



11930 Cyrus Way • Mukilteo, WA • 98275

City Council Land Use & Economic Development Committee

Wednesday, May 17, 2017

Special Meeting Time: 4:30-6:00 p.m.

City Hall - Planning Table

## Meeting Report

### Attendees:

**Committee Members:** Councilmember Wheeler, Councilmember Cook, Councilmember Whelpley

**City Staff:** Community Development Director Love, Planning Manager Osaki, and Senior Planner Ritter

**Chamber of Commerce:** Chamber President and CEO Martin

**Absent:** Council Member Emery

**Guest:** Stewart Toshach, Director of Operations, Management and Information Division, NOAA  
Brantley Bain, P.E., Project Planning and Management Division, NOAA

### Meeting Objective:

**1. Approve Meeting Notes of April 5, 2017 meeting**

The Committee approved the meeting notes as presented

**2. NOAA Development Agreement Discussion**

Stewart Toshach, Director of Operations, Management and Information Division at NOAA and Director Love gave an update on the Development Agreement process for the proposed NOAA facility. Director Love stated NOAA has received environmental and design funding to move forward with one of the three options they are considering for their site. All three options will be included in the proposed development agreement. The purpose of the development agreement is to assist with lot restrictions, conflicts in the code and assurance for the City and NOAA as to what will be built.

The current code requires that buildings in the Waterfront Mixed Use (WMU) zone have a height limit of 25 feet. The current NOAA building is 35 feet in height as well as the Silver Cloud hotel. In order for NOAA to meet their facility needs, the building needs to be at least 35 feet in height. Director Love stated staff will begin work on updating the shoreline code and at that time, these inconsistencies will be addressed.

Mr. Toshach stated the plan is to remove the existing pier once the siphon system has been installed. If the proposed siphon system is not feasible, the pier will remain in place and be repaired. The siphon system if installed may be an educational feature as the facility will be designed for public and school events. Director Love stated a rough draft of the development agreement may be before the Council by the end of the year or in early 2018.

The consensus of the Committee was for staff to move forward and continue working with NOAA on the Development Agreement.

### **3. Wireless Communication Facilities (WCF) Code Amendment**

Planning Manager Osaki provided an update of the wireless communications facilities code amendment under review by the Planning Commission. This code amendment is on the Planning Commission's 2017 work program.

The Planning Commission has so far this year reviewed existing wireless communication facilities code requirements, existing Comprehensive Plan policies as well as work done by the Ogden Murphy Wallace small cell consortium (which Mukilteo is a participant) to develop a model ordinance to address emerging small cell technology and facilities.

The Planning Commission has also received a presentation from Ogden Murphy Wallace on wireless communication facilities issues earlier this year. A copy of the Ogden Murphy Wallace PowerPoint presentation given to the Planning Commission was provided to the Committee.

Discussion at the committee generally focused on the increasing demand for telecommunication infrastructure, the type of small cell technology and infrastructure that telecommunication providers have been developing to address this growing demand and potential changes at the state and federal level intended to facilitate the deployment of wireless communication infrastructure.

These changes at the state and federal level, if approved, could affect local government permitting, (including "shot clocks" that place time on how quickly certain wireless communication facilities must be processed), and compensation that local governments may get for use of the right of way. Current State legislation under discussion could result in a requirement that local governments adopt ordinances related to small cell permitting. Ogden Murphy Wallace has been monitoring and commenting on these potential changes at the State and federal level on behalf of the consortium.

Staff indicated that the Committee will be kept informed of the progress on the Planning Commission's work on the wireless communication facilities code amendment as it progresses.

### **4. Pedestrian Bridge Project Update**

Director Love provided an overview of the revised draft conceptual plans to be presented to the City Council at the June 12<sup>th</sup> meeting for the proposed

pedestrian bridge that stay outside of the BNSF right-of-way and within WSDOT's right-of-way. There are four (4) options for the Council to consider:

Options	Consequences
• A – Ramp	• Loses parking and requires minor landscape maintenance
• B – Steps	• Loses parking and grades are steep • Staff removed this option because of steep grades
• C – Curvy Ramp	• Loses parking and requires major landscape maintenance
• D - Elevator	• No loss of parking but requires \$10k in maintenance/year

The budget for all options is approximately \$4.1 million.

**Next Steps:**

WSDOT will continue to take soil samples, conduct geotechnical evaluations, and look at existing utilities in the area.

The City Council will need to decide at the June meeting:

- Whether they prefer the landing plaza or elevator design concept, and

**Next Meeting: June 21, 2017 – 4:30 p.m.**