



11930 Cyrus Way • Mukilteo, WA • 98275

City Council  
Land Use & Economic Development Committee  
Wednesday, February 15, 2017  
4:00-5:30 p.m.  
Executive Conference Room

## Agenda

### **Invitees:**

Committee Members:	Councilmember Cook, Councilmember Emery, and Councilmember Whelpley
Alternate Committee Member:	Councilmember Wheeler
Executive Branch:	Mayor Jennifer Gregerson Management Services Director Phillips
Chamber of Commerce:	President and CEO Martin
City Staff:	Community Development Director Love Senior Planner Ritter

### **Discussion Topics:**

1. Approve January 18, 2017 Meeting Notes
2. Presentation on Alliance for Housing Affordability by Chris Collier, AHA Program Manager
3. Wireless Communication Facility Code Amendment
4. Discussion on the Art Funding Ordinance and Parks Plan

### **Next Meeting:**

March 15, 2017, 4:30 pm



# CITY OF MUKILTEO

11930 Cyrus Way • Mukilteo, WA • 98275

City Council Land Use & Economic Development Committee

Wednesday, November 16, 2016

6:00-7:30 p.m.

Executive Conference Room

## Meeting Report

### Attendees:

**Committee Members:** Councilmember Whelpley, Councilmember Wheeler,  
and President and CEO Martin

**City Staff:** Community Development Director Love and Senior Planner Ritter

**Absent:** Councilmember Emery

**Public:** Mike and Margaret Ouellette  
Ruth Gilbertson  
Bill Tsoukalas, Executive Director, Boys and Girls Club of Snohomish  
County  
Chuck Davis, Facility Manager, Mukilteo Boys and Girls Club

### Meeting Objective:

#### 1. Approve Meeting Notes of November 16, 2016 meeting

Councilmember Whelpley and Emery approved the meeting notes as presented.

#### 2. Planning Commission 2017 Work Plan

Community Development Director Love provided an overview of the draft 2017 Work Plan for the Planning Commission and Community Development Department. Director Love stated the work plan may change if the Council votes to move forward with pursuing removing Hawthorne Hall (current Boys & Girls Club building) from the historical register. This is a big undertaking and would require reevaluating the department's priorities for 2017. The City will be delayed in updating its Park Plan, which expires in 2018. In order to request funding from the Recreation and Conservation Office (RCO) for projects in the Waterfront Master Plan or the Comprehensive Plan an updated plan must be approved by Council and submitted to RCO prior to the current plan expiring.

Director Love identified several priorities that have to be completed in 2017 such as the Wireless Communication Facilities (WCF) code amendment and the traffic and park impact fee calculations code update. The WCF code update is required because federal regulations have changed and the current code does not

address the latest techniques for small cell requirements. The impact fee code amendment is needed because the traffic and park fees have not been adjusted since 2005. The project list in the current traffic impact fee ordinance is outdated at this point and needs updating to include the projects identified in the BTW Plan.

The Committee further discussed the 2017 Work Plan and directed staff to clearly present to the Council the impacts to the Community Development Department's work plan if they choose to remove Hawthorne Hall from the historical registry. This could also create a potential loss of RCO funding for other projects that have been identified if priorities are shifted.

