

**CITY OF REDMOND PLANNING COMMISSION
MINUTES**

January 23, 2019

COMMISSIONERS PRESENT: Chairman Captain, Vice Chairman Miller, Commissioners East, Kritzer, Nichols, and Rajpathak

STAFF PRESENT: Cathy Beam and Jae Hill, Planning Department

EXCUSED ABSENCE: Commissioner Rodriguez

RECORDING SECRETARY: Carolyn Garza, LLC

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman Captain.

APPROVAL OF THE AGENDA

MOTION to approve the Agenda by Vice Chairman Miller. MOTION seconded by Commissioner Nichols. The MOTION passed unanimously.

ITEMS FROM THE AUDIENCE: None

Chairman Captain stated that community participation was welcomed at the meetings.

Public Hearing and Study Session, Shoreline Master Program (SMP) Periodic Update,
Cathy Beam, Redmond Planning

Chairman Captain opened the Public Hearing.

Ms. Beam introduced Mr. David Pater with the Department of Ecology, the Shoreline contact for Planning. The slide presentation would be very similar to what was presented to the Commission at the last meeting with only a few changes, but as there were several people in the audience the presentation would be given again.

A map was displayed of the Shoreline jurisdiction, which includes all lakes over 20 acres including Lake Sammamish and streams and rivers over a certain flow including Bear Creek, Evans Creek, and the Sammamish River. Jurisdiction is roughly 200 feet landward of these areas. The Shoreline Jurisdiction acts as an overlay to underlying regulations with five different shoreline environments; aquatic, natural, urban conservancy, shoreline residential and high intensity multi-use development.

The Shoreline Management Act was passed by the legislature in 1971 and subsequently adopted by voters in 1972. The overarching goal is to prevent inherent harm in an uncoordinated and piece-meal development of the State shorelines. Basic policy areas are shoreline use, environmental protection, and public access. The Shoreline Management Act requires jurisdictions to adopt a Shoreline Master Program (SMP). The Redmond SMP includes policies in the Comprehensive Plan that are not proposed to be changed as a part of this update. Shoreline regulations are within the Redmond Zoning Code, where the bulk of the update occurs. Revisions to Critical Areas Regulations are also a part of the update.

The current SMP is from 2009, and the Shoreline Management Act requires periodic review of all SMPs in the State. The deadline for Redmond to complete this review is June 30, 2019. Updates are required in order to assure consistency with changes to State rules and laws, policies, and regulations of the City, and in order to respond to changes in circumstances or information. No particular issue has been identified in Redmond on a recurring basis.

A key change is to achieve consistency with costs for exemptions due to inflation and the increased cost of doing business by the State Office of Financial Management. Some State exceptions by statute are included in the update such as Washington State Department of Transportation maintenance and safety projects and site clean-ups. The bulk of updates occur in the Shoreline Administration and Procedures chapter of the Shoreline Regulations to be consistent with updated rules for filing and are purely administrative. A State relief process for shifted ordinary high-water marks honors the previous distance of shoreline jurisdiction. Updated wetland regulations in the critical areas code reflect the most current guidance by the Department of Ecology. Lastly, incorporating recent wellhead and wireless changes in the Zoning Code require attention in cross-referencing in the SMP.

A drop-in office hours event was held in early December 2018. Postcards were mailed to approximately 3,400 property owners within the shoreline jurisdiction in late December 2018. A legal notice was issued in the Seattle Times in early January 2019, and the introduction of the topic to the Planning Commission occurred two weeks ago. The Public Hearing and Study Session will occur at this meeting and two subsequent study sessions with recommended action are scheduled in March 2019. City Council will then review with final action. The update will be filed with the Department of Ecology in early June 2019.

Mr. Pater stated having been the Redmond Shoreline Planner at the Department of Ecology since 2004 and was involved with the Comprehensive Update ten years ago. All documents regarding the Redmond update appear in order. Following City Council approval, the Department of Ecology will assure all paperwork is in order and send a Complete Letter to Redmond. Ecology will then start a 30-day public comment period and if comments are received these will be sent to Redmond for a response. Ecology will then move into a final review process involving program level management. The Director of the agency signs off on final approval. The current Redmond SMP would then be officially replaced 14 days afterward.

