

GMHB EXHIBIT 159

2022-11-09 Planning Commission Transcript

0:05

thank you thank you um good evening everyone uh my name is

0:12

Daniel Hubble I'm I gotta get used to doing this again the meeting of the

0:17

Planning Commission for November the 9th 2022 is now in session uh good evening

0:25

um this is a special hybrid Planning Commission meeting it's the first time in two and a half years that uh we've

0:31

been here in person which is great uh for some of us foreign again my name is Daniel Hubble I am

0:38

tonight's uh chair for this hybrid session welcome Carolyn

0:44

um we are being brought to you in person and by Zoom we have members of uh the

0:51

commission and members of the staff that will be joining us virtually um as we are all getting settled please

0:59

be patient with me this evening to make sure that I can see everybody I've got people here and people on the screen uh

1:06

so I'm going to do my best to uh keep track of everything

1:12

um our first order will be to call the roll so Commissioners who are online and for those who are not familiar with the

1:18

dice um the microphones in front of you there's a button that you'll need to push to make sure the green light has

1:23

been turned on so that you can be heard remotely uh and with that Deputy city

1:28

clerk uh Deb would you mind please calling the roll

1:40

uh I think I heard commissioner Kerry present

1:47

thank you uh commissioner accused president commissioner rishis here

1:53

commissioner Reagan president Vice chair Murphy president and chair

1:59

Hubble I am present thank you thank you very much

2:06

all right um our first item uh on the agenda this evening will be appearances if that is

2:14

correct uh public appearances um at this uh time this is the time that

2:20

we have set aside for members of the public to speak to the commission about issues of concern if you wish to speak

2:26

please consider the following points uh speak audibly into your microphone please state your name in city of

2:32

residence for the record and limit your comments to three minutes I know we have

2:37

one member of the public here this evening are you planning Matt to speak you're here to listen thank you uh

2:44

Deputy city clerk do we have anyone online uh prepared to speak this evening no sir we do not

2:51

okay hearing that there are no public appearances this evening we will move to

2:56

regular business uh the first uh item on that agenda will

3:01

be to approve the minutes of October the 26th our regular meeting from two weeks ago is there a motion to approve the

3:08

minutes so moved it has been moved by commissioner rashes

3:13

and is there a second second second

3:20

Ed by all uh commissioner commissioner again

3:25

got the second on that are there any comments questions or corrections to the

3:31

minutes yes I do have some some comments um Dan sure

3:36

um I would like to recommend that we

3:42

I mean I'll tell you what this is about and then I can put it into a motion if you like um

3:48

all of our actions are stated to have moved amendments forward to the final

3:53

docket or the proposed final docket and I would think that it would be

3:59

better if we more accurate if we said that we are recommending amendments to the city council for inclusion

4:07

um again if you look at the city code regarding this matter if maybe staff

4:14

could get that up on the screen I would appreciate it it's 1915 to 30. d1c

4:24

if that's possible I'm sorry commissioner I'm not prepared to bring out the code at this moment no problem

4:29

I'll just explain them the only thing that the code says that the Planning Commission does

4:35

um I wish I had this actually as a quote that I could read you but it's pretty clear

4:41

um I can tell you almost exactly what it says it just says that the Planning Commission

4:47

um would recommend to the council

4:53

after their review of the preliminary docket it's just one sentence as far as what we do it

4:58

doesn't really prescribe any criteria we don't actually move things to the final

5:04

docket so so at this point I would just make a motion

5:10

um if that's right yes but if I might recommend because I understand exactly what you're
um saying I hope which

5:17

um might be for each of these um motions it says move forward the

5:22

proposed final docket but rather move forward to the recommended final docket

5:28

rather than proposed no I have I have two different wordings which I would I would uh
propose okay I thought I

5:35

thought I had heard you said that you didn't have any specific wording that's why I was
suggesting I have specific wordings but we don't have the city code

5:41

on the screen so that you can read it so that was my only you know okay okay so if you'd like
to make your motion with

5:48

your proposed uh language that would be great okay um I move that we change the
language of

5:54

all of the amendments to

6:00

recommend amendment number to the city council for inclusion in the final

6:07

docket okay is there a second second okay it has been moved and

6:14

seconded uh any commentary from

6:19

anyone sure um after our meeting because I was confused by this process I viewed

6:27

several other cities processes for docketing and in several of them

6:33

including Seattle Issaquah and a couple of others um they do have the Planning Commission

6:40

use the exact same criteria as the city council um and so and the language is pretty

6:48

clear that they are creating a draft final

6:53

docket for Council consideration um this might need more discussion by

6:59

the council but I'm concerned that we didn't Maybe follow procedure

7:05

last time and I was gonna wanted to add I don't know if I propose a different

7:11

motion or rumor I wanted to amend the minutes with my comment to that extent

7:17

sure let's get um this since we have a motion on the floor we'll resolve that motion and then

7:23

we can come back if if you don't feel that it's been uh adequately addressed through that

7:30

um okay you know Mike or Jeremy do you have any additional uh comments or

7:36

thoughts on the proposed change [Music] foreign

7:42

none online did you have one more thing you wanted to add to Carolyn or yeah yes I did

7:47

um it occurred to me that I do have a copy of the city code in my folder here so I can read to you what it says so

7:54

this is Mercer Island City code 19.15.230

7:59

d 1 C and this is the instruction to the

8:06

Planning Commission as to what we will do with the preliminary docket the Planning Commission shall review the

8:12

preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council

8:18

each year so that's our instruction the very next point which is d

8:25

the city council shall review the preliminary docket at a public meeting and by December 31st the city council

8:33

shall establish the final docket based on the criteria in subsection e of this section

8:39

so you know I I don't have any comment about what other studies are doing but I

8:44

think that my comments about the wording of our recommendations kind of are I think

8:51

we're staying in in our you know wheelhouse to make it clear that we're making a recommendation for

8:58

the the docket rather than moving amendments forward so I'm just basing this on Mercer Island

9:04

City code only great uh so with that this is semantics I

9:10

don't think it changes any of the outcome of what we had at the meeting so um uh anybody who Deb would you like to

9:19

do we need to do a roll call because of the folks online is that the easiest

9:24

foreign yes chair uh so with that we have a motion to

9:30

change the language uh as was iterated By Carolyn boatsman do you need her to

9:36

re-um to restate that if you'd like I can restate it based on what I've recorded

9:43

on my end yes that would be great the motion was to change the language of all amendments to quote unquote recommend

9:49

amendment number for inclusion in the final docket

9:55

um it's I put it just a little bit different if I may add recommend amendment number whatever

10:02

number that is to the city council for inclusion in the final docket

10:13

okay I've added that adjustment um thank you thank you all right let's

10:19

um unless there's no other comments we'll just call a vote to that change for the record chair

10:24

um because we do have a second I need uh commissioner Reagan to agreed to the

10:31

change to the amendment or the language I agree with commissioner boatsman's revision to the

10:38

language thank you okay you ready for the role

10:44

all right please commissioner boatsman aye commissioner Curry

10:50

uh commissioner accuse no

10:56

commissioner rishis all right commissioner rigobb

11:02

aye commissioner Murphy aye excuse me Vice chair Murphy and

11:07

chair Hubble aye okay uh that uh change moves forward six

11:16

to one thank you everyone uh commission accuse

11:21

you had um additional comments yeah I would just like to add I wanted

11:26

to document that commissioner accused proposed that

11:31

lacking other criteria the evaluation criteria should be used foreign

11:37

[Music] s after commissioner boatsman's

11:43

statement my apologies commissioner just one moment I'll shift over to the minutes and where exactly are you

11:48

looking in the minutes um it's on this topic one page

11:59

it's an item two

12:06

um and after the second sentence commissioner boatsman expressed concerns regarding the docket process

12:13

if you could add after that sentence um commissioner accused proposed that

12:18

lacking um specific criteria the city council

12:24

evaluation criteria should be used by the Planning Commission

12:35

I can do that commissioner um

12:41

if I can speak to the commission as your Deputy city clerk I just want to uh

12:53

when we do minutes at the city of Mercer Island we capture the action of the full

12:58

commission and not individual statements in this case the only reason why commissioner boatsman's item

13:06

or comment paraphrased was included was because uh

13:13

it was uh the count or the commission agreed that they wanted to bring it back for further

13:18

consideration so I'm I'm not uh pushing back on what you're saying I'm just simply trying to share with the

13:25

commission uh our process for managing minutes on our end if this if there's a

13:31

desire by the full commission to add that in happy to make that um happen I just need a motion to make that

13:38

put that in there I guess it's relevant to an item later

13:44

on the agenda so I can skip it and just get through the minutes

13:49

all right so you'll bring it up later okay

13:55

so with that um any other comments or additions to the

14:00

minutes uh commissioner Curry I I was just down I'm kind of confused

14:06

as to what we're trying to do here but if it's going to be brought up later on then I'll I'll hold off and wait until

14:11

that time yeah my my apologies um

14:16

uh the I it is the what the deputy city clerk

14:25

has um reminded me is that we haven't we I I

14:30

was here when we went through the whole process of of actually defining what minutes were uh

14:36

uh what were captured in the minutes and how that was done um and so that hasn't been I think uh

14:43

relayed to the entire group so that's my hesitation yeah no I I exactly and that

14:51

highlighted to me like oh okay like yes good comment and we don't do a

14:56

transcript um minute so um in any case we've worked through that so

15:03

commissioner Curry uh thank you for asking for Clarity on that mostly what

15:08

I'm looking for when I ask this question are to the point of commissioner boatsman to either clarify language that

15:16

has been used that would um affect intent of any actions that we

15:22

took and or any clerical errors that might need to be um revised and updated

15:30

okay with that um I don't see any other hands or questions related to the minutes

15:36

um so if we could please call a quick uh roll of approval of the minutes

15:41

excellent thank you chair as as uh has amended thank you commissioner boatsman

15:48

aye commissioner Curry aye commissioner accuse

15:54

aye commissioner rishis hi commissioner Reagan

16:00

aye Vice chair Murphy aye and chair Hubble hi thank you

16:05

thank you okay with that

16:11

um that brings us to our third item of uh our second item of business this

16:17

evening which is the third draft of the transportation element as a part of the comprehensive Plan update

16:24

um this evening our goal is to provide additional comments on the third draft

16:30

that will eventually come back to us um at a time I'm sure that uh uh Adam

16:36

will be presenting to us uh for

16:42

public uh so public hearing is that the next uh phase I'm sure you'll go through all of that but this evening Adam will

16:49

walk us through but again we're just providing comments on the third draft of the transportation element it looks like Adam are you leading us through this

16:55

this evening um well I have a couple of slides I wanted to go through before we brought

17:01

on our consultant Michael to go through the transportation element I just wanted to give you guys a quick uh recap of

17:08

where we've been and and hopefully some clarity about where we're going with this process so just a moment

17:14

here let me share my screen so

17:20

um again this is just a quick recap of the transportation and land use elements and

17:26

how we got to these third drafts tonight I think this will be helpful background information

17:32

so our purpose tonight as uh the chair put it is to complete this round of

17:37

review for both the transportation and the land use elements so we're hoping to get this put a bow on this uh this

17:44

evening um looking at our process um we started with uh project scoping

17:51

and getting some initial public input on the comprehensive Plan update um this included

17:57

um you know the scoping process that we went through in the late winter and then also some public surveys that we

18:03

conducted early in the summer where we're at now is preparing public

18:08

review drafts of the elements um specifically tonight we'll be looking at transportation and land use but it's

18:16

important to note that there's there are several steps after this before we kind

18:22

of wrap up the overall comprehensive Plan update so again we're here at the second of kind of of these uh six kind

18:29

of over overarching steps in the process so some background on both of these uh

18:36

elements so um the first draft of the transportation and the land use element were both

18:42

brought forward to the Planning Commission and you were briefed on July 27th um that's that initiated a comment

18:49

period on both draft elements that went from July 27th to August 31st

18:55

and then the second draft and those that comment period where we got comments from the Planning Commission and a few

19:01

public comments those fed into that second draft that the Planning Commission can considered on September

19:08

28th at that meeting on the 28th we went through all of those comments and the

19:14

proposed amendments and the Planning Commission responded to and resolved most of those proposed uh edits or the

19:21

the public comments on those drafts each of the each of the elements so the

19:27

transportation and the land use element both had a couple a handful of unresolved topics uh that you know it

19:35

was either the Planning Commission had asked us to had asked staff to redraft

19:40

um or amend some of the language and bring back another draft for you to consider at this meeting so tonight

19:48

we're really going to be focusing on those those handful of unresolved topics from the 28 the the meeting on September

19:55

28th so our process for tonight um is we're staff will walk you through

20:01

each of those unresolved topics that were outlined in the staff memo

20:07

um and then well you know the Planning Commission can then provide comments on those unresolved topics and then um

20:14

we're asking um for a decision on to resolve each of those topics and the decision points are

20:20

spelled out in the memo so you can kind of see you know there's most of them have a you know have three different

20:27

options of how you can resolve this and we're really looking for that direction tonight and then once we've resolved these

20:34

topics the the intent is to conclude this round of review for both the

20:40

transportation and the land use element um and then that initiates the or

20:45

that'll move us to having public review drafts prepared for each of these elements

20:51

and the public review drafts will feed into the next step in the comprehensive Plan update process wearing we'll be

20:58

collecting public input on uh the draft elements the overall comprehensive Plan

21:04

update um so the the public will then have a chance to review these drafts that we're

21:10

preparing in these meetings and then make some comments on them and then the Planning Commission you will have the

21:17

option to take another look at these elements once we've gathered that public

21:22

input before you ultimately make a recommendation and there's a couple of points at which we will be

21:29

um or you will be able to respond to the the public input so looking ahead at our

21:35

process we're going to continue working on draft elements through the next year um so we'll we'll repeat the same

21:41

process for our Capital facilities utilities elements Economic Development

21:47

element the other the other pieces of the comp plan um working towards getting a public

21:53

review draft for each of those elements then following that was our public participation phase of the project

22:00

that will include an economic development element Workshop because that's a new element of the

22:05

comprehensive plan we're going to hold a specific Workshop to get feedback on that element and then we're also

22:11

planning to hold a comprehensive Plan update open house where the public can see what the what the amendments are to

22:18

the the comprehensive plan and provide comments at that time following the public participation

22:25

process that will be where you wrap up your part of the process so we'll have a

22:31

tune-up meeting where um you know you will be able to respond to those comments and make any slight

22:37

changes that that may be required um do you know to respond to those comments and then you'll also hold a

22:45

public hearing and work on your recommendation so the public hearing is a formalized process where the public

22:52

can come and speak directly to the Planning Commission and then before you make your recommendation to the city

22:58

council you can go through and respond to those comments as well so there's a couple of different touches before your

23:05

process wraps up and we're expecting that public hearing and recommendation to be taking place

23:11

um sometime in early to mid to 2024 so we've got about a year a year and a half

23:17

left in these this process for you guys um

23:23

so let's see here I already went through that um so before I turn it over to our

23:28

consultant Michael to talk about the transportation element do do does anyone have any questions about that overall

23:35

process um that I just outlined any questions from the group okay yeah I

23:42

have one question I see that the economic development piece is there but not the housing element

23:49

um so I'm wondering if that's implied in the comp plan open house or if that process is just so uncertain at this

23:56

point we don't know where it's going to land um a little from both so I think as a as

24:03

initially envisioned the that comp plan open house would include

24:10

the housing element um because it's it's looking at the overall comprehensive Plan update

24:16

um if you uh saw the briefing for the council last week uh where we talked

24:21

about some of the changes uh that are coming to our housing element

24:26

um and some of the changes to the growth management act requirements for housing

24:32

um that that process may end up being amended because there are some

24:37

additional uh additional changes that the legislature made to the requirements

24:43

for the housing element and we need to address those during this comp plan update so

24:49

um we there's more to come and we'll plan on coming back to the Planning Commission with

24:55

um a look a check in on the scope um probably early next year once we once

25:03

we have all the documents uh from the State Department of Commerce and and

25:08

from the county so there's there's a lot of moving Parts there um so I guess stay tuned for housing

25:15

because that's a big that's a big one yeah we should just put that like on a banner

25:22

in downtown like stay tuned hang on for housing

25:28

um great any other questions before we go to uh our consultant Michael

25:35

and for uh both Jeremy and Mike uh online I can see really well if you use

25:40

your electronic yellow hand it actually shows up really well for me so if you do have questions uh please try to use that

25:47

because it'll help stand out if you have any comments um okay hearing none Adam uh let's go

25:54

ahead and move forward Michael welcome thank you just let you know I had a little network

25:59

connectivity there so um hopefully everything's okay please let me know if it's not

26:05

Adam thanks for the introduction um yeah appreciate all the input also they

26:10

got us to this point we've just got six outstanding uh issues that we didn't

26:15

resolve at the last meeting they're all on the goals and policy section so what I'm going to do is use

26:23

the um the memo is kind of informal uh presentation tonight so we'll go

26:29

ahead and share my screen [Music]

26:38

let's see yeah so we got the first one we got here is very straightforward

26:43

um we heard from you all that um the policy 2.3 wasn't appropriate to

26:50

include the word maintenance in this policy um sorry real quick I just for those that

26:56

are following Along on your paper packets this is page two of five or the

27:03

the grade box page seven so on the number on the left is seven

27:09

and the number on the right is two of five yes thank you appreciate that yeah again

27:15

we're going to just use the memo here like I said is it informal uh presentation uh starting here with

27:21

policy 2.3 um we heard there's the intro is actually uh is not correct uh so maybe

27:28

just ignore uh this section here uh but basically what we heard on this one was

27:34

and I'll give you a little more background if this is encourage Partnerships with non-profit providers in the private sector and the provision

27:41

and operation of the transportation system what this is getting at is for example hopelink is a non-profit

27:47

organization that provides uh Transit and other transportation services or

27:52

could be getting at the city possibly partnering with a ride share program or a bike share program

27:59

and all we the only change that we heard from you we think it's appropriate is just taking the word maintenance out of

28:05

this one so uh pretty small minor change uh to just take out the word maintenance

28:11

maybe the way we'll do this is I'll just kind of give background on each of these six uh policies that

28:18

were changing tonight or and just open it up to you to make the decision so um we're recommending uh

28:26

just taking out the word maintenance on simplifying the policy to read encourage Partnerships with non-profit providers

28:32

and the private sector in the provision and operation of the transportation system

28:39

okay um and uh uh Adam or Michael if you

28:45

could just clarify we're not you don't need a formal vote but you just need consensus that one of the which one of

28:52

these directions you want us to move in either to accept the recommended change or whether there's a different change

29:00

uh this this is Adam uh yeah consensus would be appropriate uh and then

29:06

um yeah as long as that's reflected in the minutes because yeah

29:12

we need consensus on each of these okay yeah I just didn't know if you need formal motion since this is just a a

29:18

draft uh discussion typically we wouldn't do that but [Music]

29:26

okay um so uh Michael did you want us to give

29:33

have discussion and Clarity on each one of these one by one or did you want to go through all six and then and then go

29:38

back to them I think it's best to go one at a time while it's you know fresh in everybody's mind and some of these might just be a

29:45

simple yes that looks appropriate but other ones might have uh some more discussion around them so I think it's

29:50

best to go uh one at a time great so um that was pretty straightforward

29:55

are there any questions comments or direction that folks want to yield to um

30:02

uh the staff Victor so I have a question so on this one you say we're just simply

30:09

removing the word maintenance but you're actually you actually rewrote the sentence so can you just explain

30:15

why we didn't just remove the word maintenance uh let's see well okay yeah there's a

30:22

little bit more but it's um why didn't we do that we also heard from you to maybe soften it a little bit

30:29

um that pursue opportunities we have changed to encourage

30:35

um you know other than that it's very similar uh to what we've come

30:41

up with now so that yeah the two things we heard from you was maintenance didn't seem appropriate and to maybe soften pursue to just

30:50

soften it a little bit so we went with encourage and then why are we also added

30:56

non-profit providers why are we adding that in in addition to

31:03

private sector participation

31:08

yeah so that's okay pulling up the I got my other screen to

31:13

say no I've got uh the full document here I'm just looking at the context on

31:19

that yeah so we did have so

31:25

there's a few this is a few rounds so what we've got here for existing policy

31:30

is what the one that's in the current draft and the one that we sent to you before

31:37

the revised version already had non-profit providers in there so

31:43

um it looks like more of a change so this has gone in a few iterations um so since what we sent you last time I

31:50

can read it before um we literally just took out maintenance

31:55

is so the the existing policy is what is in

32:01

the current currently adopted um uh uh comprehensive plan document the

32:10

draft had a revision that looked very similar to the current staff proposed alternative and the

