

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

February 21, 2019  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### **Commissioners Present**

Chair Montero  
Commissioner Craft  
Commissioner Davis  
Commissioner Lin  
Commissioner Maul  
Commissioner Malek

### **Staff Present**

Rachael Markle, Director, Planning and Community Development  
Julie Ainsworth-Taylor, Assistant City Attorney  
Miranda Redinger, Senior Planner, Planning and Community Development  
Kate Skone, Associate Planner, Planning and Community Development  
Carla Hoekzema, Planning Commission Clerk

### **Commissioners Absent**

Vice Chair Mork

### **CALL TO ORDER**

Chair Montero 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 Montero and Commissioners Craft, Davis, Lin, Maul and Malek. Vice Chair Mork was absent.

### **APPROVAL OF AGENDA**

The agenda was accepted as presented.

### **APPROVAL OF MINUTES**

The minutes of February 7, 2019 were approved as submitted.

### **GENERAL PUBLIC COMMENT**

There were no general public comments.

## **STUDY ITEM: SHORELINE MASTER PROGRAM – PART II**

Ms. Redinger reviewed that Shoreline adopted its first Shoreline Master Program (SMP) in August of 2013. The Planning Commission discussed the purpose and process for the current periodic review on December 6, 2018 and Part I of the proposed amendments on January 17, 2019. All of the proposed updates are based on State Department of Ecology (DOE) requirements, City recommendations and some minor housekeeping amendments. She displayed a map to illustrate the area within the City that is subject to the SMP and said the intent of the proposed amendments is to integrate the 2015 Critical Areas Ordinance (CAO) into the current SMP. Previously, the SMP referenced the 2006 CAO. She reviewed the proposed amendments to the Shoreline Municipal Code (SMC) as follows:

- **SMC 20.230 – General Policies and Regulations (Attachment A).** The changes involve removing references to environmentally-sensitive areas that will be addressed in SMC 20.250 and clarifying that existing bulkheads and retaining walls are considered engineered and abated hazards. The current proposed language states that, *“existing, previously permitted stabilization measures, such as bulkheads, are considered engineered and abated hazards and shall not be classified as geologic hazard areas.”* She advised that Mr. Kink recently asked if the provision would also apply to retaining walls within the Shoreline Jurisdiction, and the answer is yes. The language will be further amended to make this clear.
- **SMC 20.240 – Critical Areas Regulations (Attachment B).** This is a new proposed chapter that integrates the 2015 CAO, along with subsequent amendments, into the SMP consistent with the Shoreline Management Act (SMA) requirements. For the most part, SMC 20.80 (CAO) has been copied into the new proposed chapter, but some of the provisions (reasonable-use exceptions, administrative exemptions, buffer reductions and waivers) were excluded due to conflicts with the SMA. She explained the differences between the current SMC 20.80 (CAO) and the proposed SMC 20.240 (SMP) as follows:
  - Projects that may be exempt under SMC 20.80 may require a Shoreline Exemption or other process under the SMP.
  - Projects that would require a Reasonable Use Permit under SMC 20.80 need a Shoreline Variance under SMC 20.240.
  - The Geologic Hazard regulations in SMC 20.80 are focused on avoiding or minimizing impacts to life and property. However, in the Shoreline Jurisdiction, there is an ecological function for sediment transfer to nourish coastal environments. To clarify this provision, SMC 20.240.210 would include the following, *“Eroding coastal bluffs, called feeder bluffs, are the primary source of sediment for Puget Sound beaches and contribute to vital coastal processes. However, since most of the City’s coastline consists of Burlington Northern Santa Fe Railroad right-of-way, the opportunity for natural erosion and sediment transport process is limited.”*
- **SMC 13.12 – Floodplain Management.** This chapter explains the Floodplain Management Program. The proposal would change the “Floodplain Administrator” from the “Public Works Director” to the “Planning Director” to consolidate administrative authority.

- **SMC 20.80 – Critical Areas.** The change to this section references the new SMP Critical Areas Regulations in SMC 20.240.

