



AGENDA (v.2)

SHORELINE CITY COUNCIL SPECIAL MEETING

Monday, July 18, 2011
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue N.

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
3. CITY MANAGER'S REPORT AND FUTURE AGENDAS		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<i>Members of the public may address the City Council on agenda items or any other topic for three minutes or less, depending on the number of people wishing to speak. The total public comment period will be no more than 30 minutes. If more than 15 people are signed up to speak, each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. Speakers are asked to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
6. APPROVAL OF THE AGENDA		
7. CONSENT CALENDAR		7:15
(a) Motion to Authorize the City Manager to Approve the Sidewalk Construction Contract	<u>1</u>	
(b) Motion to Authorize the City Manager to Obligate \$6,357,839 of Washington State DOT Regional Mobility Funds for the Aurora Corridor Project	<u>5</u>	
(c) Motion to Authorize the City Manager to Award a Construction Contract for the Bituminous Surface Treatment Pavement Project	<u>7-1</u>	

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

- (a) Approval of Ordinance No. 611 to Establish a Moratorium on Collective Gardens 8-1 7:15

9. STUDY ITEMS

- (a) Transportation Master Plan-Bicycle Plan, Pedestrian Plan, Transit Plan, Master Street Plan, Sustainability Procedures 9 8:15

10. ADJOURNMENT 9:30

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2231 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2236 or see the web page at www.shorelinewa.gov. Council meetings are shown on Comcast Cable Services Channel 21 and Verizon Cable Services Channel 37 on Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Online Council meetings can also be viewed on the City's Web site at <http://shorelinewa.gov>.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager to Execute a Construction Contract with Road Construction Northwest, Inc. for the Construction of the Priority Sidewalk – Ashworth Ave N Project
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director Tricia Juhnke, Capital Projects Administrator
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

The report is to request Council to authorize the City Manager to enter a contract with Road Construction Northwest, Inc. for \$378,147 for the construction of the Priority Sidewalk – Ashworth Ave N Project.

This project is the last route funded by the Priority Sidewalk Program, established in 2006. It will provide a sidewalk on the east side of Ashworth Avenue North from 185th to 192nd Streets.

RESOURCE/FINANCIAL IMPACT:

Council has authorized \$524,780 in the 2011 Budget. This contract for \$378,147 is within the authorized budget.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a construction contract with Road Construction Northwest, Inc. for the amount of \$378,147 for the construction of the Priority Sidewalk – Ashworth Ave N Project.

Approved By: City Manager  City Attorney 

INTRODUCTION

The project was advertised on June 20 and 22, 2011 and bids were opened July 7, 2011. Two bids were received, with Road Construction Northwest, Inc. being the lowest responsive bid at \$378,147. The engineer's estimate for the project was \$315,000, although the 2011 budget included a total budget of \$524,780. Construction is scheduled for August through October of 2011.

BACKGROUND

Ashworth Avenue North from N 185th to N 192nd Streets is identified in the 2005 Transportation Master Plan (TMP) as a priority route in the Priority Sidewalks program. This project will make progress toward safer and more attractive neighborhoods by constructing 0.3 miles of pedestrian, traffic, and storm drainage improvements on an existing residential street using low impact development strategies.

Implementing this project will achieve the following goals:

- Comprehensive Plan Policy T 27: Place high priority on sidewalk projects that abut or provide connections to schools, parks, transit, shopping, or large places of employment.
- Goal 2: Provide safe, efficient and effective infrastructure to support our land use, transportation and surface water plans.
- FG 2: Provide high quality public services, utilities, and infrastructure that accommodate anticipated levels of growth, protect public health and safety, and enhance the quality of life.
- FG 7: Conserve and protect our environment and natural resources, and encourage restoration, environmental education and stewardship.
- FG 8: Apply innovative and environmentally sensitive development practices.
- FG 9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.
- FG 10: Respect neighborhood character and engage the community in decisions that affect them.

In addition to providing new concrete sidewalk, the project will incorporate natural drainage elements along the project and utilize porous concrete in select places to help drainage and/or reduce the impact to trees.

ALTERNATIVES ANALYSIS

Two bids were received for this project, ranging from \$378,147 to \$405,440. The engineer's estimate was \$315,000. The bid results are contained in the table below:

<u>Company Name</u>	<u>Total</u>
Road Construction Northwest, Inc.	\$ 378,147.00
Paul Brothers Inc.	\$ 405,440.61

After review of the bids, Road Construction Northwest, Inc. was determined to be the lowest responsible bidder on this project and therefore staff recommends awarding the Priority Sidewalks – Ashworth Ave N contract to this contractor.

As an alternative, Council could choose to not award this contract which would result in the project not being built.

STAKEHOLDER OUTREACH

While this project will provide valuable pedestrian facilities, construction will have direct impact on residents immediately adjacent to the project and those traveling on Ashworth Ave N. Two open houses were held during the design of this project to share the plans and solicit input and feedback from the residents. Attendees at these meetings were generally supportive of the project and excited to see it built. Staff has also contacted residents on the east side of Ashworth to discuss and coordinate project impacts and transitions to private property. The residents will receive a direct mailing providing more detailed information on the construction schedule.

COUNCIL GOAL(S) ADDRESSED

This project supports Goal No. 2, "Provide safe, efficient and effective infrastructure to support our land use, transportation and surface water plans", by constructing 0.3 miles of new sidewalk.

RESOURCE/FINANCIAL IMPACT

This project was funded in the 2011 adopted budget as part of the Priority Sidewalks Program. Details for both the authorized 2011 budget, assuming the award of contract to Road Construction, and the total project are contained in the following table.

	2011 Budget		Total Budget	
	Est. Subtotal	Est. Total	Est. Subtotal	Est. Total
Project Costs				
Project Administration		\$83,475		\$128,971
City Costs	\$77,005		\$118,912	
Other Contracted Services	\$6,470		\$10,059	
Real Estate Acquisition		\$0		\$0
Construction		\$384,277		\$338,786
Construction General	\$6,130		\$10,639	
Road Construction				
Northwest Contract	\$378,147		\$378,147	
1% for Arts (est.)		\$3,781		\$3,781
Total Costs		\$471,533		\$521,538
Project Revenue				
Roads Capital Fund	\$160,580		\$161,313	
In Lieu Fund	\$364,200		\$411,576	
Total Revenue		\$524,780		\$572,889
Project Balance (revenue- costs)		\$53,247		\$51,351

There is adequate funding to authorize this contract and complete the project.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a construction contract with Road Construction Northwest, Inc. for the amount of \$378,147 for the construction of the Priority Sidewalk – Ashworth Ave N Project.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager to Obligate \$6,357,839 of Washington State DOT Regional Mobility Funds for the Aurora Corridor Project
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director Kirk McKinley, Transportation Services Manager
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT: Staff is requesting that Council authorize the City Manager to execute an agreement with the Washington State Department of Transportation (WSDOT) to obligate \$6,357,839 of Regional Mobility Grant Funds for the Aurora Corridor Project (N 192nd to N 205th Streets).

In accordance with the City's purchasing policies, Council authorization is required in order for staff to obligate grant funds exceeding \$50,000.

In May 2011, the City was awarded the Regional Mobility grant for roadway related elements between N 192nd and N 205th Streets.

FINANCIAL IMPACT:

The Aurora Corridor Project (N 192nd Street – N 205th Street) is identified in the City's proposed 2012-2017 Capital Improvement Program. The following table provides a summary of the funding sources for this project. The Regional Mobility grant under consideration is highlighted in bold.

Funding Sources	Amount
Roads Capital Fund	\$4,811,382
Federal CMAQ	\$4,528,189
Federal STP	\$2,566,598
King County METRO	\$1,100,272
Transportation Improvement Board (TIB)	\$2,500,000
Seattle City Light/Seattle Public Utilities	\$3,748,518
Regional Mobility	\$6,357,839
Future Grants	\$11,526,488
Total	\$37,139,286


The N 192nd – N 205th Street segment is not fully funded at this time. There are sufficient funds to fully design and acquire right-of-way for the project. Additional funding is still required to complete construction, and staff is actively seeking additional funding for the N 192nd – N 205th Street segment.

RECOMMENDATION

Staff is requesting that Council authorize the City Manager to execute an agreement with the Washington State Department of Transportation (WSDOT) to obligate \$6,357,839 of Regional Mobility Grant Funds for the Aurora Corridor Project (N 192nd to N 205th Streets).

Approved By:

City Manager

 City Attorney 

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager to Execute a Construction Contract with Doolittle Construction, LLC for the Implementation of the Bituminous Surface Treatment (BST) Program
DEPARTMENT:	Public Works Department
PRESENTED BY:	Mark Relph, Public Works Director Jesus Sanchez, Public Works Operations Manager
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

The purpose of this report is to request Council to authorize the City Manager to enter into a contract with Doolittle Construction, LLC for \$470,847 for the 2011 Bituminous Surface Treatment (BST) pavement preservation program. The BST program is one of the major components of the City's annual Road Surface Maintenance Program included in the 2011-2016 Capital Improvement Program (CIP). Also included in the annual program are the asphalt overlays (previously approved contract with King County), crack filling, and patching

Bids were opened on June 23, 2011 and following consideration of bidder responsibility requirements and two bid protests from the low and second low bidder, staff recommends that the contract be awarded to Doolittle Construction LLC as the lowest responsible bidder.

RESOURCE/FINANCIAL IMPACT:

Council has authorized \$970,033 in the 2011 CIP Budget for the Annual Road Surface Maintenance Program. The 2011 Overlay Program is \$260,000 of this budget. \$517,932 has been planned for the BST pavement preservation program, with \$192,101 budgeted for materials and road maintenance preparation.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a construction contract with Doolittle Construction, LLC for \$470,847 for the 2011 BST pavement preservation program.

Approved By: _____ City Manager _____ City Attorney _____

INTRODUCTION

Due to the rising costs of asphalt treatments, the Public Works Department has been exploring road surface preservation treatments other than the typical asphalt overlay. Bituminous Surface Treatments are a maintenance strategy that supplements asphalt overlays as a more cost effective way to protect the City's infrastructure and the investments the City has made over the past 15 years.

BACKGROUND

On March 21, 2011, the Public Works Department shared with Council that the City's ability to sustain an adequate level of service with the exclusive use of asphalt overlays has greatly diminished due to the rising costs of materials. Recognizing that maintenance and preservation of the City's streets is a high priority, staff has re-examined alternatives for protecting the City's investments in its roads. One of these alternatives, BST, was selected as a key maintenance strategy for the City's road system. A copy of the March 21 staff report and all of the supporting documents can be found at:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2011/stafreport032111-7b.pdf>.

BST typically consists of a three-part application of liquid asphalt and cover (aggregate or small rock), capped with a final layer of liquid asphalt. BST is widely used to extend the life of the road, create a new wearing course, and to waterproof existing pavement. Costs for a BST application are generally 10% to 25% of the cost of a typical asphalt overlay, and thus BST covers a much larger road surface area for the same cost.

Unlike an asphalt overlay, BST treatments tend to have a coarser finished road surface. This is due to larger cover aggregate, but most people would probably not notice the difference. This issue will be controlled with a specification that requires the right combination of aggregate sizes and their relative distribution. To promote public acceptance of the use of BST treatments on residential and collector streets, staff has developed a BST approach using a specific system of materials and application and a targeted public outreach and education program.

The material specifications focus on two issues: aggregate sizes and proportions, and the type of asphalt binder. The size of the aggregate will closely match that of overlays. This should meet the public's expectations from past maintenance. The asphalt binder will be a "rapid set," which promotes a quicker cure time and allows traffic back on the street within a few hours. The final sweeping and surface treatments would happen a few days later.

The primary objective the City's Road Surface Maintenance Program is to effectively maintain or enhance the integrity of the City's roadway system in the most cost-effective manner. By using BST, the City is able to stretch its resources while maintaining pavement quality. The roads identified in Attachment E are identified as strong candidates for a BST road surface preservation treatment this year.

BID RESULTS AND ANALYSIS

The BST contract bid opening was held on June 23, 2011 and two bids were received. The following table summarizes the two bids received:

Contractor	Base Bid
Ramo Construction	\$451,326
Doolittle Construction, LLC	\$470,847
Engineer's Estimate	\$478,000

The lowest bid was \$26,674 below the engineer's estimate, but the low bidder, Ramo Construction, was rejected based upon a failure to demonstrate adequate experience and qualifications as a result of the City's independent review of the bidders (Attachment A). A bid protest from Doolittle Construction, LLC was also filed contesting Ramo Construction's responsibility under the experience criterion on June 27, 2011(Attachment B).

Ramo Construction filed its own protest objecting to rejection of its bid (Attachment C) and representatives from Ramo Construction also spoke at the Council meeting of July 5th concerning their protest. The additional information and work experience submitted with the protest have been reviewed and the protest was denied on July 13, 2011 (Attachment D).

Staff has completed their review on mandatory bidder responsibility criteria on Doolittle Construction, LLC, including State Agency fiscal compliance. References were satisfactory regarding quality of construction and their history of managing budget, materials, and personnel for this type of project. Staff is confident in Doolittle Construction's ability to complete this project within all terms of the contract.

STAKEHOLDER OUTREACH

In preparing to use this alternative method of road surface maintenance, the Public Works Department developed a targeted outreach and education program designed to reach affected stakeholders in the areas planned for the City's BST application, which primarily consist of the Echo Lake neighborhood (Attachments E and F). This included an informational tri-fold brochure that was prepared and mailed to over 1,400 residents in that neighborhood (Attachment G), and two community forums held in 2011; the first in late winter and a second in May. A Frequently Asked Questions (FAQs) document was also created to assist residents with any questions or concerns they might have regarding the BST pavement preservation program (Attachment H). Thus far, community reaction has been favorable toward this new application.

COUNCIL GOAL(S) ADDRESSED

The City's BST pavement preservation program supports Council Goal 2: "Provide safe, efficient and effective infrastructure to support our land use, transportation and surface water plans." This goal is accomplished by maintaining and preserving our streets.

ALTERNATIVES

The Council can take three actions:

- 1) Accept the staff's findings and recommendation rejecting Ramo Construction's bid protest and award the BST contract to Doolittle Construction as the responsible low bidder; or
- 2) Find that Ramo Construction was a responsible bidder and award the contract to Ramo Construction as low bidder; or
- 3) Reject all bids and rebid this project.

Staff does not recommend rebidding a project in general unless modification to the project or bid solicitations would likely result in more contractors bidding the work. Based on the reasons detailed in Attachment D, staff recommends the first option of an award to Doolittle Construction.

Any appeals of the Council award would be filed in King County Superior Court.

RESOURCE/FINANCIAL IMPACT

Council has authorized \$970,033 in the 2011 CIP Budget for the Annual Road Surface Maintenance Program. The 2011 Overlay Program is \$260,000 of this budget. \$511,000 has been planned for the BST pavement preservation program, with \$192,101 budgeted for materials and road maintenance preparation. The award of the contract to Doolittle Construction, LLC is within the BST pavement preservation program budget.

2011 Road Surface Maintenance Program

Project Costs

2011 Overlay Program	\$260,000
2011 BST Program - Doolittle Construction, LLC (this contract)	\$470,847
Materials and Road Maintenance Preparations	\$192,101
<hr/> Total Project Costs	<hr/> \$922,948

Project Revenue

2011 Roads Capital Fund	\$970,033
<hr/> Total Revenue	<hr/> \$970,033

Project Balance (Revenue-Costs)	\$ 47,085
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RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a construction contract with Doolittle Construction, LLC for \$470,847 for the 2011 BST pavement preservation program.

ATTACHMENTS

- A: Letter Rejecting Ramo Construction Bid Based on Bidder Responsibility Criteria
- B. Doolittle Construction LLC Bid Protest
- C. Ramo Construction Bid Protest
- D Decision on Ramo Construction Bid Protest
- E: 2011 Proposed BST Pavement Preservation Program List
- F: 2011 Proposed BST Pavement Preservation Map
- G: Road Surface Preservation Informational Tri-Fold
- H: List of BST FAQs



City of Shoreline

17500 Midvale Avenue North
Shoreline, WA 98133-4921
(206) 801-2700 ♦ www.shorelinewa.gov

June 28, 2011

Ramo Construction
16710 Smokey Pt. Blvd. # 305
Arlington, WA 98223

RE: Bid No. 6341 – 2011 Bituminous Surface Treatment

Dear Mr. Aaron Monty,

This is to notify you that the City of Shoreline (Contracting Agency) has determined that your company does not meet the bidder qualifications and is therefore not a responsible bidder, based on the following sections of the bid documents for 2011 Bituminous Surface Treatment Bid Number 6341:

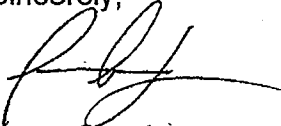
- **Statement of Qualifications, reference checks section (page 1 of 2)**, it states, "in the event that information obtained from the reference checks reveals concern about the bidder's past performance on projects identified as meeting the bidder qualification requirements, or their ability to successfully perform the work, the City may determine that the bidder is not a responsible bidder and may award to the next bidder to successfully perform the work".
- **1-02 Bid Procedures and Conditions: Section 1-02.1 Qualifications of Bidder:** "Bidders shall be qualified by experience, financing, equipment, and organization to do the work called for in the Contract Documents. The contracting Agency reserves the right to take whatever action it deems necessary to ascertain the ability of the bidder to perform the work satisfactorily".
- **Section 1-02.14 Disqualification of Bidder- Sub-Section 2-C:** "A bidder may be deemed not responsible and the proposal rejected if: 'The bidder, in the opinion of the contracting Agency, is not qualified for the work'..."

It is in the opinion of the City (Contracting Agency) that you have failed to adequately provide sufficient level of experience in the application bid for Bituminous Surface Treatments (BST Chip Seal) Bid # 6341, based on the information you provided in the reference section and subsequent discussions with the City's Roads Maintenance Supervisor. Specifically, you submitted four (4) references of which only one of these references had some form of chip seal application on a gravel rural road on Lopez Island, Washington. The other references were capital construction projects and or utility work, that did not require a chip seal application. In addition two of those references were "self-references" based on the fact that these are wholly owned projects by your company. The limited job experience you offered is dissimilar in that

the Lopez Island job entailed thick overlays on a gravel base versus a thin application over existing asphalt.

The BST Bid Application Call for Bids and Specifications state that all work will be conducted on local residential streets, with significant traffic volumes, requiring residential traffic control. This experience is not reflected in your bid submittal. In addition, working in a residential street with curbs and curb returns and cul-de-sacs requires far greater knowledge than an application of Chip Seal on a gravel rural road, which is the only reference to Chip Seal in your submittals. Based on your reference submittals and oral interviews, we have determined that RAMO Construction is not qualified for the work and has been disqualified per sections noted above.

Sincerely,



Jesus Sanchez
Public Works Operations Manager
City of Shoreline

cc: Ian Sievers, City Attorney
Mark Relph, Public Works Director
Brian Breeden, Road Maintenance Supervisor
Judy Isaac, Purchasing Officer

COPY

Doolittle Construction, LLC
1900 - 118 Avenue S.E., Bellevue, WA. 98005
Phone # (425) 455-1150 - Fax (425) 455-6782
Contractor License #DOOLICL960CO
www.chipseals.com

RECEIVED
JUN 27 2011
FINANCE

June 27, 2011

City of Shoreline
City Clerk
17500 Midvale Avenue North
Shoreline, WA 98133-4905

Re: 2011 Bituminous Surface Treatment (commonly known as chip seal)
Bid # 6341 – **BID PROTEST**

To whom it may concern,

I protest the (low) bid submitted by Ramo Construction, on the basis that they are not qualified to handle a project such as this one. Ramo Construction has completed only one chip seal project, located on a rural island, and 57% of the project, including the chip seal, was subcontracted. (Percentage was derived from the Dept of Labor and Industries website.) Also, their traffic control experience seems to be extremely limited, judging by the Affidavits of Wages Paid history (also on the Dept of Labor and Industries website)

Page 17 of the project specifications asks for a listing of "major projects of a similar nature". Only one project from Ramo's list is similar, but the rural nature makes it quite different from the Shoreline bituminous surface treatment; which "reveals concern about the bidder's past performance".

Page 30 of the project specifications (section 1-03.14 #2C) says that the bidder may be deemed not responsible and the proposal rejected if the bidder is not qualified for the work.

A successful City chip seal project needs an experienced chip seal crew, with the right equipment. Traffic control is also a major factor in the success of a project for safety, as well as political reasons.