32:18

notes that you had from our previous discussion were

32:23

um related to removing maintenance which is why that's the the

32:28

the revision that's coming back so it's almost like we should have seen the strike through from the previous version

32:34

you sent us rather than the existing policy in the code

32:40

um because I think that that's where it's

32:48

Adam we can see that on page uh gray box 14 in the packet

32:54

I was yeah I was looking at that to see what's the original oh good there's the strict

33:00

actually okay

33:06

okay that that makes sense and I apologize I've gone out once or twice here so

33:13

hopefully that won't happen again um but Adam if it does happen again

33:20

um would you want to take over walking through this so in looking at

33:26

um page a gray box 14 my understanding is the green is what

33:32

was presented to us last time and the purple are the changes that have been uh

33:38

proposed this um for this go around

33:44

yes that is correct

33:49

does that make did that answer your question Victor yes did you have a question thanks just

33:55

a comment um thanks Victor for catching those two changes that um it answers a

34:01

question that I had in my mind which was that I had thought I'd seen a different version of this prior so thank you

34:08

um I think that with the change that has been made it's much improved uh with the

34:14

two two rounds of changes so I favor what the staff is proposing here

34:20

okay um any other uh questions or thoughts on this before

34:28

I sort of get a show of thumbs on whether you're okay with that stuff changed Adam

34:34

um yeah I like this staff proposed alternative looking at the the CPP which

34:40

is guiding these changes it's very close in in the words like they use the word

34:45

encourage and partnership so I I like this better than

34:50

um the previous red lines great

34:55

commissioner Curry or vice chair Murphy do you have any uh thoughts or comments

35:02

okay uh so hearing none and for for the two of you online if you just want to

35:07

hit your yellow button for a thumbs up I can record that but um if I can get a thumbs up from everyone who's okay with

35:14

the recommended staff change for this item I've got five here

35:21

and I've got Mike and perfect thank you

35:27

uh that is uh concurrence we have seven I don't know if we lost Michael or

35:33

yeah I'm still here okay great okay so we have consensus on uh item one

35:40

okay great that moves forward to uh policy 3.1 uh

35:45

this one what we're trying to do the background on this one is we were

35:51

looking at revising and existing policy to pick up um some language in the county-wide

35:57

policies so we came to you last time uh with this basically this alternative to

36:03

here and we heard some proposal to maybe take out out for all communities and so

36:09

we're coming back to you with three options um and the only difference is the highlighted yellow section so the

36:15

alternative one is almost abbreviated does not include for all communities at the end

36:21

alternative two does include for all communities and then the alternative three

36:27

gets it the full content of what's in the county-wide policy that's the ending

36:32

statement would be for all communities especially those that have been disproportionately affected by

36:37

Transportation decisions so we think any one of these three would be fine to go forward with

36:43

I just wanted to get your input on uh which one you prefer okay I see commissioner he's turned on

36:50

her microphone so any uh anyone want to start with their preferred alternative

36:56

okay my preferred one is alternative three

37:03

um but I wanted to note as well that alternative one on page 14

37:11

gray box 14 has all communities and alternative one in the meeting packet

37:18

does not have all communities so I want to make sure that we know which one we're voting on

37:23

um so I would just propose that we use the agenda packet from this meeting [Music]

37:30

does that work yeah it looks like they're just out of order and we're labeled backwards yeah yeah so I just

37:36

wanted to make sure folks know what they're yes so we'll go by the staff memo alternate one two and three which

37:42

is Page gray box seven and so my preference for alternative three is because it's just consistent

37:49

with how we're updating the housing element with that lens of equity

37:55

foreign and I think I was the one who originally

38:01

suggested what became alternative one um and I think after discussing it in

38:06

with our commission last meeting I kind of pulled that back and uh I would yeah I would vote for alternative too I think

38:13

well alternative three talk you know expands upon what they mentioned in the King County

38:19

um cpps uh I think you know it's like where is this disproportionate effect

38:25

you know who perceives it I think that's getting a little too much into the minutia so I I would prefer alternative

38:32

to okay Karen Victor do you have any

38:39

additional I agree with Adam okay

38:44

I prefer alternative too as well um I I think it just kind of tells us what

38:51

to do in the future in a very consistent way so

38:56

I prefer that okay uh commissioner Curry or vice chair

39:02

Murphy do either of you have any additional comments you'd like to add

39:08

okay seeing none there I am hearing consensus

39:13

Kate around uh option number two is that okay I'm gonna call for a show of hands

39:19

but I I can live with option too all right so um if I can just get a quick show of hands around option two I know

39:25

folks have already said that but um I have five here and then online I see two as well so we have consensus around

39:32

alternative to Michael uh which is just the addition of for all communities

39:39

okay that's great so related to uh this one would pan forward here to page three

39:45

of the packet uh moving on what we heard last meeting was interest in um a broader

39:53

uh Equity um policy and I just wanted to call out that we do have to uh focused Equity

40:01

policies 4.8 and 4.9 uh these are fair these are basically the county-wide

40:07

planning policies in here and these are already in there before these

40:13

two but what we could do to address the comment was we wouldn't be these wouldn't be

40:19

appropriate to move to goal number one because that's getting at different content um what we could do if we wanted to have

40:25

a more these broader Equity uh policies happen sooner is that we could make

40:32

goal for goal one and just slide it all up there's not really a ranking order goal

40:37

one's not intended to be more important than any of the other goals um but just to give it just offer that

40:43

up there if people were interested in having these equity policies happen sooner which is what we

40:49

heard from at least one person uh we could make that change there's no change to the actual 4.8 and 4.9 those are

40:56

exactly what you saw last time it's more do we want to move them up based on a

41:01

comment we heard last time

41:06

okay so to restate the two uh or the option here if I look at the correct

41:12

thing would basically be to um renumber

41:18

uh what is this uh goal number four uh to goal number one in the um

41:27

in the section two under transportation goals and policies was that correct

41:33

that's correct yeah okay um thoughts on the renumbering just to

41:39

move that forward in the document

41:46

this would be taking goal four which starts on gray box 14. it goes to 15.

41:56

instead of like the existing one there that's goal one now oops

42:03

yeah so this is go for this big picture goal for is provide transportation choices for travelers uh through the

42:10

provision of a complete range of Transportation facilities and services so that goal would slide up

42:17

um right now the current goal one is encourage the most efficient use of the

42:23

transportation system through effective management of Transportation demand and the transportation system just at a high

42:30

level goal one does seem to be kind of start off nice and Broad as a

42:35

reader um and kind of and go forwards a little more

42:41

detailed so big picture wise I think they're they're

42:46

laying it out pretty well the way it is now kind of starting big picture and kind of getting into more of the details

42:53

um but I'll leave that up up to you all to decide okay uh commissioner accused

42:59

um is there an option to just move 4.8 and 4.9 into gold one

43:05

I think that was the point of the comment previously because I I can see why I think it makes sense that it's

43:10

laid out the way it is presently but the idea behind the comment was just to bring forward

43:16

um those Equity topics since they're Global and not restricted to choice

43:25

which it seems that goal four is about choice and everything in it is about

43:31

choice yeah

43:36

um Michael can you uh sorry Colin I just had one question can you remind us

43:41

um 4.8 and 4.9 I think came from the county-wide policy correct was there a

43:47

reason that they were put here is that was there some consistency to the the

43:53

county policy or is it just that's where staff thought that was the most appropriate Place

yeah we thought this

44:00

was the most appropriate place I mean you can see some like for example 4.9 uh address
the needs of of people who do

44:06

not drive either by choice or by circumstance so that's really getting at

44:12

um what we think the tent of goal for what what goal for is looking forward

44:17

um which is more kind of Transportation options let me read pull that up here again

44:23

yeah so go forward again just a reminder is provide transportation choices for travelers to the provision of a complete

44:29

range of Transportation facilities and services so we just that was our assessment that that would be the best

44:35

uh most appropriate spot for these two

44:40

okay Carolyn it seems that policy 4.9 is somewhat of

44:47

a subset or a 4.8 or it's a more it's a more specific

44:54

um policy but 4.8 I do think is a rather Global policy and it seems rather odd to

45:00

me to see it here I I agree with Kate that it would be more appropriate to

45:06

have something like that right at the very beginning in goal one if possible

45:11

if we could if it fits in so it's the suggestion uh possibly just

45:17

to move 4.8 into goal number one and leave 4.9 in goal four I'm thinking that

45:24

yeah it's a little hard to sort of you know see all of this right here sitting right now and have this idea and and um

45:31

know if it if it works but that's what occurs to me maybe maybe our consultant can give us a

45:38

thought about that I think that would be appropriate

45:46

um Adam I I disagree um I think this the city's original

45:51

location of the editions of 4.8 and 4.9 um are appropriate I mean these are it's

45:58

talking about generally you know providing perhaps reduced reduced fares or something for people or you know more

46:07

you know Transportation options like uh accessible buses I do not see how that

46:15

ties into efficient use of the transportation system nor receiving maximum value I think that ties into

46:22

offering a complete range of Transportation Services

46:27

um you know services and programs I think I I I agree with the city's original location of an under goal four

46:39

okay um commissioner Courier commissioner Murphy either of you have any comments

46:46

well I agree with that I'm in the way it's currently proposed by the staff

46:52

yeah I tend to agree with Adam on that um and more importantly I'm not sure it

46:58

really makes any difference because all these things are weighted equally uh

47:04

under dma so um I I think it it

47:12

almost stands alone but it's not worth having its own probably not appropriate to have its own

47:19

goal

47:25

okay thank you Kate did you have any other thoughts you wanted to end

47:31

yeah I think it's it's in the plan regardless so that's good

47:36

um the reason that I thought it belonged in gold one had to do with how do you define Transportation demand and so

47:45

I think having Ada issues up front when you're thinking about what is the demand

47:50

because I think it's different for different socioeconomic groups and people of different abilities so that's

47:56

you know but you can look at it either way if it's in it then I'm happy

48:01

um but that was just my preference to move it up to one so that we're assessing demand looking through a disability and Equity lens

48:10

all right um I think it does I mean given that question just looking through this I

48:16

mean there isn't a sort of an equity you know Gulf War kind of gets to the

48:21

choice question but there really isn't um a broader Equity

48:28

um goal in here I'm hearing at least from

48:33

three people that leaving it where it is um it would be the preference

48:40

so um I'll start there and just say do I have a consensus of at least four to

48:46

leave it as is in uh goal number four leave items 4.8 and 4.9 as is in goal

48:54

four do I have consensus thumbs one two I have the two online I've got Adam okay

49:01

all right so we have consensus on that okay thank you

49:09

uh moving along we heard going back to policy 3.3 uh we

49:16

heard a comment about adding um some language to encourage programs that plant trees and unused portions of

49:24

the public right away um so we've come back to you with uh two two options and how we incorporated that

49:31

comment as we put it at the end of the existing 3.3 so now it's followed

49:38

follows behind construct Transportation improvements with sensitivity to existing trees and vegetation and then

49:44

we'd add on encourage programs that plant trees and unused portions of the Publix right away

49:52

um big picture um you know we don't recommend um adding this it's getting outside uh

49:58

the scope of work uh for updating the transportation element um it's this has been intended to

50:05

take on amendments required by the GMA you know recent changes in the city uh

50:11

Transportation or the county-wide planning policies um and it also um may need to be a

50:18

little more vetted by the transportation engineering and maintenance departments

50:24

but I've just thrown out a couple thoughts there and I'll open it up to the group

50:30

okay so on uh gray box 14 in the line out um item 3.3 the purple section is what

50:39

uh was brought forward based on commentary the staff does not recommend

50:45

its inclusion um any comments from the group

50:51

Adam I I still like the uh proposed alternative um and I think encourage programs is a

50:59

low enough bar that we're not saddling ourselves with you know detailed processes and procedures and overhead to

51:05

do this I think encourage could just be respond to people's emails if they want to plant a tree so I'm I'm in favor of

51:12

the alternative um one other thing I had on a separate note I had proposed some uh an alternate

51:20

other additional alternates to 4.8 should I should we come back to those I know we've decided on the location is

51:26

that something to do later uh yeah let's go through what okay staff has prepared and then we can come back to any of those so um yay for

51:34

alternative one comment to Adam's point we kind of skipped half of the uh half

51:41

of the last one because we discussed location we didn't discuss wording and

51:47

the topic actually is

51:52

discussing the wording and then discussing the location if you look at that top paragraph and

51:58

then also on the decision Point ah you are correct yeah just to confirm though

52:04

we never heard I mean we can definitely any change you guys want to make tonight is totally fine we never heard any

52:09

comment um on the language of 4.8 or 4.9 it was more just to bring it to your

52:16

attention with regard to um wanting to have a equity policy up up earlier but again we can definitely

52:23

uh make any changes these uh if you want yeah let's close out the one that we

52:28

just started on the trees and then we'll go back to that because it sounds like there's at least two people that have

52:34

comments on 4.8 on the language um okay so getting back to 3.3

52:42

um related to the um trees in the public right-of-way

52:47

any other thoughts Carolyn I like what the staff has proposed here as

52:53

alternative language and it is um kind of opens the door but it's very benign

52:59

and it just um allows for options to develop as they as

53:05

they come forward I think um in regards to the appropriateness of of this in our

53:10

current uh project here we are amending policy

53:15

3.1 which has to do with health and environmental impacts

53:21

and you know we have a huge uh health and environmental impact going on now

53:26

with just simple heat heat at night in particular and uh trees along the

53:34

pavement are just remarkable at changing that calculus and um

53:40

so it's something we should be open to true

53:45

I think okay commissioner Curry or vice chair Murphy

53:51

any comments from you okay seeing no yellow hands okay any

53:59

additional commentary uh so I have at least a couple of people that are in favor of uh retaining the

54:07

proposed uh alternate as it's been presented do I have consensus uh on that

54:14

show of thumbs for those in favor I have two online I have Carolyn I have Adam so I have four uh so that's

54:22

oh sorry she was late yeah turn my head you got to do it before before I look

54:27

over there so I've got five uh four is all I need so we've got consensus there

54:33

we'll move that forward to the public draft okay thank you and then um okay so I

54:41

apologize Michael let's go back to the prior one around policy 4.8 it sounds

54:46

like there's at least two people that have uh comments around language change Adam you started would you like to sure

54:53

I I can read the the email I think that was sent by by City to all of us earlier

54:59

this afternoon I'll read the first text because I think that's the the least changes um my proposed revision to 4.8

55:06

would read Implement Transportation programs and projects that address the needs of and promote access to

55:12

opportunity for all communities people with low or no incomes and people with special Transportation needs while

55:18

preventing and mitigating displacement of these groups rationale is this would make it more consistent with Goal 3.1

55:24

which also references all communities and this is not excluding other groups from the city's consideration

55:31

um so I think by you know while this differs from the King County cpps

55:37

um I think this actually overachieves there um it's more inclusive than what I read

55:43

in the King County cpps for this which is what the proposed text in the packet

55:48

is based on um and then those you know a quote from the cpps is you know the 2021

55:56

county-wide planning policies were designed to provide guidance my emphasis in advance of the 2024 statutory update

56:03

of comprehensive plans and Court chain incorporate changes to the regional policy framework so we don't need to

56:09

copy them word for word I think this is one where we ought to overachieve and be more inclusive okay

56:15

um I know Victor was next and then Kate did you have something Victor I didn't

56:20

have a comment can you just repeat the change because I I'm not looking at it so

56:26

I I can what is the specific change um so I think where we say address the

56:32

needs of and promote access to opportunity scratch everything beginning

56:38

with four um through the word color and replace with for all communities got it thank

56:44

you Katie

56:50

that's right that was a good enough simple explanation okay so what that does effectively is it

56:57

removes the specifics of black and indigenous and I

57:04

can tell you from what I have learned through Equity training and reading books about

57:10

laws in Seattle and other places is that those two groups are specifically called

57:17

out because black people have been historically excluded from housing to a

57:23

much larger extent than other races um black and white is a racial construct it

57:31

is an invented construct and it has been used to suppress people systemically

57:37

um I think it's important to leave these in indigenous people as well were not allowed to sleep in the city of Seattle

57:43

they had to sleep out on an island made of trash so I think the reason that the

57:49

county is leading with race and the reason they want to use the words black and Indigenous is because these two

57:55

groups specifically were excluded um to a very harsh Point that's affected

58:01

their ability to gain wealth relative to white people I'm very much opposed to

58:07

changing the language I think it whitewashes history and I would prefer that we keep it as is

58:15

okay Carolyn I think Kate makes some very

58:20

good points um I understand that the language that the staff has provided is what is in the

58:27

county-wide planning policies is that correct okay

58:33

um I think I would prefer to stay on that bandwagon and

58:38

um point out these particular groups that somehow when you you know in our in

58:44

our history when we have referred to everybody as being welcome to the uh

58:49

benefits of our community it hasn't really meant everybody so I I like

58:55

spelling it out and and if that's what they're leading us to do now I think we ought to just go ahead and do

59:01

that I don't either I don't think there's any harm in doing it and there's some benefit I think

59:09

commissioner Curry or vice chair Murphy do you have any comments

59:15

um I've got a couple of thoughts um I believe Kate is is correct in the

59:21

historical context um what we're talking about here is Transportation Planning and actions that

59:29

have historically impacted uh different communities in our country especially

59:36

black and uh other other people other groups other people of color

59:42

um and and that has been historically a real problem systemic problem and has

59:49

impacted those communities um has a practical matter it's not

59:55

really an issue for us because we don't have areas where where uh blacks or Hispanics

1:00:04

or indigenous uh peoples are located who

1:00:10

could be impacted by Transportation Planning that that affects them in adverse ways

1:00:16

whether it's pollution or destroying communities uh close-knit communities

1:00:22

however um even though we don't face a real problem of that regard on Mercer Island

1:00:30

I think it would be a mistake to excise this language because it sends I think

1:00:37

the wrong message about the kind of community we are and while I I agree

1:00:44

with Adam that it would be nice to be able to say that we don't need to say

1:00:50

that and be over inclusive and to um reflect uh that we're serving all

1:00:58

communities I think excising that language sends a uh sends the wrong message that

1:01:06

uh we don't care about those communities even though it's not a real issue on the island in our transportation planning I

1:01:13

think it sends sends the wrong message and and for that reason I would keep

1:01:19

that language in there and conform to what the uh the county language is

1:01:27

okay um I will just add my commentary and in

1:01:35

support of everything that that um commissioner Murphy just said and the same with with
Kate I'll cite two

1:01:43

um a data points here uh one which is I know that this language was vetted

1:01:51

very heavily by members of the community and people who are much more educated on

1:01:57

the topics of race and equality and how that impacts our communities and I am

1:02:03

not going to sit here and pretend that I'm going to know better than them

1:02:08

in that regard so that's number one I I know and trust and have faith in the

1:02:14

people who are invested in um in these sorts of issues and that they've made correct
decisions on that

1:02:21

number two um I'll challenge a little bit Mike's assertion that we don't have a problem

1:02:27

here while I don't think um there are

1:02:32

as many systemic things as maybe exist historically I can

1:02:37

tell you and I can ask each of you go look at the deed to your property because if you live on First Hill very

1:02:45

likely your deed includes language that I know my original deed and plot map

1:02:50

contains which says the homes on First Hill cannot be sold to people with a

1:02:56

black race it's still to this day and signing the paperwork has that language in there

1:03:02

so while yes there may be things that are less systemically influencing these

1:03:08

communities um we do have a history here on the island uh as everywhere in the U.S and

1:03:15

to Mike's point I think it just sends the statement that we're putting the trust in the folks that actually have

1:03:22

um a stake in this um much more than I can ever be educated enough to

1:03:31

to argue against so that's my position yes I'll just stay

1:03:37

one short rebuttal and that that's all I know there I've seen also in Deeds I think through the University of

1:03:43

Washington's project that there were restriction restrictive covenants against uh members of the Asian race

1:03:48

members of the Jewish community so that's you know I I feel that this language excludes them and they've

1:03:54

they've faced similar um hardships in the past so that that's all

1:04:00

I wanted to add yep Carolyn two things one um I would like to also add that I'm

1:04:09

not sure that I really know about Transportation challenges or or needs

1:04:15

that have not been met on Mercer Island by various groups I I really I really don't know that the answer to that question and you know maybe there's more

1:04:23

to that than than meets the eye the other thing is what Adam just said is there some way of changing this language

1:04:29

so it's a little broader I mean you pointed out other discriminations that are not black indigenous and other

1:04:36

people of color um I'm looking at your draft comment

1:04:42

Adam to see if there's a word we can pull over there

1:04:47

um I'll just say I tried to go as broad as possible but that's okay that's

1:04:52

yeah that's that's my interpretation what if we were to insert after other people of color and all communities