Chairman Captain asked if Redmond would exceed any State requirements. Ms. Beam replied that as currently proposed, Redmond would meet but not exceed requirements. Chairman Captain asked if an issue had ever occurred around neighboring cities with different specific

regulations. Mr. Pater replied that this has happened at times, but usually has involved large, complex projects such as the Light Rail Link. Ms. Beam added that information is shared between neighboring jurisdictions. Mr. Hill stated that recent wireless changes were a result of changes to Federal Law and other jurisdictions were making similar updates to wireless ordinances or should be. The aquifer recharge update was driven by State Law. While there may be small local details that are different, the general concepts should be similar across jurisdictions.

Commissioner East stated that the new chart with staff impact had been very helpful but stated that in Exhibit A, page 7, the chart did not have a key. Ms. Beam replied that the key is on page 6. Commissioner East stated noticing in Exhibit B, page 6, O. Removal of Non-Native Vegetation, that the pronoun *This* in the line, *This* does not include the use of herbicides, was ambiguous. Ms. Beam stated that there had been a re-numbering and actual language had not changed. Mr. Hill asked if the sentence should read, [semi-colon] *Also* does not include the use of herbicides, and Commissioner East replied yes.

Commissioner Kritzer stated not having been at the last presentation and asked if there is any other part of the process which solicits public input for issues to be addressed in the update, and Ms. Beam replied that a drop-in office hours event had been held in early December 2018, and postcards had been mailed to all property owners within the Shoreline Jurisdiction which also pointed to a City website which has been created. The update proposed is relatively minor, trying to meet State Law. If the update was to, for example, propose changes to how people can use personal shoreline property, there may be more public input. Commissioner Kritzer asked if those kinds of changes would also appear through this process and Ms. Beam replied yes.

Chairman Captain asked for clarification that this would be the first update in ten years, and Ms. Beam replied yes. Two minor amendments had been made since but were a result of changes in other areas of city code that required cross-referencing. Mr. Pater commented that Redmond had done a great job with the update ten years ago and implementation had been smooth. There were more significant changes at that time due to a major legislative update by the State in the early 2000s and there had been more public input as a result.

Commissioner Kritzer asked if there were any issues or questions arising in the next ten years from citizens, that this could be addressed through an amendment. Mr. Pater replied that an amendment was always an option.

Ms. Beam commented that a member of the public had discovered a typo on page 25 of the Critical Areas Regulations, table 21.64.03083, Pets and Human Disturbance column; Use fencing *and* plant dense vegetation. The Ecology Guidance document stated Use fencing *OR* plant dense vegetation. On page 16 of the Critical Areas Regulations, Item B2 states; Stream buffers shall be measured from the ordinary high-water mark. Ms. Beam suggested adding the word, *perpendicular*, before *from the ordinary high-water mark*. The word *perpendicular* had been inserted in the Wetland Update.

Vice Chairman Miller commented regarding the request for additional assessment on the impact changes would have both to staff and the level of effort to process applications but also to

property owners and applicants. The reply was that out of 28 items, 27 had no or less impact. Vice Chairman Miller suggested that the question should become a template for work in the future, keeping these points in mind.

Vice Chairman Miller asked for clarification regarding 2009 A and the comment, potential for additional review time. Ms. Beam replied that in State Law there are specific criteria to be met, and the applicant must provide documentation that the criteria will be met. Staff then reviews the criteria and this is filed with the Department of Ecology; this is what was meant by extra step or additional review time. Mr. Pater explained that the intent of the Law was to provide relief to property owners and encourage shoreline restoration as opposed to discouraging. For example, a major restoration project on the Sammamish River will involve the ordinary high-water mark migrating further inland to create a natural river bank. The property owner is not penalized. The Law has been used for some projects on the Green River to achieve habitat improvement and still allow the property owner to develop.

Chairman Captain asked if anyone had signed in to speak at the Public Hearing and Mr. Hill replied no.

Mr. Leonard Fuller, 3270 West Lake Sammamish Parkway Northeast, commented on a news article regarding Redmond allowing Microsoft to expand employment by 8,000. Mr. Fuller assumed that at least some of the new employees would be driving on West Lake Sammamish Parkway living in Issaquah or Bellevue. The stormwater system reached Lake Sammamish. Mr. Fuller asked what effect the increase in employees at Microsoft would ultimately have on Lake Sammamish water quality.

Mr. Hill replied that as environmental documents related to the approvals were not at hand at this meeting, research could definitely be done. Ms. Beam stated having the address of Mr. Fuller, and Mr. Hill stated that if Mr. Fuller could leave an email address or phone number after the meeting, the information would be forwarded. If there has been environmental work that has gone into the site plan entitlement process, this would be relayed to Mr. Fuller.