Yours truly,



Tom Doolittle – C.E.O.
Doolittle Construction LLC
425 455 1150

Ramo

Realty and Construction

16710 SMOKEY POINT BLVD., SUITE 305
ARLINGTON, WA 98223
(425) 258-1775 → (360) 659-8551
FAX: (360) 653-5332

RECEIVED
JUN 30 2011
FINANCE

June 30, 2011

City Clerk
City of Shoreline
17500 Midvale Avenue North
Shoreline, WA 98133

FAX Transmission Number 206-546-1524

RE: 2011 Bituminous Surface Treatment - City of Shoreline
Bid No. 6341

Please be advised that we hereby protest the awarding of the above named bid to Doolittle Construction, LLC as stated in your letter of intent dated June 29, 2011.

RAMO Construction entered a bid in the dollar amount of 451,3254.60 for this project, and provided a bond which was far and above the amount of the bid. We were low bidder by \$19,521.00 and felt that our bid was fair and met all of the criteria as called for in the invitation to bid.

We were informed that we had failed to adequately provide sufficient level of experience. Our firm has been in the construction business since 1971 and we have been involved in almost all levels of construction, including but not limited to, chip seal applications. We have constructed roads from the ground up. In addition, we work closely with a sub-contractor who has been in the business of chip seal application for twenty-eight years. This sub-contractor also submitted references to you which cited many years of chip seal application. Because these references were submitted to you, we did not include the same type of job references in our proposal. We have included a second copy of this contractor's resume with this protest, in case it was lost from the previous presentation.

We have examined your criteria for disqualification of bidders (1-02.14) in your proposal packet, and we can find no measure of fact which would pertain to our company. We have no record of unsatisfactory performance; we have no uncompleted work; we have no unpaid bills, past or current, for labor or materials. In fact, if any of these had occurred, we would not have been able to obtain the performance bond as we did, which was for far more than the bid required. The City of Shoreline would have no risk whatsoever under the terms of this bond if we should fail to perform.

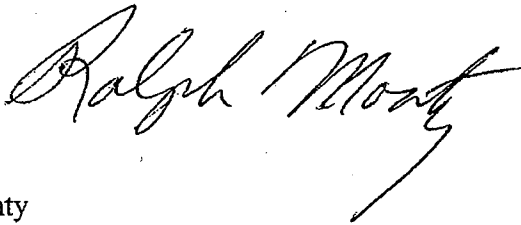
Your "concern" about our past performance as stated in your letter dated June 28, 2011 is totally unjustified. Our company has never had a complaint about performance in over forty years of doing business in this area. We own all of our own equipment and we are financially sound. The projects used as references did require residential traffic control and curbs and curb returns. In fact, we have installed said curbs and returns on many occasions. We have built shopping centers, motels and churches, which were all in urban environments.

This is the first time in all of our years in business that we have been disqualified in a bid proposal. We are a family owned business and started in 1970. In recent years our son has joined the firm and we have branched out into more road work, trucking and excavation. We have worked with Green Crow Rock Products for several years and are now working with Green Mountain Mine LLC. Our MSHA number is A2510. We provide screening and crushing for mines on a contract basis. Our supply of chips comes from both WCI Monroe and Central Washington Asphalt, Moses Lake. In the event they are unable to supply, we have the ability and equipment to make our own rock to complete this job.

We are familiar with our competing bidder and know that this company has a reputation of disputing low bids on a regular basis. Because of this, many construction companies have declined to bid against him. That would explain why your city was offered only two proposals for this job. To allow this type of behavior to continue only costs more taxpayer dollars and makes a mockery of the entire bid system.

We thank you for your attention to our situation and respectfully request that you honor our bid, which was proffered in good faith by our company. As stated herein, the City of Shoreline is under no risk whatsoever in light of the bond presented on our behalf.

Respectfully,



Ralph G. Monty

RAMO Construction
RAMOC**034LK

Key Personnel

Michael Wold 30 years Distributor Operator

Jody Wold 20 years Roller Operator

Toler Wolfe 7 years Chip Spreader Operator

Luiz Galuis 6 years Roller operator

Dustin McDay 2 years Roller Operator

Todd Mundale 11 years Dump Truck Operator

Art Bowman 7 years Dump Truck Operator

Kerry Taylor 8 years Dump Truck Operator

Audey Kilts 25 years Loader Operator

Key Equipment

1 4000 gallon Bearcat Distributor 18 years of service

1- 2011 20" wide Bearcat Chip Spreader

2- 4500 gallon Asphalt Tankers

3- 9 tire 10 ton Hyster Tire Rollers

1 – 1996 Peterbilt Transfer Dump Truck

2-2005 (22ton) Peterbilt Super dumps

1- John Deere Loader

Michael H. Wold Co. Inc 1993-present

Michael H. Wold/ Owner President
Jody L. Wold/ Vice President, Secretary/Treasure

18 years owning and operating Distributor for Michael H. Wold Co., Inc
10 years prior working for Eagle Crest Construction Co. as a Distributor Operator
2 years prior working for Tak Petroleum Spokane, WA as a Distributor Operator
30 years operating Distributor spreading liquid asphalt for BST and Fog seal projects; and
applying lignin liquor for dust abatement

**1993 to Present/ Numerous Private Homeowners Association Chip Seals

** 2000 to present Tommer Construction Co., Inc / BST projects for City Streets and County
Highway Contracts. Contact Chris Tommer. (509)-750-8954

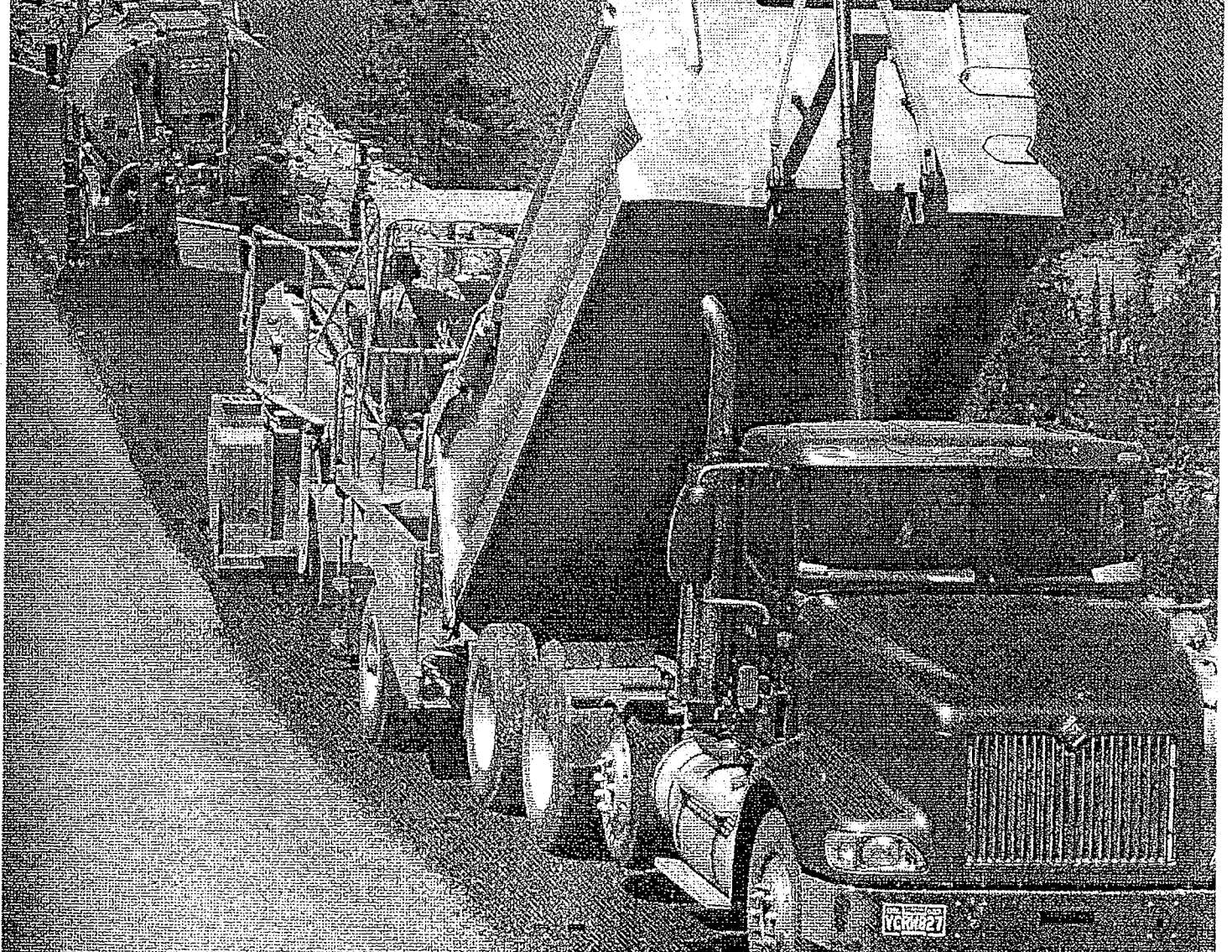
** 2002 to present Central Washington Asphalt/ spreading liquid Asphalt on Federal, State and
Public works contracts including City Contracts for BST. Contact Pamp Maiers. (509)-757-2089

**1993-2001 Superior Asphalt (dba Granite Construction Yakima, Wa) Spreading liquid Asphalt
on Seal contracts and City Contracts.

** Other agencies that I have and currently still work under: Persons and Phone Numbers
available upon request

- *Idaho WSDOT
- *Portland Federal Highway Administration
- * Port Angeles National Park Service
- *Grant County Public Works
- *NCR Seal WSDOT
- *Eastern Region Seal WSDOT
- *Columbia County Public Works
- *Yakima County Public Works
- *Thurston County Public Works
- *Department of Defense (Fort Lewis Chip Seal)
- *Snohomish County Public Works
- *Wenatchee National Forest
- *Clem Elum National Forest
- *Leavenworth National Forest

PAVEMENTS PRESERVED AROUND DEEPEST U.S. LAKE



Same crew and
equipment (Wald Co.)
as documented in
Pacific Builder and
7-13 Engineer

Pacific Builder and Engineer

Edition

Serving Alaska, Idaho, Montana, Oregon and Washington

PAVEMENTS PRESERVED AROUND DEEPEST U.S. LAKE

Chip sealing of roads at Oregon's Crater Lake National Park, part of new National Park Service program, provides data for groundbreaking FHWA/Fed Lands study

By Paul Fournier

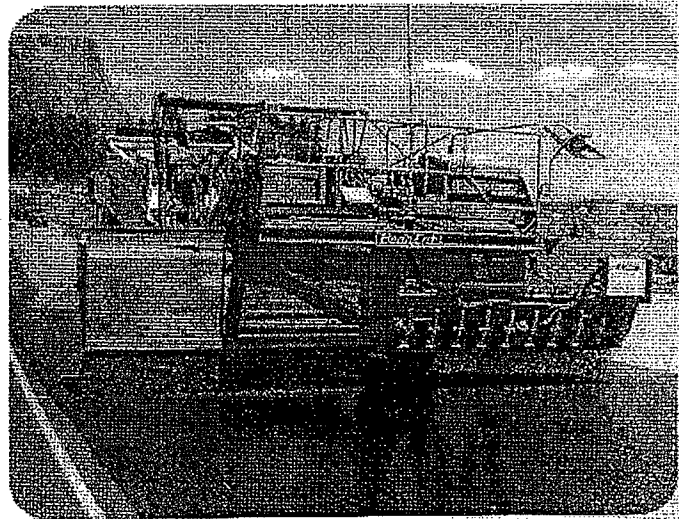
Several roads at Oregon's Crater Lake National Park were recently chip sealed as part of a new National Park Service (NPS) pavement preservation program, with the project providing valuable information for a study designed to help transportation officials across the country.

Contractor D. L. Santos Construction of North Bend, Washington, recently chip sealed approximately 22 miles of roads in the park that encompasses the deepest lake in the United States, an effort that not only extended the service life of the roads but allowed researchers to complete a study of polymer-modified asphalt emulsions as well. That technology study is underway by the National Center for Pavement Preservation under contract to the Federal Highway Administration (FHWA) and Federal Lands Division.

Adopting Pavement Preservation

The Division is coordinating efforts to develop the pavement preservation program to protect all roads in the National Park System, according to Charles "Chuck" Luedders, a registered professional engineer and manager for FHWA's pavement management program. Luedders is responsible for pavement preservation projects from beginning to end, i.e., from the scoping phase, through design, construction and agency acceptance.

He said that as present the new program is in place in two of the Park System regions—Intermountain and Pacific West—and credited David Kruse, former NPS project coordinator and current Falls Bend National Monument superintendent, for working with FHWA to promote the establishment of a road pavement preservation program to



At Oregon's Crater Lake National Park, a BearCat chip spreader applies aggregate during chip sealing of road next to the deepest lake in the United States.

replace a "haphazard, uneven" paving program. Under the old program, he explained, each National Park was responsible for obtaining federal funding, designing and overseeing road paving in its own park. Smaller parks lacked design and construction expertise, so large parks received the majority of federal funds while road paving programs in smaller parks languished. The new program aims to establish a rational, systematic and consistent procedure for selecting candidate roads and the corresponding correct pavement preservation treatment.

"The National Park Service pavement preservation program was launched in 2007 with a single project. In 2008 there were two major projects and this year there are four active projects. Next year, we expect to let at least four more pavement preservation jobs," said Luedders.

Filling A Knowledge Gap

In addition to being one of NPS' four 2009 pavement preservation projects, Crater Lake is the final job providing data for the polymer-modified asphalt emulsion study. This information is critical to the report since Crater Lake is the only project that utilized both SBR latex and SBS polymer-modified asphalt emulsions in the chip seal process. SBR latex, a polymer dispersion of styrene-butadiene rubber, was employed in all other projects.

SemMaterials, the single largest supplier of SBS-modified emulsions in North America, filed for bankruptcy in July 2008. This, coupled with the shortage of SBS block copolymer during the peak paving season in 2008, led to a lack of availability of SBS-modified emulsion for use in polymer-modified chip seal projects last season. SBR latex and SBS block copolymers are the two most common polymers used to modify asphalt emulsions for the chip seal application.

It was necessary to have a comparison of performances of both polymers," said Mike Voth, pavement and materials technical leader for Federal Lands, who oversees the polymer study/report.

An important role in the study has been assumed by industry, he noted.

"Private industry has been a very good partner with us in this effort," Voth said, referring to both pro bono and at-cost laboratory work provided by the private sector. Materials from the NPS projects selected for the study have been sent to a number of private labs for testing and

Voth said that Chris Lubbers, former senior technical service engineer for BASF Corporation's construction polymers and now technical sales manager for the paving and roofing business unit at Kraton Polymers, was instrumental in securing a supply of SBS polymer-modified asphalt emulsion for the Crater Lake job. At BASF, which early on provided pro bono funding and professional assistance, Lubbers had performed research and materials testing for the study, efforts he has continued after relocating his family to California and joining Kraton Polymers.

A Fair Comparison

Lubbers wanted to make sure the Crater Lake project utilized both SBS and SBR polymers to provide a fair comparison.

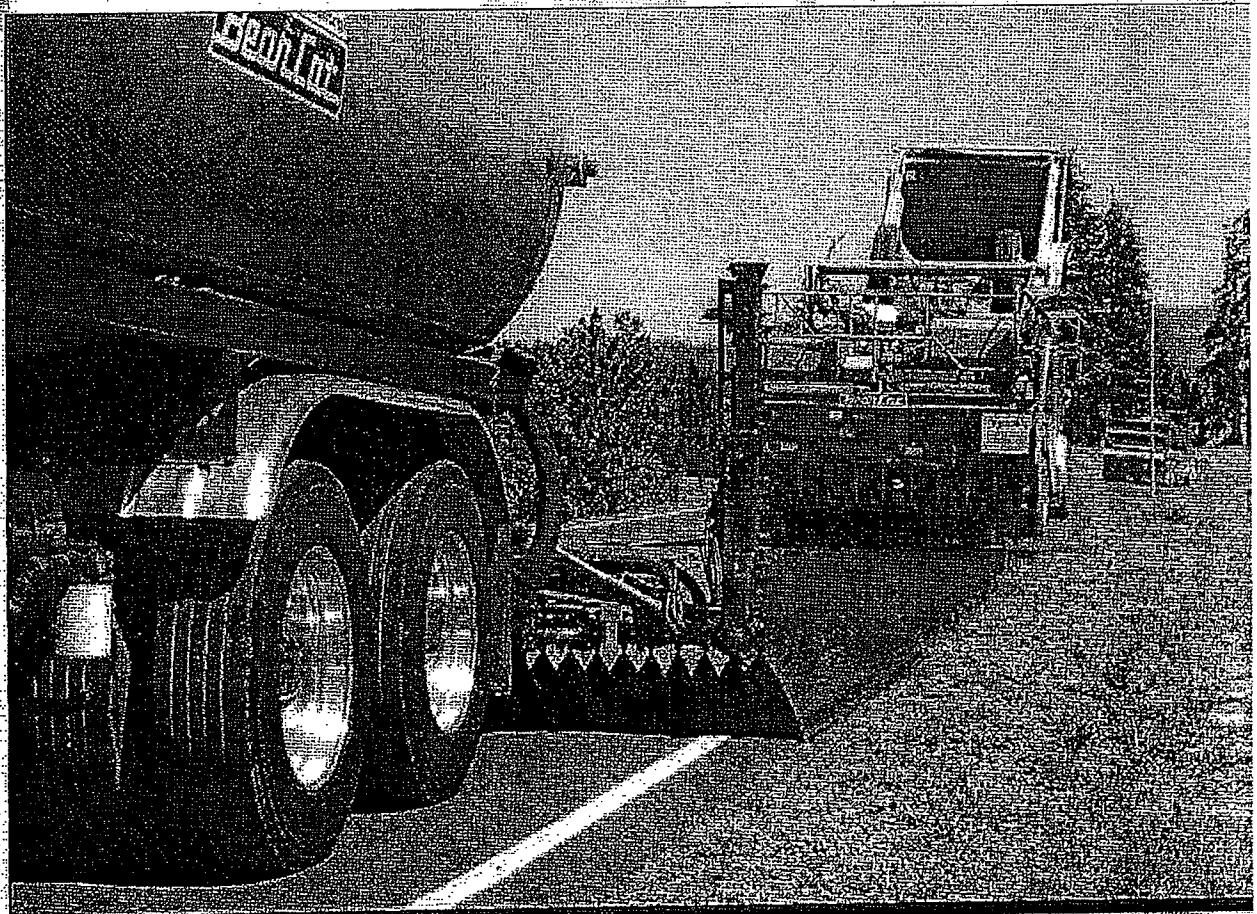
"The idea was to show the government agencies that we were not trying to promote a particular type of polymer, but to convince them that the use of polymer-modified asphalt emulsions in pavement preservation treatments would ultimately benefit everybody in the industry," said Lubbers. "So it was necessary to hold off completing the study until it included a project employing SBS polymers," he added.

Results of the study are expected to help transportation officials choose appropriate pavement preservation treatments. Polymer-modified asphalt emulsions are increasingly being used to improve such treatments as chip sealing, micro surfacing and thin-lift overlays, but until this study, little information has been collected in one place on the proper use, application techniques and benefits of polymers in emulsion-based surface maintenance treatments.

In addition to providing a comparison of different polymer-modified asphalt emulsions, Crater Lake offered researchers an opportunity to study the products' performances in a climate markedly different from the hot and dry conditions experienced in other project areas, according to Federal Lands' Voth.

"We were concerned about the effects of ambient and pavement temperature fluctuations experienced in a cool, wetter climate," Voth said.

Crater Lake was a perfect test case for comparing climate and altitude effects on polymer-modified asphalt performance.



Emulsion is sprayed at the rate of 0.41 gallons per square yard, followed by chips being broadcast at the rate of 22.5 pounds per square yard.

Left: About 22 miles of roads around Crater Lake were chip sealed as part of a new National Park Service pavement preservation program.

The Perfect Climate

As described by NPS, the centerpiece of Crater Lake National Park lies in a basin called a caldera that was formed from the explosion and collapse of the center of a volcano more than 5000 years ago. As the floor of the caldera cooled, springs, snow and rain began to fill the basin. Evaporation and seepage balanced the incoming flow. Today Crater Lake measures up to six miles wide and has a maximum water depth of 1943 feet, making it the deepest lake in the U.S., the second deepest in the Western Hemisphere, and the seventh deepest in the world.