1:05:01

I know it gets a bit long and wordy but it means the right thing and that way

1:05:07

you know it's true that when you you make a list of certain people well yeah who are you leaving out who are we to

1:05:13

say that that's the only list of people who have been discriminated against so

1:05:18

um maybe we could add that Kate

1:05:24

I would um suggest that we consider our own population demographics at present and

1:05:31

that these exclusionary practices have

1:05:37

impacted black communities and black families to an extent that persists

1:05:43

and if you look at the demographics of Mercer Island they do not match the demographics of King County

1:05:48

we have more Asian families than most of King County we have more Jewish families

1:05:55

the most of King County we do not have more black or indigenous families than

1:06:00

the rest of King County in fact we have quite a bit fewer so I think this is important I agree that

1:06:07

all communities that have been discriminated against should be considered

1:06:13

that I think deleting black and Indigenous people is a mistake

1:06:20

yeah possibly I was misunderstood I didn't mean to delete anything there I

1:06:25

think yeah I was just talking about would there be does anyone have any concern with adding the phrase and all

1:06:32

communities after other people of color any concerns with that Victor

1:06:38

I I don't have any concerns just the placement there are two other

1:06:43

communities that come after that and you've just been one of them so there's okay

1:06:49

if it's just a a language one option could be to let's see to access to

1:06:57

opportunities for all communities we could put an including after that that's just a language

1:07:04

thought that would be good I think that's

1:07:09

um you know you kind of know what we're looking for here and and in the spirit

1:07:15

of word specific I think that you have an extra and in there before other people of color kind of

1:07:23

given your comment placement wait until we get to a meeting where we spend a half an hour debating Xiao and

1:07:30

should those are those are the fun meetings um yeah one more yeah my preference would

1:07:38

be to add all communities after needs and again it's

1:07:43

the whitewashing problem and and saying everybody's special before

1:07:49

you State the problem there's and again there's just a reason they LED with

1:07:56

black and Indigenous so you how would you like it to read then but I would say um and people with special

1:08:02

Transportation needs comma and all communities that's where I would put the

1:08:07

and again teacher uh Hubble's point

1:08:14

it it could send a message if you put that in front of

1:08:20

as opposed to being inclusive weird well okay another idea Kate would be to

1:08:27

put it okay address the needs of and prot access promote access to all communities

1:08:35

let's see promote access to opportunity for all communities including black indigenous and other people of color

1:08:42

I don't know I I guess I'm gonna I I think I'll stop trying to word Smith I'm

1:08:48

I'm just gonna dig myself in deeper um I think we have consensus on the

1:08:54

direction of finding a way to put this in here does anyone have an opposition to the staff finding the most

1:09:01

appropriate way to do that and bringing bringing it back

1:09:07

okay I've I've got head nods uh on that um Michael is that clear enough

1:09:13

direction for you I think so Adam are you there

1:09:18

yeah I'm I'm here maybe what we could do I've got a word I've got this same

1:09:24

document in Word why don't I share my screen and we can just agree on the language here

1:09:29

that might be an easier way to do it and then then we're not guessing at your intent great

1:09:37

um so let me get that shared here

1:09:43

so this was um one of the Alternatives it was uh and

1:09:49

promote access to to opportunity for all communities including

1:09:55

and then the other option as proposed by

1:10:00

Kate was to take this for all communities and put it here

1:10:12

is there

1:10:18

or I guess this should be it doesn't it actually doesn't work as well in the second spot because it says preventing

1:10:24

and mitigating displacements of these groups yeah it's almost like it should go at

1:10:30

the end instead of these groups you could say mitigating displacement of all communities I don't know if that

1:10:36

then under like if that undercuts the statement prior but

1:10:44

grammatically it doesn't fit well right there right

1:10:50

or maybe if instead of including it said especially or something you know I don't

1:10:57

know I feel like it's fencing words and I'm really concerned about the message it sends to

1:11:03

foreign modify the language

1:11:09

I don't mind the use of specifically I mean I think that actually almost accentuates the point

1:11:22

well another offer another politics of books another possibility is

1:11:28

um address the needs and promote access to opportunity

1:11:34

for black indigenous and other people of color

1:11:41

and all communities whoops sorry my screened and uh why does it

1:11:50

keep doing that I'm sorry jumpy jumpy yeah um

1:11:57

oh let's see so let me try this again address the needs of and promote access to

1:12:03

opportunities for black indigenous people of color and all communities

1:12:11

people with lower no incomes Etc et cetera does that work

1:12:18

so I I'm gonna go back with Kate on this which is I know that there have been

1:12:23

groups of people that have worked this language from the County Planning policies and I

1:12:29

guarantee you they've spent hundreds of hours getting it to the proposals that were given to us from those policies

1:12:37

the seven of us I hate to say are not smarter than any of them and while I do

1:12:42

understand the idea of trying to be more inclusive that's actually to Kate's Point not the intent of this policy

1:12:49

so um yeah I like Kate's proposed language I think that's good specifically that's

1:12:55

fine all right I'm good with that well I don't know if that I think that's what um Adam put up there I don't think

1:13:01

that's what Kate suggested I thought she did yeah I'd be in favor of saying uh

1:13:07

access to opportunity for all communities black indigenous young people of color and however you want to do that but almost the way it was

1:13:13

originally written but just put all communities in there I think it covers the gamut

1:13:19

of what we're trying to say without applying heavy emphasis anywhere

1:13:25

else right just saying I feel that

1:13:31

go ahead I feel that people of color addresses the vast majority of groups

1:13:39

well I don't disagree with you leave it in there that's fine I'm just saying how it's originally written and then put all

1:13:45

communities in like we had originally stated for all communities I'm not a fan of

1:13:51

specifically but I think if we keep it all in there I think it covers the full

1:13:57

range of what we're trying to do and I think everybody is somewhat happy with the language that's contained therein

1:14:03

right I think it addresses what Meister Murphy stated you know Adam was in favor of all

1:14:09

communities in general but because that's uh more consistent with what we got what is in 3.1 atom

1:14:15

um adamar anyways and then uh uh but you know if all communities Works along with

1:14:22

black indigenous and other people of color we can do that too right I'm just saying I mean I think we're making mountains out of Millennials here and

1:14:29

like like the chair said you know people have spent hundreds of hours doing this and

1:14:34

we're rewriting and rewording it to suit maybe personal bias and Prejudice of our

1:14:39

own right so um well you you just made my argument to

1:14:44

remove the all communities and not do anything uh here so um okay I'll let you speak and then

1:14:51

I guess I'll just say a last statement which is if you say all communities it includes

1:14:59

white communities and this statement is specifically written to exclude white

1:15:04

communities you can call that prejudice

1:15:10

why would you want to say that though so why why would you want to say something

1:15:15

that excludes white communities so because they're underserved also right

1:15:20

okay I don't want this to turn into a A diversity I don't want this to turn into a diversity debate
I'm gonna I'm gonna

1:15:27

move this forward do I have four people in favor of including the all communities language

1:15:34

well don't you still have people discussing

1:15:40

don't you still have people discussing this Dan I do Carolyn and this is going to turn into a
like a really big

1:15:46

Fireball if if we're not careful let's trust let's trust each other that we're not going to turn into
a fireball

1:15:52

I mean we're just about there people might have a few more things to say and Russia I will
give everyone one

1:15:59

opportunity to say their last um their last comments and I'll let you start if you'd like

1:16:05

um um Mike

1:16:10

Curry I we're um let's see I think you mentioned making a mountain out of a molehill I

1:16:17

think we're doing something important here and the fact that it's a bit difficult probably
reflects that it's kind of important

1:16:23

so um you know I I appreciate all the things everybody has said um if the county-wide
planning folks

1:16:32

did not think in terms of making this broader like the word all communities would do

1:16:39

yeah in my thought maybe they've kind of missed an opportunity there um so I I rather like

1:16:46

get to say all communities remove the word specifically comma and then just go right on in and leave it as is um I

1:16:53

think that's a pretty good suggestion that's what I would I would agree with that that was kind of my point right I mean

1:17:01

okay um last statement to see um I'm gonna go to commissioner Murphy next because I see his hand raised and then

1:17:07

I'll come back to you Adam yeah I I understand the desire to reflect the all communities but there's

1:17:14

a bit of a structural problem with the sentence then because if you look to the

1:17:20

end we're talking about then while preserving and mitigating displacement

1:17:25

of these groups well that means you're mitigating and preventing displacement

1:17:32

of all communities and remember what this policy is about is about

1:17:38

Transportation Planning and transfer providing Transportation facilities and services

1:17:47

um so I I do think that you know

1:17:54

if you if you try to insert that all communities you end up with this bizarre structural problem of you're not gonna

1:18:01

you know affect or or harm any Community well that's simply not the case when

1:18:08

you're building Transportation facilities

1:18:16

kind of um I I agree with uh commissioner boatsman's uh suggestion to yeah I like

1:18:23

the idea of adding all communities and not striking the existing text

1:18:28

um referring to Black indigenous and people of color

1:18:37

um Kate um just correcting my previous statement

1:18:45

um white people with low or no incomes are included in this statement without

1:18:50

having the word all communities I don't see the point of it and I think

1:18:58

it sends a very bad message to people that have been disenfranchised

1:19:05

yes Victor what if we were to say in the interest

1:19:10

of finding a middle ground here what if we were to say underserved communities rather than all

1:19:17

I could go with that

1:19:22

okay thank you Victor the suggestion is underserved communities

1:19:30

thank you Adam how do you feel about that is that a fair compromise

1:19:40

okay all right hearing nothing from uh online

1:19:47

give me commissioner Curry commissioner Murphy are you guys okay with that language change

1:19:54

I'm seeing head nods okay all right that is what we will move

1:20:00

forward looks like we have consensus that is what we will move forward to the public hearing draft

1:20:06

we will hear either hear nothing or we will hear everything about those changes

1:20:12

all right I'll turn it back over to Michael uh from kpg

1:20:18

thank you for your patience Michael yeah no problem it's good getting through there

1:20:24

um so let's see can we see my screen again not yet

1:20:30

okay

1:20:36

how's that yes and I believe run policy 7.4 yes so

1:20:43

we got 3.3 done moving on to 7.4

1:20:48

let's see yeah so what we did here is you know

1:20:53

hearing from staff um about getting requests uh

1:20:59

when I have street closures and talking about giving them a little bit of support to

1:21:04

not do that rather than writing a memo about why it's going to be a problem we wanted to add a goal here in general we

1:21:10

also think it's a good idea we came back to you with uh policy that

1:21:15

added the street composure and connectivity and minimizing travel distance emergency

1:21:21

vehicle response times we tried to bring it into an existing policy you see down below 7.8 and it got too wordy and um I

1:21:29

think you all had a good comment about too much going on in one policy so what

1:21:34

we're proposing now is keeping the existing policy 7.8 which is to strive

1:21:40

to create a complete connected active transportation system allowing direct and safe access for active

1:21:46

Transportation modes keeping that one but then adding separately uh a new

1:21:52

policy that's much is just more focused and clean emphasize Transportation

1:21:58

network connectivity to minimize travel distances and emergency vehicle response

1:22:03

Times by avoiding street closures so that's our our proposal to you uh

1:22:09

tonight um just want to see if that's okay or do you want to make some changes or

1:22:14

leave it the way it was

1:22:20

so um if we're looking at gray box page 17 and 18.

1:22:26

um it would be adding purple 7.4 and precisig transportation network

1:22:32

connectivity blah blah blah etc etc um and then

1:22:37

um seven what is now numbered as 7.10 which is the existing policy that had

1:22:47

um been altered originally and then what is numbered 7.9 I believe

1:22:55

is the two as it was provided last time where they had munged them together

1:23:02

so where you see a green strike through 7.8 that was the one where they were sort of

1:23:09

together that we saw last time and then they are basically proposing strike the

1:23:15

combined one and we would have the new 7.4 and the one that is currently labeled 7.10

1:23:24

isn't that great how I get to interpret all that uh Carolyn so I'm puzzled Dan why do you think that

1:23:31

they have struck the old 7.9 it's it's the note here that

1:23:37

says remove these edits and the policy is shown as 7.10 below

1:23:43

oh it's indeed struck thank you thanks for that clarification

1:23:52

Adam I think the uh staff proposed alternative yeah clarifies that I like the the

1:23:58

splitting keeping the what whatever keep keeping the original one and adding this new one as seven four

1:24:06

okay okay I agree okay but I did want to say again

1:24:13

there's a discrepancy between the packet the agenda packet and the text

1:24:21

um the agenda packet indicates the staff proposed alternative

1:24:26

uh it's a little bit different phrasing so I just want to make sure that we're all agreeing on the same thing which is

1:24:32

agenda packet item or 18 gray box 18. is that hard saying that gray box 18. yes

1:24:39

yeah as opposed to what is written on page gray box page nine

1:24:44

and what part do you see as different um

1:24:51

so essentially in the staff packet what is labeled as existing policy 7.8 they're different sentences

1:24:58

so on the first one it ends with avoiding street closures and then on

1:25:03

gray box 16. avoiding street closures is in the middle of the sentence Adam we did we we

1:25:10

would work that um at some point so they are probably the

1:25:16

sentences are slightly different yeah I like the way it's written in the on page 18 as opposed to page nine gray

1:25:24

box 18 is supposed to be box nine

1:25:30

the purple and green is good that's my comment I I'm reading them as the same but

1:25:35

um this here is actually 7.10 on this page

1:25:42

and that's identical and this that is identical seventh this one okay that is identical to this

1:25:50

but what's on the back side this is the one that's being struck this is what was

1:25:55

in the previous version where they were munged together that was the whole point is last time we had 7.8 where they tried

1:26:02

to put them together and they've broken them out so 7.8 is struck the old 7.8 is

1:26:10

being struck all together in this View

1:26:16

yes exactly but that's what their note here says remove these edits to the policy and as shown in 7.10 below

1:26:25

it was unclear the way they phrased it it should have been like crossed through okay thank you so yes I understand your

1:26:31

confusion okay so uh Carolyn

1:26:39

I feel like we're part way there um I think that I like the 7.10 that's

1:26:44

very clear the 7.4 um I think it makes a lot of sense if

1:26:50

you if you if the sentence reads emphasize Transportation network connectivity to

1:26:56

minimize travel distances and emergency response times period but adding by

1:27:02

avoiding street closures I think we still have this sort of confusing

1:27:08

um sentence that we had before I I really don't know exactly what this address is

1:27:13

and I don't think it's very clear to a reader so what this means [Music]

1:27:22

so um to that point Michael and I believe you may have

1:27:27

um talked about this in our one of our last conversations

1:27:33

um street closures has a very specific um transportation planning definition

1:27:38

correct which is like a street end closure where through traffic is not

1:27:44

allowed at an intersection is that correct yeah I mean periodically

1:27:50

um staff has gotten requests of one to cul-de-sac a street uh to kind of reduce

1:27:57

traffic through traffic on their Street um generally don't want to do that for

1:28:04

these two reasons we describe here um yes we've been it's we're getting at a

1:28:10

specific issue is what the way it's written now

1:28:21

Carolyn can follow up to that um is there a way you could write this so

1:28:27

average person reading it would know what was meant and I think I heard you use the word
stack the street I don't

1:28:32

know what that means but sorry uh cul-de-sac uh or like a dead end Street okay well you
know I think I I mean I I

1:28:40

love the idea that you want to get this policy in here but I just think that any any person who picks this up should be

1:28:46

able to understand what you mean and I don't understand what this means

1:28:52

Kate yeah I'm I'm I'm kind of questioning

1:28:58

because you said there's a very specific definition of street closures and transportation lingo but it would be

1:29:03

easier to understand maybe if we just said by keeping streets open

1:29:10

or Street ends open

1:29:15

I understand it better now that it's been explained but maybe there needs to be a footnote referencing what street

1:29:21

closure means in that case because it is confusing to a person yeah the the Practical example would be 24th

1:29:27

over first till where you have like four or five streets that all about 24th and

1:29:33

on to the north for example they they exit out at the park if you closed the

1:29:40

entrance off of 24th so that in order to get to the park you had to go around and

1:29:46

not cut through um the the street neighborhood

1:29:52

um Berkeley is infamously known for doing this sort of um doing this thing where they close the

1:29:59

end of a street and part of my question to you Michael was street closures does indeed and it was a

1:30:07

question not a statement but in our last conversation about this you made it seem

1:30:12

to me that there was a nomenclature that is being used here

1:30:17

around street closures that is in fact known in the

1:30:23

transportation Community if so great do we need a either a a definition

1:30:30

or B to I think Carolyn's point and Kate's point is there a way that we can

1:30:36

rephrase that in a way that is more Layman but makes the same point

1:30:43

Victor or to add to what you just said at least something in parentheses that

1:30:49

is I.E this so use the use the lingo the

1:30:55

transportation lingo but I support what Kate and Carolyn said

1:31:00

which is let's put this in the language of mere Morris that we can all understand

1:31:05

right now this to me I I when I read this I think of people putting barricades out in the street because you

1:31:11

know of something that's going on I I don't know what a street closure is and that was exactly my read I I read it I

1:31:16

was like oh temporary street closures and apparently not I I agree yeah like when I first read it

1:31:22

I thought of Seattle Safe Streets from covid um and then when the example I think was given of what Bellevue does

1:31:28

off of Bellevue Way for those residential areas then it's like okay that that clarified it for me so yeah

1:31:35

Sunday you know so um Michael does that make sense can we just maybe add a parenthetical there that says for

1:31:42

example you know creating a cul-de-sac out of a street or you know um uh Closing one end of a through

1:31:49

Street to me that would be the most logical definition right Closing one end of a

1:31:55

through Street so trying to um we appreciate everybody's thoughts here

1:32:02

I just want to maybe come to a place where we can actually pick the words so

1:32:07

I don't go off with Adam and um maybe this missed the Mark again but

1:32:13

I think you all understand what we're getting at would be you've seen it around the area where

1:32:19

um it might benefit a few homes to do a street closure at a certain point

1:32:25

because now no longer through traffic comes in front of them they might be at the end of it um so it might benefit them but there'd

1:32:31

be other houses that would now have to drive a longer distance to get to their house and if we do have an issue with um

1:32:39

you know some kind of emergency response you know it just makes it longer uh to

1:32:44

get to those other places so um if there's a way to we could select

1:32:49

the words to maybe get it that concept it would be um more understandable by the layperson

1:32:54

I don't know can we craft that so I think there's two

1:33:00

um Concepts here I think one is the permanency of the closure I'm getting the sense that most people here were

1:33:06

thinking of like closing the road for uh um for a parade uh or something that is

1:33:13

very temporal versus closing the end of a street to prevent through traffic and

1:33:19

so I think using through the prevention of through traffic um and the permanency somehow needs to

1:33:27

be reflected based on what I've heard and I'm seeing some head nods um been street closure

1:33:39

I think it would help to just estuary that might be a star

1:33:44

let's start okay yeah the risk there though is that it's not like

1:33:50

closing a whole street to traffic it's actually just Closing one end of the street so that you can't pass through a

1:33:57

point you could even close a street mid-block so that you'd have to come in from either side but you can't go

1:34:03

through so it's really about closing the through traffic on a street foreign

1:34:15

I would just say I get the sense that those are the concepts that are missing here for most folks

1:34:24

I see Adam you came on camera did you have a comment uh yeah I was gonna say it could say uh

1:34:31

permanent closure of streets to through traffic there you go

1:34:37

great great [Music]

1:34:43

I'm glad we brought I'm glad we brought smart people to the room tonight

1:34:48

um okay great and then I think we have one more for the transportation element

1:34:57

okay let's see yeah last one we got here was um a request for a new policy

1:35:05

and there are a couple ideas that were um presented first one was specific to

1:35:12

these were both had started with uh first one here study opportunities to expand electric bicycle facilities that

1:35:18

serve the Town Center Light Rail station and park and ride we also then heard a

1:35:24

little broader a comment to expand it to provide Innovative Last Mile Solutions

1:35:29

so you can see the second alternative here uh study opportunities to provide Innovative Last Mile Solutions again

1:35:36

serving the Town Center Light Rail station and park and ride um

1:35:42

yeah so there's two two versions here and again open it up to you all

1:35:47

okay Kate um I don't want to lose electric bicycle

1:35:53

uh I think we need to call that out because it is it's here the wave is here there are so many of them and I'm

1:36:00

wondering if we couldn't under um this 12x

1:36:06

um after the word bicycle add and other Last Mile Solutions

1:36:14

and then we get The Innovation thing more broadly but we we don't lose the electric bicycle

1:36:21

component foreign

1:36:26

commissioner Murphy I see you have your hand up yeah why don't we just do both of those

1:36:34

there's no reason we have to choose one or the other they're both good ideas

1:36:43

yeah I think Kate was putting him into one but I sort of agree that I you know having both it looks like the suggestion