### **3. Planning & Community Development 2016 Year in Review**

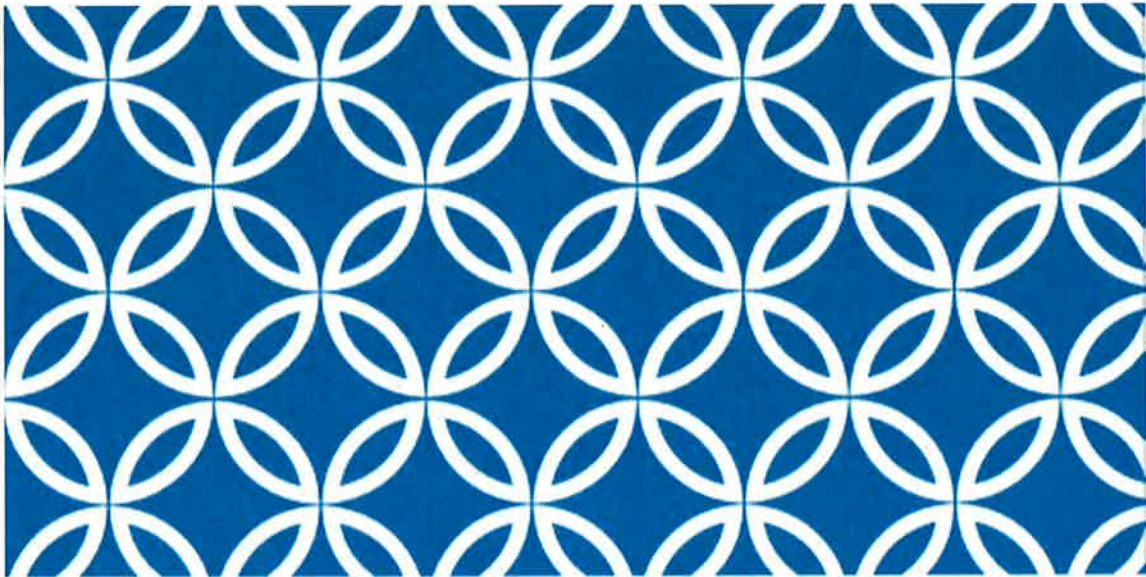
Community Development Director Love gave an overview of the Community Development Department's work performance for 2016 highlighting the Permit Center received a total of 4,054 walk-in customers, 5,130 phone calls, and issued 669 permits. The revenues for 2016 came in higher than projected due to the increase in development. Parking support proved to be a large portion of the Permit Center's work load once the new parking program took effect.

The Planning Department spent the majority of their time doing development review and long range planning. The number of commercial building permits increased as well as remodels and additions to existing homes were reviewed. Several plans were developed such as the BTW, Japanese Gulch Master Plan, and the Parking Facility Study. A small portion of the Planning Department's time was spent working on code enforcement which was put on hold due to staffing shortage and mandated code updates which were required to be approved prior to the end of 2016. Code updates included the deferred impact fees and low impact development code amendments.

The GIS Department has been working closely with the Public Works Department to verify information regarding the City's stormwater system. Approximately 50% or more of the GIS Coordinator and Technician's time is on stormwater related projects. With the help of the Public Works Stormwater Crew, the GIS department is mapping the location of catch basins and other stormwater facilities within the city limits. GIS support is currently being provided to all departments within the City. Director Love stated that in an effort to provide the public with mapping information, in 2017 the City will be deploying a web map and data portal for public use.

#### **Next meeting:**

The next meeting is scheduled for February 18, 2017 with a new time of 4:30 p.m.



# ALLIANCE FOR HOUSING AFFORDABILITY

Chris Collier  
Program Manager

Mukilteo City Council  
2/15/16

## OVERVIEW

Introduction: AHA's past and future work

Work plan and budget review

What this looks like in practice

## INTRODUCTION TO THE AHA

Need studied by SCT in 2009, AHA formally created in August 2013

AHA's core mission: Facilitate the availability of housing within Snohomish county, meeting the needs of all income levels

### Past Work by the AHA

- Jurisdiction profiles
- Assisted with Comp Plan housing elements
- Jurisdiction dashboards

### Work in the future

- Help jurisdictions address their housing needs
- Particularly for the 50-110% Area Median Income (AMI) bracket
- Legislation tracking and updates
- Outreach and education to community and government
- Assist with research projects, presentations, and enhancing communication in the county

## AHA WORK PLAN & BUDGET

### Education and outreach

- Presentations to councils and committees, working with community members to assist in connecting with the right people

### Grants and Financial

- Work to find funding for projects and new funding opportunities
- Collaborative funding model similar to A Regional Council for Housing (ARCH)

*The Alliance's budget request for FY2018 is \$120,586*

- *The City of Mukilteo is asked to contribute \$1,983 of that*



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## IN PRACTICE: DATA ANALYSIS

