

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

**SHORELINE PLANNING COMMISSION**  
**MINUTES OF VIRTUAL PUBLIC HEARING**  
*(Via Zoom)*

May 19, 2022  
7:00 P.M.

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**Commissioners Present**

Chair Pam Sager  
Vice Chair Julius Rwamashongye  
Commissioner Janelle Callahan  
Commissioner Andy Galuska  
Commissioner Mei-shiou Lin  
Commissioner Christopher Mosier

**Staff Present**

Andrew Bauer, Planning Manager  
Cate Lee, Senior Planner  
Carla Hoekzema, Planning Commission Clerk  
Rachael Markle, Planning Director  
Julie Ainsworth-Taylor, Assistant City Attorney

**Commissioners Absent:**

Commissioner Leslie Brinson

**CALL TO ORDER**

Chair Sager called the public hearing meeting of the Shoreline Planning Commission to order at 7:00 p.m.

**ROLL CALL**

Ms. Hoekzema called the roll.

**APPROVAL OF AGENDA**

The agenda was accepted as presented.

**APPROVAL OF MINUTES**

The minutes of May 5, 2022 were accepted as presented.

**GENERAL PUBLIC COMMENT**

There were no general public comments.

**PUBLIC HEARING: MUR 70' ZONE DEVELOPMENT CODE AMENDMENTS**

Chair Sager opened the public hearing at 7:03 p.m.

**Staff Presentation:**

Planning Manager Andrew Bauer made the staff presentation regarding MUR-70' amendments. The amendments are focused on parking reductions, building height, and development agreement process. The proposed amendments would allow up to 50% reduction of off-street parking spaces in this zone for developments consisting of 100 units or more or 10,000 square feet of commercial space or more. As a condition of getting this reduction, a development would have to develop a Transportation Demand Management (TDM) plan approved by the City. This is a project-specific plan to reduce vehicle trips and reduce parking demand. A TDM plan can include bikeshare/carshare options; free or reduced cost transit passes; enhanced bike facilities; and wayfinding and communications on non-vehicle trip options.

The proposed height amendments would only change the way a developer can reach the maximum height; it would not change the base height (70') or the maximum height (140'). Instead of a development agreement, a developer would be required to hold a neighborhood meeting and go through the Administrative Design Review process to ensure consistency with the Comprehensive Plan and ensure that the project is being served by adequate infrastructure, facilities, and services. There are also additional development standards that would need to be met. 20% of the units must be affordable at 60% AMI; and either 10,000 square feet of commercial space or 30% of the ground floor must be devoted to neighborhood amenities. Park, plaza, or open space would be required; 1% of the building valuation must be devoted to art or placemaking amenities; and other subarea improvements would also be required. Requirements which are proposed to be removed are the development agreement (now optional), LEED Gold requirement (in the MUR 70' zone we require Built Green 4 Start or better, which is equal or exceeds this), structured parking, purchase of TDR credits, and district energy. Mr. Bauer referred to a Revised Attachment A which was sent out yesterday and noted that staff is proposing removing the reference to a development agreement.

**Commissioner Questions:**

Vice Chair Rwamashongye asked for more information about the TDR credits. Mr. Bauer explained this refers to Transfer of Development Rights (TDR) which would help to preserve rural or farmland areas a little further out to focus development in urban areas where there are more services.

Commissioner Lin asked for clarification about the updated parking requirements. Mr. Bauer explained that the parking is often located in a parking garage anyway so it doesn't make sense to have the 90% of parking in a parking structure as an additional requirement.

Commissioner Callahan referred to the requirements for 90' building height and asked about the reason for the option between 20% significant trees retained or Deep Green Incentive Program. Mr. Bauer explained this is an existing incentive and is not being proposed to be changed. If someone is preserving 20% of significant trees on the site, they can get an additional height bonus. There is a separate incentive

under the existing Deep Green Incentive Program where development would build to a higher green building standard.