1:36:51

Michael was for the The Last Mile solutions to be in section four because that's the one that relates to choice if

1:37:00

I'm correct yeah the alternative two wouldn't be as wouldn't be a

1:37:05

um section 12 is specific to pedestrians and bicycles so it wouldn't quite

1:37:12

um work as well there I think it'd be fine if you did combine them and specifically mention bicycle facilities to keep it in

1:37:19

12 but if it lost some reference to pedestrians and bicyclists might we may need to move it

1:37:26

to four Adam uh possible quick nitpick um I I do like

1:37:33

the idea of bicycle and Innovative Last Mile um perhaps study does that come with any

1:37:38

financial implications perhaps we could just like consider um I I don't know if study comes with oh

1:37:46

that means money goes to it for sure or must I don't know what that triggers

1:37:53

um especially since we're we're adding something which I think is a good comment for us to add

1:37:59

um but I know there's been some concern you know from staff as well as one of the comments we received from residents

1:38:04

about keeping that scope narrow so just just thinking about study does it does it

1:38:11

imply more too much do we I I don't uh have the ability to

1:38:17

see all of the attendees um I don't know if uh either

1:38:22

um Allison or Jeff are on to comment on that language

1:38:29

or Adam if you have any comments on that

1:38:35

oh there's Alison hello I'm here um yeah I I'm just pondering that I do

1:38:42

think study implies a bit more than a word like consider

1:38:49

so you know I think that's something to think about you know is this something that we want to be

1:38:54

more of a program or just something we're thinking about

1:39:00

um I think there are some resources that the city has already related to these

1:39:07

last mile Solutions so study might be appropriate in this case but I'll leave that to you all to make a

1:39:14

final decision okay

1:39:21

[Music] um I'm not sure it it makes as much of a

1:39:26

difference as you might um imply uh that's just my experience um certainly in this document I don't if

1:39:33

there there's other places where it might be a little bit more toothy so to speak okay

1:39:40

I'm the new guy so yeah I trust your your Insight um

1:39:46

I have I think slightly heard a um enough I can just get sort of a look

1:39:51

around the room um a desire to sort of include both of

1:39:57

these Concepts both retaining the electric bicycle and The Last Mile

1:40:03

um is there an inclination to either have it as one policy or to actually

1:40:09

include it is to one in in goal 12 and the second one in

1:40:15

goal four you don't have a preference the two like you said the second thing you said so so

1:40:21

have two distinctly different ones Adam I I would disagree with that I like the

1:40:27

one one sentence mentioning both um if we have a separate goal that specifies the solution or you

1:40:35

know bicycle facilities you know the system of engineering me it says don't don't specify don't give the answer

1:40:43

um you know give a suggestion so if we split into two we're given the answer saying let's study this instead of just

1:40:49

all last mile especially bicycle so I I like seeing them lump together in one but once again

1:40:57

minor minor nitpick okay um any let me get to see if anyone else and then I'll get back to you any other

1:41:04

comments before I go back to Carolyn either commissioner Curry or commissioner Murphy any preference uh

1:41:12

I'll go ahead Michael quite sure I was gonna say I would I would agree with Adam's uh uh statement

1:41:20

commissioner Murphy I would disagree and go with you separate because they're dealing with two two different issues

1:41:28

one's broader and one's more specific okay

1:41:34

um do you have anything before I go to Carolyn again you don't have to see anything

1:41:40

Victor nothing Carolyn go ahead well if we look at what goal 12 is about

1:41:47

it's promoting bicycle and pedestrian Networks so the

1:41:53

new policy that is called 12x does refer to expanding electric bicycle facilities

1:41:59

so I like that and I think it should be in goal 12. but the Forex says study opportunities

1:42:06

to provide Innovative Last Mile Solutions that's a much that's a bigger topic it's it's it almost doesn't fit

1:42:13

under best bicycle and pedestrian networks so I think it's a great policy but it probably needs to go up to go

1:42:19

four so I agree with Michael on that

1:42:27

um yeah I mean it's six of one half a dozen it's all structural the

1:42:33

clean view of this would be to have them separate because um I think as we've pointed out in other

1:42:39

places like you want to go to the section to find the thing that

1:42:45

you're talking about um and to have stuff referenced in other

1:42:50

places is not as clean but I think the um intent is met in either way so I'm

1:42:58

just gonna call for one and if that doesn't fail then we'll assume the other

1:43:04

um uh I guess I'll say is there consensus around

1:43:10

um joining these into one uh into one item in goal number 12.

1:43:19

show of thumbs having them conjoined just have one item that basically says uh study opportunities to expand

1:43:26

electric bicycle facilities and other Last Mile solutions that serve the Town Center like rail station and park and

1:43:33

ride in goal 12. consensus for that I thought you wanted

1:43:39

them together after hearing commissioner boatsman's uh argument I agree with her all right

1:43:46

great okay so hearing that is there consensus

1:43:51

on having these as two separate policies one in goal twelve and one in Gold four

1:43:57

all right I see at least four hands five hands with uh online so we have

1:44:03

enough for consensus thank you so um Michael to summarize we actually

1:44:10

like alternative three which is um retain both

1:44:17

[Music] if that makes sense yes yeah that works okay we'll make that change great

1:44:25

um lastly um at our last meeting there was a comment

1:44:31

about heading

1:44:37

a new policy that would put a more detailed implementation

1:44:43

process for The Pedestrian bicycle facilities plan um and I won't probably say it is

1:44:51

good legalese as was written here um but basically

1:44:56

high level we don't think that's appropriate for the transportation element which has pretty specific uh

1:45:03

requirements as how to establish a project list which is done through annual six-year

1:45:10

Transportation Improvement program um it's adopted and move forward in that manner and

1:45:17

having another implementation program in addition to that could potentially be confusing

1:45:24

um again I'm not there's a lot more written around that but the main takeaway uh we don't recommend that we

1:45:31

do have in the transportation element in the project list

1:45:37

um if you look through there we do have a specific project um

1:45:42

to implement uh The Pedestrian bicycle facilities program it is down here

1:45:50

foreign

1:45:55

project number nine uh is specifically um getting at that to implement the bike

1:46:01

program over time uh with this with a new update coming along of the whole the whole plan in a

1:46:07

couple years uh I just wanted to bring that was another uh comment we heard at last meeting and wanted to address that

1:46:17

okay any objection to that foreign

1:46:25

I was confused when I read the packet because it just talked about the transportation policy generally so I was

1:46:32

gonna state that I think I was the one that raised a suggestion that we have implementation explicitly for the

1:46:39

bicycle and pedestrian plan um it sounds like they're not separate I'm wondering about the um they're not

1:46:46

uh you can't split that apart I'm wondering about NM number nine and if this is not the appropriate process to

1:46:54

um talk about the language for mm9 because I don't think it quite gets at

1:47:00

what it says annual program to identify prioritized design and construct spot

1:47:06

improvements and get completion projects I'm just wondering about

1:47:12

prioritization you know is that like a six-year CIP how is that because I think what really

1:47:18

I'm hearing from the bicycle Community is that they want some sense of which

1:47:24

projects are going to happen first and when are they going to happen because it feels arbitrary it feels like you know

1:47:31

it feels arbitrary to the bicycle community so I want to resolve that that was the so this chart correct me if I'm

1:47:38

wrong um someone from the staff is an attachment to the comp plan but is

1:47:46

actually adopted by the Council on a annual or semi-annual basis is that

1:47:52

correct that non-motorized plan or is that actually something that's codified through this process

1:47:58

this is Adam I think I can help out here so the the table that's in the element

1:48:03

is a project list and and that's for the the planning period of the plan right

1:48:11

and that that project list eventually gets fed into our six-year

1:48:17

Transportation Improvement program and that's adopted by the council every year the the tip is

1:48:25

um and that's where they decide you know which projects the public works is going to undertake um in the coming year

1:48:32

um in the coming six years and that's updated every year

1:48:37

um the NM number nine is talking about updating the the bicycle and ped plan

1:48:43

coming out of that plan will be other projects to go on to like once we update

1:48:51

the bike and pet plan that should update the list of bike and ped projects that

1:48:56

then would feed into that that tip process so we have to have the the plan has to

1:49:02

get updated first and then that will set some of those projects those non-motorized projects to then get onto

1:49:08

our tip does that make sense the only thing I'd add to that is that

1:49:15

the bike and ped plan when it gets updated within that plan it should have

1:49:21

some get at some prioritization and implementation process for how those are

1:49:26

going to move forward like in what order maybe some get some description of how they might be funded

1:49:33

um but I think once that that plan gets updated the ped and bike facilities plan that should get at I should answer some

1:49:40

of these questions that you're looking for yeah I think the bike Community was looking to see explicitly the

1:49:47

implementation piece in this because um what's missing is schedule

1:49:57

um and and funding so the bike Community is offered to the city multiple times to

1:50:03

write grants there are two at least two bike groups

1:50:08

that are non-profits on Mercer Island and they would like to partner with the city and write grants for some of these

1:50:13

projects but that doesn't seem to really go anywhere so they want to understand how can they support these processes

1:50:20

um what are the funding sources um and when are things going to happen

1:50:26

foreign and I think the the answer to when unfortunately is that that gets

1:50:34

determined through that bike and ped Plan update and that's going to be a uh two years from now project

1:50:42

um that's when it's placed on our our transportation Improvement program so

1:50:47

it's coming it's uh that will be the process by which to get that input uh

1:50:52

particularly from the bike community

1:50:58

probably not the answer they want to hear but well they're also going to be a bureaucracy the six-year tip

1:51:04

um almost every year will include you know the city's first choice for Penn

1:51:10

bike projects those are they pretty much is always some on that list as well but the whole

1:51:17

evaluation of the city-wide pet bike facilities will be updated in two years

1:51:26

okay I saw Victor first I love you Karen

1:51:35

skip I think I'm gonna play a reverse I was gonna say what Adam just said just

1:51:41

as a clarification as a as a clarification to Kate great I think

1:51:46

for the purposes that we're doing here what she's describing is out out of scope and it's not about implementation

1:51:52

about it yeah Carolyn skip all right anybody else want to play

1:52:01

Uno we're a plus two draw four

1:52:07

um oh see I didn't play your reverse Carolyn we can't go back that way uh

1:52:13

Victor go ahead this this was are we still on this portion are we

1:52:19

foreign I just need to know is everyone okay with the um the suggestion that they

1:52:28

have here around um the uh yes what's on the screen

1:52:37

okay do we have consensus to move forward with that

1:52:43

three I've got four or five great we have enough we will move on

1:52:49

um sorry Victor yes before we move on we had a comment from the public on some

1:52:57

specific language it was in an email and I'm unclear as to whether it's

1:53:03

Transportation element or land use it was were designated as a high capacity

1:53:09

Transit Community where is that

1:53:14

um I can help with that um so that comment was in reference to the land use element okay
so I'm willing

1:53:21

to wait that's fine for me great um carowind and then I want to make sure

1:53:27

these guys are done before we move on to um a break and then the land use okay

1:53:34

um I was looking at my notes as to things I had brought up and then looking to see how they
had been addressed in

1:53:42

the um the new version and um

1:53:48

I have a couple things that I I don't see uh having been addressed and maybe

1:53:54

I'm mistaken um one of them was in goal five

1:54:00

uh 5.6 and and you know help me if I am not

1:54:07

remembering how this was treated at our last meeting I had suggested in 5.6 to

1:54:14

include the phrase mitigate the effects of climate change

1:54:20

after the word reduce air pollutants and I thought we'd agreed to do that

1:54:28

mitigate the effects of climate changes again that's different from Air pollutants or air quality or clean

1:54:35

Transportation it's there are ways to improve the impact of

1:54:41

Transportation decisions on on climate change so

1:54:47

anybody have any thoughts on that

1:54:56

recall having the conversation about remember the outcome I have two suggestions on how to proceed but Victor

1:55:02

you go first I just ask isn't that covered further up where it says directives related to climate change and

1:55:10

greenhouse gas reduction direct it's where where is that what right we'll see five six and five six

1:55:18

directives I don't see the word directive oh oh excuse me

1:55:23

so this is complying with State directives initiative and directives okay related so they're telling you

1:55:30

which state initiatives and directives to comply with and then they list these

1:55:36

three things um I think that that should include

1:55:42

mitigating the effects of climate change I think the list is too short so I agree I agree that they're

1:55:48

complying with State initiatives and directives oh okay so related to climate change I

1:55:54

see what you're saying I think structurally that's what Victor's saying is that it's actually saying to mitigate climate change these are the three

1:56:00

things that you need to look at to implement change in Greenhouse

1:56:05

yeah and then you know they say they want to comply with State initiatives and directives related to climate change

1:56:12

and greenhouse gas reduction okay okay so that's a separate phrase

1:56:17

from the next sentence okay I see that it's covered I think

1:56:24

and then I had another one that I brought up which is a bigger topic and

1:56:30

um I thought that staff had said they were going to bring back some proposed language but I don't see anything on it

1:56:36

here this is um under goal nine

1:56:44

and I had suggested a new policy regarding the use of public rights of

1:56:51

way for public benefit and we all talked about this quite a bit and there's a lot

1:56:57

of you know the more specific we got the more confused we got but I I guess I would still suggest a new policy

1:57:05

after 9.1 and I would put it very simply strive to

1:57:11

preserve the use of public right-of-way for public benefit

1:57:16

we don't have a policy like that in our comprehensive plan at this time and

1:57:22

there's a number of uses of public right-of-way that are simply for private benefit

1:57:27

so I think opening the door to that Concept in our comprehensive

1:57:33

plan um would be a good idea so I remember talking about this uh I

1:57:41

want to say lengthy but remember we talked about it I mean it warrants maybe going back to look at the tape but my recollection was is that after some back

1:57:49

and forth there was not consensus to move that direction but I'm willing to be corrected if that was a wrong I see

1:57:56

Victor you want to say something's my recollection as well we did we did cover it we did discuss it and I yeah we

1:58:01

didn't get support for it I agree that there wasn't support for it as it was

1:58:07

put forth in that meeting so I just want to check with commissioner boatsman are you suggesting a different language yes

1:58:14

because before what I remembered us discussing in the meeting was um you explicitly said Preserve

1:58:22

parking in the right-of-way and that's what didn't move forward but what I hear

1:58:28

the commissioner expressing now is public use and public right away which I can get behind

1:58:35

um preserving public use I just think there wasn't consensus on parking because people found that it can well I

1:58:40

won't open them well I want to point out though that at the end of our discussion yeah we didn't

1:58:47

agree but Allison said she would look into it and offer some language for us

1:58:52

to consider so I'm not seeing that in the packet but I'm proposing some

1:58:58

language that I think is far more benign that offers the

1:59:03

opportunity to begin to consider when new houses are

1:59:09

built should their landscape and their Boulders that they put out all the way

1:59:14

to the pavement to keep you from driving on their landscape is that a good thing you know should at least open the door

1:59:22

to um beginning to considerate consider these matters without being specific as

1:59:29

to you know exactly what that might be it might be using it in some places for

1:59:35

public trees um it might be using it in some places for uh um well so I'll just leave it at

1:59:42

that so I have two questions um the first uh uh all in relation to that which is

1:59:51

public right of way in new construction I believe is preserved this public right

1:59:56

away I don't believe they can put Boulders there to prevent parking but we can be corrected by staff uh on that

2:00:02

because I think there may be if there could be an Enforcement issue that's just not being dealt with and that's a

2:00:08

very different issue and then number two um you made it sound like you might have some specific language that you would

2:00:14

like to propose currently yeah um so uh I see Victor wants to say

2:00:20

something and then if you can prepare your your specific language then we can go to that

2:00:26

so I'm I'm beginning to remember this conversation and I think you're right I

2:00:32

think where we landed on this was no people aren't able to put Boulders in the public right away that's a code

2:00:39

issue and a Code Enforcement issue um and so that's that's not a that's not

2:00:45

a possibility or at least you know it's certainly a possibility but we then have it's not a policy issue

2:00:52

it's an advancement it's an enforcement yeah that was my recollection too I think

2:00:58

yeah that was enforcing what's already on them I mean this is why you see driveways that are paved only five feet

2:01:05

and then you've got gravel between that driveway and the street because they can't pave that five foot section

2:01:11

because it's unimproved right-of-way um like it's designed to not like the

2:01:18

code as I understand it is designed to not allow any of that anyway so

2:01:24

um and again if Adam has a different view on the atom being staff Adam on that

2:01:31

from our a my understanding of code and B my understanding of our conversation last time

2:01:37

um and then if you have any comments Adam and then I'll go to Carolyn for any

2:01:43

specific language that she may wish to propose sure I'll do my best I've only watched

2:01:49

the video I wasn't here in September I was uh backpacking around Mount Rainier

2:01:54

so we'll see uh we'll we'll see what I what I remember from the tape but I I do

2:02:01

believe that is primarily an Enforcement issue rather than a policy issue so

2:02:06

public right-of-way is land that's dedicated to the public use for transportation

2:02:12

um it's we have specific code Provisions that um any

2:02:18

um any any activity in the right of way that may pose a danger to traffic or

2:02:24

otherwise impede traffic can be removed if that's determined by the city engineer to be causing a hazard or an

2:02:31

obstruction so we already have pretty strong Provisions in the code to protect our right-of-way

2:02:38

um for public use because that by virtue of it being public right-of-way it is

2:02:44

public land for public use just just like Parkland is the same way I mean or

2:02:50

any other public land and Adam my understanding of the parsing

2:02:55

of the language is there's an unim there's an improved part of the right of

2:03:01

way which would be the street and the pavement and there's potentially an unimproved portion which like in First

2:03:06

Hill where where we're at Carolyn could be another 10 to 15 feet to the

2:03:13

side of the road that's just unimproved and I think that's the portion that

2:03:18

you're talking about Carolyn yeah and and that unimproved portion of the

2:03:24

right-of-way is also subject to those code Provisions so um if you were to

2:03:31

create a hazard in that unimproved area it's subject to removal from the by the

2:03:38

city if it's if it's creating a hazard so it we have pretty strong Protections in place

2:03:44

um for that unimproved portion of the right-of-way as well in the code

2:03:50

okay hearing that do you still have something you want to propose yes okay and I have

2:03:56

some things I would like to say about what I've heard um I want to most in fact emphatically

2:04:03

remove my references to Boulders on people's grass there's a lot of that out there but

2:04:09

um I'm I'm kind of creating a misimpression as to what my concern is

2:04:16

what my concern is is public right-of-way that's not available for use by the public people have if you if

2:04:24

you you know walk down the street you will see maybe every six to eight houses

2:04:30

people who have landscaped their personal landscape all the way out to the pavement but that might be over 15

2:04:38

feet of public right-of-way nobody else is using that public right-of-way anymore after they put

2:04:45

their landscape out there even if it's just grass so when the when the delivery vehicle

2:04:50

comes to their house they park it in the street when they have a house cleaner coming to work on their house they Park

2:04:56

their car in the paved area that is used on these narrow streets for driving

2:05:03

so um yeah I'm not talking about and I'm not

2:05:11

talking about anything that necessarily creates a hazard other than the fact that you you know can't use that anymore

2:05:16

when you're walking down the street in your middle of the road that's a bit of a hazard there isn't anything in the

2:05:21

code that prohibits people from putting their landscape all the way out to the paving and there's and that public right-of-way

2:05:29

is then co-opted into those people's personal use

2:05:34

so there is no strong protection in the code against doing that and all of this public land is you know not available to

2:05:42

the public to use anymore for whatever the reasons the public might use it maybe as a pedestrian walking down the

2:05:48

street to keep out of the way of that delivery truck or maybe it's you know to

2:05:53

plant some trees that would do some good and I I you know um as opposed to someone's lawn

2:06:00

um maybe it's for allowing the guy who's remodeling your basement to park his truck who's there every single day

2:06:06

and I I took a lot of pictures today I went around and I took pictures of Landscapes that are all the way out to

2:06:12

the road pictures of you know cars that are servicing some of those homes that are parked in the street

2:06:19

and you know I just think that we need to begin to look at that matter

2:06:25

and and so here's my policy that I'm my language I'm proposing this follows by

2:06:30

the way in goal nine here's a 9.1 strive to minimize traffic impacts to

2:06:36

neighborhoods and Foster pedestrian friendly environment okay I'm proposing number 9.2 strive to preserve the use of

2:06:44

public right-of-way for public benefit and that would be it

2:06:52

okay any comments

2:06:58

yeah I I have a comment sorry Adam go ahead if you're gonna go

2:07:03

ahead commissioner um so do we or don't we have enforcement in the books about right-of-ways

2:07:12

uh yes we do we also have a process for and regulations that apply to

2:07:18

encroachment into public right-of-way um which requires uh any encroachment

2:07:25

into public right-of-way requires an encroachment agreement um subject to specific standards in the

