program looks back to determine whether a county and its cities are achieving urban densities within UGAs as planned and looks forward by asking if there is sufficient capacity for residential and employment growth for the next 20 years. If there is not, the city must identify reasonable measures, other than adjusting the UGA boundary, to correct inconsistencies between actual and planned growth. The next Buildable Lands Report is due in June of 2021.

Ms. Larsen explained that there are five required elements of a GMA Comprehensive Plan for cities. The GMA and WAC 365-196 provide specific direction on the elements that must be included. The Land Use Element provides a layout for the community's future growth, and the Transportation, Housing, Utilities and Capital Facilities Elements all must include an inventory of what is existing and identify what is needed now and in the future to accommodate growth. Only counties are required to include a Rural Element.

Ms. Larsen emphasized that comprehensive plans must be both externally and internally consistent. Plans must also be consistent with multi-county planning policies and countywide planning policies and should be coordinated with plans of adjacent cities and counties. All elements must be based on the same future land use plan map and population projections. Each jurisdiction's development regulations, planning activities and capital budget decisions must be consistent with and implement the plan.

Ms. Larsen reviewed that elected officials (city councils) are the legislative body of a city and have the authority to adopt plans and regulations. Elected officials also make decisions about how to fund capital facilities and where to focus staff effort. They appoint advisory bodies, such as a planning commission, to represent the broad interest of the community. Planning commissions serve as a sounding board for new ideas, promote community interest in planning, and provide leadership in citizen participation

programs. Planning commissions are advisory rather than regulatory bodies, and their role is to review plans and regulations and generally make recommendations to their elected officials.

Ms. Larsen advised that the GMA requires public outreach early and often when updating a comprehensive plan. When the public is engaged in the planning process, community decisions better reflect the shared values of the community as a whole. The draft comprehensive plan amendments are reviewed by the planning commission through workshops and public meetings. Because the State Environmental Policy Act (SEPA) is required for comprehensive plans, the environmental review will be done before final adoption. Cities are also required to submit proposed comprehensive plan amendments to the Department of Commerce for a 60-day review, and this acts as notice to other state agencies. The City Council must formally adopt the update.

Ms. Larsen emphasized that the Department of Commerce does not certify comprehensive plans, and they are presumed valid upon adoption. The Transportation Element is certified by the regional transportation organization, which is the PSRC. Comprehensive plans can only be amended once per year but must be updated every eight years. Amendments are appealable within 60 days to the Growth Management Hearings Board.

Ms. Larsen advised that Capital Improvement Plans (CIP) set priorities for infrastructure investments. CIPs inventory existing facilities, establish LOS, prioritize project needs and plan for financing of the projects. If revenues cannot pay for the needed facilities over the life of the plan, the Land Use Element must be reassessed. Development reviews must have a concurrency program to establish that adequate public facilities are available when the impacts of the development occur without decreasing the established minimum LOS. Concurrency is required for transportation within 6 years from the time of development and is optional for other services. If it is determined that a development would lower the LOS, the application must be denied unless the developer provides the improvements or the LOS is reassessed.

Ms. Larsen said comprehensive plans are implemented through development standards, which is done via zoning. Traditional zoning looks at density, lot size and uses, and a form-based code looks at the design of development. Critical area regulations set buffers and restrictions in critical areas, and subdivision regulations address drainage and other requirements when land is divided into smaller parcels. Public works standards specify the size, material, location and configuration of streets, sidewalks, drainage and utility improvements.

Ms. Larsen advised that comprehensive plans must be updated every eight years, and the City's next periodic update is due in 2024. The first step in the process is a detailed review of the existing plan and regulations. She noted that few counties and cities will be able to adopt a finding of GMA consistency without first making some revisions to their plans and regulations because ensuring consistency requires consideration of updated population projections, amendments to the GMA statutes, Growth Management Hearing Board important interpretations of GMA regulations, and changes in the community. Jurisdictions failing to complete the update are ineligible for a number of grant and loan programs.