Commissioner Mosier referred to the TDM plan and asked if it really is “for the life of the development”. Mr. Bauer explained it is intended to carry forward as long as the development is there. Commissioner Mosier asked if it was conceivable that a developer would have to provide more parking in the future. Mr. Bauer thought it would be more about revisiting the strategies to find more effective ways to accommodate the demand or reduced the demand.

Commissioner Callahan referred to item F under Parking Reductions which mentions a reduction up to 50% with a portion of the housing for low-income housing (60% of AMI). It also says that it can be combined with the parking reductions in subsection A. Does this mean the maximum possible parking reduction would be 75% if they also meet at least two of the requirements in item A? Mr. Bauer confirmed the reductions could be combined with the affordable housing component but not with the Deep Green component.

Commissioner Lin asked how the reduced parking requirements impact the number of units. Mr. Bauer replied that there is a possibility that the developer can provide more units with a lower development cost. There is a balance with parking that the developer needs to achieve.

Public Testimony:

Kathleen Russell, Shoreline, expressed concern about the reduced tree canopy and urged the commissioners to recommend a change in tree retention for 70’ and 90’ buildings. Currently there is no requirement for 70’ buildings. She encouraged the Commission to require 10% significant tree retention for 70’ buildings and 20% significant tree retention **and** the Deep Green Incentive Program for a 90-140’ building. She encouraged the City to balance the development benefits to the developers with natural benefits for the community at large.

Seeing no further comments, the public testimony portion of the hearing was closed at 7:32 p.m.

**COMMISSIONER CALLAHAN MOVED THAT THE COMMISSION FORWARD THE MUR-70’ ZONE AMENDMENTS AND THE REVISED ATTACHMENT A TO COUNCIL WITH A RECOMMENDATION FOR APPROVAL. COMMISSIONER GALUSKA SECONDED THE MOTION.**

Commissioner Callahan asked if the City is still on track to hire someone to be dedicated to parking policy enforcement. Mr. Bauer thought that was still in the works but would ultimately require Council approval.

**THE MOTION PASSED UNANIMOUSLY (6-0).**

**STUDY ITEM: OUTDOOR SEATING DEVELOPMENT CODE AMENDMENT**

Senior Planner Cate Lee gave some background on code language, discussed results of an online survey and a focus group, and reviewed the proposed code language, policy direction, and next steps. The interim regulations went into effect in July of 2022 due to COVID-19 and were extended three times. They will be extended a fourth time while the Commission is studying the topic. An online survey results indicated a desire for permanent regulations. Most business owners are willing to convert parking to outdoor seating. Respondents indicated that reducing/waiving permitting fees would help.

The focus group recommended that the City make the permitting process simple. Assistance would be appreciated for the permitting process. They emphasized the importance of being flexible and to avoid being overly prescriptive. They also expressed gratitude for having these outdoor areas, especially during the first year of the pandemic. They expressed interest in having these areas in street closures, but also in available onsite locations including converting surface parking. The group referred to other regulations that impact how businesses can operate outdoors. The focus group advocated for examination of the City's off-street parking requirements which seem outdated given the recent travel mode shift in the City.

The online survey and focus group have informed the draft code which includes simple, flexible regulations; allows conversion of off-street parking; and has streamlined permitting. The staff's recommendation is that it only be allowed for certain uses (brewpubs, eating or drinking establishments, microbreweries, or micro distilleries). The area has to comply with other applicable regulations, and a permit would be required. Under the proposed code, the outdoor space would not be subject to the minimum number of off-street parking spaces. In addition, the staff recommendation is that on single-tenant sites, up to four required off-street parking spaces or 30% of required off-street parking spaces, whichever is greater, can be converted to this outdoor area. On multi-tenant sites, up to four required off-street parking spaces per tenant or 30% of required off-street parking spaces, whichever is lesser, can be converted. If it is a building it has to comply with building setbacks. If it is within 20 feet of the street then barriers are required. Tables and seating cannot obstruct doors or exits and must be made of quality materials. None of the elements can create a traffic hazard and must remain in good condition.