2:07:31

code okay so is this more of a matter than that it's kind of like out of sight out of

2:07:37

mind mentality almost where people are not complaining so there's no enforcement happening

2:07:42

and by implementing this proposed policy we're just kind of double Downing on existing policy to already exist

2:07:52

our enforcement is complaint based so if we don't receive complaints about a particular encroachment in a

2:07:58

right-of-way it's likely to not receive enforcement action from the city um but we as I'm with saying we have uh

2:08:06

code Provisions that specify what can go in the right-of-way in a process for reviewing and approving those those

2:08:12

agreements okay Adam I I can read the what I believe to be

2:08:19

the code um 19.09.060 Alpha One it is unlawful for

2:08:25

anyone to excavate alter tunnel under obstruct or place any structure upon any public right-of-way without first

2:08:31

obtaining a right-of-way permit from the city um or fail to comply with any conditions attached to such right-of-way permit so

2:08:38

I I see that as it's unlawful to obstruct without a permit can we Define

2:08:44

structure please as opposed to someone's lawn and bushes

2:08:51

I would also call your attention to 1906.060 encroachment into the public

2:08:56

right-of-way um the first subsection here says an encroachment is any intrusion

2:09:02

irrespective of height or size into a sidewalk Street or other public right-of-way and includes but is not

2:09:09

limited to full material retaining walls rockeries plants either deliberately

2:09:14

planted or growing from adjacent property or any other material or structures

2:09:21

okay um let me ask you then how is it that

2:09:26

new development goes in and these landscapes in the last three

2:09:31

months are going all the way out to the street why is the city allowing this to happen and saying that it's up to US

2:09:38

citizens to come in and complain about every one of these things well most likely those people have already got an

2:09:44

encroachment agreement that allows that to go in there this code section I was just referencing goes on to specify that

2:09:52

encroachment agreements can allow these types of encroachments into the public right-of-way and there's a set of

2:09:58

criteria for how those can be reviewed and approved okay and I'll just add from

2:10:04

a historical perspective knowing Rich Conrad the former city manager of I don't know 20 years or however long he

2:10:10

was here um it was actually sort of the city's desire to actually

2:10:16

have that space filled with things like plants and shrubs because otherwise you'd have 15 feet of gravel nothingness

2:10:25

making your what Your Roads twice as wide and Barren and

2:10:31

um and and unattractive and so I can tell you that that

2:10:36

um that was the way that it was traditionally enforced

2:10:42

um which is why they have this encroachment agreement policy on there there are other

2:10:48

neighborhoods like ours which are pre-date the incorporation of the city most of the housing in those areas when

2:10:54

those rules weren't in effect and so you'll see a lot of the

2:11:01

um Landscaping going out to the roadway because even at that time the um

2:11:07

you know the time that they were built that was just what the standards was so

2:11:13

that's not to say that you're not right you're you're not incorrect Carolyn that you know

2:11:19

there's um there are places where people are taking

2:11:24

advantage of it in a way where it is creating a hazard and we should deal with that as a community in one-off

2:11:30

situations but it's hard to tell whether someone has a an encroachment agreement

2:11:36

or there's something else just from looking at the way that it is there

2:11:41

um and so I would you know direct back to the staff like do we have the adequate code that if there is a life

2:11:49

safety or um Transportation or movement issue that

2:11:54

you know do we not have the right mechanisms in place it sounds like we do but if there's a feeling that we don't

2:12:00

I'm not sure we're going to solve it in the comp plan

2:12:05

okay and remember I was not necessarily always talking about a hazard I'm talking about a loss of benefit so but

2:12:12

thank you for this discussion thank you for reading the code um I was a little bit Rusty on the part

2:12:18

about the plants I'm very doubtful that new construction is going in with agreements to put their Landscaping out

2:12:25

to the road but I can look into that further thank you okay

2:12:31

um I did I wanted to ask a question to Steph because we do have a GIS system our encroachment agreements

2:12:38

um noted on Parcels in our GIS system because that would certainly be helpful

2:12:43

for people who want to research the topic good question I haven't checked that I

2:12:49

suspect that they likely are but I would have to research that and follow up yeah in all likelihood in the gis

2:12:57

data it's probably filed with the parcel but doesn't show up on the map I don't

2:13:04

think we have those like symbolized on there but we have a great wealth of recorded documents uh saved with the

2:13:11

parcels in our GIS system um so it is very likely that it is

2:13:18

stored with that parcel or that that lot in one way or another but it may not be

2:13:25

easy to see when you're just looking at the map you'd have to do some digging

2:13:32

Victor sorry Adam did you have something first no Victor just out of curiosity

2:13:37

can you give me a ballpark of how many encrosion encroachment agreements the city has

2:13:44

I can't Hazard a guess

2:13:50

so there's around 11 000 households in the city I suspect there's probably thousands

2:13:57

yeah thanks and I would argue that plants and

2:14:02

Landscaping in the roadway as a public event are like in that unimproved areas of public benefit I think we're opening

2:14:08

a Pandora's box right moving into a

2:14:13

Community State where we're looking at tattling on people for

2:14:19

uh for things that aren't necessarily creating a safety hazard but that's just

2:14:24

my opinion um I want to move on to a break we've been going for two and a half hours and

2:14:30

I want to make sure that we don't have anything else left on the transportation piece of this

2:14:36

before we do that are we done with the transportation

2:14:42

element yeah that's my understanding yes uh I think we've worked through all

2:14:49

the topics so again when we say done we're done with this stage as I mentioned when we first got started you

2:14:56

know there's there will be a couple more touches of the Planning Commission on this so we're far from the final draft

2:15:03

um you'll get another bite at the Apple yeah perfect okay um with that we'll um

2:15:11

oh sorry I did I did have another one but I think I'll I'll cover it in

2:15:16

another touch or bite of the Apple okay that was in this one give everyone a chance to read it and we'll deal with it

2:15:22

later yeah if you want it's minor okay great um okay with that let's we're gonna

2:15:28

conclude this it is now 8 19 let's take an 11 minute recess and we'll come back

2:15:34

at 8 30 and start with the uh land use element which is

2:15:39

hopefully not going to take as long but yeah all right uh so we're on recess for the

2:15:47

next 10 minutes thank you

2:17:19

foreign

2:17:32

Alfredo can you hear me now

2:17:45

okay they can hear us um or at least my I.T person can hear us

2:17:52

and hopefully there we go there's Adam there's Adam

2:17:59

this morning it's uh it's great to be back in person

2:18:06

and we know that they're going to be a few little quirks as we work out this hybrid uh situation so um great we have

2:18:13

uh re-adjourned and we are now in item number three related to the third draft of the land use element

2:18:20

um Adam reconvene to re-adjourn yeah adjourned is yes at the end I'm sorry my my head

2:18:27

I'm I'm not far behind you um great Adam

2:18:33

take it away all right great thank you um so uh for the third draft of the land

2:18:39

use element we'll use the same process we just used with the transportation element um so I'll share my screen in a moment

2:18:46

here and put up those those couple of lingering issues from the last time we took a look at the element

2:18:53

um and um we'll get your comments so let me let me share my screen here

2:18:59

and [Music]

2:19:04

here we go um okay so the first issue that was

2:19:11

hanging out um after the last um Planning Commission review was a town

2:19:17

center land use issue issue number one which was on page 13 of the element

2:19:22

uh the the existing land use issue number one was a bit dated uh Adam slid

2:19:31

in one second um where is this in our packet 63.

2:19:38

foreign it's page 13 of the element I'm not sure which page in the gray box it would be

2:19:45

yes 63. thank you yeah

2:19:52

uh and so the are we good for me to continue my yes sorry go ahead okay

2:19:58

great um so um the initial the existing Town Center land use issue number one

2:20:05

um was a bit dated um it was talking about kind of the current issues surrounding Town Center

2:20:13

um at the time that the last the last update was performed so we were our the

2:20:19

Planning Commission asked staff to um revise Town Center land use issue number one to um more accurately kind of

2:20:27

Encompass the current um the current issues around town center

2:20:32

um and particularly around kind of the um the pattern of development in the

2:20:39

Town Center so the staff draft is uh provided here I thought you know there's

2:20:45

a there's a lot of underline in the in the text because we pretty much struck out most of what was existing and our

2:20:52

proposing it to replace it with this new language so I wanted to provide a clean

2:20:57

draft so you guys had had that you could more easily read it I won't read the

2:21:03

whole text here hopefully you've had a chance to review the review the memo and

2:21:10

at this point we take any comments I've got it open in word here so if there's some minor tweaks to some wording we can

2:21:17

make those changes as we as we go along here

2:21:23

does anyone has everyone read it or okay Victor I see you're ready to make

2:21:28

fire away fire away yeah um so I did go through it

2:21:35

I agree that the existing um languages dated

2:21:42

um but I I the way this is written it um

2:21:48

it almost sounds like what's happened in the Town Center is kind of accidental or by chance

2:21:53

and that's actually not the case um so if we take a look at mixed-use

2:21:58

development is replacing the existing commercial development as the Town

2:22:03

Center redevelops that's not by chance the Town Center got rezoned mixed use

2:22:11

and so let's be clear about what happened rather than making it sound like it's

2:22:18

arbitrary or accidental and then it says this has led to an increase in the

2:22:25

number of residential dwelling units in this area um again it was rezone what did you

2:22:31

expect to happen um and so I since we're striving for

2:22:37

clarity here let's actually be really clear about what what's happened and let's be factual about what happened it

2:22:43

was rezoned to mixed use as a result there was there was more residential dwellings in the area

2:22:51

um there isn't a concern that Redevelopment will displace existing businesses

2:22:56

existing businesses have been displaced so again let's be factual

2:23:08

uh it would it would help me if you had a like a proposed change if there was

2:23:16

Town Center consists of many one-story strip centers surrounded by parking lots

2:23:21

Town Center was rezoned as mixed use and I'm sure you can find the date

2:23:26

uh I believe it's around 2016.

2:23:33

actually that's not correct the mixed use zoning was adopted I believe in 1993 or 1994. okay it was updated in 2016 but

2:23:40

it was already mixed use foreign yeah the original Town Center plan was

2:23:47

adopted in 93. that's what I I wrote down here was there all my mixed use correct okay

2:23:54

yeah yeah they changed some of the the height limits have been changed over time so you know based on various things

2:24:01

but so I I mean I can uh I can speculate on dates but it sounds like you've got

2:24:06

the dates so can we just say zoning was updated it was changed from

2:24:13

I would just refer to the the original adoption of the Town Center plan rather

2:24:19

than the rather than individual zoning saying you know adoption of the Town Center uh sub-area plan uh uh in 1993

2:24:29

has you know specified mixed use development which has been replacing the existing

2:24:35

commercial development something along those lines right awesome

2:24:48

Adam I I know we had a like a comment to the commission kind of talking about both

2:24:54

that residential Zone north as well as you know what's in this in the city center maybe we can also articulate

2:25:01

you know they I think they were suggesting like concentrates growth south of the Light Rail station in the Town Center perhaps you know work work

2:25:09

something in that like this zoning makes you know south of South as a

2:25:15

Transit Center the kind of natural place to concentrate any new growth

2:25:21

um just just a thought

2:25:36

that might go maybe at the beginning of like Town Center is the

2:25:47

so there's a part of me that just like doesn't want to write this here on the fly like I think I think like there's

2:25:53

themes that we need to catch and if you want to grab a couple of bullet points like otherwise we're going to be here

2:25:59

until 11 o'clock picking over um definitely

2:26:04

the city council is all going to rewrite by the way not to be jaded but they're going to rewrite this whole paragraph

2:26:11

um with my own bleep in the middle of that conversation so

2:26:17

um uh so I would say like do you have themes no laughing

2:26:23

um so if you have themes like I think that's good like let's make a call out the library there was intentionality

2:26:28

around um the alignment of where density was going to happen you know to reduce it on

2:26:35

other parts Carolyn did you have something in a similar vein yeah I'm just really pleased to hear the notion

2:26:41

of making this more accurate really telling what happened as opposed to like kind of making it sound like things just

2:26:48

sort of happen on their own so yeah those are good changes and I'm happy to have them drafted up I feel that

2:26:54

we'll have something to look at that should be pretty close

2:27:01

okay any other themes Kate sorry um as we're doing that I think it's

2:27:08

really important to talk about the regional context because these changes didn't occur out of thin

2:27:15

air because somebody had a you know growth agenda the region was growing and

2:27:23

I think the city responded to that and the psrc

2:27:29

put different requirements if for us so I think let's if we're gonna

2:27:34

be accurate let's tell the whole story and provide that context of why these

2:27:41

changes occurred and not everyone will agree with it like you said Dan

2:27:46

Council I've been through this enough times I can tell you that's a good point because

2:27:52

the growth management Act was adopted I think in 1992 and we we fell into this whole business and having to

2:28:00

you know probably Define some of these things but yes

2:28:06

yes go ahead I don't want to miss Adams I did read that email earlier today too and

2:28:14

I I'm not sure that I agree with it and I don't know if we want to discuss that all here or just that it's something to

2:28:21

bring up because I feel like that piece of whether anything happens north of I-90 or not is

2:28:29

is going to be affected by the um housing the housing element

2:28:34

and so I don't know that that's appropriate to put

2:28:41

something as specific as nothing's going to happen north of I-90 I think that's a

2:28:46

it's it's almost like a housing suggestion you know what I mean yeah I not recalling the details of the

2:28:53

memo I think the there is a true statement in that the Town Center in the

2:28:59

original Town Center plan was designed to be a place that would absorb a vast

2:29:06

percentage of the growth with the intent that it was going to preserve some level

2:29:13

of um uh or lack of development in the surrounding neighborhoods I think that

2:29:19

is a factual statement now whether or not you want to ascribe any future again not recalling the details of the

2:29:26

memo like I'm not sure we need to get into any conversation about what's happening specifically on the north side of I-90

2:29:33

in the Town Center I think that's less irrelevant especially since this is the Town Center

2:29:39

um right section so I think providing context to why in 93 the growth

2:29:44

management Act was adopted they built this to concentrate some of that growth that was being

2:29:50

um prescribed by state and Regional authorities so on and so forth I mean

2:29:57

those are all contextual things that I think are true and not situated in any sort of uh politic right it's just that

2:30:06

was the situation and that at the time was how the city and the council and the commissions responded to all of those

2:30:12

pressures yeah I think that's a good point and that's that's what I was kind of yeah

2:30:18

meaning was like yeah but let's not suggest but let's definitely articulate the intent of that past intent I assume

2:30:26

of trying to con wanting to concentrate most if not all growth within that zoning area

2:30:33

great so we have two suggested and don't look at the words specifically but

2:30:38

themes that have been added here are there any others that you want captured in this

2:30:43

um next draft of this paragraph

2:30:49

okay hearing none

2:30:55

yeah across the board yep

2:31:00

um so I think the the metal Point atom on that last statement from Victor I think is just recognizing tone even for

2:31:07

the other commentary there and I think it's probably mostly well

2:31:13

formed but just making sure the tone is more driven by a sort of fact-based recollection of items I think it's

2:31:21

mostly there okay um great so

2:31:27

um we can work on that draft and then I'll make a note in here that when we

2:31:32

come back for our tune-up if if this is okay with with the commission when we come back for the tune up we'll just

2:31:39

specifically return to this one and make sure that you're okay with that draft um I don't know you know the the land

2:31:46

use issues here are providing that context they're not creating a policy directive and so

2:31:52

the the wording here we have some leeway with but we don't necessarily need to get it specific and precise tonight I

2:32:00

think we can do that when we come back from the tune-up provided that's acceptable um to the commission

2:32:07

yeah and I'll just suggest to the Commissioners you know Victor for example if you wanted to just take a

2:32:13

stab at throwing some um edits to towards the staff please feel free to do so

2:32:19

um since it's going to come back anyway um okay I'm going to move us on from this uh item and go to what looks to be

2:32:29

policy 12.2 which is on gray box page

2:32:35

69. yes so here

2:32:41

um when we were looking at this in September um there were there was a lot of

2:32:46

discussion about this policy and there were kind of two main points that I pulled out of that discussion

2:32:53

um one was uh debating whether or not incentivize was the proper direction for

2:32:58

this open space policy and then two whether that opened this open space

2:33:04

policy should encourage or incentivize open space generally or public open space in

2:33:13

particular and then coming out of that discussion you had you asked staff to come back

2:33:20

with an alternative specifying that this policy is directed at open space and so we have the staff proposed

2:33:28

alternative here and then um instead of incentivize the policy

2:33:34

would start with in Courage which is a little softer a little lesser directive

2:33:40

and kind of given the debate over whether incentivize was the right choice

2:33:46

and courage is is pretty Broad and it would leave us leeway to eventually establish incentives through development

2:33:53

code Provisions in the future um so the staff proposed alternative is

2:33:59

here on the screen and I'll turn it over to you for comments

2:34:04

okay um there's a handful of words that have been added here and a couple stricken

2:34:11

does this sort of meet the intent from the previous conversation I think uh

2:34:16

commissioner Murphy you and I were the ones that were uh debating the uh the legality of the term incentivize uh

2:34:26

so I don't know if you have any thoughts on the changes here or not

2:34:35

you know I I'm not sure if there's an any real difference between

2:34:40

column A or column B um so you know I I'm not sure if it

2:34:49

if it meets the objective of trying to make it a little more of a stronger push

2:34:55

for creating public space

2:35:01

that would be my comment all right okay oh sorry I didn't see their hands up

2:35:09

did you guys have comments I had a question yes how are we defining open space

2:35:16

um open space is um I wasn't expecting that question so open

2:35:22

space is like the um undeveloped or well it's still developed

2:35:28

because it's it's park space um Allison are you on the line you had you

2:35:33

had pulled that code provision after the last uh discussion so you might be more articulate than me off the top of my

2:35:39

head sorry I couldn't get off mute there for a second um yeah so there's a requirement for

2:35:47

public plazas and Courtyard type things in the Town Center code

2:35:55

um and this public open space refers to those

2:36:00

spaces so they're publicly accessible they're they're open

2:36:06

um but they're not necessarily like Parkland or Green Space there

2:36:12

just a publicly accessible Plaza or Courtyard is how I would describe it could it be right away that enables

2:36:19

additional street parking I don't think so

2:36:32

parking would be a separate thing from the open space

2:36:40

Carolyn did you have something next yeah I I liked say that in this policy

2:36:46

incentives are are one option for encouraging public open space so I I

2:36:52

think it came out well here with including that along with development agreements

2:37:00

payment of money to dedicate land Etc so I like I like the

2:37:06

way it's worded okay Kate did you have something yeah yeah I'm a little bit concerned in

2:37:12

hindsight after the meeting I was thinking about this about adding the word public considering we already have

2:37:18

the plaza provision and one of the reasons I'm concerned about this um is

2:37:23

from an equity standpoint so renters and multi-family units we've learned

2:37:30

recently are cost burdens on housing relative to private homeowners um renters pay 100 of the property taxes

2:37:37

for these buildings it's a pass-through fee that's common industry practice

2:37:42

um they're paying more property tax per square foot of dwelling space and open space relative to single-family

2:37:47

homeowners and given that many apartment dwellers have children I think they deserve to

2:37:53

have some peace of mind knowing that their children have access to some outdoor space that is semi-private so

2:38:00

I think it's interesting I I'm concerned like I I understand that um you know we want to

2:38:07

have these closets at Courtyards and things but I think the kids and adults and stuff that live in these buildings deserve to have some private open space

2:38:14

and I'm concerned that adding public there would suggest that the public should be able to go into these Courtyards which I think creates a

2:38:21

safety issue for the family to live there frankly so I don't know what that public is meant to suggest or I would just suggest

2:38:27

that maybe it's not necessary because we already have those Plaza provisions so yes and so yes and no so I was on the

2:38:36

design commission for three years and we've reviewed several of these plans and the there were a number of elements

2:38:44

and I don't know how um how is it's been several years so how

2:38:50

exactly it's phrased but there were a number of of in incentives and

2:38:56

um ways that if you look at what's the one where Menchie's used to be

2:39:04

um the 77 Plaza there's no

2:39:09

public space as a part of that

2:39:14

um facility there's maybe one in that little Breezeway between the old Mo's Pizza and and uh

2:39:21

where the former Menchie's used to be there's a small little Courtyard there

2:39:27

um but all of the incentives that they got for

2:39:32

the courtyard space were all private and there's nothing precluding then if you

2:39:38

look at what is it Aviara they have the area in front of Vivian's

2:39:45

Bistro there which would be considered a public Plaza but they also have their private Plaza up in the you know in the courtyard on the inside