Ms. Redinger advised that, in addition to the proposed updates to the SMP, staff is also proposing some amendments to the Comprehensive Plan. She explained that, as part of the 2012 major Comprehensive Plan update, the SMP was included as an appendix rather than an element, and the SMP's goals and policies and supporting analysis documents were referenced rather than included directly in the Comprehensive Plan. The current periodic review is an opportunity to remedy this and bring the Comprehensive Plan into alignment with Revised Code of Washington (RCW) 36.70A.480(1), which states that the goals and policies of an SMP "*shall be considered an element*" of the Comprehensive Plan. The proposed amendments include the following:

- Move the SMP from the appendix to become a Comprehensive Plan element (Attachments E, E2 and F). Attachment E shows the current SMP Appendix to the Comprehensive Plan, and text changes to the introductory paragraph are shown in Attachment E2. Attachment F shows the existing goals and policies currently contained in SMC 20.200.040 – Shoreline Elements. The intent is to merge the three documents so the new SMP Element has the same format as the other Comprehensive Plan elements (introduction, followed by goals and policies). No changes are proposed to the goals and policies.
- The Table of Contents (Attachment G) would be revised to delete the current SMP (Appendix A) and add the revised SMP as Element 10.
- Add the 2010 Inventory and Characterization Report (Attachment H) and the 2012 Cumulative Impacts Analysis (Attachment I) to the new SMP Element. Both of these documents, along with the addendum to the Cumulative Impacts Analysis that is current under development, will become the supporting analysis section for the new SMP Element in the Comprehensive Plan. Staff just received the draft addendum to the 2012 Cumulative Impacts Analysis, which will be included in the packet for the April 4<sup>th</sup> public hearing. The addendum will be adopted as part of the supporting analysis for the Comprehensive Plan amendment.

Ms. Redinger summarized that, following the study session, staff will clarify or amend the regulations based on input from the Commission and notice the April 4<sup>th</sup> public hearing, which will also fulfill the joint DOE's review/comment period. There will be a community open house prior to the public hearing. The full packet of information, including the State Environmental Policy Act (SEPA) Checklist, Determination of Non-Significance, and 2019 Cumulative Impacts Analysis Technical Addendum, will be available to the public on March 1<sup>st</sup>. Members of the public are encouraged to contact staff or attend the open house prior to the hearing. The intent is to present the proposed amendments to the City Council (Ordinance 856) at a study session on May 6<sup>th</sup>, followed by a public hearing and potential adoption on June 3<sup>rd</sup>.

**Richard Kink, Shoreline**, said he was present to represent the Richmond Beach Preservation Association, a group of 32 homeowners in the waterfront residential community along 27<sup>th</sup> Avenue Northwest. He recalled that when the City updated its Critical Areas Ordinance (CAO) in 2015, the homeowners were concerned because there was confusion as to how the CAO would play within the Shoreline Master

Program (SMP). At that time, the City approved the new SMP for the rest of the City but kept the old one for the properties along 27<sup>th</sup> Avenue Northwest. Since then the City has revisited the issue and staff has clarified and addressed all of the association's issues of concern. He thanked staff for reaching out to them to solicit input throughout the process.

### **DIRECTOR'S REPORT**

There was no Director's Report.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

There was no new business.

### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**


Commissioner Malek referred the Commissioners to a great summary in the Richmond Beach newspaper regarding the Point Wells development. The project is currently in the appeals process, and the Town of Woodway and City of Shoreline are currently in mediation relative to annexation of the property.

### **AGENDA FOR NEXT MEETING**

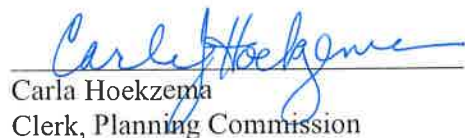
Chair Montero reminded the Commissioners of their dinner meeting with the City Council on March 4<sup>th</sup> at 5:45 p.m. The March 7<sup>th</sup> meeting agenda will include a public hearing on plat restrictions and an introduction to the Shoreline Place Development Agreement. The developer of Shoreline Place will be present to walk through the conceptual plans, and the Commission will have an opportunity to ask questions.

### **ADJOURNMENT**

The meeting was adjourned at 7:18 p.m.



William Montero  
Chair, Planning Commission



Carla Hoekzema  
Clerk, Planning Commission