### Many examples of data analysis work

**On request: Highway 99 analysis of housing stock, affordability, and homeless services**

- Contributed to Edmonds' larger Highway 99 Area Plan
- Included a phone survey of apartments in a specific area, and calls to homeless shelters and service providers

**General research: Analysis of HUD and Census data — gaining clarity**

- Affordability now defined by HUD's "Seattle-Bellevue-Everett Metropolitan Statistical Area"
- Tabulation of Census American Communities Survey data (more on that in Technical Expertise)

**Independent analysis: Building Permit Survey**

## UNITS PERMITTED BY YEAR 2012-2015

Permitted Units By Jurisdiction – 2012-2015				
	Single Family	Two Family	3-4 Family	5+ Family
<b>Arlington</b>	114	10	0	16
<b>Stanwood</b>	135	0	0	47
<b>Mill Creek</b>	97	0	20	365
<b>Lynnwood</b>	72	0	0	338
<b>Edmonds</b>	162	10	0	43
<b>Mukilteo</b>	132	0	0	0
<b>Marysville</b>	566	6	3	846
<b>Everett</b>	469	26	4	671
<b>Total</b>	1747	52	27	2326

Source: US Census Bureau Building Permits Survey 2015-5

## IN PRACTICE: TECHNICAL EXPERTISE

A lot of data out there, but hard to put it into a complete picture

Snohomish County Assisted Rental Housing Inventory, last done in 2010

- Working with the County to bring that idea back
- Develop this in a framework onto which more data can be placed
- Similar to the profiles, develop data profiles for every jurisdiction
- Develop a step-by-step guide to collect that data annually
- Updated by (for example) an AHA intern in the summer months

ArcGIS Mapping – updating the housing profiles, other projects to increase visualization of county housing

## IN PRACTICE: EDUCATION AND OUTREACH

Presentations like this one

Take updated profiles and other data/technical tools on the road to council and planning commission meetings

Small group meetings with city and county staff to inform, refine and update

Community meetings as well

- Mandated by HUD's AFFH (Affirmatively Furthering Fair Housing) rule
- Snohomish County is leading the AFH (Assessment of Fair Housing), but needs help with community outreach

Dispelling misconceptions about affordable housing

## EDUCATION AND OUTREACH: INCOME LEVELS IN CONTEXT

Extremely Low  
≤30% AMI

Food Service  
Employees - Line  
Cooks, Servers,  
Dishwashers, Baristas

Manicurists

Childcare Workers

Minimum Wage  
Workers

Source: U.S. Department of Housing and Urban Development, 2011 & U.S. Bureau of Labor Statistics, 2012



## IN PRACTICE: GRANTS & FINANCIAL

AHA currently not applying for grants to apply towards housing development

But happy to help members apply for, or review, grant and other financial applications

The end goal however, is collaborative funding, similar to ARCH in King County

- Jurisdictions have the option to pay into the AHA through general fund, entitlement, fee waiver, surplus land donations, etc.
- Applied regionally via loans and grants to developers to help get projects off the ground, in tandem with tax credits and other funding options
- Typically assists with 1-4 projects annually

## IN CLOSING

Many paths to addressing housing issues in every jurisdiction, and every jurisdiction is different

- Striking the right balance between the urban core and the missing middle
- Done through zoning, code revision, ordinances, etc.
- All this takes a lot of work, though

The AHA is here to help with this work so cities can meet their housing needs

**THANK YOU!**

**Chris Collier**  
**Program Manager**  
**Alliance for Housing Affordability**  
[ccollier@hasco.org](mailto:ccollier@hasco.org) | 425.293.0601

## LAND USE & ECONOMIC DEVELOPMENT COMMITTEE AGENDA REPORT

<b>SUBJECT TITLE:</b> Wireless Communication Facility Code Amendment and Small Cell Introduction	<b>FOR AGENDA OF:</b> February 15, 2017
<b>Department Director:</b> Patricia Love, Director of Community Development	<b>EXHIBITS:</b>
<b>Contact Staff:</b> Patricia Love, Director of Community Development  Linda Ritter, Senior Planner	

### INTRODUCTION

The City of Mukilteo Zoning Code provides that Wireless Communication Facilities (WCF), or cell towers as they are commonly known, are either a permitted use or require a conditional use permit depending on the zoning district and type of facility.