2:39:51

so the language is the incentives should be driven towards the public spaces you

2:39:57

get credit from the city for providing public use not necessarily for the

2:40:04

private use which previously they could sort of take advantage of

2:40:10

yeah and I just I just wonder about that idea of taking advantage when you're considering it's open space that um you

2:40:17

know it's a public health issue that you have people living in these dense communities and they have no

2:40:23

private space I mean if so I think most of us live in single-family homes we can walk outside and have you know some

2:40:30

sense of privacy when we walk outside our houses so I'm just wondering I think part of the reason that Aviara and

2:40:36

others have more of that public open space is because the details of the code have changed such that they can't

2:40:42

have it be exclusively private open space anymore but see I would but I would argue that both exist

2:40:50

in that complex and at least in the way that this is framed

2:40:58

if they're going to get if the city is going to contribute to

2:41:04

either tax breaks or leniency on the number of stories you can go that the

2:41:12

credit that comes back should be for the public because the city is acting on

2:41:17

behalf of the public they can opt to not to take those

2:41:23

incentives and privatize their whole thing but it means they're not going to get the benefit of the public

2:41:29

contributing to that public space I don't disagree with

2:41:35

all the points you're making about the added burden to people that live in

2:41:41

especially in rental housing based on that but it comes down to what

2:41:46

are the how is the city using its resources to

2:41:54

um to the benefit of the public at large yeah and my argument

2:42:01

is that for open space you know

2:42:06

the people who have the worst housing burden cost

2:42:12

s are gonna suffer more by you know the developers aren't it's not like they're gonna say oh you

2:42:20

know we're gonna create more of everything you know I think it's better if they're creating more of everything that's great

2:42:27

um but I just I get concerned that we're nickel and diming renters a little bit

2:42:33

here and I just want to make sure that we're not incentivizing developers to limit the amount of open space they

2:42:40

create that semi-private for the families that live in these more crowded conditions I just wanted to raise that

2:42:46

point and my only issue with this statement is adding public I think it's unnecessary

2:42:52

[Music] okay any other thoughts Caroline I wonder if

2:43:01

developers are required to include you know open space private space or

2:43:08

well open space for their renters and if they're allowed to double dip when that

2:43:13

open space can be offered to the public too I guess that's what would concern me in a perfect world they would be

2:43:20

required to provide you know activity in play space for the people that live there that's private

2:43:27

and then get incentives from the public to you know

2:43:32

from the government to to provide public space so is so I would say we could probably work we

2:43:39

could spend months digging into the depths of all the requirements on

2:43:44

multi-family housing I was on the planet the design commission for three years and I still know a fraction of what

2:43:50

there is to know um so I don't know if we're going to solve that problem here I think the

2:43:55

question um here is

2:44:00

um are we good with the changes I've heard one comment that they don't like the use of the the addition sorry of

2:44:08

public to the open space comment um do I have any other comments either for

2:44:15

or against that and if not I will take silence as tacit approval and we will move on

2:44:22

well I'm I'm forcing public because what we're talking about here in this policy

2:44:28

is I think um private developers being given some

2:44:35

option that they want for giving back something to the public so I mean open space just you know just

2:44:43

I don't think cuts it by itself but foreign Victor so

2:44:51

I've got I've got a quick comment to you and then to you as well so to you I agree we're kind of getting into a town

2:44:59

center Redevelopment plan and we're dangerously close to falling down a

2:45:04

slippery slope I agree with with what Carolyn said I think we've lost the context on this which is

2:45:11

um the agreements for open space are in exchange for something and so in

2:45:17

exchange for an extra story or something else they give something back to the public is what the original intent of

2:45:23

this is and so um I agree with keeping the intent there

2:45:29

but I'm also very conscious to the slippery slope that we are on right now

2:45:37

okay so um hearing no

2:45:42

um is there consensus to move forward with the language as it's been presented

2:45:51

I have three four five great okay we have consensus

2:45:58

there knowing that more debate can happen

2:46:06

um okay so the next uh the next issue here is policy 15.3

2:46:14

um so when we were looking at this um in September um you asked staff to

2:46:21

um just clean up the the wording on this policy um not necessarily amend the

2:46:27

um the the statement of the policy but just make it a little more clear what it's

2:46:33

saying um and so the staff proposed alternative um just more clearly lays out that we

2:46:40

are going to confine low-rise apartments condos duplex and Triplex designs so

2:46:45

those areas already zoned to allow multi-family housing one of the one of the points one of the

2:46:52

notes that I make in the memo that I think is worth reiterating here is that

2:46:58

he whatever we land on tonight for this policy is going to be subject to that

2:47:05

additional work we do about around housing um so this is a bit of a moving Target

2:47:12

um because this is talking about how we're going to regulate specific kinds of housing um so all that is to say I I suppose

2:47:20

that um the finer detail may come up later and

2:47:25

we may not need to spend a ton of time on this tonight because we've got um housing in general is going to be a much

2:47:32

bigger discussion we have later in this process but at that point I'll turn it over to

2:47:39

the commission for comments or Direction

2:47:45

um any comments Kate oh sorry so I'm I'm unclear as to what we're

2:47:51

trying to solve here I'm looking at the language and it says confine low-rise apartments condos and duplex Triplex

2:47:57

designs to those areas already zoned to allow multi-family housing

2:48:03

um that's that's what zoning's for right I can't I can't build an apartment in an

2:48:10

area that's not a lot that doesn't allow for multi-family housing

2:48:15

I I think the the intent behind the original policy and what we're trying to

2:48:21

get at here is that those those places are um are these specific types of housing

2:48:28

so apartments condos and duplex and Triplex we want to keep those in our multi-family zones

2:48:37

that's what I mean but I'm I come back to you have to by Design because that's

2:48:43

what a Zone's for right but some of those uses you may be

2:48:48

able to uh or you may amend zoning to allow those things and this is providing that direction that we don't we want to

2:48:54

keep those only in those multi-family zones so the the better way to answer it

2:49:00

Victor is without the policy in theory the council could go in and say in the r 9.6 R 9.6

2:49:07

Zone they were going to allow up to five unit dwellings to exist with a policy in place like this it

2:49:15

would preclude them from doing that without going through a process of amending the comp plan to actually say

2:49:21

that we want to allow that to happen so shouldn't we say something like we're not going to expand the zones Beyond

2:49:27

where they currently are isn't that what we're saying we're not we're not going to expand the zones well

2:49:36

I mean that's the way I read this which is to the areas that are already zoned to allow that

2:49:43

[Music] yeah I mean this is just to me the this policy already existed it was just very

2:49:49

poorly worded because it conflated the commercial in office owns and

2:49:56

um understood understood it just I'm not sure that this is any better word

2:50:02

it's shorter right true true I'm all about shorter Kate

2:50:08

yeah I was just gonna propose that we table this because the housing element is very

2:50:16

likely to impact it and I don't think wordsmithing this is a good use of time personally I would

2:50:23

just leave the existing language as is until we get further Direction especially if it becomes a debate about

2:50:29

what the change language is yeah because it's I was leaning in that direction but let

2:50:36

me get comments from everybody and then I think that's the direction we'll go go ahead Adam I think the history on on this comment was I think in the original

2:50:42

the first time we saw this or I saw this you know we have this with the addition of the commercial office zone so I kind

2:50:49

of read that as well maybe that was added last time we Revisited it so let's make this you know more current not

2:50:55

because this implies that we've recently added this commercial office Zone and I think especially if we are going to be

2:51:02

you know revisiting this and looking at the intent of it let's shorten it let's clarify it let's remove that that

2:51:09

distraction of the commercial office zone so I like the staff proposed alternative text it's clearer more to

2:51:14

the point and gets rid of the fact that or gets rid of text that implies we've

2:51:21

recently added this commercial office Zone um let me go to uh commissioner Murphy

2:51:28

and then I'll come back to you Carolyn yeah I agree with Kate uh and you Dan this is something that is out of our

2:51:35

control and we're wasting our time by word smithing this at this point

2:51:43

yeah we could make either decision and frankly it's not going to matter because we're going to end up talking about this

2:51:48

again before it goes to public anyway so flip a coin Adam choose whatever

2:51:54

language you want and then we'll talk about it again in a couple of months when we have to

2:52:03

uh saying that we're in a table discussion of this until we get to the housing I think is a clear way of

2:52:11

I I could flip a coin but I think that as a joke clearly but uh for the

2:52:18

sake of the public that may not understand my humor um I would suggest if if there's

2:52:23

consensus that we just table the discussion around this uh policy until um a time when it's more relevant

2:52:34

I told you I have my hand up for some time so are you calling oh my apologies go ahead so

2:52:41

um you know you know wasting time I mean time has already been spent and spent for us to the left lack of

2:52:47

clarity of this policy and now the staff has written it in such a way that it's exceedingly clear so I mean I think that

2:52:54

we should go ahead and clean up the language because they both mean the same thing but one of them you can understand it when you read it the other one you

2:53:00

can't understand it when you read it so my thought would be let's change the language but of course we know that this

2:53:05

matter is table because there's other issues coming so I would I would suggest yeah let's go ahead and make this change

2:53:11

and then deal with the rest later we have both of these written in word next to each other as I see on the screen

2:53:16

we're not going to lose any work um we've got it and um

2:53:23

uh I've heard several people say that they just want to table this until

2:53:28

um for any further discussion so do I have consensus to just move on to the table that's what I'm asking for right

2:53:34

now for to table the discussion on this until

2:53:41

the staff comes back do I have consensus to table the okay one two three four

2:53:47

five great okay so the next uh the next issue

2:53:56

um before us is uh policy 16.7 which is focused on regulatory barriers

2:54:04

and preserving older homes um there was some concern here that the

2:54:10

regulations May inadvertently create incentives for demolish or Demolition and replacement of it of older homes

2:54:19

um and when we looked at this in September um you um asked staff to kind of come back with

2:54:26

this draft so we're proposing two um two policies kind of splitting this

2:54:31

out into two different um policies um one is to ensure development

2:54:36

regulations allow the Improvement of existing homes and do not create incentives to remove or replace existing

2:54:44

homes and then the second is to evaluate locally adopted building and fire code

2:54:49

regulations to ensure they encourage the preservation of existing homes so the

2:54:54

second one the 16.8 came out of that discussion where we were talking about there there are some

2:55:01

limitations in how you may be able to remodel your home that would make it uh

2:55:07

essentially create an incentive to demo and rebuild that home so we want to have

2:55:15

some policy Direction kind of point in at those those two things okay

2:55:20

we'll start down here Adam do you have any on this no is an okay answer I mean I it

2:55:27

seems reasonable I think we have goals of preserving existing housing stock residential character so let's clarify

2:55:34

it yeah okay anything else to add I think it's good as written this is a

2:55:39

plate I've heard from a lot of residents and I think this uh maybe starts to address that okay Carolyn

2:55:45

yeah I I think that the first one 16.7 is is very good

2:55:51

um I'm not so much in favor of 16.8 because

2:55:56

um evaluating say for example the fire code regulations to ensure that's a pretty

2:56:03

strong word that they encourage the preservation of existing homes those types of codes are constantly updated

2:56:09

for reasons of of Life Safety and protection of structures and for us to

2:56:16

presume that we could evaluate them and ensure that they encourage the preservation of existing homes I think is is um something we really shouldn't

2:56:25

wander into um even building codes same thing um

2:56:31

I I so I think your first statement is is pretty safe but I think 16.8 is

2:56:37

too high of a bar if I can provide a little background

2:56:43

that might be helpful so um 16.8 probably wouldn't come back to

2:56:49

the Planning Commission um that evaluation would happen um through a different process since the

2:56:55

planning commission's really only focused on the development code but there are Provisions in the in local

2:57:02

jurisdictions have some discretion in the provisions of the building and fire code regulations that they locally adopt

2:57:09

um and so that policy would really be directed at as we're evaluating those local choices about those things that we

2:57:17

make sure that we're we're taking a look at um those in whether or not they're creating a an incentive or a

2:57:23

disincentive um as it were perhaps using yeah go ahead

2:57:29

um so there's there's there is some local discretion uh with those it's a

2:57:34

very it's a pretty complicated process it's it's not really in my wheelhouse but our building official could look at

2:57:40

it and we could look at that with the council thanks that helps and and I think maybe

2:57:45

just the one word that might be of concern then would be to ensure that they encourage the preservation I think

2:57:52

that's too strong Victor do you have any comments

2:57:58

I'm good with this and this this is both it's not an either or right on these six

2:58:04

16 7 and 16 they go together it's not I mean they I mean between the two correct

2:58:10

they do go together but I mean if to Carowinds point you know if you have a disagreement with one it doesn't have to

2:58:15

okay um commissioner Murphy or commissioner

2:58:21

Curry do either of you have any additional comments commission Curry go ahead

2:58:27

no I was given thumbs up I'm good to go oh okay sorry you're a tiny little box on the screen
yeah

2:58:35

um I'll just add I have the same Adam the same comment as Carolyn here actually

2:58:40

um and I think I was one that made some of the point around this um I'm not sure it's about
ensuring that

2:58:47

they encourage preservation but they don't unintentionally create

2:58:53

um situations where preserving existing homes

2:58:59

becomes possible or feasible that's really the more

2:59:05

um yeah yeah so that's yeah I like that

2:59:11

yeah something like that yeah they do not unintentionally discourage the preservation of
existing

2:59:17

homes yeah I think that's that's more to the intent of at least my comments from last time
and I think get to Carolyn's

2:59:23

point of uh being too strenuous in the other word police

2:59:30

um that's a double negative oh right I was trying to think of how you can replace it actually it may be a

2:59:37

triple that may be a triple negative triple negative

2:59:43

it's just it's to ensure they encourage the preservation of the existing homes

2:59:49

see there's where I can't go with that to ensure that they do something is

2:59:55

where I'm not ensure ensuring they do or they do not is the it's it's the same

3:00:00

severity on either side it's the unintentionally word that makes the difference unintentionally yeah okay I don't know

3:00:06

but I think we kind of um [Music]

3:00:14

Adam sorry go ahead I've got a suggestion um evaluate locally adopted building and fire code regulations

3:00:20

within existing discretion to encourage the preservation of existing homes

3:00:29

okay because we don't know the unintended consequences of

3:00:35

codes or laws right yeah yeah

3:00:40

maybe recognize wait sure couple sorry he was still um

3:00:51

to encourage we take the ensure word out right yeah I would take insurance just to encourage

3:00:58

encourages yourself good preservation there you go

3:01:04

great Kate you got another comment I don't know if I want to make it I

3:01:10

think this is fine okay um okay so with that

3:01:15

um do I have consensus on both of these 16.7 or 16.8 as revised

3:01:22

great I see at least five hands commissioner Murphy did you have a comment or was that just a consensus

3:01:28

vote great okay Adam cool um so the next policy is or the next

3:01:36

issue is policy 17.4 um so

3:01:41

um when we first put out the when we released the first draft for comment we

3:01:47

received a public comment proposing um amendment to 17.4 and uh the Planning

3:01:54

Commission considered that at the the September meeting and

3:02:00

um generally liked the um parts of the comment but asked staff

3:02:05

to um provide some clarification in the policy so as I was looking at the the

3:02:13

public comment and the comments from the Planning Commission I put together this

3:02:20

this alternative um for 17.4 really the the difference

3:02:25

between the existing policy and this um this proposed alternative

3:02:32

um doesn't really change much of the effect of the policy really the the main

3:02:37

change here is that we we changed this to talk about the social and recreational Club facilities rather than

3:02:45

the clubs themselves because this is a land use element it really should be

3:02:51

talking about like land uses rather than organizations in the community

3:02:57

um and so it um that was the primary change made here and then also the

3:03:03

inclusion of the word modernize here in the second sentence

3:03:09

uh there was we did receive two public comments about this policy

3:03:14

um earlier today so hopefully you saw that in your inbox there

3:03:20

um the the public comments one one comment was um essentially saying that we shouldn't

3:03:25

change um we should just stick with the existing policy 17.4 and then one of the

3:03:32

other comments proposed some some additional changes to 17.4 um but I don't have those

3:03:38

um handy yet so we could we could table this one and consider those comments at a later time or if you're ready to go we

3:03:45

can we can work those in um here now

3:03:50

um well any discussion or decision we make doesn't preclude us from further considering the public comment so I'll

3:03:57

make that correct statement um so why don't I why don't I start on

3:04:02

the phone hello caller uh do either of you commissioner Curry or commissioner

3:04:08

Murphy have a any thoughts or comments on the proposed changes from the staff here

3:04:17

um didn't we have a question around what the word modernize meant

3:04:24

uh that was part of the discussion is what what does modernize mean I think now that this policy is directed at

3:04:31

facilities rather than clubs it makes a lot or rather than the organizations themselves I think that makes a little

3:04:38

more sense uh modernizing a facility would be like replacing your HVAC

3:04:44

um to a more efficient model or something like that um

3:04:51

or expanding its footprint uh well usually that would that would be

3:04:58

expansion that would be called out as expansion if you were going that far or uh modernize is uh

3:05:07

not that General to where it would include like uh expansion yeah expansion

3:05:13

is a is a different thing that we would call out

3:05:21

especially given the the other words are maintained renovate

3:05:28

um those kind of more narrow terms commissioner Murphy

3:05:34

yeah I I wasn't sure what's meant by support the need

3:05:40

um it seems like it should be something like should recognize the need and

3:05:46

support the ability to do those things

3:05:59

okay let's capture that and then looks like Victor has a comment yes so

3:06:06

um part of the feedback from the last time we discussed this was

3:06:12

The Proposal was more directive or prescriptive and it used the word shall

3:06:19

rather than should I see that we've returned should but it still feels like this is

3:06:26

incrementally more prescriptive because it should you've

3:06:33

actually stricken some of this but as written it was should recogn uh

3:06:40

it should be recognized the need and support the ability so record so should

3:06:46

recog uh should recognize the need seems to me

3:06:52

a stronger statement than should reflect the desire and so I remain supportive of

3:06:59

the original language and I I think we're getting out of out of the scope of the exercise

3:07:05

this is this is kind of in the in the realm of town center so sorry by original language you mean

3:07:12

the original language is proposed policy 17.4 on the screen okay

3:07:21

Carolyn do you have a commentary still formulating you want me to come back to you come back please okay Adam

3:07:28

Kate he's hedging so Kate your turn go

3:07:33

um yeah I think this was uh submitted by a Community member

3:07:39

um and it was because the word desire um

3:07:45

didn't make sense it's not a desire there is a need to maintain and renovate and modernize over time buildings uh you

3:07:52

know might have a 20 30 50 year life cycle so um I think it's appropriate to replace

3:07:59

Desire with need and I respect the concerns of other

3:08:05

Commissioners that um you know they're concerned about overreach but I think Adam has

3:08:11

um you know getting into expansion I think Adams addressed that

3:08:16

I don't know why we need modernize and renovate but that's um I don't I'm not too worried about that I like it as um

3:08:23

as written with that minor edit as a reformed PR person I would probably

3:08:30

spend days telling you what I think the differences between those two words are but as I'm sure those members the

3:08:36

community that would as well um I I actually like the the addition of the

3:08:44

language of um recognize the need versus um

3:08:50

uh what how was it originally it was support originally yeah support the need

3:08:56

so I like recognize better than support and and personally I would actually remove this support the ability I would

3:09:03

just say regulations should just recognize the need to maintain update

3:09:09

and renovate these facilities modernized to me

3:09:15

and update are like that's to me the Layman way of saying it is to update

3:09:22

um and uh so you know in that sense to me that

3:09:28

really gets to I think both concerns here which are

3:09:35

um updating the language to make it more specific to um you know the facility side of this

3:09:42

based on commentary but also recognizing the the support language is very

3:09:49

potentially stronger than just saying hey there's a need to maintain update

3:09:55

and renovate these facilities um and that's very different than expand

3:10:00

grow Etc which a lot of the commentary that

3:10:06

has come both previously and through this is worried that this is expanding the scope

3:10:13

of so that's just my thought I'll go to Adam and then come back to you Carolyn

3:10:20

I like your suggestion of recognize and update I think those are good words to replace uh what support and modernize

3:10:28

um was wondering if we should also discuss the you know the the public

3:10:33

comment we got on this already or for later but I think yeah first

3:10:39

point is yeah I like recognize an update and I mean do you have a comment about

3:10:45

the public comment or what's I I don't know enough about it so I was hoping uh

3:10:50

more experienced people would discuss it so I couldn't listen let me get to Carolyn and then I'll see

3:10:57

which part of that you want so I'm wondering what is the purpose of this policy if if we only said that we

3:11:05

recognize the need to do something what does that do for these facilities

3:11:12

what so by contrast if we don't bother to say

3:11:17

recognize the need which I suspect might not actually accomplish anything

3:11:23

concrete um to me support the ability might be the more useful phrase but so that's a