The Crater Lake chip seal project covered about 22 miles of two-lane, 22-foot-wide road. Included in the job were ten miles of Crater Lake Highway, five miles of the North Entrance Road, and six miles of West Rim Drive. The latter is part of Rim Drive, a 33-mile road encircling the lake that has elevations averaging between 7000 feet and 8000 feet above sea level. At this altitude, even in the middle of summer, daytime temperatures can average in the mid-80 degrees Fahrenheit and plunge in the evening to the low 40s. Furthermore, snowfall averages about 44 feet per year. It is an ideal climate to study and compare polymer-modified asphalt emulsion performance with that of, say, California's Death Valley, where a chip seal treatment was applied as part of the study.

While applying the chip seals in late July, temperatures were conducive to the process, according to FHWA's Chuck Luedders:

"We experienced average ambient daytime temperatures of 85 degrees and pavement temperatures of about 140 degrees during the seven days of construction," said Luedders. "At night, it got down to the 40s and 50s," he said. "Temperatures dictated that they work each day between 10 AM and 6 PM."

Different Polymers, Same Specs

For the West Rim Drive portion, Santos' crews began work at the intersection with the North Entrance Road on the northwestern side of the lake, and proceeded southward to the Rim Village Visitor Center. The existing pavement consisted of hot mix asphalt that had been covered with a single chip seal application some years before. One section of road employed SBR latex-modified emulsion, the other SBS-modified emulsion. Application rates for aggregate and emulsions were the same for each section, as were compaction procedures.

A 4500-gallon BearCat asphalt distributor applied emulsions at the rate of 0.41 gallons per square yard, spraying a total of 520 tons. Western States Asphalt from their Pasco, Washington facility provided D. L. Santos with the SBR latex-modified emulsion. BASF Corporation supplied the SBR latex polymer to Western States Asphalt. SBS-modified emulsion was provided to the contractor by Albina Asphalt, with Dynasol US supplying the block copolymer to Albina.

Right behind the asphalt distributor, Santos' BearCat chip spreader broadcast 3/8-inch minus aggregate at the rate of 22.5 pounds per square yard. They applied a total of 4000 tons of aggregate, which was supplied by Knife River Company of Medford, Oregon. The contractor compacted the material with HYPAC, FLYSTER and BOMAG pneumatic rollers.

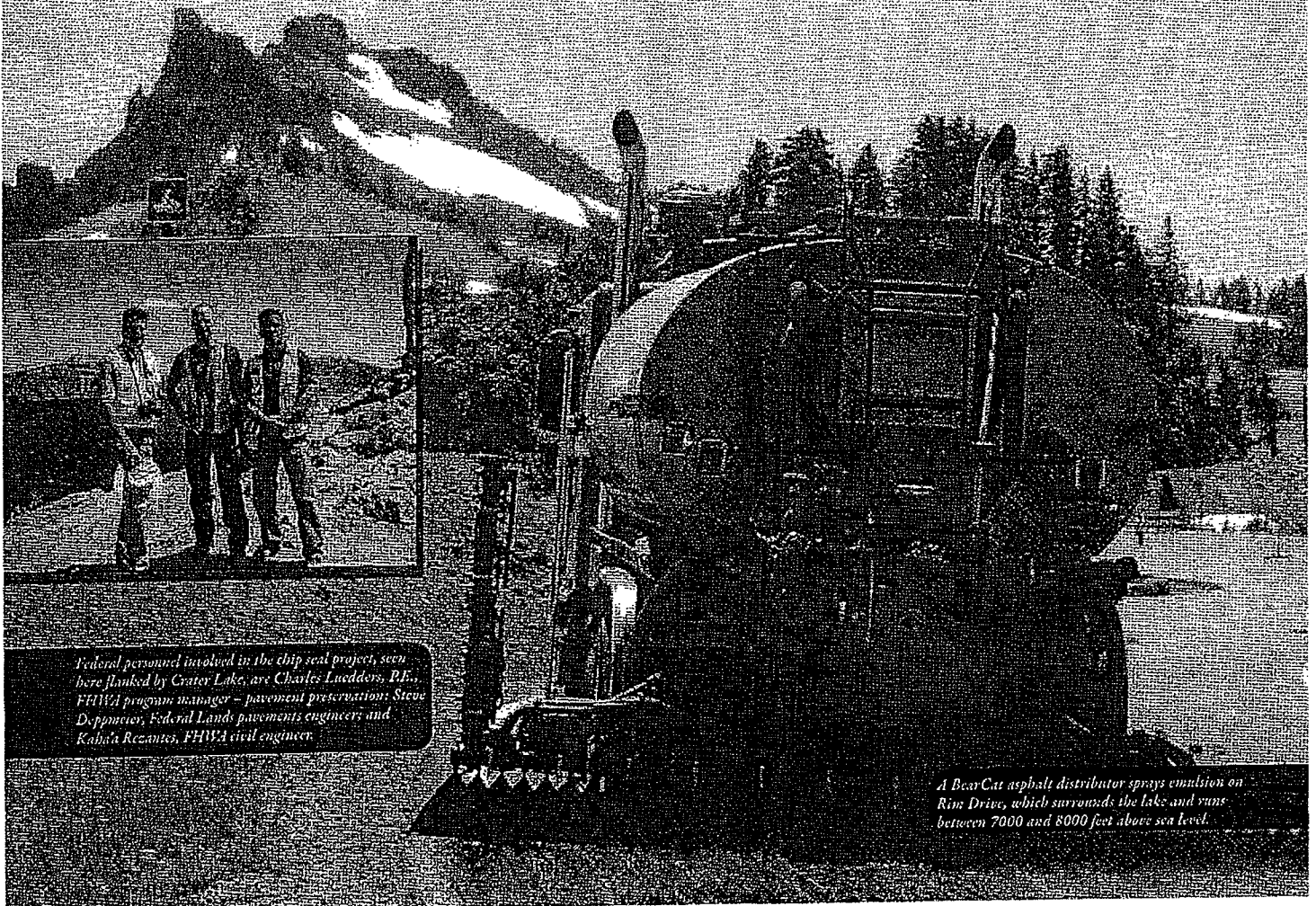
Luedders observed that the 1-1/4-mile elevation influenced the emulsions equally. "The high elevation affected them in that the cure time for both SBS- and SBR latex-modified emulsions was shortened," he said. "The contractor was able to put traffic on completed portions of the road in just 15 minutes following application."

He pointed out that crews completed about 1-1/2 miles of lane at a time, using flaggers to control one-way traffic. After a one-lane section was finished, they waited 15 minutes, allowed traffic on it, and returned to the beginning of the section to do the other lane. Production started on the project on July 20 and was completed July 30.

Finishing The Study

All construction materials from the Crater Lake project were sent to five private laboratories for pro-bono and at-cost testing and analysis: BASF Corporation, PBI Asphalt Technologies Inc., Praxair Technical Services Inc., Ultrapave, and Kraton Polymers.

Their work finishes the laboratory testing of field samples, providing data essential for the completion of the technology study. The final report is expected to be published before the end of 2009. ■



Federal personnel involved in the chip seal project, seen here flanked by Crater Lake, are Charles Luedders, P.E., FHWA program manager - pavement preservation; Steve Dymov, Federal Lands pavements engineer; and Kahlia Rezentes, FHWA civil engineer.

A BearCat asphalt distributor sprays emulsion on Rim Drive, which surrounds the lake and runs between 7000 and 8000 feet above sea level.

Bituminous Surface Treatment

2007 Chip Seal

Design and Construction Workbook



Washington State Department of Transportation

Quality Control

Uniformity and consistency begins with the operators and equipment used to apply the chip seal.

NCHRP Synthesis 342 recommends:

“that the distributor be calibrated in accordance with ASTM D2995, Standard Recommended Practice for Determining Application Rates of Bituminous Distributors.”

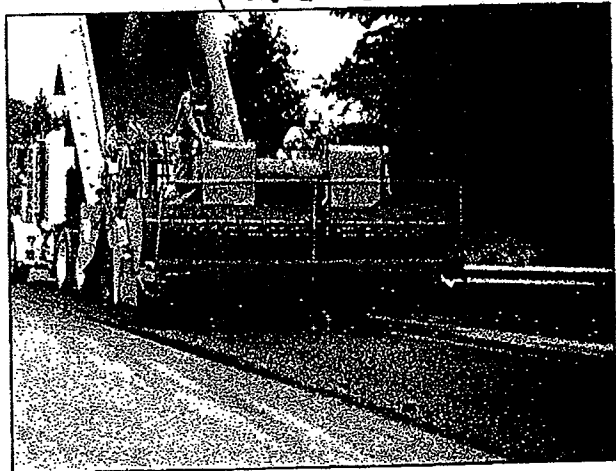


← Mike Wold

Most modern Asphalt Distributors and Aggregate Spreaders are equipped with computerized application controls. It is essential that these systems be calibrated prior to use.

Chip-sealing on
Pavement

Aggregate Spreaders can be calibrated using ASTM D5624, Standard Test Method for Determining the Transverse-Aggregate Spread Rate for Surface Treatment Applications.



This will assure that the operators as well as the equipment are able to provide satisfactory results.



City of Shoreline

17500 Midvale Avenue North
Shoreline, WA 98133-4921

(206) 801-2700 ♦ www.shorelinewa.gov

via facsimile only

July 13, 2011

Ramo Construction
c/o Mr. Ralph Monty
16710 Smokey Pt. Blvd. # 305
Arlington, WA 98223

RE: Bid No. 6341 – 2011 Bituminous Surface Treatment

Dear Mr. Monty,

The City has reviewed the bid protest submitted by Ramo Construction and the additional information provided with the protest. After review, the City's June 29 determination rejecting Ramo Construction's bid remains the City's final determination.

Pursuant to RCW 39.04.350(c) if a bidder fails to supply information requested concerning responsibility within the time and manner specified in the bid documents, the municipality may base its determination of responsibility upon any available information related to the supplemental criteria or may find the bidder not responsible. The public works bidding laws serve two purposes: cost savings for taxpayers through competition and a process that provides a fair opportunity to all contractors. Failure to provide complete bid information by the deadline for opening bids would provide a material advantage to the tardy bidder in that the decision to accept the contract or not could be controlled by the bidder by supplementing the needed data on responsibility or not.

On June 27, 2011, after bid opening, the City received a facsimile from Ramo Construction with Wold Co. references. The City also received a bid protest from you on June 30 with Mr. Wold's resume of work, a Pacific Builder and Engineer article and a page from WSDOT training materials. Even if this supplemental responsibility information were timely submitted with the bid documents, the experience requirements are still not met by the facsimile received on June 27, 2011 or the attachments included with your bid protest.

Wold Co.'s references submitted on June 27 indicated Wold was a subcontractor on Chip Seal Projects for various state and federal agencies. Out of the six projects listed, one reference, Central Washington Asphalt, was provided for three of the projects. The City contacted Central Washington Asphalt who indicated that Wold provided the emulsion/oils on the listed projects after Central Washington Asphalt applied the chip seal/rock aggregate. The City also left a voicemail for Tommer Construction on Monday, July 11th and the City's voicemail was never returned. A fifth project listed did not provide phone number; the City did check the state registry for general contractors

to locate a listing for the prime contractor but found none. Thus, the City was unable to check that reference. The sixth reference was Ramo Construction for the Lopez Island project, which the City already did a reference check on. This reference checks completed by the City reflects that Wold's experience was in supplying and applying oils as part of the chip seal process applied by another contractor. This is not adequate experience for Shoreline's project which requires the contractor complete the entire chip seal process.

Furthermore, Mr. Wold's resume of work, the Pacific Builder and Engineer article, and the page from the WSDOT training manual submitted with the bid protest also do not reflect adequate experience in the chip seal work. Wold's resume only referenced "spreading liquid asphalt," which is only one of the several steps in the chip seal process. The Pacific Builder and Engineer article did not mention Wold Co. and neither did the WSDOT training materials.

In sum, the supplemental documents you submitted do not reflect sufficient experience for Wold Co; the subcontractor needs to have experience with the entire chip seal process, not just one part of it.

In addition, it is critical for the contractor awarded the contract (i.e, the bidder) to have experience with bituminous surface treatment in residential neighborhoods. As detailed in the City's June 29 letter, the "projects of similar nature" listed by Ramo Construction in their bid submittal did not provide sufficient experience for this project. Only one of these listed projects had some form of chip seal application, but this listed project was dissimilar from Shoreline's scope of work in that it entailed thick overlays on gravel base versus a thin application over existing asphalt, the latter requiring a higher level of skill. In addition, the listed project was completed in a rural area, not on residential streets.

We believe the requirement for BST overlay projects as a criteria for responsible bidders is not unduly narrow, and experience in general construction or even asphalt paving is not sufficient. Because our project chip seals are constructed as a thin surface treatment, the construction process is significantly different than that used for HMA paving. Instead of mixing asphalt and aggregates at a hot plant, the individual components of the chip seal are transported and applied at the site separately. Asphalt distributor trucks spray heated asphalt emulsion across the street or road, which must be monitored closely to ensure that the aggregates are applied before the asphalt emulsion "breaks." Aggregates are applied in a single layer and then pneumatic tire rollers set the aggregates into the asphalt emulsion to allow the asphalt emulsion to wet the aggregates to the proper height. The Contractor must be able to apply quality control procedures, monitor for aggregate moisture, asphalt temperature, dust proportions, shot rate uniformity, and aggregate spread rate to ensure that the applied chip seal meets City of Shoreline specifications.

You argue that your performance bond should have been an adequate substitute for experience since this guarantees job completion. However, a payment and performance bond is required for all public works contracts by RCW 39.08.010 yet the City is required by RCW 39.23.352 to award public works contracts to the lowest *responsible* bidder in spite of the bond. State law requires several mandatory responsibility criteria. The City is permitted to supplement these with realistic experience related to the work to be bid in evaluating bidder responsibility. The public harm in lost use and inconvenience from a failed overlay project will not be compensated by the performance bond.

We share your concern that only two bids were submitted for our project; as stated above, promoting cost saving by encouraging competition is a primary goal of our bidding laws. We believe BST will become an important tool in maintaining Shoreline's road system and encourage your participation in future bids. We suggest that you consider forming a joint venture, limited partnership or limited liability company with an experienced subcontractor for the purpose of bidding these projects. This would allow us to rely on the BST project experience of your partner to satisfy this responsibility criterion in the near term.

In sum, based on the bid submittal and supplemental materials provided, neither Ramo Construction nor Wold Co. have the level of experience required under the Statement of Qualifications, and 1-02 Bid Procedures and Conditions: Section 1-02.1 Qualifications of Bidder. The City's June 29 decision to reject the bid under Section 1-02.14 is confirmed.

Sincerely,



Jesus Sanchez
Public Works Operations Manager



Ian Sievers
City Attorney

cc: Mark Reiph, Public Works Director
Brian Breeden, Road Maintenance Supervisor
Judy Isaac, Purchasing Officer

2011 BST CHIP SEAL LOCATION LIST

Attachment: E

STREET	FROM	TO	LENGTH	WIDTH	SQUARE YARDS
Stone Ave N	N 185th ST	N 188th ST	814	28	2,532
Stone Ave N	N 188th ST	N 191st St	560	22	1,369
Stone Ave N	N 191 st ST	N 192nd ST	285	20	633
Ashworth Ave N	N 185th ST	N 188th ST	801	20	1,780
Ashworth Ave N	N 188th ST	N 190th ST	517	20	1,149
Ashworth Ave N	N 190th ST	N 192nd ST	342	20	760
Ashworth Ave N	N 192nd ST	N 195th ST	994	20	2,209
Ashworth Ave N	N 195th ST	N 196th ST	257	20	571
Ashworth Ave N	N 196th ST	N 197th PI	201	23	514
Ashworth Ave N	N 197th PI	N 199th ST	534	20	1,187
Ashworth Ave N	N 199th ST	N 200th ST	336	29	1,083
Densmore Ave N	N 185th ST	N 188th ST	800	20	1,778
Densmore Ave N	N 188th ST	CDSN	263	20	584
Wallingford Ave N	N 185th ST	N 188th ST	803	26	2,320
Wallingford Ave N	N 188th ST	N 189th ST	154	26	445
Wallingford Ave N	N 189th ST	N 190th ST	366	20	813
Wallingford Ave N	N 190th ST	N 192nd ST	341	20	758
Wallingford Ave N	N 192nd ST	N 195th ST	994	23	2,540
Wallingford Ave N	N 195th ST	N 196th PL	181	26	523
Wallingford Ave N	N 196th PL	N 197th PI	316	26	913
Wallingford Ave N	N 197th PI	N 198th ST	166	27	498
Wallingford Ave N	N 198th ST	N 199th ST	329	27	987
Wallingford Ave N	N 199th ST	N 200th ST	332	25	922
Wallingford Ave N	N 200th ST	N 201st ST	230	22	562
Wallingford Ave N	N 201st ST	N 203rd ST	426	23	1,089
Wallingford Ave N	N 203rd ST	N 204th PL	449	20	998
Wallingford Ave N	N 204th PL	N 204th PL	114	20	253
Wallingford Ave N	N 204th PL	CDSN	39	60	260
Burke Ave N	N 185th ST	N 189th ST	955	32	3,396
Burke Ave N	N 189th ST	N 190th ST	366	32	1,301
Burke Ave N	N 192nd ST	N 195th ST	995	21	2,322
Burke Ave N	N 195th ST	N 198th ST	660	20	1,467
Burke Ave N	N 203rd ST	CDSN	177	20	393
Corliss Ave N	End of Road	N 186th ST	52	28	162
Corliss Ave N	N 186th ST	N 188th ST	512	28	1,593
Corliss Ave N	N 188th ST	N 189th ST	256	22	626
Corliss Ave N	N 189th ST	N 190th ST	219	34	827

2011 BST CHIP SEAL LOCATION LIST

Attachment: E

STREET	FROM	TO	LENGTH	WIDTH	SQUARE YARDS
Corliss Ave N	N 190th ST	N 192st St	493	33	1,808
Corliss Ave N	N 192nd ST	N 193rd ST	329	20	731
Corliss Ave N	N 193rd ST	N194th ST	317	24	845
1st Ave N	N 185th ST	N 187th ST	627	31	2,160
1st Ave N	N 187th ST	N 188th ST	257	26	742
1st Ave N	N188th ST	N 190th ST	429	36	1,716
1st Ave N	N 190th ST	N 190th CT	190	27	570
1st Ave N	N 190th CT	N 192nd ST	304	27	912
1st Ave N	N 192nd ST	N 193rd ST	325	20	722
1st Ave N	N 193rd ST	N 194th ST	311	20	691
1st Ave N	NE 194th ST	NE195th ST	185	20	411
1st Ave N	NE 195th ST	N 197th PI	712	30	2,373
1st Ave N	N 197th PI	N 200th PL	704	22	1,721
1st Ave N	N 200th PL	N 202nd PL	567	22	1,386
1st Ave N	N 202nd PL	NE 205th st	662	22	1,618
5th Ave NE	NE 185th ST	NE 189th ST	999	21	2,331
5th Ave NE	NE 189th ST	NE 189th CT	170	20	378
5th Ave NE	NE 189th CT	NE 190th ST	136	20	302
5th Ave NE	NE 190th ST	NE 190th PL	213	20	473
5th Ave NE	NE 190th PL	NE 192nd ST	291	20	647
5th Ave NE	NE 192nd ST	NE 193rd ST	325	20	722
5th Ave NE	NE 193rd ST	NE 195th ST	490	20	1,089
5th Ave NE	NE 195th ST	NE 205th ST	2,660	24	7,093
3rd Ave NE	NE191st ST	NE 192nd ST	232	16	412
3rd Ave NE	NE 192nd ST	NE 193rd ST	326	16	580
3rd Ave NE	NE 193rd ST	NE 194th ST	311	30	1,037
3rd Ave NE	NE 194th ST	NE195th ST	181	28	563
N 188th ST	Densmore Ave N	Wallingford Ave N	320	20	711
N 188th ST	Endroute	Corliss Ave N	185	26	534
N 188th ST	Corliss Ave N	1st Ave NE	673	24	1,795
N 189th ST	Wallingford Ave N	Burk Ave N	355	32	1,262
N 190th ST	Ashworth Ave N	Wallingford Ave N	611	24	1,629
N 190th ST	Wallingford Ave N	Burk Ave N	373	24	995
N 190th ST	Burk Ave N	Meridian Ave N	342	24	912
N 190th ST	Meridian Ave N	Bagley PL	380	23	971
N 190th ST	Corliss Ave N	ENDROUTE	165	26	477
N 191st ST	Stone Ave N	CDSW	102	28	317