As society becomes more reliant on wireless networks for daily communication and functions, it is expected that the proliferation of antennas and towers will continue. To help minimize the impacts of WCF, municipalities have required/can require co-location on existing facilities when available, establishing maximum height standards, and concealment/screening using innovative technologies.

Federal law plays a large role in how local governments may regulate telephone cell towers or WCF. While local governments are authorized to enact regulations regarding the placement, construction, and modification of WCF, those regulations may not discriminate among providers of equivalent services, prohibit or have the effect of prohibiting the provision of personal wireless services, or base siting decisions on the basis of environmental effects of radio frequency emissions. Also, case law has evolved so that local regulations may not impede a provider's ability to fill gaps in service availability.

### BACKGROUND:

The City of Mukilteo's current WCF land use regulations were adopted in 1998 based on the Federal Telecommunications Act of 1996. The Telecommunications Act allowed local governments to control their rights-of-way and to have authority over the location of cellular towers. This includes Federal Communications Commission (FCC) licensed commercial wireless telecommunications services such as personal communications services, specialized mobile radio, enhanced specialized mobile radio, paging, and similar services that currently exist or that may be developed in the future.

To better understand what the small cell wireless providers are proposing, the City became part of a consortium comprised of approximately twenty-five (25) cities put together by the law firm of Ogden Murphy Wallace. The consortium is working together to create model ordinances that will address the needs of the providers for their small cell deployment while protecting the best interest of the cities. The following are examples of the regulatory models being created by the consortium:

- Franchise Based Model – Requires 120-day franchise permit review process for approval based on the specific designs and visual renderings of the facilities to be installed. If approved the permit would be subject to the 30-day use permit limitation. A designated City official would be given authority to approve "minor deviations" from the approved drawings.
- Land Use Based Model - The Land Use Based Model requires small cell antennas and related equipment to be at least as small as the parameters established by state statute. The applicant has the burden to show that the equipment utilized is the "least intrusive means" of addressing coverage. The applicant will have to provide documentation showing there is a gap in coverage and what other alternatives were addressed.

#### **PROPOSED STATE LEGISLATION:**

In December of 2016 Verizon Wireless and Mobilitie initiated State legislation that would:

- Allow unencumbered access to city property such as right-of-way, parks and open space, utility facilities, street lights, traffic signals, etc.
- Eliminate city's right to control access, activities, and permanent structures on city property
- Eliminate city's control over restoration of city property following construction
- Allow installation of a new utility pole without demonstrating the need (see photo of poorly designed small cells)
- Eliminate cost recovery for usage of city owned facilities
- Eliminate concealment technology
- Give preferential treatment and shorten the permit issuance timeframe for small cell deployment