3:11:32

question maybe didn't sound like one but what what is the value of saying support the need what does that what does that

3:11:38

do for these entities on Mercer Island so I think the this is this type of

3:11:45

policy gives us Direction so when we're amending our development code we know

3:11:51

kind of the intent and that again that direction of of what where are we going to go when we're amending that code so

3:11:57

this should this provides us some guidance about that um I mean the semantic difference

3:12:03

between recognize or support I think maybe negligible really when we're

3:12:10

thinking about it as a direction because it says should that's a that's again that's more of a directive thing than a

3:12:16

than a mandated thing um and so that where this comes out is

3:12:22

again just in that direction as we're um updating our development code in the future but this this also doesn't create

3:12:30

a mandate that we update our development code today okay I think we might have missed each

3:12:37

other there a little bit but I'm I'm good with the should word it's just that recognize the need versus support the

3:12:44

ability when you just recognize the need that's like oh they have a need but what does the city need to do in regard to

3:12:50

that need we need to support their ability to so modernize your renovate or whatever

3:12:57

that might be and that I would defer to the

3:13:03

commission's uh consideration so my my input here would be that we should

3:13:09

support the ability um to whatever those words are going to be I

3:13:16

guess it's optional and I like the fact that you change the policy directed towards the facilities instead of the

3:13:23

groups so that was an improvement foreign did you have something else Victor I did

3:13:31

go ahead so I wanted to go back to something you said Adam which is

3:13:36

um you said that this provides direction to the staff in terms of the code that's being developed

3:13:42

so can you explain to me the difference between the direction that the existing policy gives versus the alternative and

3:13:50

kind of what would the difference be in terms of Staff Direction on this sure well I mean I think that's where

3:13:57

the difference between directing this at the organizations uh is maybe not very

3:14:03

helpful because reading the existing policy what that's telling us is that

3:14:09

um that we need to through our development regulation um recognize these organizations as

3:14:17

Community assets um and so instead really our development regulations have nothing to do with

3:14:23

organization or have very little to do with organizations they have to do with the facilities that those organizations

3:14:29

are using so that's that's thing one yeah that

3:14:35

that's probably the major difference between these two understood but back to the question kind of what's what's the

3:14:41

what's the difference in the direction um there really isn't that significant of a

3:14:48

difference between the two um other than that difference that I just pointed out

3:14:53

um so the but neither one of the Practical what's the Practical implication of that difference

3:15:02

um so the Practical implication is that when we're looking at the development regulations for facilities so those bulk

3:15:10

Heights uh other things other dimensional standards

3:15:15

um other things that talk about facilities we now have a policy that

3:15:20

specifically addresses those facilities rather than the organizations that's the that's the
Practical difference between

3:15:26

the two they there isn't they're not very substantially different

3:15:33

other than that point that I just made

3:15:38

uh commissioner Curry and then commissioner Murphy um so before we go any really
further

3:15:45

should we address what the public comments were because we've kind of got one that
says why are we even doing this this is out of scope and then we've got

3:15:52

one that says hey we should be rewarded for conditional use permits or some of that effect
right so

3:15:58

should we take those into account now before we get further into this discussion and kind
of toss that around

3:16:04

or when when do we want to do that so what's your question you want the

3:16:11

history behind why those comments were being made or well we've got public

3:16:16

commentary on this and so I want to make sure that we address public commentary and uh it's EA or n a I guess I don't

3:16:23

know again new guy right um I don't know that a history lesson

3:16:28

maybe it could be uh but I think we should address the concerns that were sent to the Planning

3:16:35

Commission around this line item so I'm going to give you my

3:16:40

editorialized version because I lived through it Carolyn was here for a portion of that as well so I I will

3:16:48

um yeah all of it it went on for so long I

3:16:53

don't know where people came in um so I'm not going to speak to intent

3:16:58

or anything from the comments themselves I'm just going to give you my interpretation of sort of what led to

3:17:05

where we're at with and why this topic around these facilities is a bit of a

3:17:12

lightning rod there was a um an organization on the island that

3:17:18

came forward uh several years ago um with a plan that they wanted to

3:17:24

implement to expand and um and update a portion of their

3:17:32

um their facility relocate some buildings and and

3:17:37

um in in the name of expanding their their membership and the services that they

3:17:42

could provide um through a long series of

3:17:50

um over the course of what two years Carolyn I think we spent maybe a year and a half a year and a half uh we went

3:17:56

through a process where we as a commission were looking at so these facilities for the most part are all

3:18:03

located in residential zones with the exception of a few on the North End here

3:18:09

which are actually overlapping a series of multiple zones

3:18:16

um so the view was in order to build some consistency because the regulations that dictate what they could do on each

3:18:24

piece of property were slightly different there was a proposal to create

3:18:29

a new zone for Community organizations the view of the public and ultimately of

3:18:37

the council uh was that the

3:18:42

um the areas that were in residential zones

3:18:47

have to abide by certain Residential Building standards

3:18:53

even though through a conditional use permit that's where the language was introduced in the commentary

3:19:01

um makes it possible for these to exist under a conditional use it was the view that

3:19:08

um by creating a new Zone creating a new set of Standards was basically enabling

3:19:14

the growth and the expansion of these facilities in residential neighborhoods

3:19:20

that was deemed um incongruent with the character of

3:19:26

residential neighborhoods and that is me summarizing in two

3:19:31

minutes a year and a half worth of work and thousands of hours of conversation

3:19:37

um that I recall only portions of because it was um

3:19:42

uh it was so long so I don't know if Carol you want to add anything more to that to me those are the Salient points

3:19:48

that get to my belief from the commentary is or from the

3:19:54

the way that I read the comments from the public that we received as they're concerned that the changing of this

3:20:00

language is opening that Pandora's Box again and

3:20:06

asking us to consider um looking at this in a different way so

3:20:12

well I think your description the community facility Zone project is

3:20:18

remarkable well done we're all done how did you put that all into so many cogent sentences

3:20:26

uh I don't have anything to add to your description of how that happened one comment I would like to offer is that

3:20:32

you know when we get comments from the public um you know sometimes it's too common

3:20:37

sometimes it's 30 comments before a meeting and I think any one of us Commissioners if if there's something in

3:20:43

one of those comments that causes us to want to raise an issue that that person

3:20:49

and who made the comment uh then you know then we bring it forward but

3:20:54

um you know uh so I guess I would maybe Michael Kurt Mr Curry has a

3:21:01

commissioner Curry has a particular thing about those comments that you want to

3:21:06

ask the committee to address there's a commission to address I I would wonder what that would be

3:21:12

my only thing I'm sorry Vice chair Murphy would you want to add do you want to speak before I drip over my feet

3:21:19

again or whatever no no let's finish with your your comments no I mean we constantly say we

3:21:26

want public feedback and the things that we're doing to help shape the policy that we're trying that we're trying to

3:21:32

put forth that's good for all Islanders right but but to this point we hadn't yet spoken about any of it like I said we've got one that says what we're doing

3:21:39

here is kind of out of scope it should be incorporated into part of something else and then we've got some word English says Hey and uh

3:21:47

uh uh that you know we should have this as part of conditional youth permits so

3:21:52

but I I don't know enough about it I just want to make sure that we're addressing those concerns right as we

3:21:59

get into this so that either way we're showing Islanders that we hear

3:22:04

them right so that that's my concern if I could if I could jump in here

3:22:13

um because I think the scope question is a good one it's also a good opportunity to kind of touch on this because it's

3:22:19

probably going to come up a few more times as we work through the comp plan update so the scope of work is really narrowly

3:22:26

defined for most of the comprehensive Plan update you know we're we're trying to keep this really focused on what the

3:22:32

state law requires us to do um the direction that we receive from the council

3:22:38

um in setting that scope is really to keep that um that reigned in as we go through the

3:22:44

process on the other hand we received this public comment um and the the Planning Commission even

3:22:51

though the scope doesn't say look at policy 17.4 because we received that comment

3:22:57

the Planning Commission can consider that comment and consider making changes

3:23:02

based on that comment um if that if that were to create like a

3:23:08

new policy directive that would be really expanding what the comprehensive plan is telling the city to do or

3:23:14

committing additional City resources um then we want to check in with the

3:23:19

scope and say well that's that's really beyond what the scope um was set for this project

3:23:26

um whereas if it's if it's something that's a a relatively minor changing to some of

3:23:32

the wording of the policies that's not necessarily an expansion of the scope of the comprehensive Plan update so I hope

3:23:39

that kind of clarifies that scope question so if it was you know if this policy was really saying create a new

3:23:45

zone or something like that that would be a significant work product then that's probably outside of the

3:23:51

scope but because this is a relatively minor change in the wording to a policy it's it's not necessarily a scope creep

3:23:59

for this project uh commissioner Murphy and then I'll

3:24:05

come back to uh the dice

3:24:11

yeah I'd go back to Carolyn's point which is based on my original suggestion

3:24:17

and that is that um clarifying language here

3:24:24

um recognizing the need should be married to something that says

3:24:31

supporting the ability or allowing or you know whatever and what the council

3:24:38

does with that uh if if they do anything with code or not but I don't think that

3:24:45

that language would either necessitate a new code provision or rezoning or

3:24:52

anything like that but it would just facilitate doing presumably what they

3:24:59

could be allowed to do Under the existing regime but I think saying recognizing the need

3:25:06

is is like going to the doctor and having them say well you got a problem and and not explaining either what it is

3:25:13

or you know what he's going to do about it so I would I think that the concepts go

3:25:19

together and and should be in there if the policy is going to have any meaning

3:25:25

okay I'm gonna go to Kate and then Adam and then Victor

3:25:33

um yeah I did also read the public comment and I think it's so detailed that it does

3:25:39

it's outside of the scope because it's talking about really just a brand new policy of

3:25:46

applying conditional use permits and things like that I think that's more expansive that maybe would be more of a

3:25:52

docket item um and I think I would be happy with

3:25:59

recognize the need or recognility and the reason I say that is because

3:26:05

it says development regulation should recognize the need and to me that does

3:26:10

support the ability the way it's written so I think if we're sort of like not wanting to we're trying to have an even

3:26:18

Keel about responding to the public comments um I think the word support is turning

3:26:24

off some members here um but

3:26:29

I'm happy either way okay Adam

3:26:35

um I guess I appreciate the history lesson I'm reasonably new here so to the

3:26:40

island so I wasn't fully aware of that apparent I guess that intend to not or

3:26:47

decision to not allow like expansion so maybe should is there value in

3:26:52

clarifying that like I'm still on board with recognized up an update and maybe clarify just not

3:26:59

not expansion not expand to kind of keep you know articulate to those who may not

3:27:06

know as much of the history here that that decision I guess was made over the

3:27:12

course of a year and a half or two years and you know we're not trying to go there again by revising us I'll make the

3:27:20

statement that I don't think that was actually the conclusion is that there's not support for ever letting these

3:27:26

groups expand in any way it was the mechanism by which uh was being

3:27:32

referenced to allow that to happen Okay so okay um that would be my caveat to that so

3:27:40

uh Victor so uh I continue to prefer the existing

3:27:45

policy um I could get behind the proposed alternative if we added

3:27:52

language somewhere in that second sentence that said within the scope or as Allowed by the

3:28:00

current residential code so development regulation should

3:28:06

recognize well I don't know should recognize the ability or the need to maintain

3:28:15

update and renovate social recreational educational and religious facilities

3:28:22

as Allowed by the current residential code

3:28:31

I just want to make sure I want to see any Clips here okay I see

3:28:38

um go ahead Carolyn well some of these facilities are not in residential

3:28:44

zones so I think that would be a little bit too limiting

3:28:50

but it says located in single-family residential areas of the island

3:28:55

oh let's see okay excuse me let me let me read this predominantly yeah except for like my

3:29:02

recollection of this experience we had with the community facility Zone as they were located in several zones but okay

3:29:09

if this is this is primarily talking about those in single family residential areas in the island I guess my my

3:29:17

thought about this at this point would be if the the proposed staff proposed alternative is

3:29:23

pretty good it's quite benign I don't think it changes

3:29:28

really much between the existing and the proposed other than it directs

3:29:34

all of this facilities instead of at organizations and if people feel

3:29:40

uncomfortable with the notion of supporting the ability I mean I could go with recognize the need or

3:29:47

support the need I mean that that's good but I do think the new one is more clear

3:29:52

and um better than the old one so if I can offer

3:29:59

excuse me I turn my microphone on so if I can offer uh one edit to what you've

3:30:05

um suggest Victor which is instead of residential development code we just say land use code

3:30:10

because then that covers like all the existing code

3:30:16

as it exists today both residential and um like the office code that these

3:30:25

um operate under that would be the only thing that I would say would just to make it clear

3:30:31

since there is sort of a mix of

3:30:37

but I defer to your um one sec since I'm proposing

3:30:43

the change to what you suggested

3:30:49

I I prefer to keep it as a resume because I feel like the issue that you

3:30:55

spoke about this is calling it out or you know predominantly located in single-family residential areas the

3:31:02

issue was this was an issue in the residential neighborhood for the people who have

3:31:09

residences there and so this is residential code specific okay all

3:31:16

right go ahead and um control Z that Adam and then uh I'll go to Cape

3:31:25

yes I respect the intent but I think it's not a necessary statement because

3:31:35

it's self-evident let me leave it alone things aren't

3:31:42

going to be allowed to be done but aren't allowed by code so I don't understand that the need of

3:31:50

having that in there um I was a little bit concerned about the word current as well I think I have issues with

3:31:59

current and residential just because not all of these facilities are in residential I respect that yes the issue

3:32:05

here that we're Dickering about was residential um but not every facility so I liked

3:32:12

your proposed amendment chair Hubble

3:32:17

but I think any sentence here is you know a course that's going to relate

3:32:23

to code because it's code

3:32:32

can can I propose a couple of not not changes here but just some things that

3:32:38

will help you get some direction um it would be helpful I think if we

3:32:43

resolved this recognize support the ability the need support if we could

3:32:50

kind of get through this part that I've just highlighted and and get that ironed out and then we

3:32:56

can then we can move to this second part I've got it typed out here so we can come back to it but it would help me to

3:33:01

get this first part and I think it would help the rest of us too to get get that part ironed out first

3:33:12

if I may be so bold all right who wants to start we'll do one round and go ahead Caron I I will

3:33:19

just start it out by saying recognize the need and and support the ability

3:33:25

to okay so that would that would drop this

3:33:30

out and just be recognize the need and support the ability to maintain update

3:33:36

Etc okay

3:33:45

I think as soon as we consensus so let me let me ask this that was The Proposal is there a consensus that

3:33:52

at least at this point we can move forward Mike is that a consensus yes or is that a okay

3:33:58

now let me see a thumbs up how many people are okay just that for just that first statement

3:34:03

recognize the need and support the ability okay we have consensus on that

3:34:09

great and and now before we get to this last part there was also a proposal to maybe

3:34:15

uh change modernize to update um to make it more plain spoken

3:34:24

okay is there consensus on that for modern night I could go along

3:34:30

I think functionally the Adam would you consider them functionally the same I believe they're synonyms yes okay I it

3:34:38

was my suggestion so I'll do that I've got a thumbs up from commissioner Curry and from commissioner Murphy okay

3:34:46

um all right and so then the the final Clause here we we still need to

3:34:52

um iron out here is the current residential Co residential development code or as

3:34:59

proposed it could be land use code instead land use code would be more

3:35:04

broad but it would be factually true as commissioner accused pointed out you

3:35:10

know that any development has to be allowed under the development code

3:35:17

um at the time that it's permitted um

3:35:23

your one I I go along with Kate on that um to not add the reference to the

3:35:31

development code it's just Simplicity is is very valuable in these types of

3:35:36

documents and when you cannot gum it up with extra stuff that doesn't actually say anything I think

3:35:42

you're better off

3:35:47

you're right did you online did you guys hear uh carowind I didn't have my mic on

3:35:53

I could repeat if you need me to I heard what she said I was able to hear yeah all right yeah and and respectfully I

3:36:00

would disagree I think if we can get fairly targeted almost surgical with it I think

3:36:06

it takes any ambiguity out of the sentence and out of the statement that we're trying to make

3:36:14

and regardless of how you update residential code in future as long as it stays as long as we work

3:36:20

within that current code there should be no problem code being code

3:36:26

yeah that's the issue that Kate pointed out though Michael that current now or

3:36:32

current then shouldn't matter right yeah but the words do matter

3:36:39

I I suppose to to that point if that's where the if we change it to land use

3:36:47

code that's General enough and specific enough to where we're not painted into a

3:36:53

corner by saying current and residential but it's specific enough because it's

3:36:59

the land use code and and that when you know that would be the thing that applies there

3:37:05

all right Kate I there might be a compromise here which

3:37:11

would be to use the word uh contemporary or is that just a synonym

3:37:17

because current seems more specific to me like if I see current I'm thinking the date the document's written

3:37:24

and which is irrelevant here it'll always go by whatever the okay the code is that's that is

3:37:31

um active at the time of whenever anything happens so can we just vote

3:37:36

between is it is it possible to just say who wants

3:37:43

um land use code and who wants residential development code

3:37:49

uh all right well unless there's a whole lot of other debate and given that it's

3:37:54

10 o'clock I would move to is there consensus on the language as currently

3:38:00

presented which reads as Allowed by current residential development code that's our consensus to move forward

3:38:07

with that language who's in favor I've got two three

3:38:15

okay and then the other uh was land use

3:38:25

I was allowed by land use code the land use code yeah do we need a the

3:38:31

in there Adam or is that or does it matter

3:38:37

um I I don't know that it matters but yeah well you guys can fix the grammar yeah this looks good okay so um how many

3:38:45

people will be in favor of this language I have one two three four all right

3:38:51

so we'll go with that and we'll get public comment on it and see where it goes

3:38:56

great all right moving to goal 17

3:39:02

um I think this one might be a little simpler um so we looked at this in September

3:39:08

um you asked staff to simplify the sentence structure um as the the existing goal 17 was

3:39:16

um uh confusing sentence and so we've prepared the staff alternative

3:39:22

commercial designations and permitted uses under current zoning will not change with the exception of allowing

3:39:28

residential development in mixed-use zones um it's a little more clear I think than

3:39:35

the previous round hopefully this is not contentious don't have four people that are okay with the

3:39:41

changes presented all right I have at least four five six great okay

3:39:47

all right one easy one good yes um so that's the last lingering issue

3:39:54

um as as outlined in the memo um if there's um again we'll we'll be coming back for

3:40:01

a tune-up um later in this process so this isn't the final final draft uh but it will be

3:40:07

the public review draft um so we'll we'll have more opportunities in the future yeah

3:40:13

um and before you go Adam I know there were a couple of other items that folks wanted to bring up as well so um let me

3:40:18

start with Victor because he came to me first and then we'll go around um so I was a little confused and this

3:40:26

go this was actually called out in the in one of the public comments

3:40:31

um I think it's graybox 58 last paragraph

3:40:38

we say that we are designated as a high capacity Transit community

3:40:45

when did that designation designation take place

3:40:51

um okay uh so high capacity Transit Community is something that we are designated that in the psrc vision 2050

3:41:02

Regional plan and what's what's the data what's the date on that doc

3:41:08

um that document was I don't know the exact date but it was adopted in 2021.