2011 BST CHIP SEAL LOCATION LIST

Attachment: E

STREET	FROM	TO	LENGTH	WIDTH	SQUARE YARDS
N 190th ST	Bagley PL	Corliss Ave N	244	28	759
N192nd ST	Midvale Ave N	Stone Ave N	445	25	1,236
N192nd ST	Stone Ave N	Ashworth Ave N	444	24	1,184
N 192nd ST	Ashworth Ave N	Densmore Ave N	424	22	1,036
N 192nd ST	Densmore Ave N	Wallingford Ave N	187	23	478
N 192nd ST	Wallingford Ave N	Wallingford Ave N	49	25	136
N192nd ST	Wallingford Ave N	Burk Ave N	340	26	982
N 192nd ST	Burk Ave N	Meridian Ave N	326	26	942
N192nd ST	Meridian Ave N	Corliss Ave N	662	22	1,618
N 192nd ST	Corliss Ave N	1st Ave NE	665	26	1,921
N 192nd ST	3rd Ave NE	5th Ave NE	665	30	2,217
N 193rd ST	Meridian Ave N	Corliss Ave N	663	22	1,621
N 193rd ST	Corliss Ave N	1st Ave NE	664	22	1,623
N 193rd ST	1st Ave NE	3rd Ave NE	664	32	2,361
N 193rd ST	3rd Ave NE	5th Ave NE	664	30	2,213
N 194th ST	Meridian Ave N	Corliss Ave N	664	26	1,918
N 194th ST	Corliss Ave N	1st Ave NE	663	26	1,915
N 194th ST	1st Ave NE	3rd Ave NE	665	20	1,478
NE 194th ST	3rd Ave NE	ENDROUTE	270	20	600
N 195th ST	Stone Ave N	Ashworth Ave N	428	20	951
N 195th ST	Ashworth Ave N	Wallingford Ave N	664	26	1,918
N 195th ST	Wallingford Ave N	Burk Ave N	337	22	824
N 195th ST	Burk Ave N	Meridian Ave N	323	24	861
NE 195th ST	1st Ave NE	3rd Ave NE	667	21	1,556
NE 195th ST	3rd Ave NE	5th Ave NE	662	20	1,471
N 197th PL	Ashworth Ave N	CDSE	128	26	370
N 197th PL	ENDROUTE	Wallingford Ave N	273	22	667
N 198th ST	Wallingford Ave N	Burk Ave N	334	22	816
N 198th ST	Burk Ave N	Meridian Ave N	321	22	785
N 199th ST	Ashworth Ave N	Wallingford Ave N	666	20	1,480
N 199th ST	Wallingford Ave N	Meridian Ave N	662	29	2,133
N 203rd ST	Wallingford Ave N	Burk Ave N	384	20	853
N 203rd ST	Burk Ave N	Meridian Ave N	275	20	611
Burke Ave N	N 203rd ST	CDSN	177	20	393

City of
Edmonds

City of
Mountlake
Terrace

Lake
Ballinger

Bituminous Surface Treatment

2011

Attachment F

Bituminous
Surface Treatment
9.0 Miles

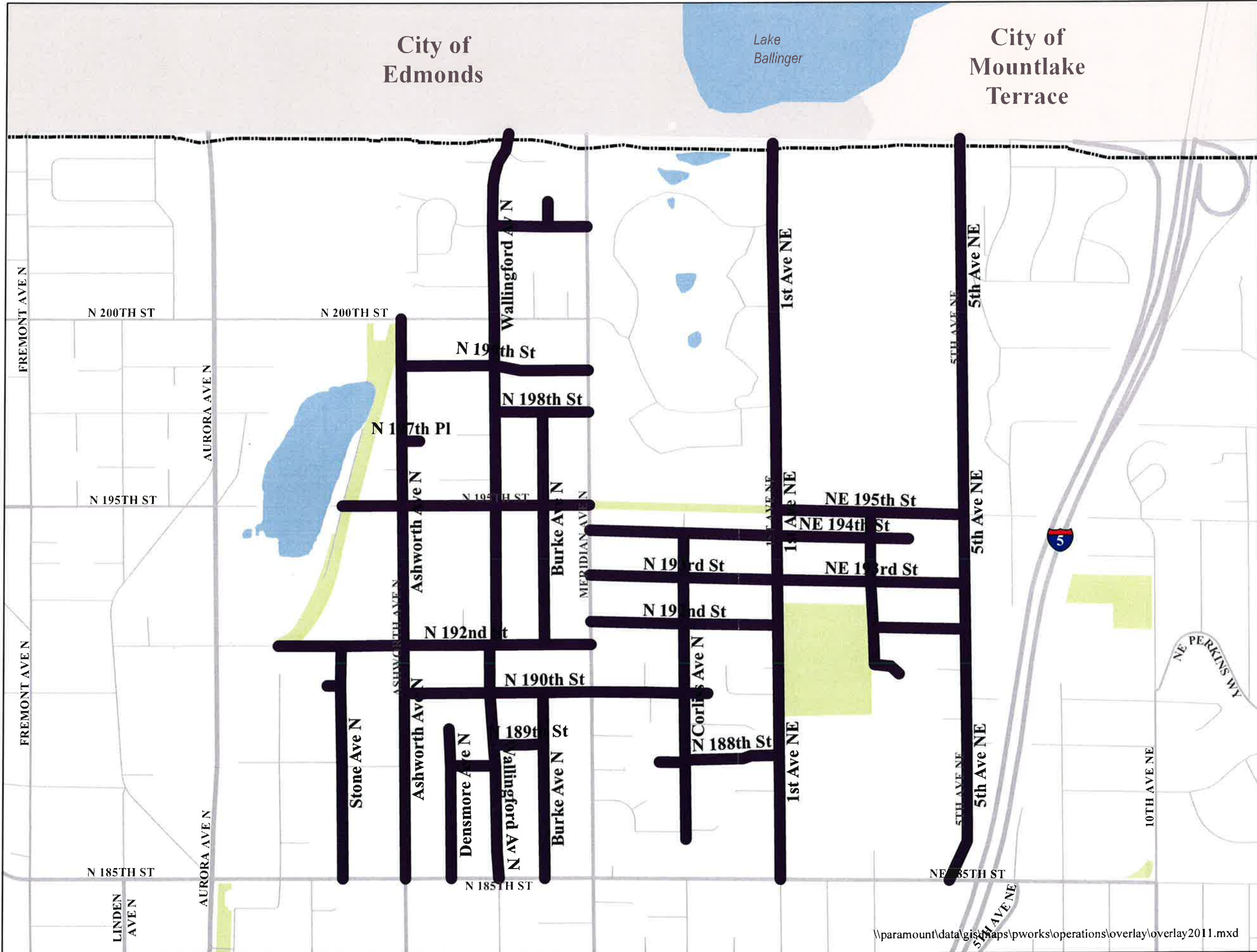
Other Map Feature

- Other City Park
- City of Shoreline Park
- Water

0 150 300 600 900 1,200 Feet



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2011 STREET PRESERVATION PROGRAM

A good street system is a critical component of a healthy economy and a strong community. Well maintained streets are vital to our local economy and essential in connecting our citizens. Whether moving goods and services to and from our local businesses or ensuring that our children have a safe route to school, our streets connect us together. Our aging streets must be preserved in good physical condition to provide the high level of service we demand.

FAST FACTS

- Return on Investment (ROI) -- According to the American Public Works Association, every \$1.00 spent on pavement preservation will **save from \$4.00 to \$5.00 or more** in rehabilitation/reconstruction costs.
- On average, pavement preservation projects support approximately **25% more jobs** on a dollar for dollar basis compared with new construction or rehabilitation projects.
- Pavement preservation is socially responsible and Eco-friendly. It utilizes up to **80% less of the earth's non-renewable resources** than highway rehabilitation and reconstruction programs.
- Pavement preservation improves efficiency and safety, reducing motorist delays by using techniques that can be **completed faster with less traffic disruptions**.



2011 Street Preservation Program

The following streets will receive a BST surface treatment planned for summer 2011.

Stone Ave N	N 185 th St to N 192 nd St
Ashworth Ave N	N 185 th St to N 200 th St
Densmore Ave N	N 185 th St to N 188 th St
Wallingford Ave N	N 185 th St to N 204 th St
Burke Ave N	N 185 th St to N 203 rd St
Corliss Ave N	N 186 th St to N 195 th St
1 st Ave N	N 185 th St to NE 205 th St
5 th Ave NE	NE 185 th St to NE 205 th St
3 rd Ave NE	NE 191 st St to NE 195 th St
N 188 th St	Densmore Ave N to 1 st Ave NE
N 189 th St	Wallingford Ave N to Burke Ave N
N 190 th St	Ashworth Ave N to Corliss Ave N
N 192 nd St	Midvale Ave N to 5 th Ave NE
N 193 rd St	Meridian Ave N to 5 th Ave NE
N 194 th St	Meridian Ave N to 3 rd Ave NE
N 195 th St	Stone Ave N to 5 th Ave NE
N 197 th Pl	Ashworth Ave N to Wallingford Ave N
N 198 th St	Wallingford Ave N to Meridian Ave N
N 199 th St	Ashworth Ave to Meridian Ave N
N 203 rd St	Wallingford Ave N to Meridian Ave N



PROTECTING OUR INVESTMENT

The City of Shoreline will be applying a new Bituminous Surface Treatment (BST) surface to approximately eight miles of residential and collector streets in summer 2011 for the purpose of preserving our street network.

SAVE THE DATE!

Shoreline Public Works will hold a public meeting to discuss the 2011 Street Preservation Program.

Location: Echo Lake Elementary
19345 Wallingford Avenue N.
Shoreline, WA 98133

Date/Time: May 18, 2011, 6:00PM – 8:00 PM



Public Works
Street Operations

17500 Midvale Avenue N
Shoreline, WA 98133-4905
206.801.2700 ph
206.546.0780 fax
www.shorelinewa.gov



Public Works
Street Operations

THE SHORELINE BST SYSTEM

The first step in the BST system is to spray a heavy coating of emulsified asphalt oil onto the street surface and then immediately cover the oil with specified rock size (1/4" or less). Rollers are then utilized to embed the rock into the oil. The second step occurs after the first seal is allowed to cure and harden for typically three to seven days. The second step consists of a fog seal, which is a light coating of slow-setting emulsified asphalt sprayed on the rock to seal the new road surface. The result is a cost-effective seal coat that will preserve the existing pavement, slow pavement deterioration, and provide a new pavement wearing surface. See the photographs below, which show the typical two-part BST/fog seal



Asphalt and chips are applied to the existing pavement

A fog seal is applied after the BST has cured



BST BENEFITS

- Preserves surface condition
- Slows pavement deterioration
- Seals cracks
- Restores skid resistance
- Corrects minor pavement damage
- Saves money compared to overlays



Public Works
Street Operations

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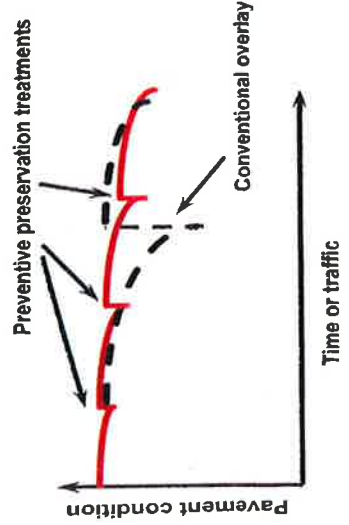
cost-effective solutions to preserve our streets

PAVEMENT PRESERVATION

Pavement preservation is the concept that it is better to keep good pavements in good condition and not to allow them to deteriorate to the point where costly rehabilitation methods are required. The idea is to recognize the value of the existing pavement network and establish as a priority the preservation the investment that has already been made.

Pavement preservation takes advantage of the pavement deterioration curve by focusing on the purchase of inexpensive preservation treatments that can cost a fraction of the cost of standard street rehabilitation methods.

Preservation focuses on the use of surface treatments on regular frequent intervals to give a small boost to the condition of an already good pavement. Pavement preservation techniques are employed only on those pavements that are structurally sound.



WHAT SHOULD I EXPECT ON MY STREET?

If your street is selected to receive a BST this summer, you will receive notice approximately one week before the work is to take place.

All private trees and other vegetation will need to be trimmed back behind the edge of the pavement to allow room for the large dump trucks, street sweeper and equipment. This means any branches extending out over the pavement edge must be trimmed to a vertical height of 13-feet prior to the start of the project.

We ask that you move your vehicles off the street to clear the street on the day of that the BST will be placed.

The BST process is very fast, but the finished product must cure, sometimes overnight, to ensure that the chips adhere to the fresh oil. Please abide by traffic control signs and do not use newly sealed streets until directed.

BITUMINOUS SURFACE TREATMENT (BST)

FREQUENTLY ASKED QUESTIONS (FAQS)

1. When can I start driving and walking on the road surface once this application has been completed?

The street will remain open to automobile and non-vehicular traffic, except for brief delays when equipment is present. You should expect a one hour process to sweep the road, place the tack coat and roll the aggregate rock. Please drive SLOWLY (10 mph max) for several days after the BST has been placed due to the loose aggregate on the street surface. Bicyclists and motorcyclists should use extra caution due to loose rock. Pedestrians should know that walking on new BST may result in tracking oil on to the soles of shoes. Ensure that you do not track the oil into homes, businesses, and other facilities as it is difficult to clean from flooring, especially carpet. The Fog Coat surface will take two hours to dry before you are able to drive or walk on the surface (this is the last step of the process usually completed one week later.)

2. What streets will the City be working on and what is the planned schedule?

Please see the map accompanying this list of FAQs. The project is planned for early August.

3. Do I need to move my car, truck or other vehicles off the street? If so, how much notice will I receive?

Yes, vehicles should be moved off the street on the day of BST operations. Notification will be given to property owners twice—one week ahead and three days ahead of BST operations. If you do not move your vehicle, it will be towed.

4. Will the entire road be closed? If so, where do I park?

The entire street will be closed in both directions. Please park your vehicle in your driveway or another location that is not closed for road work.

5. Will there be emergency access to my home?

Streets will remain open at all times except for the brief period when construction crews are working on your street. Property owners will not be prevented from accessing their homes. Emergency crews—police, fire, ambulance—will have full and open access to your home during this project.

6. What will be the hours of operation for this project on my street?

BST operations will be conducted during daylight hours. Exact work hours for your street will be difficult to predict due to the possibility of delays during construction.

7. Why is the City choosing to use this method of application to preserve the road instead of the normal overlay that is done each year?

BST is a widely used street surface treatment that is proven to preserve the condition of our existing street network. They are less expensive than overlays and when used properly, BST is a crucial part of a successful pavement management plan.

- BST improves the street by sealing cracks and restoring the skid resistant surface.
- BST lowers life-cycle costs by increasing durability and prolonging street life.
- BST improves safety by renewing the contrast between the dark street surface and light-colored striping and traffic control markings.

8. Does this new approach save money?

Yes. BSTs have lower initial costs than normal overlays and can help preserve street conditions. The City is adopting BST as part of our 'pavement preservation' approach to managing the street network at the lowest life-cycle cost to the public.

9. But our street is in good condition—why is the City applying a BST?

The City has invested a considerable amount of money in building and rehabilitating streets to bring them up to good condition. BST is intended to seal and preserve pavements that are in good condition so that they do not deteriorate quickly. This approach delays more extensive and costly repairs, lowering the life-cycle cost of our streets.

10. Is the BST material being used environmentally safe?

Not only are BSTs absolutely safe for the environment, they are also a 100% recyclable product that can be milled and reused when the street is rehabilitated at a future time.

11. Will we be notified if there is a change in the City's schedule? How much advance notice will we receive?

While the City will attempt to stay on our schedule, there are bound to be some changes. We ask for your patience with the work schedule as there are many factors involved, including good weather. In general, when you see the "No Parking" signs on your street, this will indicate that the work will commence within the following three days, weather permitting. The project is planned for early August.

12. What do you recommend for pet owners?

You can help us by keeping your pets indoors, leashed, or in a fenced area on the day of BST operations.

13. How will I get my mail?

Mail will be delivered as usual.

14. While the project is in progress, will we still receive the normal services that we current receive, such as garbage collection, UPS, and FED-EX?

Normal services such as garbage collection, UPS and FED-EX will continue as usual.

15. If there is an emergency in our home and we need to get out while the project is going on, how will this work?

The streets will be open to traffic during this project except for a brief delay while construction crews are on your street. We ask that if you must leave your home due to an emergency, please do so by notifying the flaggers.

16. Will there be someone on site, at all times during the project, to address any questions or concerns we may have?

The City's Project Manager and/or representatives will be available by telephone and on site to address your questions and concerns. The Project Manager can be reached at (206) 801-2441.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Ordinance No. 611 Adopting a Moratorium and Interim Regulation for Medical Marijuana Collective Gardens		
DEPARTMENT:	City Attorney		
PRESENTED BY:	Ian Sievers, City Attorney		
ACTION:	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

E2SSB 5073, passed in the 2011 legislative session, legalizes medical marijuana collective gardens run by up to 10 qualified patients with a maximum of 45 marijuana plants. It is likely that a collective garden can contract for service providers to maintain the garden or contract for a site that provides for multiple collective gardens. Staff recommends a moratorium and interim regulations that will allow patients to exercise their right to a collective garden but prohibits collective gardens in residential zones and prohibits the aggregation of multiple gardens on one parcel or nearby parcels until the impacts can be studied and permanent regulations adopted.

There is currently only one medical marijuana dispensary operating in Shoreline under a stay until a pending appeal is resolved. The appeal hearing is scheduled for July 25, 2011.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact to operations at this time. As staff develops recommendations for permanent regulations, potential resource and financial impacts will be evaluated. Clarification provided in the moratorium will avoid potential legal expenses over enforcing the intent of E2SSB 5073 regarding the collective gardens.

RECOMMENDATION

Pass Ordinance No. 611 establishing a moratorium on marijuana collective gardens in violation of interim regulations and establishing a public hearing on the moratorium.

Approved By: City Manager _____ City Attorney _____

INTRODUCTION

Ordinance No. 611 is proposed as a moratorium and interim regulation of collective gardens that may be operated by qualified medical marijuana patients under state law. This activity was newly created in E2SSB 5073 and will take effect on July 22, 2011. The statute provides essential restrictions on the collective gardens but does not regulate where these may be located. Municipalities are authorized but not required to zone or regulate these uses.

A moratorium is proposed to enable staff time to evaluate and develop options for Council consideration including either recommended permanent land use controls or the establishment of a regulatory license in addition to Shoreline's business registration license. The moratorium would also allow for any required public processes in developing recommendations to the City Council. A public hearing must be provided within 60 days of establishing the moratorium and is scheduled for September 12, 2011

BACKGROUND

In 1998, Washington voters approved Initiative 692 which provided an affirmative defense to criminal prosecution of state laws prohibiting use and possession of marijuana for limited amounts possessed by individuals qualified for medical use, or for a provider designated by a single qualifying patient. The initiative lacked authorization for large scale distribution of marijuana for patients who were unable to grow their own medical marijuana. Regardless, dispensaries have proliferated in some areas under the argument that a commercial dispensary could dispense to one patient and then another as quickly as transactions could occur. In a July 2010 Inquiry as to whether dispensaries were legal, MRSC responded they were not under a reasonable interpretation of the statutes.¹ General Counsel for the City's risk pool, WCIA, issued a Bulletin to member cities reaching the same conclusion in December of 2010. Hearing Examiners have reached the same conclusion in denying license to dispensaries.

The 2011 legislature adopted a comprehensive scheme of licensing and regulating dispensaries to better address patient needs in E2SSB 5073. However, marijuana possession continues to be a criminal offense under the federal Controlled Substances Act, and all provisions relating to dispensaries were vetoed due to a perceived potential for federal prosecution of state regulators participating in the regulation of commercial dispensaries as well as the dispensaries themselves. The earlier argument used to expand the designated provider into a dispensary was expressly curtailed in the final bill by prohibiting providers from changing their qualified patient more frequently than every fifteen days.