Ms. Larsen summarized that good planning is timeless and centers on human-scale development that cities have been creating throughout the centuries or "complete neighborhoods." Does the neighborhood

provide for daily needs and are non-drivers able to be independent? Can you access your most basic day-to-day needs within a 20-minute walk from your home? She said having jobs and housing in more compact, walkable and transit-served locations will help reduce environmental impacts, lessen congestion and improve outcomes. Communities are achieving this through form-based codes, allowing for the “missing middle” housing, transit station planning and complete streets programs.

Ms. Larsen announced that the Next Short Course on Local Planning (via Zoom) is scheduled for February 18<sup>th</sup>. Interested Commissioners can register on the Department of Commerce website. She provided her contact information to the Commissioners and invited them to contact her with their future questions.

**STUDY ITEM: 2021 COMPREHENSIVE PLAN AMENDMENT DOCKET**

Mr. Szafran reminded the Commission that the Growth Management Act (GMA) only allows cities to amend comprehensive plans once a year. To ensure the public can see the amendments, it requires cities to create a docket or list of proposed amendments that are submitted every year. Anyone can propose an amendment to the Comprehensive Plan, but only one was proposed in 2020 for consideration on the 2021 Docket. The proposed amendment has not been thoroughly evaluated by staff. At this time, the Commission is not being asked to recommend whether the comprehensive plan amendment should be adopted or not. Instead, they are being asked to recommend whether or not the proposed amendment should be on the 2021 Docket for further study.

Mr. Szafran advised that the proposed amendment would change the Comprehensive Plan Land Use Map of one parcel from Public Facility (PF) to High-Density Residential (HDR). He noted that the two parcels shown on the map were combined into one parcel that is currently designated as both PF and HDR. The amendment would change the designation of the northern parcel that fronts on N 192<sup>nd</sup> Street to HDR. Concurrently, the applicant is asking for a rezone for the entire property from R-18 to R-48. If the amendment is added to the docket, it will go through the Planning Commission to the City Council. The rezone portion will go to the Hearing Examiner and meet back up with the Comprehensive Plan amendment at the City Council level so both actions can be considered together.

Mr. Szafran shared a variety of photos of the site and explained that the parcel in question is an undeveloped lot that is directly adjacent to the park and ride and Aurora Avenue North, with single-family uses to the west and north. The site is currently fenced and was cleared of understory about two years ago. His understanding is that no trees were moved from the site.

Mr. Szafran presented some preliminary sketches of the proposed development that were submitted by the applicant. However, he cautioned that it is important to keep in mind that once the Comprehensive Plan is changed and the property is rezoned, any type of development could occur on the site if it is consistent with the zoning that is in place. The sketch provides an example of the type of development that could happen, but it is not likely that exact product will be developed. The applicant has indicated a desire to construct townhomes on the property.

Mr. Szafran said the Commission is being asked to make a recommendation to the City Council to either include or not include the amendment on the docket for future study. Staff is recommending that it be included on the final 2021 Docket.

Commissioner Lin asked how many units the current zoning would allow on the subject properties. Mr. Szafran answered that the current R-18 zoning would allow up to 10 units to be developed on the site. If the property is rezoned to R-48, up to 26 units could be constructed. Commissioner Lin asked if there are critical areas on the site, and Mr. Szafran said that a critical area report would be required to map the slope before a rezone could be granted. Commissioner Lin asked if a clearing permit was required before clearing the understory. Mr. Szafran explained that a concerned citizen called into the Code Enforcement Department when the clearing occurred. He studied the code enforcement case and found that no permit was required because no trees were removed.