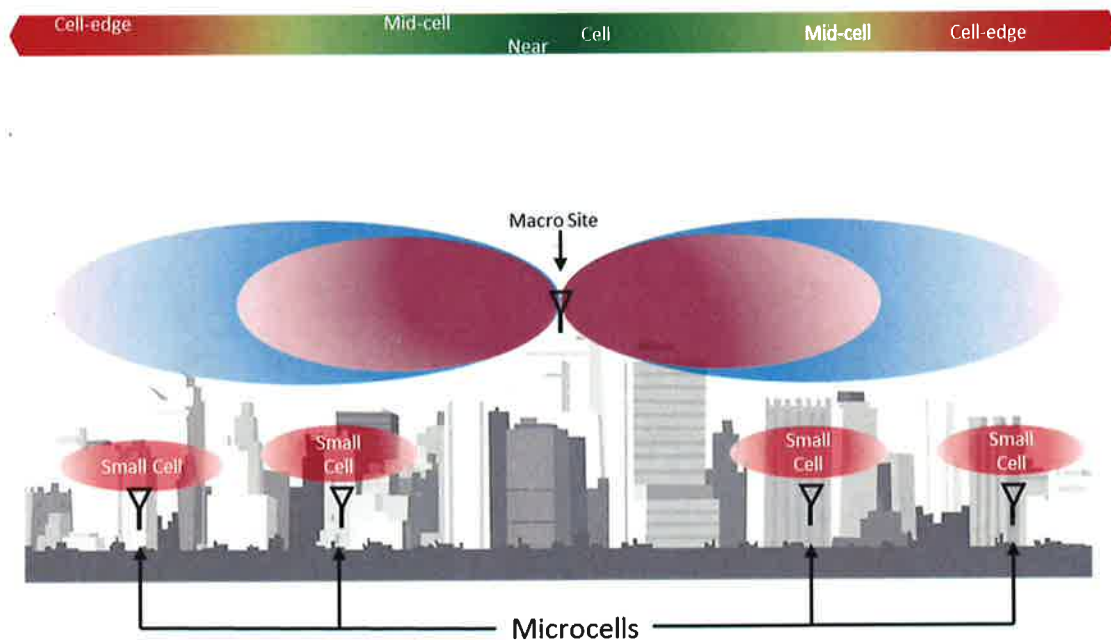
On February 8, 2017 the proposed legislation was heard in both the House and Senate. The Senate Committee called the bill up into executive session and passed the bill on a 5-3 vote.

With the growth of the wireless communication industry since 1996, there have been further federal actions related to the siting of WCF. In general, these actions seek to facilitate the siting of such facilities. The FCC Order in 2009 and the Middle Class Tax Relief and Job Creation Act of 2012 set forth time frames for processing of WCF's permits as well as limits on local government permit actions on certain wireless facilities. It is time for the City to update its code to become current with the new FCC requirements regarding timelines for processing WCF permits.

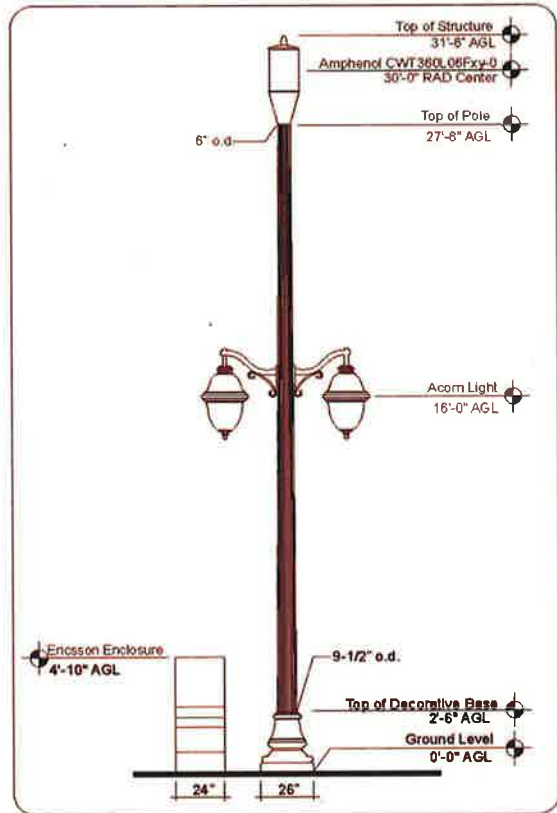
### **SMALL CELL DEPLOYMENT:**

In late 2015 the City became aware of a new technology that wireless providers were pursuing to accommodate the 5G network. This new technology consists of placing small cells nodes on existing utility poles, light poles, or new poles to create a network that provides consistent service across a targeted area. The City can limit the addition of new poles right next to an existing one by creating a code for small cells.

Wireless communication businesses believe that small cells need to be densely deployed on a wide-scale basis in order to prevent slow data speeds, increased video buffering times, disruption to video calls, connection problems and dropped or incomplete calls. Below is graphic example of a small cell deployment, and visual examples of how a small cell could be employed on poles.







Example of a well-designed small cell





Examples of poorly designed small cells

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