While dispensaries are now clearly unlawful, E2SSB 5073 did provide a model for limited cooperative efforts by patients in production and distribution through collective gardens run by up to 10 qualified patients and containing up to 45 marijuana plants. The bill allows, but does not require, local government to zone and regulate this new land use. It is likely that a collective garden can hire a service provider or lease a site

¹ "The statutes may be a little fuzzy, but to interpret the statutes as allowing a provider to provide marijuana to multiple patients one after another in a retail setting is stretching the law to an extreme degree."

that would allow multiple collective gardens. A corrective bill was presented in the 2011 special legislative session that would have limited collective gardens to one for any tax parcel but did not pass due to restriction on non-budgetary bills. E2SSB 5073 will take effect on July 22, 2011. Staff recommends a moratorium and interim regulation that will allow patients to exercise their rights to a collective garden but prohibit the establishment of collective gardens in residential zones or prohibit aggregation of collective gardens on one parcel or nearby parcels until the impacts can be studied and permanent regulations adopted.

Ordinance No. 611 also contains findings and a declaration of an emergency to allow the ordinance to take effect immediately upon passage and before the effective date of E2SSB 5073 on July 22nd. The courts are extremely deferential to the legislative finding that an emergency exists:

Courts may conduct only a very limited review of an emergency. A legislative declaration "is conclusive and must be given effect unless it is on its face 'obviously false and a palpable attempt at dissimulation.'" To determine the truth or falsity of the declaration of an emergency, the court will not inquire into the facts, but rather must consider only what appears upon the face of the act and its judicial knowledge.²

ALTERNATIVES ANALYSIS

The statute authorizing land use moratoria is RCW 35A.63.220 and under the Growth Management Act, RCW 36.70A.390. The key features are adoption of an ordinance without public hearing notice or recommendation from the Planning Commission. The moratorium ordinance must be scheduled for a public hearing and adoption of findings within 60 days from its initial passage. It may remain in effect for six months, but may be extended after a second public hearing if more time is needed to complete an adopted work plan.

Given a liberal vesting rule for development of property in this state, Washington courts have expressly endorsed the use of moratoria to freeze the status quo quickly to prevent owners from securing a vested right by filing an application before a deliberative review of land use changes can be completed.

"Moratoriums and interim zoning are generally recognized techniques designed to preserve the status quo so that new plans and regulations will not be rendered moot by intervening development. Recognizing the emergency, temporary, and expedient nature of such regulations, the courts have tended to be more deferential than usual to the local legislative body."

Richard L. Settle, *Washington Land Use and Environmental Law and Practice* §23, at 72 (ed.1983).

Shoreline has adopted several moratoriums since incorporation to correct perceived defects in the City's code or in reaction to changes in state law, such as the collective gardens recently created.

² *Matson, supra*; citing and quoting *City of Federal Way v. King Co.*, 62 Wn. App. 530, 536, 815 P.2d 790 (1991).

Shoreline follows several cities that have adopted moratoria regarding collective gardens. From discussion with other cities, it is anticipated that more cities will be adopting moratoria. Some cities have adopted an absolute moratorium on any collective garden. Staff does not recommend this for two reasons. First, medical marijuana has been a comprehensive state legislative scheme for patient rights from the passage of Initiative 692 and prohibiting a right granted to patients to act collectively rather than regulate that use as expressly allowed to cities in the statute may bring a challenge, even where a moratorium is declared under existing law. Second, regulations, including moratoria, should be narrowly drawn to address a public harm, and not extend to activity or rights where harm is unlikely. Staff believes the gardens that meet the interim regulations are an important benefit to patients who cannot provide marijuana themselves or through a single provider, particularly since the popular dispensary model is now untenable.

SUMMARY

While the single patient garden or non-commercial 10 patient/provider collective gardens would likely have little impact, the potential for commercial aggregation of many collective gardens should be studied for appropriate land use location and licensing regulations. Adoption of the proposed interim regulation and moratoria will allow the opportunity for marijuana patients to provide for their medicinal needs through the small scale collaboration granted by the legislature but prohibit formation of large scale growing and distribution enterprises pending further study.

RECOMMENDATION

Pass Ordinance No. 611 establishing a moratorium on marijuana collective gardens in violation of interim regulations and establishing a public hearing on the moratorium

ATTACHMENTS

- A. Ordinance 611.
- B. WCIA Risk Management Bulletin Supplement/: Medical Marijuana Law: Post 2011 Washington Legislative Session

ORDINANCE NO. 611

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING INTERIM REGULATIONS FOR COLLECTIVE GARDENS AND ESTABLISHING A MORATORIUM FOR SIX MONTHS ON THE FILING OR ACCEPTANCE OF ANY APPLICATIONS FOR DEVELOPMENT OF LAND OR BUSINESS LICENSES FOR COLLECTIVE GARDENS EXCEPT THOSE IN COMPLIANCE WITH INTERIM REGULATIONS.

WHEREAS, E2SSB 5073 (the Act) effective on July 22, 2011 authorizes "collective gardens" which would authorize certain qualifying patients the ability to produce, grow and deliver cannabis for medical use and,

WHEREAS, the Act authorizes local municipalities to exercise local location, health and safety controls for the regulation of collective gardens;

WHEREAS, the City Council deems it to be in the public interest to establish interim regulations and a zoning moratorium pending local review of the anticipated changes in the law; and

WHEREAS, the acceptance of development applications proposing collective gardens development may allow development that is incompatible with nearby existing land uses and lead to erosion of community character and harmony; and

WHEREAS, pursuant to RCW 36.70A.390 a public hearing must be held within 60 days of the passage of this ordinance, now therefore

WHEREAS, a six-month moratorium on the filing of certain applications for development or licensing of collective gardens will prevent substantial change until the land areas and the text of development standards applicable to collective gardens is reviewed and any needed revisions are made to the development code; and

WHEREAS, the potential adverse impacts upon the public safety, welfare, and peace, as outlined herein, justify the declaration of an emergency; and

WHEREAS, pursuant to SEPA regulation SMC 20.30.550 adopting Washington Administrative Code Section 197-11-880, the City Council finds that an exemption under SEPA for this action is necessary to prevent an imminent threat to public health and safety through unrestricted development of collective gardens under existing regulations. The City shall conduct SEPA review of any permanent regulations proposed to replace this moratorium; now therefore,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Finding of Fact. The recitals set forth above are hereby adopted as findings of the City Council.

Section 2. Moratorium and Interim Regulation Adopted. A moratorium is adopted upon the filing of any application or issuance of any permit or business license for the establishment of a collective garden as defined in E2SSB 5073 that does not meet the following criteria:

- A. There shall be no more than one collective garden permitted on a property tax parcel.
- B. Collective gardens may only be located in the NB, O, CB, NCBD, MUZ, and I zones.
- C. A collective gardens or facility for delivery of cannabis produced by the garden may not be located within 1000 feet of schools or school bus route stops, and not within 2000 feet of any other collective garden or delivery site.
- D. Any transportation or delivery of cannabis from a collective garden shall be conducted by the garden members or designated provider so that quantities of medical cannabis allowed by E2SSB 5073 §403 are never exceeded.

Section 3. Public Hearing. Pursuant to RCW 35A.63.220 and 36.70A.390 the City Council shall hold a public hearing at 7:30 p.m. September 12, 2011 at Shoreline City Hall, 17500 Midvale Ave. N., Shoreline WA to take testimony concerning this moratorium.

Section 4. Permanent Regulations. The City Council directs the staff to refer this ordinance to the Shoreline Planning Commission for its review and recommendation of permanent regulations to replace the interim regulations adopted herein, and to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Effective Dates. The City Council declares that an emergency exists requiring passage of this ordinance for the protection of public health, safety, welfare and peace based on the Findings set forth in Section 1 of this ordinance. This ordinance shall take effect and be in full force immediately upon passage and shall expire six months from its effective date unless extended or repealed according to law.

Section 6. Publication. The title of this ordinance is approved as a summary of the ordinance for publication in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON July 18, 2011

Mayor Keith A. McGlashan

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of publication: , 2011
Effective date: , 2011

WCIA RISK MANAGEMENT BULLETIN SUPPLEMENT

MEDICAL MARIJUANA LAW: POST 2011 WASHINGTON LEGISLATIVE SESSION

A SUPPLEMENT TO THE 12/28/2010 BULLETIN

6/23/2011

Written by:

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A WCIA Risk Management Bulletin was issued 12/28 /2010 addressing the then existing state of the law regarding medical marijuana in Washington and the rise of business license applications for medical marijuana “Dispensaries” across the state. In short, the Bulletin concluded that such “dispensaries” were not legal under the law at that time as they inevitably involved the possession and sale of marijuana not allowed by law. It was recommended that business license applications for dispensaries be denied or revoked. The Bulletin predicted that the topic would be addressed in the 2011 Washington State Legislative Session and changes could occur. The topic did arise, legislation was passed and then the legislation was partially vetoed by the Governor. This Bulletin Supplement will address the law as it now exists, post 2011 Legislative Session.

In April 2011 the Washington State Legislature passed Engrossed Second Substitute Senate Bill 5073 through both houses amending Initiative 692 and sent it on to the Governor for signature into law. The bill, as passed, offered sweeping changes to the medical marijuana law in Washington and would have put in place a regulatory licensing scheme for the growth and distribution of medical marijuana through licensed dispensaries to “qualified patients” who had been designated as such by their “health care professionals.” The production and sale of medical cannabis and the dispensing standards would have been under regulation by the State Department of Health. Dispensers could sell seeds, plants, usable cannabis, and cannabis products directly to qualifying patients. The bill also provided for optional “collective gardens” where individuals who were qualified patients, or their individual providers, could grow for their own use medical marijuana collectively so long as the participants did not exceed 10 in number or more than 15 plants per person and up to 45 plants total.

Before the Governor could sign the bill, the U.S. Attorney's in Seattle and Spokane sent the Governor an advisory letter, (which she had solicited) approved by U.S. Attorney General Holder, warning and advising the Governor that substantial portions of the bill approved by the Legislature was in direct conflict with Federal Drug Laws and that state employees could be at risk of federal prosecution for aiding and abetting illegal drug possession and sale if they processed licenses for production and sale of medical cannabis under the proposed new bill. The letter of April 14, 2011 to Governor Gregoire signed by U.S Attorney Jenny Durkin and U.S. Attorney Michael Ormsby stated, in part:

"The Washington legislative proposals will create a licensing scheme that permits large-scale marijuana cultivation and distribution. This would authorize conduct contrary to federal law and thus, would undermine the federal government's efforts to regulate the possession, manufacturing and trafficking of controlled substance. Accordingly, the Department could consider civil and criminal legal remedies regarding those who set up marijuana growing facilities and dispensaries as they will be doing so in violation of federal law. Others who knowingly facilitate the action of the licensees, including property owners, landlords, and financier should also know that their conduct violates federal law. In addition, state employees who conducted activities mandated by the Washington legislative proposals would not be immune from liability under the CSA (controlled substances act)." ¹ (emphasis added).

Citing this letter, Governor Gregoire issued a partial veto of ESSSB 5073 on April 29, 2011. The Governor vetoed all the new sections dealing with the state licensing of production and licensed dispensing of medical marijuana.² The portions of the bill not vetoed and signed by Governor Gregoire amend the original medical marijuana Initiative 692 passed by the people. So, the question becomes: What is left of ESSSB 5073 after the line item veto of the Governor?

WHAT ARE THE SIGNIFICANT CHANGES IN THE LAW UNDER ESSSB 5073 AS SIGNED?

- 1. New stronger protections to qualified medical marijuana users and providers from criminal arrest, prosecution and conviction.**

Previously qualified users and providers were given an affirmative defense to assert at trial if they were charged with a marijuana crime. Now, sec. 401 of the new act provides:

"Sec. 401 The medical use of cannabis in accordance with the terms and conditions of this chapter does not constitute a crime and a qualifying patient or designated provider in compliance with the terms and conditions of this chapter may not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences, for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, cannabis under state law, or have real or personal property seized or forfeited ..."

Section 101 of the new act states:

"(a) Qualifying patients with terminal or debilitating ((illnesses)) medical conditions who, in the judgment of their health care professionals, may benefit from the medical use of ((marijuana)) cannabis, shall not be ((found guilty of a crime under state law for their possession and limited use of marijuana)) arrested, prosecuted,

¹ Letter attached.

² Partial veto letter attached

or subject to other criminal sanctions or civil consequences under state law based solely on their medical use of cannabis, notwithstanding any other provision of law;

(b) Persons who act as designated providers to such patients shall also not be ((found guilty of a crime under state law for)) arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law, notwithstanding any other provision of law, based solely on their assisting with the medical use of ((marijuana)) cannabis;...”

2. Health Care Professionals are given greater protection but with greater restrictions regarding issuing “valid documentation” to qualifying patients authorizing medical use of cannabis.

a. Health Care Professionals have been given the same protections as qualifying patients and providers as noted above. (Sec 301(1))

b. The new act states:

“Sec. 301(2)(a) A health care professional may only provide a patient with valid documentation authorizing the medical use of cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:

(i) Completing a physical examination of the patient as appropriate, based on the patient's condition and age;

(ii) Documenting the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of cannabis;

(iii) Informing the patient of other options for treating the terminal or debilitating medical condition; and

(iv) Documenting other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of cannabis.

(b) A health care professional shall not:

(i) Accept, solicit, or offer any form of pecuniary remuneration from or to a licensed dispenser, licensed producer, or licensed processor of cannabis products;

(ii) Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a particular licensed dispenser, licensed producer, or licensed processor of cannabis products;

(iii) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition at a location where cannabis is produced, processed, or dispensed;

(iv) **Have a business or practice which consists solely of authorizing the medical use of cannabis;**

(v) **Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice; or**

(vi) **Hold an economic interest in an enterprise that produces, processes, or dispenses cannabis if the health care professional authorizes the medical use of cannabis.**

(3) A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW.”

3. **Use of medical cannabis at work or in jails requires no accommodation and may be prohibited. Drug free work places may be continued. Medical insurance is not required to cover medical cannabis. Medical cannabis may not be smoked in public but it is now an infraction, not a crime. Persons under supervised probation or parole may be prohibited from the use medical cannabis. The use of medical cannabis is not a defense to Driving Under the Influence.**

“Sec. 501. RCW 69.51A.060 and 2010 c 284 s 4 are each amended to read as follows:

- (1) It shall be a ~~((misdemeanor))~~ **class 3 civil infraction to use or display medical ((marijuana)) cannabis in a manner or place which is open to the view of the general public.**
- (2) Nothing in this chapter ~~((requires any health insurance provider))~~ establishes a right of care as a covered benefit or requires any state purchased health care as defined in RCW 41.05.011 or other health carrier or health plan as defined in Title 48 RCW to be liable for any claim for reimbursement for the medical use of ~~((marijuana))~~ cannabis. Such entities may enact coverage or noncoverage criteria or related policies for payment or nonpayment of medical cannabis in their sole discretion.
- (3) Nothing in this chapter requires any health care professional to authorize the medical use of ~~((medical marijuana))~~ cannabis for a patient.
- (4) Nothing in this chapter requires any accommodation of any on-site medical use of ~~((marijuana))~~ cannabis in any place of employment, in any school bus or on any school grounds, in any youth center, in any correctional facility, or smoking ~~((medical marijuana))~~ cannabis in any public place ~~((as that term is defined in RCW 70.160.020))~~ or hotel or motel.
- (5) Nothing in this chapter authorizes the use of medical cannabis by any person who is subject to the Washington code of military justice in chapter 38.38 RCW.
- (6) Employers may establish drug-free work policies. Nothing in this chapter requires an accommodation for the medical use of cannabis if an employer has a drug-free work place.”

“Sec. 1105. (1)(a) The arrest and prosecution protections established in section 401 of this act may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(b) The affirmative defenses established in sections 402, 405, 406, and 407 of this act may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(2) The provisions of RCW 69.51A.040 and sections 403 and 413 of this act do not apply to a person who is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision.

(3) A person may not be licensed as a licensed producer, licensed processor of cannabis products, or a licensed dispenser under section 601, 602, or 701 of this act if he or she is supervised for a criminal

conviction by a corrections agency or department, including local governments or jails, that has determined that licensure is inconsistent with and contrary to his or her supervision.”

“Sec. 501(8) (8) No person shall be entitled to claim the ((affirmative defense provided in RCW 69.51A.040)) protection from arrest and prosecution under RCW 69.51A.040 or the affirmative defense under section 402 of this act for engaging in the medical use of ((marijuana)) cannabis in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway, including violations of RCW 46.61.502 or 46.61.504, or equivalent local ordinances.”

4. A “designated provider” who has been terminated by a “qualified patient” cannot become a designated provider for another qualified patient until 15 days have elapsed.

“Sec. 404. (1) A qualifying patient may revoke his or her designation of a specific provider and designate a different provider at any time. A revocation of designation must be in writing, signed and dated. The protections of this chapter cease to apply to a person who has served as a designated provider to a qualifying patient seventy-two hours after receipt of that patient's revocation of his or her designation.

(2) A person may stop serving as a designated provider to a given qualifying patient at any time. **However, that person may not begin serving as a designated provider to a different qualifying patient until fifteen days have elapsed from the date the last qualifying patient designated him or her to serve as a provider.”**

5. Qualifying patients may, under restrictions, create “collective gardens” to produce medical cannabis.

“Sec. 403. (1) **Qualifying patients** may create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering cannabis for medical use subject to the following conditions:

(a) **No more than ten qualifying patients may participate in a single collective garden at any time;**

(b) **A collective garden may contain no more than fifteen plants per patient up to a total of forty-five plants;**

(c) **A collective garden may contain no more than twenty-four ounces of useable cannabis per patient up to a total of seventy-two ounces of useable cannabis;**

(d) **A copy of each qualifying patient's valid documentation or proof of registration with the registry established in section 901 of this act, including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and**

(e) **No useable cannabis from the collective garden is delivered to anyone other than one of the qualifying patients participating in the collective garden.**

(2) For purposes of this section, the creation of a "collective garden" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective

garden; equipment, supplies, and labor necessary to plant, grow, and harvest cannabis; cannabis plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of cannabis plants.

(3) A person who knowingly violates a provision of subsection (1) of this section is not entitled to the protections of this chapter.”

(Author’s Note: Sec 501(1) makes the public display of medical cannabis a civil infraction and this would presumably apply to the display of medical cannabis in a collective garden hence some sort of screening from public view seems to be built into the act.)

6. **Cities and Counties may, but are not required to, zone, license, regulate and tax the production, processing and dispensing of cannabis. This would appear to be now limited to collective gardens since that is the only new activity allowed under the act and individual single production of medical cannabis by a qualified user or provider.**

“Sec. 1102. (1) Cities and towns may adopt and enforce any of the following pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdiction: Zoning requirements, business licensing requirements, health and safety requirements, and business taxes. Nothing in this act is intended to limit the authority of cities and towns to impose zoning requirements or other conditions upon licensed dispensers, so long as such requirements do not preclude the possibility of siting licensed dispensers within the jurisdiction. If the jurisdiction has no commercial zones, the jurisdiction is not required to adopt zoning to accommodate licensed dispensers.

(2) Counties may adopt and enforce any of the following pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdiction in locations outside of the corporate limits of any city or town: Zoning requirements, business licensing requirements, and health and safety requirements. Nothing in this act is intended to limit the authority of counties to impose zoning requirements or other conditions upon licensed dispensers, so long as such requirements do not preclude the possibility of siting licensed dispensers within the jurisdiction. If the jurisdiction has no commercial zones, the jurisdiction is not required to adopt zoning to accommodate licensed dispensers.”

(Author’s Note: The Governor vetoed all other sections of the act that would have created legal licensed dispensers of medical cannabis so presumably the language in this section addressing the zoning of licensed dispensers is null and void.)

7. **Police and local jurisdictions are given limited immunity under the act for good faith actions.**

“Sec. 1101. (1) No civil or criminal liability may be imposed by any court on the state or its officers and employees for actions taken in good faith under this chapter and within the scope of their assigned duties.

(2) No civil or criminal liability may be imposed by any court on cities, towns, and counties or other municipalities and their officers and employees for actions taken in good faith under this chapter and within the scope of their assigned duties.”

CHALLENGES AND ISSUES FOR LOCAL GOVERNMENT UNDER THE NEW ACT

1. **What to do with existing medical marijuana/cannabis dispensaries and business license applications for the same?**

As previously noted, the Governor's line item veto took out all provisions of the law that would have made dispensaries licensed and legal. Hence the law remains the same as before and there is no credible argument that medical cannabis dispensaries that sell cannabis are legal under state or federal law. (See prior WCIA Bulletin of 12/28 /2010-Medical Marijuana Dispensaries- Are They Legal?). **The sale of marijuana in the State of Washington remains illegal and subject to criminal prosecution. (RCW 69.50.401 & 410.)** Nothing in the new act makes the sale of medical marijuana/cannabis legal.