Vice Chair Malek asked if the R-48 zone has the same townhome design standards as the MUR-35' and MUR-45' zones. Mr. Szafran answered that the single-family attached design standards would apply anywhere that the housing type is developed. Vice Chair Malek asked if the rezone could be linked to a townhome project or if the project could change and become an enhanced shelter, which is allowed in the R-48 zone. Mr. Szafran said the City will be working on code amendments for enhanced shelters, and he doesn't believe the use would be allowed in the R-48 zone. Again, he cautioned that although the applicant is showing a townhome site plan, the property could be developed into anything allowed in the R-48 zone if the rezone is approved. Vice Chair Malek pointed out that the property is adjacent to the park and ride.

Vice Chair Malek asked if the applicant would be required to do a study to confirm concurrency with stormwater and other city services. Mr. Szafran said the study would take place when the rezone is being evaluated.

Chair Mork asked what would happen if the Comprehensive Plan amendment is approved and the rezone application is denied. Mr. Szafran advised that the City Council will consider the recommendations from both the Commission (Comprehensive Plan amendment) and Hearing Examiner (rezone). If the Commission recommends denial and the Hearing Examiner recommends approval, the City Council will have to make the final decision on both actions.

Chair Mork asked if the City Council could overrule a recommendation by the Commission to not include the amendment on the 2021 Docket. Mr. Szafran answered affirmatively.

Commissioner Callahan asked how the properties came to be owned by a private developer. Vice Chair Malek answered that the King County Transit Authority sold the property in 2014. Commissioner Callahan said property sales of this type are important to understand as the City considers future opportunities for affordable housing development.

**John Houghton, Shoreline**, said he lives near the subject property so the amendment and rezone would directly impact him. When he purchased his home, he carefully studied the zoning map and learned that the subject parcel was an exempted zone. He assumed it would stay that way for the foreseeable future, and he probably wouldn't have purchased his home if he thought there was a chance that an apartment or condominium complex would be developed on the site. He noted that, currently, there is a band of mature trees that buffer his home from the park and ride and Aurora Avenue North. He said he was disappointed to learn that what he thought was an exempt zone was purchased from the County by a developer without any notice. He noted that a sewer easement runs through the subject parcel.

**Ameer Dixit, Shoreline**, said he has lived just south of the subject parcel for 11 years, and the trees and green spaces are part of the community's charm. They are already having to deal with a lot of construction, with a very large apartment complex being developed across the parking lot from his property. The trees provide a buffer between the residential homes and Aurora Avenue North, and they add a lot to their enjoyment. Allowing a higher density would result in a loss of green space and foliage. He noted that there are other locations that do not have trees where high-density residential development could occur, including the Mattress Factory property across the street. He asked the Commission to consider how the amendment would impact their neighborhood.

**Janet Way, Shoreline**, said she represents the Shoreline Preservation Society and presented written comments prior to the meeting. She said the society is concerned about the potential impacts of the proposed amendment. She recalled the earlier presentation by Ms. Larsen from the Washington State Department of Commerce regarding the Growth Management Act and comprehensive plans. Ms. Larsen stressed the importance of planning in order to protect good things about the community. Trees are good things, as are critical areas and open spaces. She commented that the photographs provided by staff only showed the far north section of the lot and not the area where the trees are located. She also commented that it is unclear, from the map, which lots would be impacted by the proposed change. The geotechnical report identifies the property as an erosion hazard zone so the proposal fails to meet Rezone Criteria 2.b. The rezone will affect the health, safety and general welfare of both nearby and downstream residents because the project will require the removal of dozens of significant trees. A townhome development will not provide the same level of buffer as the trees currently provide.

Ms. Way referred to Rezone Criteria 2.c and 2.d, and said the proposal represents a serious threat to the adjacent R-6 zones because the existing buffer (urban forest greenbelt) would be destroyed. As mentioned in the Critical Area Report, those homes would be severely exposed to pollution and noise from the park and ride and Aurora Avenue North. In addition to air hazard, climate change is also a significant concern. The easiest way to stop climate change is to protect existing trees, and the proposed development would remove another huge swath of trees after thousands have already been lost to accommodate light rail and other development. She summarized that the society asks the Commission to not recommend the amendment for the 2021 Docket. Above anything else, science should be considered when analyzing the proposed amendment.