3:41:14

um then further on that uh in the King

3:41:20

County county-wide Planning policies the city is designated as a high-capacity Transit

3:41:26

um Community there as well and and all that designation really means is that for the

3:41:32

purpose of that Regional plan and the county-wide planning policies

3:41:38

um the city has access to high capacity Transit and that's a we're categorized

3:41:44

as such because we have a park and ride and a light rail station we're served by

3:41:50

Light Rail yeah so I I have a little bit of heartburn over that one because

3:41:55

I exchanged a number of emails prior to my being on the Planning Commission with

3:42:01

our previous CPD director who insisted that we were a residential community and pointed out

3:42:08

that that's identified in 12 or 13 instances in the

3:42:13

comp plan so which is it and are we going to go and change all those instances

3:42:20

and I'm and I'm happy to provide my old email and for the record if you want no

3:42:27

I think that the it would be a mistake to think that high capacity Transit is

3:42:33

incompatible with being a residential Community too we can we can be both of those things high capacity Transit

3:42:41

community means that we are a city that has access to high-capacity Transit

3:42:46

service through Light Rail and bus service that doesn't mean that we're not

3:42:52

also a residential community so where can I find a definition of a high capacity Transit community

3:42:58

in the vision 2050 psrc plan okay all right thank you

3:43:07

okay was that all you had Victor Adam [Music] um perhaps it might be worth

3:43:13

articulating where that name came from I think I had a lot of General comments

3:43:19

um just saying like where did this come from I think that's good info for people to know

3:43:25

um that you know Planning Commission or city council did not

3:43:30

designate us um high capacity Transit City I think we should say we

3:43:36

should point out this came as pointed out in Vision 2050 and perhaps we can

3:43:41

say Envision 2040 uh we used to be characterized as a larger City you know let's let's once again we're

3:43:49

talking about Layman right I'm I don't know the past 20 years of History here

3:43:54

um so it'd be good to know the context of that for for what it's worth it says

3:44:00

Mercer Island is designated as a high capacity Transit community in the Puget Sound Regional council's Vision 2050 oh

3:44:07

okay okay that's the exact sentence yeah I didn't have the actual text there but

3:44:12

yeah like I think okay fair enough um yeah okay hold Doug yeah go read read

3:44:22

the last paragraph of um gray box 58 and there's even a further sentence there

3:44:28

that says this designation recognizes the importance of localities with high high capacity Transit Service as a place

3:44:35

to focus new development due to the excellent access to employment centers educational institutions and other

3:44:40

opportunities um and so you know certainly there could be

3:44:46

uh and I know there is debate in the community around what um

3:44:52

uh focus on new development means so I'm not gonna get into that debate

3:45:00

but that's if there's any language there that's the one that probably should be discussed more than the definition

3:45:06

around how someone else designates us

3:45:14

um Carolyn did you have a commentary question or something else you wanted to bring up yeah

3:45:20

um okay so This concerns goal number two

3:45:25

and um the Town Center land use policies

3:45:31

in our previous meeting I pointed out that the

3:45:36

either the existing must be the existing policy at this time I don't seem to have that in front of me

3:45:42

made it sound like we were indeed preserving um existing commercial square footage in

3:45:49

the town center but the regulation that the council recently adopted

3:45:55

doesn't preserve the existing quantity of commercial square footage in the town

3:46:01

center and um the planning director came into our meeting and verified that that was correct and we were promised that we

3:46:08

would see some policy that more correctly described what the code recently adopted

3:46:15

actually does so I see under goal too that you have two 2.2

3:46:23

so don't we need to discuss which one you're gonna you're proposing or it's on page 65.

3:46:32

um so I'm a little confused if they're both supposed to be there or just one of them um I believe I didn't delete the old one

3:46:40

and replace it with that that second one there that begins with establish the

3:46:45

second one seems correct but the one above it doesn't seem correct yeah that is a typo on my part okay all right well

3:46:53

that [Laughter]

3:47:01

thank you thank you

3:47:09

any uh last uh discussion items related to the land use element before we

3:47:15

adjourn that it is now 10 o'clock we have two more items on the agenda that we can hopefully get through quickly so

3:47:23

um hearing nothing else related to the land use element thank you

3:47:29

um Mr Adam thanks guys yeah

3:47:35

uh with that let's move to item number four which was consideration of an

3:47:41

accessory Amendment to the uh well let me ask this it's ten o'clock do you guys want to blast through this or do you

3:47:46

need another break okay uh item number four consideration

3:47:53

of an accessory Amendment uh sorry an accessory recommendation to a company

3:47:58

the docket recommendation that we discussed uh last week um hello Allison welcome

3:48:05

hi um I was gonna suggest that commissioner boatsman speaks to her recommended language but I

3:48:11

do have it available if we want to pull it up on the screen um and I believe this is

3:48:18

uh Paige gray box 86 in the packet for those looking or playing the home game

3:48:25

yeah and Carolyn sent me a version with a couple of fairly minor revisions earlier today so

3:48:32

that's what I'm playing up on the screen um it has those changes in Redline thank you

3:48:38

okay Carolyn would you like to talk to your um sure um

3:48:46

okay so the purpose of this letter is to follow up our docket process and make

3:48:52

some recommendations to the council to examine certain aspects of the

3:48:58

process with the idea of making some improvements and clarifications

3:49:03

so um I've started by explaining I don't know

3:49:10

did people get a chance to read the letter or yeah yeah okay all right so I

3:49:15

in general explained the difference between the commission's role and the council's

3:49:23

role and how the existing code make some feeble attempts to clarify

3:49:28

what those two roles are um and then I've made a more included a more specific list of various

3:49:37

aspects of the code that are confusing and then summarized

3:49:42

um by saying that the comprehensive plan the code are rather different tools

3:49:48

they're related but they both implement city government in a different way only the comp plan amendments are governed by

3:49:55

the GMA and the county-wide planning policies so um it may may make sense to have

3:50:02

separate code sections directing how the docket is created for the

3:50:09

comp plan and the code because the requirement to docket comp plan items

3:50:15

comes from the growth management act so that's a separate body of code

3:50:20

and also I pointed out some areas in which the

3:50:26

existing criteria that the city council uses are somewhat perhaps needlessly

3:50:32

discouraging to the public in terms of bringing docket forward

3:50:37

docket proposals forward that are adopted so anyway that's just a you know

3:50:44

high level uh summary of what what I wrote but I mean be interested in your feedback

3:50:51

okay um Allison would you mind hitting in the lower right corner of the little plus

3:50:57

button we can't read uh it's on the big screen so just zoom in a little bit on that to see how's that that's perfect

3:51:05

um well at least it is for me I shouldn't speak to everybody else but I feel a

3:51:10

little hard to see if you can make it one more Notch up but that's a little better okay

3:51:16

um we have it in front of us so no worries yeah well the only reason I say this there are some uh I just want to ask are the the

3:51:22

red line items just uh uh are they substantive in any way or just uh

3:51:29

clarifying some of the language they're just clarification that's all I I added a however I said in in recent years we

3:51:35

did this great I don't wanna I don't want to get into the midi of that if it's not substantive correct um so I'm

3:51:43

assuming everybody has read I see at least one person with a bunch of um notes I don't know how thorough folks

3:51:49

want to be through this but let me start um let me start online uh either

3:51:56

commissioner Curry or commissioner Murphy do either of you have um well let me ask this

3:52:03

um we're going to need a motion um to um

3:52:09

what's the best way to phrase the motion for this Allison or just approve

3:52:16

um I think yeah if there's concurrence from the commission on what's been

3:52:21

drafted you could make a motion to include this as the an accessory to the

3:52:28

main docket recommendations and then um Dan when we draft the letter that

3:52:35

transmits the docket recommendations to council this could be an attachment and again
an attachment so um why don't we

3:52:42

do that Carolyn do you want to make a motion to um just include this as an attachment to
the um to the transmittal

3:52:49

of the um of the recommended docket

3:52:56

I move that the letter which I submitted regarding the docket process be included

3:53:04

as an attachment to the transmittal to the city council regarding the 2023 docket

3:53:11

great and is there a second I'll second it

3:53:16

okay thank you Vice chair Murphy um great why don't I start uh I'll

3:53:23

because I feel like I'm ignoring the folks online a little bit uh commissioner Curry or
commissioner

3:53:28

Murphy do you have any comments to um this comments changes or

3:53:34

thoughts I I don't have those but I I will say

3:53:40

that I have not seen this until just now so I have the older version and I've been looking at my email to see

3:53:46

if I have some link to this document and I do not not the red line documents I don't think

3:53:52

the red lines are of any substance that go beyond the document that you would

3:53:58

have already received okay I it made it sound like there had been an update I've been pushed out to

3:54:04

everybody I was just saying I did not get that I received it just before the meeting started um I'd be

3:54:10

I'd be happy I wanted to make sure that uh that uh yeah no that's fine sorry I'm

3:54:16

trying to read it actually so we could scroll down just a little bit so I'll come back to you uh yeah

3:54:21

Ashley Curry um Vice chair Murphy do you have any comments yeah

3:54:27

um I tend to agree with much of the analysis

3:54:33

um because as I as I stated at the last session

3:54:40

um there are a number of problems with the way the code is drafted and what our

3:54:46

role is versus what the council's role is and I think Carolyn has done a pretty

3:54:52

good job of identifying those issues and and pulling them together

3:54:59

um I'm not sure what the right method is to present this to the council

3:55:06

or whether it needs to go up now or whether we should spend a little more

3:55:12

time refining it um I think a more refined and specific

3:55:21

proposal might be um more effective uh and it's not

3:55:29

something that needs to be docketed uh so I think we can as I think uh

3:55:36

Allison pointed out last last month um we can propose code changes at any

3:55:43

time so I think generally the ideas are good

3:55:48

I think the goal of clarifying our role is good

3:55:54

um the analysis is good but I think it needs to be refined and we should have a

3:56:00

more specific proposal for the council to look at so that they're not

3:56:07

left guessing you know what it is that we think we should do

3:56:14

okay Victor I see you at the end there looking are you looking to yes sir so uh

3:56:21

I will Echo Vice chair Murphy's comments I think this is um a good document that highlights

3:56:29

um a lot of great issues the thing that I found myself wondering as I read this

3:56:35

was what is it exactly that we want the council to do and I think we need to be

3:56:41

very specific on kind of why we're sending

3:56:47

this to the Council on what exactly it is that we want them to do with this so we've kind of highlighted the issues of

3:56:54

code confusion we've added some color around it but as I look at it here what is it specifically that we want

3:57:01

them to do and I I think it would be given given the work that that you've

3:57:07

put in um I I think it would be worthwhile to spend a little bit more time talking

3:57:13

about that thinking about it so that um so the effort is not wasted

3:57:19

okay and and just to clarify when I say put a little more effort in I don't mean tonight I I understood

3:57:27

uh Adam or Kate any additional comments just listen

3:57:33

ing just listening yes um so I'm hearing oh sorry I thought you

3:57:41

said yes I thought that was a yes I'm I'm ready to move on go ahead

3:57:46

so I spent some time all so after this meeting

3:57:52

not voted to duck it an item to have Council review this at the last meeting

3:57:57

um I wasn't sure that something was going to come forward I I actually disagree with the analysis and I have some basis

3:58:04

for that um I looked at the state code it is a state code that mandates the docketing

3:58:10

process it has some specific items in it if you look at the docketing processes

3:58:16

for all of the surrounding cities there's not a single one that has a

3:58:22

separate set of criteria for a Planning Commission and in fact three of them say that the Planning Commission should use

3:58:28

the same criteria As Cities given this is the state law and it's implemented similarly in all of the surrounding

3:58:35

communities it strikes me as odd in analysis that we would say Mercer Island should be different and implement the

3:58:41

state code differently than all of the other cities around us um I think the docketing process is

3:58:48

intentionally limiting and I think the reason it is intentionally limiting is because

3:58:54

If an item gets docketed as a very specific and expensive process which is

3:58:59

why they ask us to defer items that are proposed to the docket to existing work programs and part and parcel of that is

3:59:06

that each individual docketing item has to have its own sepa process and this was my problem with our

3:59:14

discussion last time is that we were not considering the financial impact or the time impact on staff of this and if

3:59:22

there are is a steeper process happening for the residential development code and we move forward four items in the docket

3:59:29

as individual items that are related toward the residential development code we now have five cipa processes for the

3:59:35

staff to do and that just does not make sense to me if we're looking at good use of Staff time

3:59:41

um and I also disagree with the analysis that we don't have the info needed to

3:59:48

make decisions and particularly the item about staff costs so staff are directed

3:59:53

by Council and by the city manager to create budgets they are the ones that

3:59:59

know how much time they have and if the staff are telling us they don't have time I believe that they don't have time

4:00:06

and we have the city manager telling us that the staff don't have time to pick up additional things so I think it's a

4:00:12

little bit presumptuous for us as a commission to say that we know more about budgeting staff time than the city

4:00:19

manager does so I disagree with that part of the analysis as well um

4:00:24

I'll leave it at that okay

4:00:31

um there's two ways to move forward um I think the question was brought up

4:00:38

do we have to like what's the way that we can do this there's frankly we can send a letter to the council anytime we

4:00:45

want if we have a um majority of the commission that uh so

4:00:51

feels that that's necessary um so it does not have to go with the

4:00:57

transmittal with the rest of the docket so we have two choices we can sit here and try to

4:01:03

um you know we can take a vote on what's been proposed either propose any changes

4:01:09

um and try to move it forward or I can take a motion to table the discussion

4:01:15

around this and allow the opportunity for a little additional work to be done

4:01:21

that we can take the time to discuss it further

4:01:28

um or the third would be to

4:01:34

um there's always the and I think we've done this before Allison there's there's always the

4:01:41

um the ability for um individuals uh

4:01:47

either individually or or as a subgroup to submit a Minority Report to the

4:01:55

um to the council it would not be ratified or sanctioned by the entire commission but

4:02:01

um so those are the three options I'm not advocating for one over and over another I'm just trying to lay out what

4:02:07

the procedural um options are so one is to continue

4:02:14

forward take a vote make changes number two would be to have someone propose uh

4:02:19

or move to table the discussion to a time in the future or the third would be

4:02:25

to withdraw the motion and submit it as a Minority Report to the council

4:02:31

um separately did I miss anything Allison sorry and then I'll get to your question that that

4:02:37

sounds accurate okay I guess I don't I don't quite understand what the option so I've made a motion to

4:02:45

include a letter with a transmittal and correct seconded and you're saying we could vote

4:02:52

to either yes or no like on that on that okay and then what's the next option the

4:02:59

next option is someone could say I would like to table discussion of this to a a

4:03:05

meeting in the future which basically then sort of the motion is still on the

4:03:11

table it has just been put under the table within that uh

4:03:17

possibility is is it possible that I can take these General ideas and put them

4:03:23

more into some of the sort of list of what we're suggesting that the council do yes you could come back with

4:03:30

suggested revisions should you wish okay so I I guess I hear two options then one

4:03:35

is vote yes or no on this or the other is label it and discussed in the future and perhaps and the third option would

4:03:43

be you could withdraw your motion and come back at the next meeting and make another motion oh okay all right which

4:03:49

might be the simpler option but wait for a vote then

4:03:55

um so how would I guess I would just I think Vice chair Murphy's got a question

4:04:01

oh my apologies uh well no I was I was going to make a

4:04:09

motion to table it but if I think we need to address the original motion

4:04:16

uh from Carolyn if she wants to pursue it

4:04:27

Amendment to the motion or well tabling it would just mean that we would stop talking about it now and you would have

4:04:33

the opportunity to come back at a future meeting and say hey we've done some extra work the team can go and look at

4:04:39

look at this in more detail and suggest changes at a future meeting so we can consider that without taking a vote then

4:04:45

right yeah exactly oh yeah yeah to if if commissioner Murphy suggests that we table it and I get a second and four

4:04:51

votes then I'll say great we're not going to talk about it anymore and we'll bring it back to the next meeting second

4:04:57

second all right I would like to ask Allison one question while we're on this thing

4:05:03

is this part of the discussion okay here um yeah if you have a

4:05:08

uh so technically I don't think Mike made the motion to uh table so go ahead yes you

4:05:16

have another motion do you have a motion on the table so if you have a question related to that question related to that so you know

4:05:23

when I wrote These concerns down I wrote them with the idea in mind that we have

4:05:28

done this I've seen how this has been done in the past we've kind of sort of letting the council know about a concern

4:05:35

and then my thought was that if the council is moved by this and is also concerned they would ask the staff to

4:05:42

look into this and come back with some suggestions for how to address it

4:05:47

so I thought you know while I respect the you know requests for specifics from

4:05:53

Victor and from you know Michael Murphy um I felt that that kind of detail was

4:06:00

something that the staff would be asked to do by the council if the council so wishes so

4:06:05

um I mean I I would favor just going forward with it and sharing the concerns and and and let the council and staff

4:06:11

take care of it um so that would be my preference but

4:06:16

um Allison does that sound like how the council you know deals with these types of suggestions

4:06:24

um I don't think there's really a set process for how they deal with these types of suggestions because this

4:06:30

happens rarely so you know I think

4:06:36

if this goes along with the docket and is submitted they'll certainly review it I don't know how they'll respond

4:06:43

okay I didn't mean it to be a docket item although there is one aspect of

4:06:48

this that is a docket item I I should I should clarify this will there's always a letter

4:06:54

that gets attached to it's a memo that staff writes and that I sign as the

4:07:00

chair that says here's the background here's the history it's usually like two statements around what the decision is

4:07:07

we all see the staff memos here um that we get this would be attached as

4:07:12

a letter like an attachment to that letter it would not be a part of the

4:07:18

docket right right yeah and I think it would be difficult for us as a commission to make specific suggestions

4:07:24

to the council as to how these matters should be dealt with I mean that's basically what you have to figure out

4:07:30

when you look into it um so um I mean I I if if you want a table I

4:07:37

will certainly make my best efforts to list what some of those things might be but um okay just some good some concerns

4:07:43

there okay okay yeah I agree that um we don't want to be overly specific and I agree that there's

4:07:50

an issue with the code and that it doesn't address how the Planning Commission is supposed to evaluate

4:07:55

docket items um I'd be happy with the two sentence letter that said the code doesn't

4:08:02

specify whether we should use the same evaluation tools as you to me this is too prescriptive

4:08:10

um and and because I don't agree with some of the analysis it bothers me that it's so prescriptive I but I would be

4:08:17

supportive of saying there's some confusion about the code and and keeping it very neutral

4:08:25

as opposed to making a suggestion that we have our own criteria

4:08:32

so having heard everything I guess I probably feel like it would be best to

4:08:37

go along with tabling and uh I will come back with something more specific

4:08:43

um so okay all right so uh does uh uh I'll go uh commissioner Curry and then

4:08:49

commissioner Murphy I see you both have hands yeah I was just gonna say that I think the analysis is great I think in

4:08:57

I think to provide a little bit of our own self-service and taking a page out of Kate's money saving guide that uh

4:09:06

you know suggesting suggesting edits and then just having

4:09:11

somebody say yay or nay might be a way to help save a little bit of money but also show that we're

4:09:17

properly engaged as well right instead of just kind of tossing the problem over the fence and expecting somebody else to

4:09:23

figure it out right um I think that if we could apply some you know

4:09:29

table it come back with proposed changes to the best of our ability with what we

4:09:35

understand the code to be now and how we might be able to apply a little bit more clarity to it I think goes a little bit

4:09:42

further um as if we were to push this forward so

4:09:47

commissioner Murphy uh is it now my chance to make a mess in the table list

4:09:53

yes okay so moved is there a second a table back in

4:10:01

uh it's been moved by uh commissioner Murphy and seconded by commissioner Curry any further discussion

4:10:08

okay all those in favor of uh tabling discussion uh please uh do you need a

4:10:15

roll call Deb or can I just do a Voice vote all right uh all those in favor thumbs up we say aye

4:10:22

aye aye aye okay all opposed

4:10:27

oh hearing none will table discussion um and we'll work with I don't want to

4:10:33

prescribe the date but um we'll work with you Allison on bringing this back

4:10:39

um okay hopefully this last one is going to go quickly uh related to number five

4:10:45

um update to the Planning Commission bylaws related to uh edition of language

4:10:52

uh aligning the ethics and conflict of interest Provisions uh with the city

4:10:59

code um Allison do you quickly want to move us through this yeah I'm struggling with my multiple

4:11:05

screens to actually find the revision but um just the history on this is back

4:11:11

in June when we reviewed the bylaws uh Vice chair Murphy proposed a change to

4:11:17

the section about conflict of interest that essentially refers to the city code

4:11:23

ethics Provisions um and dictates that those will govern any potential conflicts

4:11:30

um and the commission recommended this change in June it was subsequently

4:11:36

reviewed by the City attorney he concurred that this was an acceptable change and so now we just need the

4:11:42

commission to vote to approve the change okay with that is there a motion to

4:11:48

approve the change as presented I'd like to make a motion to approve the change as presented thank you it's been uh

4:11:55

moved by commissioner accuse is there a second so I can uh I will give it to

4:12:03

commissioner uh second to commissioner Murphy because he had his microphone on um

4:12:10

um it has been seconded I know we've discussed this in the past does anybody have any additional commentary on this change to

4:12:18

the bylaws okay hearing none um all those in favor please raise your

4:12:24

thumb and say aye aye any opposed

4:12:30

hearing none uh the motion passes seven to zero so quickest bylaws change I've ever seen

4:12:38

Allison at least was very fast excellent well at least we did our homework earlier so

4:12:45

yeah um okay thank you very much for that uh

4:12:50

all that uh conversation this evening last couple of things uh Deputy

4:12:57

directors report Allison do you have anything for us given the late hour I really don't I

4:13:02

just want to remind everyone our next meeting is December 14th

4:13:07

all right um are there any uh well if you have a planned absence or I think we already

4:13:13

went through this to determine this date with the little survey poll so hopefully everyone's going to be able to be

4:13:18

available and we'll have Quorum uh so with that uh thank you very much and this is there

4:13:25

anything else for the good of the order hearing

4:13:30

you've got five things Victor such a comedian I love this guy all right hearing none thank you very much

4:13:37

meeting is adjourned have a good evening okay bye now