Existing dispensaries that are selling marijuana/cannabis are subject to police investigation, arrest and prosecution. Priority of enforcement is up to the local jurisdictions and decisions on resource allocation.

Pending or new applications for business licenses dispensaries of medical cannabis should be denied as illegal businesses if there is any evidence that the sale of cannabis is part of the operational scheme or business plan.

2. **Should local governmental entities do zoning or zoning moratoriums regarding medical marijuana/cannabis dispensaries?**

There does not appear to be any current urgency to do so as the legislation that would have allowed legal dispensaries starting in 2012 has been vetoed. However, the political backers of ESSSB 5073 have vowed they will come back with a new proposal in the next legislative session. Preemptive zoning in anticipation that someday dispensaries may become legal under state law is a consideration for local jurisdictions that may be concerned about a future applicant becoming vested to a site that is inconsistent with the overall zoning scheme of the jurisdiction.

3. **Should local jurisdictions get involved in the zoning, regulation or licensing of "collective gardens"?**

This is a difficult issue. The new act does not require any local action but does allow it under Sec. 1102. The possession of marijuana for any reason under federal law may be a crime and the federal law does not recognize exceptions for medical use of cannabis and marijuana except in authorized clinical situations. Hence, an argument can be made that if local jurisdictions specifically allow, license and regulate collective marijuana gardens they and the employees executing the laws could run a fowl of the U.S. Attorney warnings expressed in letter of April 14, 201 delivered to Governor Gregoire. They could be viewed as aiding and abetting a violation of the federal controlled substances act. Some may argue the threat is remote but no one can say it is impossible.

The other side of the argument is that unregulated and uncontrolled collective gardens could become a public safety threat and therefore regulation and licensing is a means of reducing the threat. Under the new law collective gardens may be planted and marijuana grown by qualified patients of up to ten in number. There are no provisions in the state law as to where in a local jurisdiction such gardens may be started nor is there any provisions for fencing, screening, security or safety. It is easy to envision that such collective gardens could become the locus of thefts of marijuana plants and finished product and potentially violent confrontations could occur. Collective gardens could be started next to schools and churches. Some citizens may not appreciate relatively large scale open marijuana cultivation next to their back yards, businesses, churches or schools. There could be political pressure on local elected officials to regulate and license cannabis production via "collective gardens." They may demand regulation and licensing under the authority of Sec. 1102—" **Cities and towns may adopt and enforce any of the**

following pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdiction: : Zoning requirements, business licensing requirements, health and safety requirements, and business taxes. ”

(Author’s Note: Business taxes on collective gardens is likely not legal as “sales” of medical cannabis is not authorized by the partially vetoed act.)

Local police authorities may feel that zoning, licensing and regulation of collective gardens would assist them in tracking and distinguishing legal grow operations from illegal ones.

There does not appear to be any express authority or provision in the new act that would allow the outright banning of collective gardens by local jurisdictions. Sec. 401 of the act directly empowers qualified users to start and maintain collective gardens. This would appear to preempt local authorities from doing outright bans on collective gardens on private property. Likewise, local jurisdictions could not ban individual qualified patients or their providers from cultivation of medical marijuana/cannabis on private property or at their homes so long as they have the proper documentation and limit their possession to 15 plants or 24 ounces of useable cannabis.

If the decision is made to zone, license and regulate collective gardens by the local jurisdiction care will be need to make sure that an appropriate legislative history is developed to document the negative impacts of unregulated collective gardens and to narrowly fashion regulations tailored to address those negative impacts. Failure to do so could lead to challenges that the regulations or zoning violated substantive due process protections under the Constitution. Members are advised to work closely with their legal counsel on these issues.

If Members think that zoning regulation and licensing of collective gardens is in their best interest they may wish to quickly impose a moratorium prohibiting their establishment for a brief period of time to develop the necessary legislative history and to adopt appropriate ordinances for zoning, licensing and regulating collective gardens.

WCIA strongly advises against Members allowing use of public property or public “pea patches” for use as “collective gardens” where medical marijuana/cannabis is grown. It would expose the jurisdiction to unnecessary liability claims as a landlord under premises liability law if other legal users of the public lands were injured due to criminal activity/thefts potentially associated with the production of the cannabis products.

CONCLUSION

The truncated and partially vetoed version of ESSSB 5073 signed into law by Governor Gregoire becomes **effective on July 22, 2011**. Medical marijuana/cannabis dispensaries that sell cannabis products remain illegal. The fact that the Legislature went to great lengths to try and make them legal and then failed by virtue of the Governor’s veto; re-enforces the argument that they were never legal. Nevertheless, proponents of medical cannabis will continue to argue to the contrary and will continue to urge novel schemes and models for the distribution of medical cannabis to local jurisdictions in hopes of obtaining business licenses and therefore apparent legitimacy. It is suggested that any such new model be closely analyzed to determine where the profit may be made in the business model. If it ultimately involves a sale of marijuana or cannabis products it is likely illegal under both state and federal law.

The political battle promises to be carried on in the future. Governor Gregoire’s signing letter partially vetoing ESSSB 5073 states she remains open to legislation that would exempt qualifying patients and their providers from criminal penalties when they join a cooperative to distribute medical marijuana. The proponents of ESSSB 5073 promise to return in the next legislative session to have another go at it. It

KBM/mrb 6/23/11

is not clear how any future effort will have success as long as the federal law remains intact and continues to criminalize possession and sale of marijuana regardless of its designation as for medical treatment. Future case law may also clarify or further obscure the picture. It appears the only certainty is more uncertainty as to what future law in this area may develop.

END

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Transportation Master Plan – Goal and Policy Review
DEPARTMENT: Public Works
PRESENTED BY: Mark Relph, Public Works Director
Kirk McKinley, Transportation Services Manager
Alicia McIntire, Senior Transportation Planner

ACTION: Ordinance Resolution Motion Discussion

PROBLEM/ISSUE STATEMENT:

The purpose of this staff report is to discuss the draft goals, policies, implementation strategies and system plans associated with the Transportation Master Plan (TMP) update. The TMP is a 20 year plan that helps the City plan for changes to its transportation network. Staff is in the final stages of developing the draft TMP and would like feedback from Council regarding identified issues.

Tonight's discussion will focus on the goals, policies and implementation strategies in these areas:

1. Sustainability and Quality of Life
2. Master Street Plan
3. Bicycle Plan
4. Pedestrian Plan
5. Transit Plan

Staff has one additional policy discussion scheduled with Council, August 1, before the draft TMP is released this fall. The topics of that discussion include concurrency, funding, projects and long-range forecasts. Staff will use Council feedback from these two meetings to prepare the final TMP draft.

The draft TMP is scheduled for release and environmental review in early August. Staff will return to Council for a public hearing on the TMP on September 12th, with final adoption scheduled for September 26th.

RESOURCE/FINANCIAL IMPACT:

Consultant costs for work associated with the TMP, including development of the impact fee program, total \$285,000. The policies and projects identified in the plan, as well as the funding strategy contained therein, will direct the City's transportation investments for several years to come.

RECOMMENDATION

No formal action is required at this time, although staff would like Council direction regarding policy issues. This report is for discussion purposes only.

Approved By: City Manager jm City Attorney 

INTRODUCTION

Staff is in the final stages of developing the draft TMP for Council and public review. At this meeting, staff will discuss the draft policy direction and system plans for much of the TMP and requests feedback from Council. The draft goals and policies prepared to date have been developed utilizing previous Council direction, public input, the existing vision, goals and policies in the Comprehensive Plan and the Shoreline Sustainability Strategy. Staff will integrate Council comments into the final draft before releasing it for public and environmental review.

BACKGROUND

The Transportation Master Plan contains policies and projects that support the future land uses in the City's Comprehensive Plan. These policies affect choices for travel by all modes. By knowing how Shoreline will grow in the future, the City can plan for how the transportation system will need to change to accommodate that growth. The updated plan will use revised growth targets to plan through 2030.

Since adoption of the original TMP in 2005, there have been significant changes to the City's transportation facilities. The Interurban Trail was completed, as were improvements in North City and the first mile of Aurora Avenue North. Construction is underway on the middle and third miles of Aurora, with completion of the project anticipated by 2014. Sidewalks have been constructed in neighborhoods throughout the City under the City's priority sidewalks program. Attachment I is map listing the transportation system projects that have been completed between 1999 and 2011 through the City's CIP.

New transit services are also in service or planned for Shoreline. Community Transit began bus rapid transit (BRT) service on Aurora/SR 99 in Snohomish County in fall 2009, running from the Aurora Village Transit Center in Shoreline to Everett. Metro's BRT service is scheduled to begin in 2013 on Aurora from Shoreline to downtown Seattle. By 2023, Sound Transit will extend light rail service from the University District to Lynnwood, with two stops proposed in Shoreline.

Staff has met with Council several times throughout the course of the TMP's development. During a series of meetings in spring/summer 2010, Council provided staff with general direction regarding the discussion topics in this report. Staff has used that direction, as well as feedback received from the public, to develop specific goals, policies and implementation strategies. Both the existing goals and policies in the Comprehensive Plan were used, as well as new language.

The TMP is a functional plan. It contains policies and projects that support the future land uses in the City's Comprehensive Plan and thereby the City can plan the transportation system to accommodate that growth over the next twenty years. The TMP contains the background information and technical analysis about the City's transportation system, which are used to develop some of the goals and policies addressing transportation issues in Shoreline. As a result, this detailed information is

not needed in the City's Comprehensive Plan. The adopted goals and policies in the TMP will be used during the City's next update of the Comprehensive Plan.

Other uses for the TMP include:

- Development of the six-year Capital Improvement Plan,
- Implementation of the City's vision for all modes of transportation in Shoreline,
- Securing grant funding,
- Establishing the design of transportation improvements, and
- Providing guidance for regional coordination with transit providers, neighboring jurisdictions, the Puget Sound Regional Council, King County and the State of Washington.

DISCUSSION

The guiding direction in the TMP is established with goals, policies and implementation strategies. The goals and policies establish the framework and objectives for the City's transportation system and guide its development and management. The implementation strategies are a new addition to the TMP and are action items or specific tasks the City can undertake in order to implement an identified goal or policy. The implementation strategies described in the TMP are not necessarily the only options available to achieve a stated goal or policy.

Attachment A includes the draft goals, policies and implementation strategies for five chapters of the TMP:

1. Sustainability and Quality of Life
2. Master Street Plan
3. Bicycle Plan
4. Pedestrian Plan
5. Transit Plan

Staff would like to review these policies during this study session. Additional policies will be included in the Concurrency chapter of the TMP, to be discussed with Council on August 1.

Many of the existing Comprehensive Plan policies have been retained and some have been recommended to be designated as implementation strategies. Staff has also drafted some new policies as well as new implementation strategies.

In addition to the goals, policies and implementation strategies, staff has developed draft system plans for the City's bicycle, pedestrian and transit networks. The system plans represent the ultimate build out for a given element of the City's transportation network, resulting in complete systems that connect neighborhoods, commercial areas, services, parks and schools.

Sustainability and Quality of Life: Transportation is influential in the quality of life of Shoreline's residents. Commute times, vehicle speeds in neighborhoods, the presence of sidewalks and bicycle facilities and the quality of transit service all have an impact on people's lives. Emissions and other pollutants from vehicles influence air quality and the amount of paved surfaces affect water quality and the City's needs to manage stormwater.

The City's street rights-of-way are Shoreline's largest property asset and include more than roadway surface, amenity zones and sidewalks. Overhead and underground utilities, including electricity, telephone, cable, water, sewer and natural gas, are located in the right-of-way. Additionally, the vast majority of the City's stormwater management facilities are located in the right-of-way and many opportunities for natural stormwater treatment in the right-of-way are available. As a result, how the right-of-way is utilized and managed can help the City obtain many of its sustainability goals.

The Sustainability and Quality of Life chapter addresses several topics including:

- Neighborhood Involvement (Neighborhood Traffic Safety Program and Neighborhood Traffic Action Plans)
- Transportation Demand Management and Transportation System Management
- Commute Trip Reduction
- Complete Streets
- Street Lighting
- Stormwater Management
- Maintenance
- Freight and Mobility System
- Regional Coordination

The TMP as a whole is written with a multi-modal, Complete Streets approach, with the specific policy direction for Complete Streets called out in this chapter. While the existing Comprehensive Plan and TMP emphasize accommodating all modes of transportation, this is the City's first Complete Streets policy.

The draft policies and implementation strategies in this chapter expand the opportunities and requirements to utilize the right-of-way for stormwater management, particularly through the use of natural stormwater management techniques. More specific direction for maintenance of the right-of-way is also included.

The language outlining the City's regional coordination policies have been expanded to identify specific transportation projects that require interjurisdictional coordination, such as improvements to 145th Street and transit needs.

Master Street Plan: The Master Street Plan identifies the future cross-section for all streets in Shoreline. For Arterial Streets and Local Primary Streets (formerly Neighborhood Collectors), the Master Street Plan identifies the specific cross-section for the roadway. The cross-section for a given street may vary in different locations and the Master Street Plan divides that roadway into segments to identify where there are different right-of-way needs. Because the City has so many Local Secondary streets

(formerly Local Streets), the Master Street Plan includes a “palette” of options for these street cross-sections, rather than a specified design for each street. A determination of the appropriate cross-section for a given local street will be made at the time modifications to the street are needed. This palette includes a cross-section for a green street. The cross-sections establish the location of future curbs, so that complete streets can be constructed.

In developing this Master Street Plan, the City considered and attempted to balance the access and mobility needs of all users including motorists, pedestrians, bicyclists, transit and freight and respond to growth anticipated in the City. The design criteria strive to balance safety, preservation and maintenance of the roadway infrastructure and environmental preservation. The standards established in the Master Street Plan will also be used to guide the City when it designs and constructs right-of-way improvements.

The Master Street Plan will be available with the release of the draft TMP.

Bicycle Plan: The draft Bicycle System Plan is shown on Attachment B. The draft Bicycle System Plan shows the locations for different types of facilities, such as bicycle lanes, trails, sharrows and signage, in order to build a complete bicycle system throughout the City. The Interurban Trail serves as the spine of the bicycle system and most of the proposed bicycle facilities are present primarily on arterials. The Plan includes the north and south connector routes between the Interurban and Burke-Gilman Trails, as previously approved by Council.

The draft Bicycle Plan is comprised almost entirely of new policies. They call for implementation of the Bicycle System Plan, development of standards for bicycle facilities and their maintenance, creation of a funding strategy to develop the City’s bicycle system and expanded public outreach and education regarding bicycling and bicycle safety.

Pedestrian Plan: Attachment C is the draft Pedestrian System Plan for the City. The draft Pedestrian System Plan focuses on developing a complete pedestrian system for Shoreline that connects neighborhoods to transit, retail and commercial areas, schools, parks, primarily using the City’s arterial streets. The general concept is that all arterial and neighborhood collector streets in the City will have sidewalks on both sides of the street, at widths that are appropriate for the adjacent land uses (wider sidewalks in more densely or intensely developed areas, narrower sidewalks in single family neighborhoods).

Similar to the draft Bicycle Plan, the Pedestrian Plan contains many new policies. The draft policies emphasize implementation of the Pedestrian System Plan, construction of sidewalks as priority projects, pedestrian safety, creation of a funding strategy for sidewalk construction and the allowance for flexible design standards for sidewalks.

Transit Plans: Based upon the anticipated future changes to transit service in Shoreline, including implementation of bus rapid transit and light rail service, staff has developed a three-phase transit plan. Attachments D, E and F identify the desired improvements and modifications to transit service in Shoreline resulting from planned

changes to transit service in the short, medium and long term. In summary, the draft plans recommend the following:

- **Short Range Transit Plan (until 2021):** In the next ten years, the City would like to see improvements and expansion to existing transit service, such as additional east-west service. Increases in ridership, enhancements to the quality of service and overall improvements to facilities are all anticipated. Through these efforts, residents will have improved options for transportation to work and for other activities. During this time, the City will complete improvements to Aurora Avenue N and Metro's BRT system will be up and running. This time frame will also be a period of intense long range planning activity in preparation for light rail expansion into Shoreline. In an effort to improve service for riders transferring between providers, the City will encourage and foster communication between Metro Transit and Community Transit to promote improved cross-county transit service. One large component of this effort will be the full or potential relocation of the Aurora Village Transit Center (AVTC) function to the N 192nd Street park and ride and development of a new transit oriented development at this site.
- **Medium Range Transit Plan (2021-2023):** In this short time frame, light rail service to Northgate will begin. Bus service will be restructured to feed the light rail station at Northgate, making bus transportation to Northgate a convenient and appealing option for Shoreline residents. BRT service on Aurora Avenue N and bus service on other north-south corridors will continue, as will east-west service, providing connections for residents throughout the City. Construction of the light rail line from Northgate to Shoreline will be underway, as well as the light rail station.
- **Long Range Transit Plan (2023+):** At the beginning of this time frame, light rail service to Shoreline will be operational. Bus service will be restructured to feed the light rail stations in Shoreline. North-south service will still be needed on corridors other than the light rail alignment for residents wishing to reach destinations outside the reach of light rail. East-west service that feeds the light rail stations, other high capacity transit corridors and park and ride lots that connects residents to destinations throughout the City will continue. With light rail in its infancy, the City is likely to see interest in development around the transit stations. The City may choose to reexamine the land use plans for the station areas, as attitudes about the presence of the stations may change to favor additional increased densities beyond the original station area boundaries. The transportation systems serving these areas may need modifications as well, depending upon their performance. Sound Transit will likely be in a planning mode that examines additional system expansions beyond ST3. This will be an opportunity for the City to advocate for street car service or light rail expansions into the City, including east-west service and additional north-south locations.

Street Classifications: During development of the draft Master Street Plan (see below), staff examined the way different streets operate throughout the City. As part of this analysis, several streets were identified for reclassification. The recommended reclassifications are shown on Attachment G. The streets recommended for

reclassification already function in the capacity recommended, with respect to the existing traffic volumes, speeds, striping and connectivity. Additionally, staff recommends renaming of two street classifications in order to minimize confusion and more accurately identify the characteristics of each street type. Attachment H is the recommended table of typical Shoreline street characteristics, including the labeling changes.

STAKEHOLDER OUTREACH

To date, there have been several components of public outreach associated with the TMP update. The TMP update began in April 2009 with internal staff meetings and project planning efforts and public involvement was initiated the following July with a public open house to gather citizen feedback about bicycle, pedestrian and transit issues. Residents were also asked to participate in a citizens' advisory committee to help staff develop policy and system plan recommendations for bicycle and pedestrian transportation. Twelve residents volunteered and this committee met eight times from September 2009 through May 2010. They included:

- Howard Barkhoff
- Andrew Behnke
- Mark Davies
- Chris Egge
- Paulette Gust
- Barbara Guthrie
- Katherine Hall
- Kenneth Howe
- Patrice McDermott
- Robert Phelps
- Allan Rand
- Joseph Wasikowski

Staff met with Council several times from March through August 2010 to receive policy direction on several aspects of the TMP update.

An open house was held on April 20, 2011 as an opportunity for residents to view draft materials developed by staff and provide feedback. The open house was advertised in Currents and on the City's website. The Shoreline Area News and Shoreline Patch blogs each included postings in advance of the open house. Residents who have signed up for notification about the TMP and advocacy groups, including Feet First, Bicycle Alliance of Washington, the Cascade Bicycle Club and the Cascade Land Conservancy, were all notified of the open house. Several of the advocacy groups sent notice of the open house to their membership.

At the April open house, five stations were set up and staffed by City staff, the City's traffic modeling consultant and two resident volunteers that had served on the Bicycle and Pedestrian Advisory Committee. A representative from Sound Transit was also present to provide information about Sound Transit's North Corridor Transit project.

Approximately thirty people attended the open house. Residents had an opportunity to view the materials, ask questions of the people staffing the individual stations and provide feedback by writing comments on large maps at each station. Questionnaires were available for participants to complete. The materials presented at the open house and the questionnaire were posted on the City's website to provide another opportunity

to receive feedback. The City received 27 completed questionnaires from the open house and via the City website.