**Jodi Dixit, Shoreline**, agreed with Ms. Way that the photographs provided in the Staff Report misrepresented the number of trees that are currently on the subject property and the impact their removal would have on the adjacent neighborhood and Shoreline in general. She encouraged the Commissioners to take a second look at the subject parcel and note how large the trees are. Many trees in the area have already been removed, and there are other parcels that could be developed. There is no reason for the rezone, and it is critical that it remain in its current state. She asked them not to include the proposed amendment on the 2021 Docket. She also referred to Ms. Larsen's presentation regarding the GMA where she emphasized that public outreach must occur early and often. However, they just found out about the proposed amendment two days ago.

There were no other public comments.

Chair Mork explained that the objective of the meeting is for the Commission to either recommend or not recommend that the proposed amendment be included on the 2021 Docket for further study. Mr. Szafran said that, if the proposed amendment is added to the docket, staff would study it further and bring back a recommendation to the Planning Commission at a later date. Following a study session and public hearing, the Planning Commission would then be asked to forward a recommendation of approval or denial to the City Council.

Commissioner Callahan asked Mr. Szafran to explain staff's rationale for recommending that the proposed Comprehensive Plan amendment be studied further. Mr. Szafran said staff felt the proposal was a worthy candidate for further study on whether the property should or should not be up zoned because of its location. He noted that there aren't a lot of parcels in the City that are designated as Public Facility, and this parcel is unique because it was sold to a private developer who wants to change the designation. The City doesn't deal with this type of land use issue often.

At the request of Chair Mork, Mr. Szafran displayed an aerial photograph and pointed out the location of the existing trees on the subject parcel. He advised that the treed portion is where the map reads "Firlands Way." Chair Mork asked about the dimension of the subject parcel, but Mr. Szafran was unable to answer that question. He said the entire portion outlined in red on the map is 23,662 square feet.

Commissioner Sager noted that, although a lot-line elimination was done on the property, it still has two land use designations. She asked how that occurred. Mr. Szafran explained that the Comprehensive Plan Land Use Map and Zoning Map are not always amended when parcels change boundaries or merge together, and it is possible to have multiple land use designations and/or zoning districts.

Chair Mork asked if the Rat City Roller Property is under the same ownership as the subject parcel, and Mr. Szafran answered no.

Mr. Szafran noted that a lot of questions have been raised about the trees. He explained that development in the R-18 zone is subject to the City's standards for tree retention and replacement, and the same standards would apply if the property were rezoned to R-48. He acknowledged that R-48 zoning would allow greater density, but lot coverage would only increase from 85% to 90% impervious surface.

Chair Mork observed that the developer would still be allowed to develop the lot that is zoned R-18 even if the Comprehensive Plan amendment and rezone are denied.

Vice Chair Malek summarized that the amendment was submitted by a developer who has a plan in mind. He asked if it is possible to up zone all of the properties adjacent to the park and ride to R-48 as part of this same process or if someone would have to request the change as a separate amendment. He noted that there is so little property in the City that is available for transit-oriented development, and these properties are in close proximity to Highway 99. Mr. Szafran said that land use map changes are usually submitted by property owners. The City Council could also initiate a Comprehensive Plan redesignation and/or rezone, but it is usually done on a larger scale, such as what occurred with the light rail station areas. He emphasized that, if the proposed amendment is added to the docket, the process of rezoning and changing the Comprehensive Plan will involve public notice and a lot of opportunities for public comment.

Because the Commission is only being asked at this point to make a recommendation on whether or not the amendment should be studied further, staff did not do a widespread notice.