Chairman Captain asked if anyone else in the audience had questions and there were none. Chairman Captain asked the Commission if the Public Hearing should close or remain open. Vice Chairman Miller stated being in favor of keeping written comments open through the next meeting in case of questions regarding the presentation at this meeting; the verbal portion could be closed, however. Commissioner Kritzer agreed that as the update occurred every ten years, keeping the comment period open would be good.

Chairman Captain stated that the written portion of the Public Hearing would remain open until the next meeting on February 13, 2019, but the verbal portion was now closed.

Ms. Beam asked if there was any further information the Commission needed at this point, and Chairman Captain replied being comfortable not as Chairman but personally. Commissioner East asked if a Motion was needed to close the verbal portion of the Public Hearing. Chairman Captain and Mr. Hill replied that as there was no objection and the action was appropriate.

Reports/Scheduling/Topics for Next Meeting(s)

Mr. Hill asked if an additional Study Session would be needed because of lack of public comment. The current schedule showed the additional Study Session on February 27, 2019, with Recommended Action on March 13, 2019. Chairman Captain was in favor of moving Recommended Action to February 27, 2019.

Mr. Hill thanked Commissioner East for forwarding February and March availability and asked the rest of the Commissioners to forward their availability as well.

The February 13, 2019, agenda would include Shoreline Master Program Periodic Update, code update and possibly one other item. Other meetings would be February 20, 2019, and February 27, 2019. The Commissioners expressed availability in February.

March meetings would be March 13, 2019, March 20, 2019, and March 27, 2019. The Commissioners expressed availability in March.

The Retreat was being considered either for April 3, 2019, or April 17, 2019. A business meeting would be held on April 10, 2019. The term of Vice Chairman Miller ends on March 31, 2019, with the last meeting on March 27, 2019. General confirmation of availability for the Retreat was asked for. Commissioner Kritzer preferred April 3, 2019, but was available for both. Chairman Captain preferred April 3, 2019. A new Commissioner may be ready to join for the Retreat.

Mr. Hill asked that the Commissioners bring Retreat topics to the next meeting and this request would be placed on the agenda. A refresh of processes would be presented but time to discuss topics important to the Commissioners, as well as internal work planning items, would be available.

Communication with Staff

Chairman Captain asked for a briefing regarding time-of-day changes to the timing of traffic signals in Redmond at key intersections. Mr. Hill replied that this information would be compiled, and a request would be made of Traffic Operations for a representative for questions. Vice Chairman Miller asked if Best Practices regarding pedestrian walk buttons could be included, which is important as Redmond encourages walking through Urban Centers. Mr. Hill would try to have the information to present at the next meeting if possible.

Commissioner Kritzer asked if there were any details for Redmond around the announcement by Microsoft regarding investment in middle- and lower-income affordable housing. Mr. Hill replied that the Microsoft announcement was regional and specific projects have not been identified. Affordable housing is a large focus of Redmond and Mr. Hill stated that a presentation would be given. Vice Chairman Miller stated that even if not a direct Grant to the City, the investment would be intended as a support to non-profits. Commissioner Nichols added that the announcement was not only regarding funds but also asking cities to support policy

goals. Vice Chairman Miller hoped to learn how Microsoft arrived at the announcement and stated that the investment has the potential to be impactful if only in attitude and approach. Mr. Hill asked if the focus of the presentation should be on Microsoft commitment or affordable housing in general. Chairman Captain stated that the presentation should be Redmond interpretation of what Microsoft has announced. Mr. Hill would include a primer on different types of funding such as tax credits. Vice Chairman Miller stated that hearing from Microsoft directly regarding the intent and envisioned results would be educational. Mr. Hill would look into a briefing by Microsoft. Commissioner Kritzer stated being most interested in the Planning approach of Redmond to affordable housing, and within the same discussion hearing the relation to regional efforts.

Chairman Captain asked if restructuring within the Planning Department could be reviewed. Mr. Hill asked if the Planning Director should give the presentation and Chairman Captain replied that this would be the prerogative of staff.

Commissioner Nichols stated that the topics mentioned so far could also be Retreat topics.

ADJOURNMENT:

MOTION to adjourn by Commissioner Nichols. MOTION seconded by Vice Chairman Miller. The MOTION passed unanimously.

The meeting adjourned at 7:55 p.m.

Minutes Approved On:

Planning Commission Chair