Staff is scheduled to present additional draft policies and materials to Council on August 1 and a public hearing for the TMP is scheduled for September 12. Environmental review is scheduled to be underway through August. Council is scheduled to adopt the TMP on September 12.

COUNCIL GOAL(S) ADDRESSED

This project addresses Council Goal 2: Provide safe, efficient and effective infrastructure to support our land use, transportation and surface water plans, as one of the major objectives of the Goal is the update of the Transportation Master Plan, including citywide trail, bicycle, and transit elements.

RESOURCE/FINANCIAL IMPACT

At this time, there is no additional financial impact to the City associated with completion of the TMP. Funds for the staff and consultant time needed to complete the update are already allocated. Consultant costs for work associated with the TMP, including development of the impact fee program, total \$285,000. However, the policies and projects identified in the plan, as well as the funding strategy contained therein, will direct the City's transportation investments for several years to come.

RECOMMENDATION

No formal action is required at this time, although staff would like Council direction for policy issues. This report is for discussion purposes only.

ATTACHMENTS

- Attachment A: Draft TMP Goals, Policies and Implementation Strategies
- Attachment B: Bicycle System Plan
- Attachment C: Draft Pedestrian System Plan
- Attachment D: Draft Proposed Transit Enhancements – Short Range Plan
- Attachment E: Draft Proposed Transit Enhancements – Mid Range Plan
- Attachment F: Draft Proposed Transit Enhancements – Long Range Plan Draft
- Attachment G: Proposed Street Classifications
- Attachment H: Typical Shoreline Street Characteristics
- Attachment I: Completed Transportation System Improvements 1999-2011

INTRODUCTION

The Transportation Master Plan identifies several goals and policies that provide the framework for the City's transportation vision. It includes existing goals and policies contained in the City's Comprehensive Plan, as well as new policy recommendations for the next update of the Comprehensive Plan. Many of the goals, policies and implementation were developed in response to Council direction provided during a series of meetings in spring/summer 2010. The staff reports for those discussions can be viewed through the following links to previous staff reports:

- March 22, 2010 Staff Report
- June 14, 2010 Staff Report
- June 21, 2010 Staff Report
- July 6, 2010 Staff Report
- August 10, 2010 Staff Report

The goals and policies establish the framework and objectives for the City's transportation system and guide its development and management. The implementation strategies are action items or specific tasks the City can undertake in order to implement an identified goal or policy. The implementation strategies described in this plan are not necessarily the only options available to achieve a stated goal or policy. Where additional detail or clarification is needed for an implementation strategy, discussion is provided.

The draft goals, policies and implementation strategies listed below are an excerpt from the working draft of the TMP. They are not written in priority order. When incorporated within the document, the supporting text helps to provide context.

Several of the policies and implementation strategies reference impact fees. These policies and implementation strategies are subject to the adoption of an impact fee program by the City Council.

I. Sustainability and Quality of Life

A. General

1. **Existing Comprehensive Plan Goal FG 13:** *Encourage a variety of transportation options that provide better connectivity within Shoreline and throughout the region.*
2. **Existing Comprehensive Plan Goal T I:** *Provide safe and friendly streets for Shoreline citizens.*
3. **Existing Comprehensive Plan Goal T II:** *Work with transportation providers to develop a safe, efficient and effective multimodal transportation system to address overall mobility and accessibility. Maximize the people carrying capacity of the surface transportation system.*

4. **Existing Comprehensive Plan Policy T1:** *Make safety the first priority of citywide transportation planning and traffic management. Place a higher priority on pedestrian, bicycle and automobile safety over vehicle capacity improvements at intersections.*
5. **Recommended Policy:** *Reduce the impact of the City's transportation system on the environment through the use of technology, expanded transit use and nonmotorized transportation options.*

Implementation Strategies

- a) Minimize curb cuts (driveways) on arterial streets by combining driveways through the development review process and in implementing capital projects. **(Existing Comprehensive Plan Policy T9)**
- b) Implement the Transportation Master Plan that integrates the City's Complete Streets program. Promote adequate capacity on the roadways and intersections to provide access to homes and businesses. **(Existing Comprehensive Plan Policy T10 - modified)**
- c) Coordinate transportation infrastructure design and placement to serve multiple public functions when possible, i.e. integrate storm water management, parks development and transportation facility design. **(Existing Comprehensive Plan Policy T11)**
- d) Implement a coordinated signal system that is efficient and which is flexible depending on the demand or time of day and responsive to all types of users, including transit riders, bicyclists and pedestrians. **(Existing Comprehensive Plan Policy T12 - modified)**
- e) Require development applicants to provide an evaluation of the transportation impacts resulting from significant land use developments. A higher level and more specific analysis is required to address the unique transportation needs of certain land uses, such as pedestrian activity near schools or high traffic volumes outside of standard peak period travel times.
Discussion: Transportation impact studies generally focus on the impacts of vehicle trips, primarily during the p.m. peak period. Many uses, such as schools and churches, have significant traffic impacts at times other than the p.m. peak period and these impacts should be analyzed. Additionally, some uses have transportation demands beyond those of vehicles. For example, schools generate high pedestrian volumes. The needs of these pedestrians and bicyclists should be evaluated to determine if adequate facilities are available to accommodate them. Pedestrian safety must also be considered, as there are likely to be conflicts with vehicular traffic.
- f) Ensure all roadways in the City are appropriately signed and marked, identifying the allowed use(s), speeds and restrictions for all streets.
Discussion: The various classifications of streets in the City require different types and levels of signage and markings. Arterial streets in Shoreline have centerline stripes to delineate lanes, while non-arterial streets do not. Streets that are part of the City's bicycle system must be marked with separated lanes, sharrows or free standing signage, as appropriate.
- g) Develop a safe roadway system. Examples of methods to improve safety may depend upon existing conditions and can include:
- two-way center left turn lanes,
 - median islands,
 - turn prohibitions,

- signals, illumination, signage
 - access management, and
 - other traffic engineering techniques. (**Existing Comprehensive Plan Policy T5 – modified**)
- h) Work with bicycle and pedestrian advocacy groups, public health agencies, traffic safety organizations and the state legislature to modify existing traffic laws to allow for the design and construction of streets with speed limits below 25 miles per hour.
Discussion: State law currently prohibits the designation of any public street with a speed limit below 25 miles per hour, except in school zones. Through roadway design and the use of facilities intended to reduce traffic speeds, streets can be developed to safely accommodate all users.
- i) Utilize the Arterial Classification Map as a guide in balancing street function with land uses. Minimize through traffic on local streets. (**Existing Comprehensive Plan Policy T17**)
- j) Monitor traffic growth on arterials and non-arterials and take measures to keep volumes within appropriate limits for each street based upon its classification. (**Existing Comprehensive Plan Policy T47 – modified**)
- k) Encourage the use of programs and services that minimize the need to own a car, such as carsharing and increased transit use.
- l) Encourage the use of technologies that minimize reliance on fossil fuels and reduce greenhouse gas emissions, such as electric and high fuel efficiency automobiles.
- m) Update the development code to include requirements for project elements that help minimize environmental impacts, such as electric vehicle charging stations, car sharing programs or increased bicycle parking and storage facilities.

B. Complete Streets

1. **Recommended Policy:** *In accordance with Complete Streets standards, new or rebuilt streets shall address the use of the right-of-way by all users and consider the unique aspects of Shoreline's transportation network.*

C. Neighborhood Involvement and Communication

1. **Existing Comprehensive Plan Goal VI:** *Protect the livability and safety of residential neighborhoods from the adverse impacts of the automobile.*
2. **Existing Comprehensive Plan Policy T2:** *Use engineering, enforcement and educational tools to improve traffic safety on City roadways.*
3. **Recommended Policy:** *Communicate and involve residents and businesses in the development and implementation of transportation projects.*

Implementation Strategies

- a) Work with neighborhood residents to reduce speeds and cut-through traffic on non-arterial streets with education, enforcement, traffic calming, signing, or other techniques. Design new residential streets to discourage cut-through traffic while

maintaining the connectivity of the transportation system. (**Existing Comprehensive Plan Policy T45**)

- b) Coordinate with the City's police department to monitor traffic accidents, citizen input/complaints, traffic violations and traffic growth to identify and prioritize locations for safety improvements. (**Existing Comprehensive Plan Policy T3 - modified**)
- c) Streamline the Neighborhood Traffic Safety Program process and improve opportunities for public input. (**Existing Comprehensive Plan Policy T46**)
- d) Monitor innovations and changes to standards in the traffic calming and neighborhood stability field and consider implementing them when proven effective and safe.
- e) Communicate with citizens regarding transportation improvement projects so that they are aware of the schedule and scope of projects through methods such as:
 - Telephone hotlines
 - Notices
 - Currents
 - City website

D. Transportation Demand Management and Transportation System Management

1. **Existing Comprehensive Plan Goal T VII: Encourage alternative modes of transportation to reduce the number of automobiles on the road.**
2. **Recommended Policy: Ensure residents have options to travel throughout Shoreline and the region using modes other than single occupancy vehicles.**

Implementation Strategies

- a) Support educational programs for residents that communicate transportation costs, safety and travel choices, including specialized programs that emphasize safety to children. (**Existing Comprehensive Plan T49 – modified**)
- b) Support state and federal tax policies that promote transit and ridesharing. (**Existing Comprehensive Plan T50**)
- c) Develop parking system management and regulations to support alternatives to the single occupant vehicle. (**Existing Comprehensive Plan T51**)
- d) Incorporate new strategies, as they are developed, into Shoreline's Transportation Demand Management programs that promote or provide alternatives to driving alone. (**Existing Comprehensive Plan T54 – modified**)
- e) Support the development of employer based programs that encourage employees to minimize single occupancy vehicle trips, such as telecommuting, organizing vanpools and providing showers and secure bicycle parking facilities for bicyclists.

E. Commute Trip Reduction

1. **Recommended Policy: Implement the City's Commute Trip Reduction Plan.**

Implementation Strategies

- a) Work with major employers, developers, schools and conference facilities to provide incentives to employees, tenants, students, and visitors to utilize alternatives other than the single occupant vehicle. **(Existing Comprehensive Plan Policy T48)**
- b) Analyze alternatives by which employers and/or developers not subject to the Commute Trip Reduction Act can encourage their employees and tenants to pursue alternative transportation choices. **(Existing Comprehensive Plan Policy T52)**
- c) Work with Shoreline Community College and King County Metro to reduce employee and student use of single occupant vehicles and promote transit and carpooling. **(Existing Comprehensive Plan Policy T53)**

F. Street Lighting

1. **Existing Comprehensive Plan Policy T8:** *Develop a comprehensive detailed street lighting and outdoor master lighting plan to guide ongoing public and private street lighting efforts.*

Implementation Strategies

- a) Work with Seattle City Light to develop and implement a master lighting plan. The City's master lighting plan should include the following considerations:
 - light level standards
 - reduction of light pollution to enhance star gazing;
 - nighttime safety criteria;
 - annual operational and maintenance costs
 - streetlight lighting;
 - streetlight pole height standards;
 - criteria for lamp fixture choice;
 - lamp technology; and
 - color rendering and light spectrum criteria.
- b) Due to evolving lighting technologies and lamp fixtures, the City should review this plan on a regular basis.

G. Stormwater Management

1. **Recommended Policy:** *Stormwater management shall be integrated into all transportation projects, including low impact development or green street elements when practical.*

Implementation Strategies

- a) The City's surface water utility is involved in design of transportation projects that affect any part of the City's stormwater utility early in the design process. Surface water funds will contribute funding to the surface water components of transportation projects.

Discussion: The types of facilities selected for inclusion with transportation projects have a long term financial impact on the Utility, both in their initial construction and installation and their long term maintenance needs. The Surface

Water Utility can best plan for transportation infrastructure needs by coordinating the drainage requirements for transportation projects as part of the City's six year Capital Improvement Program. The practicality, costs and benefits associated with different types of facilities shall be considered during the design process.

- b) As new drainage facilities are required or optionally proposed for transportation projects, green technologies will be considered for inclusion. The review process will examine factors such as cost of installation, maintenance and life span.
- c) Integrate features of green streets throughout the City's transportation system, including arterials and local streets. Designate green streets on select local streets to help connect schools, parks, ecosystems and neighborhoods. Utilize the standards identified in the Master Street Plan when designing roadway improvements for green streets and combine green street design with traffic calming techniques on residential streets where appropriate.

H. Maintenance

- 1. **Existing Comprehensive Plan Goal T XI: Maintain the transportation infrastructure so that it is safe and functional.**
- 2. **Existing Comprehensive Plan Policy T18 (modified): Develop a regular maintenance program and schedule for all components of the transportation infrastructure. Maintenance schedules should be based on safety/imminent danger and on preservation of resources.**

Implementation Strategies

- a) Inventory and inspect the transportation infrastructure. **(Existing Comprehensive Plan Policy T19)**
- b) Maintain a pavement management system. **(Existing Comprehensive Plan Policy T20 - modified)**
- c) Upgrade our signal system so that it is responsive, fully interconnected, and moves people efficiently. **(Existing Comprehensive Plan Policy T21)**
- d) Ensure that pedestrian facilities are maintained properly. Responsibility for maintenance and repair is shown in the table below.

	Landscaping responsibility (Behind the curb/Beyond the asphalt edge)	Sidewalk clear/clean	Sidewalk repair	Trees (in ROW, behind the curb/beyond the asphalt edge)	Driveway Aprons
Principal Arterials	City	Adjoining property owner	City	City	Adjoining property owner
Minor and Collector Arterials, Local Primary Streets	City	Adjoining property owner	City	City	Adjoining property owner
Local Secondary Streets and Green Streets	Adjoining property owner	Adjoining property owner	City	City	Adjoining property owner

- e) Inform and educate residents of their responsibility to maintain pedestrian walkways and the need to keep pedestrian facilities free from obstructions.

Discussion: Walkways need to be safe and clear. Property owners are responsible for ice and snow removal and maintenance of vegetation on private property that can encroach into walkways adjacent to their property. Property owners must also be aware of the need to keep objects, such as vehicles and waste bins, out of walkways and the roadway. The City needs to provide information/guidelines to property owners that explain their requirements for maintaining landscaping in the ROW and keeping the sidewalk clear/clean and an enforcement program is needed to ensure sidewalks are kept clear of intruding vegetation.

- f) Ensure the City's maintenance program keeps pedestrian and multi-purpose facilities, such as the Interurban Trail, in safe, operable conditions.
- g) Establish priorities for tree and vegetation removal and maintenance on primary arterials, minor arterials, collector arterials and neighborhood collectors.
- h) Expand and/or develop a program to address sidewalk damage from tree roots and continue to plant street trees that are appropriate for the built environment.

Discussion: As trees grow and mature, they have the potential to damage sidewalks and streets. This is already occurring in many areas of the City. The City's maintenance program should allow for the removal of trees when there is no mechanism available to prevent damage and for the retention of trees when sidewalk repair is needed, such as when tree roots are damaging sidewalks. Whenever trees are removed, appropriate street trees must be planted in their place. Street tree removal should be timed to prevent removal of too many trees at one time.

The City should also explore different technologies that accommodate the placement of trees in the right-of-way. In some cases, it may be appropriate to have an amenity/landscaping area behind the sidewalk, rather than in front, to address root damage from trees.

- i) Develop a mechanism for new development to maintain internal walkways, trails, fences or other public amenities constructed as a part of private development.
- j) Ensure trees planted in the right-of-way have root systems or root management systems appropriate for sidewalk proximity. Mechanisms to prevent sidewalk damage from roots should be installed with new trees as needed.

I. Freight and Mobility System

1. **Existing Comprehensive Plan Goal T VIII:** *Develop a transportation system that enhances the delivery and transport of goods and services.*
2. **Existing Comprehensive Plan Policy T55 (modified):** *Ensure that service and delivery trucks, and other freight transportation can move with minimal delay on appropriate streets in Shoreline as shown on the truck route map.*

Implementation Strategies

- a) Minimize the disruption of arterial traffic flow by developing time-limited loading zones in commercial areas, if needed, and regulating areas that do not have loading zones. Develop a plan for business access streets to provide freight loading zones on less-heavily traveled roadways. **(Existing Comprehensive Plan Policy T56)**
- b) Discourage truck traffic through residential neighborhoods during typical sleeping hours. **(Existing Comprehensive Plan Policy T57)**

- c) Work with developers/property owners along the Aurora Avenue North corridor and in North City to plan business access streets or alleys as a part of redevelopment. **(Existing Comprehensive Plan Policy T58 - modified)**

J. Regional Coordination

1. **Existing Comprehensive Plan Goal T X:** *Coordinate the implementation and development of Shoreline's transportation system with our neighbors and regional partners.*
2. **Recommended Policy:** *Implement a strategy for regional coordination that includes the following activities:*
 - *Identify important transportation improvements in Shoreline which involve other agencies. These may include projects on Aurora Avenue N, 145th Street, 205th Street, Interstate 5 and its access ramps, and transit projects.*
 - *Remain familiar with and involved in federal, state, regional and county budget and appropriations processes.*
 - *Participate in regional and county planning processes that will affect the City's strategic interests.*
 - *Form strategic alliances with potential partners, such as adjacent jurisdictions or like-minded agencies.*
 - *Develop federal and state legislative agendas and meet with US and state representatives (elected officials and staff) who can help fund key projects.*
 - *Develop regional legislative agenda and meet with area representatives (elected officials and staff) to the Puget Sound Regional Council, Sound Transit and King County Council.*
 - *Develop partnerships with the local business community to advocate at the federal, state and regional level for common interests.*

Implementation Strategies

- a) Develop interlocal agreements with neighboring jurisdictions for development impact mitigation, for coordination of joint projects, and management of pass through traffic. Interjurisdictional projects include:
 - Actively pursue annexation of the 145th Street right-of-way, in its entirety or to the centerline. Coordinate a study including the Washington State Department of Transportation, City of Seattle, King County and Sound Transit to determine the ultimate improvements and a funding plan.
 - Consider annexing 205th Street to the centerline.
 - Work with adjacent jurisdictions and stakeholders to jointly study the 205th Street and Bothell Way NE corridors to develop level of service standards as part of a plan and funding strategy for future improvements. **(Existing Comprehensive Plan Policy T67 – modified)**
- b) Work with neighboring jurisdictions to reduce air quality impacts and manage storm water runoff from the transportation system. **(Existing Comprehensive Plan Policy T68)**

II. Master Street Plan

1. **Recommended Policy:** *Design City transportation facilities with the primary purpose of moving people through multiple modes, including automobiles, freight trucks, transit, bicycles and walking, with vehicle parking identified as a secondary use.*
2. **Recommended Policy:** *Implement the standards outlined in the City's Master Street Plan for development of the City's roadways.*
3. **Existing Comprehensive Plan Policy T16 (modified):** *Frontage improvements shall support the adjacent land uses and fit the character of the areas in which they are located.*

Implementation Strategies

- a) Utilize the Arterial Classification Map as a guide in balancing street function with land uses. Minimize through traffic on local streets. **(Existing Comprehensive Plan Policy T17)**
- b) Require frontage improvements as part of City capital projects such as park improvements and facility developments.
- c) Allow for flexibility in the implementation of the Master Street Plan to address site specific, unique or unforeseen circumstances, such as the presence of bus stops, topography or large trees. Sidewalks should be separated from the curb by a five foot wide amenity zone/landscaping strip. Sidewalks adjacent to single family residential development shall be a minimum of five feet wide. Require the construction of wider sidewalks (minimum width of eight feet) adjacent to uses other than single family residential including, but not limited to:
 - Commercial uses
 - Medium and high density residential uses
 - Parks
 - Churches
 - Libraries
 - Schools
 - Sports and social clubs
 - Major transit facilities
 - Civic facilities
 - Conference centers
 - Museums
 - Medical facilities
 - Day cares
 - Funeral Homes
- d) Assure that vehicular and non-motorized transportation systems are appropriately sized and designed to serve the surrounding land uses and to minimize the negative impacts of growth. **(Existing Comprehensive Plan Policy T15)**
- e) Require new development and redevelopment to upgrade substandard frontage improvements in accordance with the Master Street Plan.
- f) Require the dedication of right-of-way and construction of frontage improvements in conjunction with new development in a manner that is equitable, and related to the impacts of adjacent land use. Dedication or building setbacks should be required during the permit review process to ensure new development is served by the appropriate street cross-section identified in the Master Street Plan.
Discussion: The Master Street Plan establishes the required cross-section for all roadways in the City. In order to ensure the needed right-of-way is available for transportation improvements and that frontage improvements are constructed in

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the correct location, staff will evaluate the existing right-of-way and roadway improvements during permit review. Determinations shall be based upon the need for right-of-way improvements associated with adjacent land uses, such as wider sidewalks, and the historic patterns of dedications in the vicinity. For example, if only half of the needed right-of-way is present and it is clear that all of the existing right-of-way was dedicated by owners opposite a property wishing to develop, the remaining half can be exacted from the developing property. Front yard Setbacks should at a minimum be sufficient to avoid conflicts with future transportation projects.