Chair Mork commented that, if the Commission recommends to City Council that the amendment be added to the 2021 Docket for further study, it is important to emphasize how deeply the citizens, including the Commissioners, care about trees and critical lands in Shoreline and that the rules are followed. By recommending further study, the Commission is not suggesting they would recommend approval of the amendment.

Vice Chair Malek commented that, when the subject parcel was put up for sale in 2014 by the King County Transit Authority, Shoreline would have had the ability to purchase it. Although rare and unusual, they could also have pursued the property through eminent domain. He said the county originally thought the property would be needed for stormwater and other utilities, and it became a catch-all for years for trash. The current owner has been clearing the property little-by-little. Vice Chair Malek disclosed that a few years ago he approached several owners along that strip for a group of single-family homes, but they couldn't agree to sell all at once and the builder abandoned the project.

Commissioner Lin asked if the former Benjamin Moore Paint Store property could be developed under R-18 or R-48 zoning. Vice Chair Malek answered that the site is zoned commercial and is located along Highway 99. The current proposal is a high-rise development with a few hundred residential units. He added that the owner of the Rat City Roller property is trying to lease the building. He noted that many of the projects along Highway 99 and elsewhere were paused due to the pandemic. Mr. Szafran said that the owner previously submitted an application for a high-rise development with a large number of residential units.

The Commissioners agreed to recommend to City Council that the proposed Comprehensive Plan amendment be added to the 2021 Docket for further study.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

There was no new business.

**REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS**

Vice Chair Malek reported that the Snohomish County Hearing Examiner issued a decision on the Point Wells Project. The decision was to deny Blue Squares Real Estate the right to move the project forward. Both their vesting status and building plans were denied. Parties of record have until February 8<sup>th</sup> to either support or challenge the Hearing Examiner’s decision, and Blue Square Real Estate has until February 12<sup>th</sup> to appeal the decision directly to the Snohomish County Council. He referred to an excellent article that was published in *THE EVERETT HERALD* that posts the Hearing Examiner’s decision. The Hearing Examiner determined that the applicant hadn’t used their opportunity to resubmit an application that was compliant. There weren’t a lot of fundamental changes to the original request, and the applicant felt justified in their rationale for vesting status and a request for deviation. A good article was also published in *THE SHORELINE AREA NEWS*.

Chair Mork encouraged Commissioners to take advantage of the Short Course on Local Planning that is offered by the Washington Department of Commerce. She asked if Commissioners are required to be trained on the Open Public Meetings Act. Ms. Gierloff answered affirmatively and advised that it can be done as part of the short course or as a separate session. After completing the training, Commissioners should advise Ms. Hoekzema.

**AGENDA FOR NEXT MEETING**

Ms. Gierloff said the February 18<sup>th</sup> meeting agenda will include an update on the Oaks site, which is being purchased by King County to establish an enhanced homeless shelter. The property is currently zoned R-48, and in order to accommodate the commerce grant that would fund the shelter, the City adopted an interim ordinance to allow enhanced shelters in the R-48 zone. The ordinance expires in April, and a permanent ordinance must be adopted if the City wants to continue allowing that use. The City has chosen to pursue a rezone from R-48 to Mixed Business (MB) to match the surrounding properties along Aurora Avenue North. There will also be a concurrent zoning code amendment to insert enhanced shelters as a permitted use in the MB zone subject to indexed criteria. On February 18<sup>th</sup> at 6:00 p.m., prior to the Commission’s next meeting, Mr. Szafran will be leading a neighborhood meeting for the rezone. The Commission will discuss the enhanced shelter code amendment at their meeting.

Ms. Gierloff advised that the draft Housing Action Plan will be presented to the Commission for a public hearing on March 4<sup>th</sup>. Some of the batch of Development Code amendments will also be presented on March 4<sup>th</sup>.

**ADJOURNMENT**

The meeting was adjourned at 8:35 p.m.

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Laura Mork  
Chair, Planning Commission

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Carla Hoekzema  
Clerk, Planning Commission