Staff requested feedback from the Planning Commission on:

- Use: Does the Planning Commission want to extend the outdoor area allowance to other uses or limit it to the uses that staff is proposing.
- Off-street parking conversion: Does the Planning Commission agree with the policy direction proposed by staff or one of the other alternatives?

Commission Comments:

Commissioner Mosier agreed with limiting the uses as proposed by staff. He did not think there was a justification for expanding it to other retail establishments.

Vice Chair Rwamashongye was in support of opening it up to other uses to create an opportunity for creativity. He then expressed concern about requiring barriers without reducing speed. Is staff recommending a speed reduction or is there an opportunity for the City to expand the sidewalk? Ms. Lee replied that the current package isn't proposing any use of the public right-of-way for these spaces. It

will be limited to onsite use. She agreed with considering lower speed areas when looking at these spaces for safety and enjoyment.

Commissioner Callahan said she was leaning toward the staff recommendation for limiting the use to eating establishments because there is a need for outdoor dining for health reasons with COVID. She was curious about creative uses as mentioned by Vice Chair Rwamashongye but said she didn't see a strong need to open it up to other uses.

Commissioner Galuska recommended allowing the reduction for off-street parking requirements to apply to new businesses who are providing outdoor seating right off the bat so they wouldn't have to go through an additional process.

Commissioner Lin agreed with limiting the use as recommended by staff. She also agreed with the staff proposal for off-street parking proposal, noting that if it was not the optimal amount, they could adjust it in the future.

Commissioner Mosier commented that he thinks single and multi-tenant spaces should be treated the same (per tenant), with the "whichever is greater" language.

Chair Sager thanked Ms. Lee for the presentation. She agreed with staff's recommended uses for outdoor seating. She also concurred with Commissioner Mosier's recommendation.

Vice Chair Rwamashongye noted that some other uses for outdoor seating during COVID were for entertainment purposes. He thought this could help businesses to be successful. Ms. Lee indicated that this would be allowed as long as they complied with other requirements such as noise regulations, but it wouldn't be allowed at a retail business. It could be allowed with a temporary use provision for one-time events. Staff has not seen a need for this with other uses; also, the directive from Council was for outdoor seating specifically.

Commissioner Lin asked if there would be a limit for hours of operations. Also, are there other requirements besides quality materials for keeping the area secure and free of vandalism. Ms. Lee replied there is a provision in the development code that applies to eating and drinking establishments which says outdoor entertainment that permits a noise disturbance for neighbors is not permitted after 10 p.m. Other than that, the noise ordinance would be the limiting factor. Since it is private property, it would be up to the business owner to make sure the outdoor area is secured and to contact police if there are instances of vandalism. Commissioner Rwamashongye noted he has seen some businesses fasten some of their chairs together for security. He has also seen some businesses hire security to patrol businesses.

Ms. Lee summarized that most of the Commission thinks it is appropriate to limit the uses to the ones proposed by staff. Regarding parking, she is hearing mixed support for the parking conversion issue. She asked if the Commission needs more information on this item to help make the decision. There was no request for additional information.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS**

Commissioner Callahan said she attended a few webinars for Affordable Housing Week last week. She listened to the panel session for what other cities are doing. She highlighted that the City of Bothell presented their strategy and will be holding a virtual community forum on missing middle housing on May 31 at 6 p.m. She also attended a session on renters' rights by Solid Ground, an advocacy group. 10 model ordinances were presented for cities to consider. One of Shoreline's council members is advocating for greater renter protections such as advanced notice for rent increases.

**AGENDA FOR NEXT MEETING**

Staff reviewed the agenda for the next meeting which is scheduled for June 16. The June 2 meeting was cancelled. Starting in June meetings will be back in person at city hall.

**ADJOURNMENT**

The meeting was adjourned at 8:21 p.m.

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Pam Sager  
Chair, Planning Commission

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Carla Hoekzema  
Clerk, Planning Commission