III. Bicycle Plan

A. Creating a Bicycle System in Shoreline

1. **Existing Comprehensive Plan Goal T V:** *Develop a bicycle system that is connective and safe and encourages bicycling as a viable alternative method of transportation.*
2. **Recommended Policy:** *Implement the Bicycle System Plan. Develop a program to construct and maintain bicycle facilities that are safe, connect to destinations, access transit and are accessible by all. Use short term improvements, such as signage and markings, to identify routes when large capital improvements will not be constructed for several years.*

Implementation Strategies

- a) Develop a wayfinding signage and mapping system for bicyclists that directs and guides users to public facilities, parks, schools, commercial areas, adjoining cities and major transit and transportation facilities, such as the Interurban Trail. This signage should identify facility locations at entrances to the City.
- b) Work with Lake Forest Park to develop a regional bicycle linkage from the Interurban Trail to the Burke-Gilman Trail.
Discussion: This regional bicycle facility should be named to improve awareness and recognition.
- c) Through the City's Complete Streets policies, accommodate bicycles in future roadway or intersection improvement projects with facilities or technology that makes bicycling safer, faster and more convenient for riders.
- d) Continue to require new commercial developments to provide bicycle facilities that encourage bicycling.
Discussion: Commercial developments should include covered, secure and convenient bicycle parking facilities for employees and visitors/customers and showers and lockers for employees. The City should encourage existing businesses to install bicycle parking facilities for the public and employees, and showers and lockers for employees who commute to work by bicycle.
- e) Include bicycle facilities identified on the City's Bicycle System as part of the City's six-year Capital Improvement Program and Transportation Improvement Program. Develop plans for implementation of short and long term improvements to the bicycle system, including integration with the City's annual overlay program.

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- f) Coordinate bicycle facility design and construction with adjacent jurisdictions where routes cross the City boundaries.
- g) Replace storm grates with bicycle friendly grates.
- h) Place a high priority on sweeping streets that contain bicycle facilities or are designated as bicycle streets on the City's system plan.
- i) Provide bicycle lane pathway maintenance, such as filling potholes and repairing cracks and large gaps in concrete panels.
- j) Identify bicycle detour routes in construction areas.
- k) Educate residents about the importance of maintaining safe bicycle facilities and identifying what they can do to assist in the City's efforts (for example, do not blow leaves into bicycle lanes).
- l) Continue efforts locally and regionally to educate drivers about bicycle laws and behaviors and to educate bicyclists on laws and behaviors.

3. **Recommended Policy:** *Develop standards for the creation and maintenance of bicycle facilities.*

Implementation Strategies

- a) Develop a bicycle system that includes facilities that support and are appropriate for existing and new land uses.
- b) Develop a system to determine the safe and appropriate bicycle facility for a given location that takes into consideration topography, available right-of-way, traffic volumes and other factors.
- c) Integrate highly visible and accessible signage, markings, lighting and amenities for bicycles.

Discussion: Bicycle amenities can include painted bicycle lanes, "hot spots" to activate traffic signals or push buttons for cyclists. The hot spot marking system and maintenance system must ensure the loops installed are sensitive to bicycles, in appropriate locations within lanes and are maintained to remain visible to bicyclists.

4. **Recommended Policy:** *Establish a sustainable funding program to cover the costs to implement the City's Bicycle System Plan.*

Implementation Strategies

- a) Direct funds collected through the City's impact fee program toward construction of bicycle improvements that are part of capacity improvements.
- b) Pursue grant funding from local, state and federal sources.
- c) Develop a phased bicycle system implementation plan that provides for installation of minor bicycle signage or facilities on all routes to maximize budget resources.

Discussion: In the short term, implement the City's bicycle system through signage, rechannelization and hot spots. Install larger capital investments on identified routes as funding becomes available in the long term.

- d) Require major transit facilities, such as light rail stations, and transit oriented developments to provide bicycle amenities, such as covered bicycle racks or lockers, and facilities at and connecting to the site.
- e) Preserve needed rights-of-way for future bicycle connections and utilize utility easements for trails when feasible.
- f) Include construction of bicycle facilities identified on the City's Bicycle System as projects that qualify for "credits" through the City's Concurrency program.

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5. **Recommended Policy:** *Develop a public outreach program to inform residents of the options for bicycling in the City and educate residents about bicycle safety and the health benefits of bicycling.*

Implementation Strategies

- a) Prepare maps for public distribution that include bicycle facilities, schools, parks, civic buildings and other destinations in the City. The City should develop educational materials for residents that emphasize the importance of bicycle safety and explain the health benefits of bicycling.
Discussion: The maps should identify bicycle facilities and treatments throughout the City and inform residents of the methods available to report problems with bicycle facilities to the City. Educational materials should provide resources and information that can be easily accessed. Residents should be made aware of these maps and materials through the City's website, newsletter, wayfinding kiosks, Bike to Work Day and public access television channel. The City should have them available for distribution at City buildings, public and community events and on the City website and work with the school district, bicycle advocacy groups, transit providers and bicycle shops to help distribute maps.
- b) Work with the school district and public safety partners to integrate bicycle safety and maintenance as part of the educational curriculum.
- c) Pursue grant funding from private foundations to implement outreach programs.
Discussion: Private foundations that emphasize health and safety can provide financial assistance to the City in its education efforts.
- d) Enforce requirements that are designed to keep vehicles from parking in bicycle facilities.

IV. Pedestrian Plan

A. Creating a Pedestrian System in Shoreline

1. **Existing Comprehensive Plan Goal T IV:** *Provide a pedestrian system that is safe, connects to destinations, accesses transit, and is accessible by all.*
2. **Recommended Policy:** *Implement the Pedestrian System Plan through a combination of public and private investments.*

Implementation Strategies

- a) Develop a wayfinding signage and mapping system for pedestrian facilities that directs and guides users to public facilities, parks, schools, significant transit stops and transportation facilities and commercial areas.
3. **Recommended Policy:** *Prioritize construction of sidewalks, walkways and trails that are safe, connect to destinations, access transit and are accessible by all.*

Implementation Strategies

- a) Develop and regularly update a prioritization and funding strategy for the pedestrian system.

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- b) Include pedestrian facilities identified on the City's Pedestrian System Plan as part of the City's six-year Capital Improvement Program and Transportation Improvement Program.
- c) Through the City's Complete Streets policies, accommodate pedestrians in future roadway or intersection improvement projects with facilities or technology that makes walking safer and more convenient for pedestrians.
- d) Utilize existing undeveloped rights-of-way to create pedestrian paths and connections.
- e) Require all projects that result in an increase in the number of vehicular trips, such as commercial, multi-family and residential short-plat and long-plat developments, to provide for sidewalks or separated all weather trails.
Discussion: Through the Master Street Plan, the City has identified the cross-section and design for all arterials and determined appropriate improvements for local streets. Frontage improvements should be consistent with the Master Street Plan.
- f) Implement the City's curb ramp program to install wheelchair ramps and other ADA requirements at all curbed intersections.
- g) Include construction of pedestrian facilities identified on the City's Pedestrian System Plan as projects that qualify for "credits" through the City's Concurrency program.
- h) Look for opportunities to leverage public or private investments to implement the pedestrian system. Pursue funding opportunities through grants and private foundations.
- i) Identify pedestrian detour routes in construction areas.

4. Recommended Policy: *Ensure crossings are appropriately located and provide safety and convenience for pedestrians.*

Implementation Strategies

- a) Develop a policy and procedure for the location and design of crosswalks.
Discussion: The surrounding development should be a key factor when determining location and design for crosswalks. Issues to consider include, but are not limited to, density, land use, demographics and accident history. The roadway cross-section and traffic volumes and speeds should be considered when determining the need for design features such as bulbouts or pedestrian refuge islands.
- b) Install midblock crossings if safety warrants can be met.
Discussion: The installation of midblock crossings should take into account land uses on both sides of the street and frequency of use. Additionally, traffic must be considered to ensure crossings do not interfere with the flow of vehicles.
- c) Improve pedestrian safety at freeway interchanges and highway intersections.
Discussion: Consider over- and under-crossings where feasible and convenient for users and other changes that make freeway entrances more accessible to pedestrians. Example locations include: I-5 crossings at NE 145th Street, NE 155th Street, NE 175th Street, NE 185th, NE 195th Street and Ballinger Way NE; N 192nd Street over Aurora Avenue N.
- d) Utilize technology and driver notification to enhance pedestrian safety and convenience.
Discussion: Pedestrian safety can be improved by modifying traffic signals. Options include pedestrian queue jumps, pedestrian signals with countdown timers, pedestrian only cycles or right turn queue jumps that clear right turning

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vehicles before pedestrians begin crossing. The latter would be coupled with the elimination of free right turns. Extension of the "walk" phase in areas with populations needing additional time to cross the street, such as children or senior citizens, provides an extra measure of safety.

Convenience for pedestrians can be improved through technology as well. Signals that are timed to speed up pedestrian prompt response, provide an automatic "walk" when the signal turns green and lasting throughout the entire green phase and visual and audio indicators that push buttons have been activated are all measures that give priority or information to pedestrians.

- e) Evaluate and field test installation of devices that increase safety of pedestrian crossings such as flags, in-pavement lights, pedestrian signals, and raised, colored and/or textured crosswalks.

5. **Recommended Policy:** Establish a funding program to share the cost and efforts needed to construct sidewalks, walkways and trails identified as part of the City's Pedestrian System Plan.

Implementation Strategies

- a) Explore the range of options available to develop a sustainable source of funding for implementation of the City's Pedestrian System Plan.
- b) Direct funds collected through the City's impact fee program toward construction of pedestrian improvements that are part of capacity improvements needed to accommodate growth.
- c) Pursue grant funding from local, state and federal sources.
- d) Require the developers of major transit facilities, such as light rail stations and transit oriented developments, to provide pedestrian amenities and facilities at and connecting to the site and pay the required impact fee.
- e) Preserve needed rights-of-way for future pedestrian connections and utilize utility easements for trails when feasible.
- f) Develop a funding source for purchasing right-of-way to construct pedestrian facilities.
- g) Prioritize sidewalk projects that fill in gaps in pedestrian facilities.

6. **Existing Comprehensive Plan Policy T30:** Develop flexible sidewalk standards to fit a range of locations, needs and costs.

Implementation Strategies

- a) Sidewalk standards should generally be based upon adjacent land use or zoning, rather than street classification.
- b) Develop a program for retrofitting existing sidewalks that do not meet the City's sidewalk standards.

Discussion: Property developers must reconstruct existing substandard sidewalks to comply with the established standards when a project triggers frontage improvements. The City should identify circumstances and criteria under which the City will retrofit sidewalks in conjunction with capital projects.

- c) Establish criteria that identify when construction of a sidewalk on only one side of a street is appropriate.

Discussion: It is assumed that all streets will have sidewalks on both sides unless there is a wider trail/walkway system that accomplishes the goal of pedestrian movement and safety with traffic calming, such as green streets or findings can

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be established that support construction on one side only, such as topography, environment or costs.

- d) Concrete or porous concrete sidewalks should be installed whenever possible. Examine options for construction of pedestrian facilities utilizing a variety of materials as alternatives to standard concrete sidewalks.
Discussion: Concrete is the most durable and easily maintained material for sidewalks. However, there are circumstances where concrete is not needed. For example, asphalt may be an appropriate material for separated trails and walkways with minimal driveway crossings and limited potential for intrusion by tree roots. Porous concrete may be used in some circumstances, such as in curbside applications with no amenity zone, when soil conditions support it and maintenance requirements have been considered.
 - e) Ensure that walkways have a clear, defined area for walking surfaces and a distinct area for fixed objects, such as utility poles, above ground utility cabinets, benches and public art. The City should work with utility providers to eliminate obstructions in walkways.
 - f) Ensure pedestrian facilities support and are appropriate for existing and new land uses, allowing for a variety of treatments. These may include sidewalks, walkways, shared bicycle and pedestrian facilities, trails or widened shoulders.
 - g) Where appropriate, provide sidewalks, walkways, and trails with lighting, seating, landscaping, street trees, public art, covered bicycle racks, railings, etc. These improvements should be compatible with safe pedestrian circulation.
 - h) Integrate pedestrian design standards into the City's Master Street Plan so that there is flexibility in walkway design, as determined on a street by street basis.
Discussion: Street cross-section design should reflect the traffic and pedestrian needs of a given street. For example, streets that serve as transit corridors may include bus pull-outs at stop locations. This allows for easier boarding from the sidewalk and does not result in a bus blocking through traffic. Another possible design feature, curb bulb-outs, reduce the crossing distance for pedestrians, identify pedestrian crossings to drivers and act as traffic calming devices. Amenity zone width should be wide enough to provide space for healthy tree growth. The standard for amenity zone width should be flexible so that it may be widened in some locations to accomplish other City goals, such as natural stormwater treatment.
 - i) Encourage private development projects to integrate public space with sidewalks.
 - j) Develop design standards for walkway design that integrate sustainability practices, such as porous concrete, bioswales, rain gardens or other natural stormwater drainage systems.
 - k) Coordinate sidewalk design and construction with adjacent jurisdictions where sidewalks cross the City boundaries.
7. **Recommended Policy:** *Develop a public outreach program to inform residents of the options for walking in the City and educate residents about pedestrian safety and the health benefits of walking.*

Implementation Strategies

- a) Prepare maps that include pedestrian facilities, schools, parks, civic buildings and other destinations in the City. The City should develop educational materials for residents that emphasize the importance of pedestrian safety and explain the health benefits of walking.

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Discussion: The maps should identify pedestrian facilities and treatments throughout the City and inform residents of the methods available to report problems with pedestrian facilities to the City. Educational materials should provide resources and information that can be easily accessed. Residents should be made aware of these maps and materials through the City's website, newsletter, wayfinding kiosks and public access television channel. The City should have them available for distribution at City buildings, public and community events and on the City website and coordinate with the school district and transit providers for distribution of materials.

- b) Work with the school district to integrate pedestrian health and safety as part of the educational curriculum.
- c) Pursue grant funding from public and private foundations to implement education and outreach programs.

Discussion: Private foundations that emphasize health and safety can provide financial assistance to the City in its education efforts. The City can promote private maintenance of public pedestrian facilities through programs such as Adopt-a-Trail, Adopt-a-Street or Adopt-a-Raingarden.

- d) Enforce requirements that are designed to keep vehicles from parking in pedestrian facilities.

V. Transit Plan

A. General

- 1. **Existing Comprehensive Plan Goal TIII:** Support increased transit coverage and service that connects local and regional destinations to improve mobility options for all Shoreline residents.
- 2. **Recommended Policy:** Make transit a more convenient, appealing and viable option for all trips through implementation of Shoreline's Transit Plan.

Implementation Strategies

- a) Ensure that all riders can catch a bus within a quarter-mile of their home that will deliver them to a transit center or hub in a single trip. Strive to make all destinations accessible with no more than one transfer. Transit centers and hubs accessed by routes serving Shoreline include the Aurora Village Transit Center, Shoreline Community College, the Northgate Park and Ride, Downtown Seattle, University of Washington, Everett Station, Lynnwood Transit Center, Mountlake Terrace Transit Center and the Edmonds Community College Transit Center.
- b) Expand transit service into currently unserved or underserved areas of the City.
- c) Ensure the transit network in Shoreline includes east-west routes and north-south routes that intersect with each other, connecting residents to services throughout the City.
- d) Support the on-going programs of transit providers to provide bicycle racks on all buses.
- e) Educate residents about the availability and use of trip planning services available from all transit providers serving the City. Support efforts by transit providers to make this information accessible to all users.

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- f) Ensure ACCESS and DART paratransit service is available to Shoreline residents that are unable to use fixed route bus service. Paratransit should provide a comparable level of service to that of regular bus service, through coverage areas and span of service.
 - g) Request placement of current schedules at all bus stops with shelters and high ridership stops. Encourage transit providers to extend real time information about bus arrivals at all bus stops.
 - h) Explore options for public or privately funded shuttle service from transit centers to major employers and employment nodes (like shopping centers or locations with multiple employers) in Shoreline as a means to reduce single occupancy vehicle use and support Commute Trip Reduction programs.
 - i) Advocate for elimination of Metro Transit's policies that negatively impact the City of Shoreline. These include the two-zone fare policy and the current service allocation and reduction policies.
 - j) Ensure shelter alignment and design considers weather, street orientation and the visibility of adjacent land uses.
3. **Recommended Policy:** *Improve transit service quality, passenger comfort and safety.*

Implementation Strategies

- a) Work with providers to minimize standing and overcrowding on buses through bus size, frequency of service and infrastructure that helps prevent bus delays.
 - b) Ensure all bus stops are fully ADA compliant. Improvements to currently non-compliant bus stops can be made by public agencies or private development.
 - c) Form a partnership with Metro Transit to fund a program to improve accessibility to bus stops.
 - d) Ensure all bus stops are clean, safe and well lit. Encourage residents and businesses to participate in the "Adopt-a-Stop" program and provide trash removal at stops that do not have shelters or trash removal services provided by transit agencies.
 - e) Encourage efforts by transit agencies to provide transit security on all buses, including on-board security systems and transit police.
 - f) Support measures to reduce transit vehicle dwell time, like off board fare collection.
4. **Recommended Policy:** *Encourage development that is supportive of transit.*

Implementation Strategies

- a) Evaluate land use policies, zoning and development regulations to determine what types of changes are required in order to support transit. Make modifications as needed. Continue land use policies and development code allowances that increase density along Aurora Avenue N.
- b) Create development regulations that require transit supportive investments by private developers. These may include pedestrian facilities that access transit, housing that is oriented toward transit usage or locations near high capacity transit.
- c) Identify and implement City capital projects and improvements that are transit supportive, such as transit signal priority, queue jumps, bus pullouts and sidewalk and bicycle facilities.

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B. Shoreline's Short Range Transit Plan

1. **Recommended Policy:** *Expand service on existing transit routes.*

Implementation Strategies

- a) Work with transit providers to improve service frequency. Headways on all-day service routes should be no less than thirty minutes, including weekends and evenings. Strive for twenty-minute headways during the day on these routes. Headways on peak-only routes should be no less than twenty minutes. Strive for fifteen-minute headways on these routes.
- b) Encourage Community Transit to expand Swift service farther into Shoreline, with a potential terminus at the N 192nd Street Park and Ride or a more southern location.
- c) Explore routing options to reduce travel times between Shoreline Community College, North Seattle Community College, Northgate and Edmonds Community College. Begin and coordinate efforts between Community Transit and Metro Transit to provide bus service between Shoreline Community College and Edmonds Community College. Work with Metro Transit to provide transit service between the two Shoreline high schools and between the Shoreline high schools and Shoreline Community College.
- d) Work with Metro Transit and Community Transit to allow transfers between providers to occur on Aurora Avenue N, without the need for a transfer at the Aurora Village Transit Center. Keep Swift and RapidRide BRT services on Aurora Avenue N to improve the ease of transfers.

2. **Recommended Policy:** *Work with Metro Transit to ensure bus rapid transit service (BRT), RapidRide, is implemented on the Aurora Avenue N corridor and operates as a convenient and appealing option for riders in Shoreline.*

Implementation Strategies

- a) Advocate for off-board fare payment at all RapidRide stops.
- b) Advocate for a system that includes stops with appropriate spacing and at signalized intersections.
- c) Coordinate with Metro Transit and the City of Seattle to encourage continuous business access-transit lanes along the entire length of the corridor and pursue grant funding to construct these facilities.
- d) Require implementation of "shadow service" on Aurora Avenue N if BRT service increases the distance between stops to more than 1/3 mile.
- e) Ensure east-west transit routes serving Shoreline connect with the BRT corridor on Aurora Avenue N.
- f) Support the City of Seattle in its efforts to construct BAT lanes on Aurora Avenue N south of N 145th Street.

3. **Recommended Policy:** *Improve east-west service across the City of Shoreline and service from Shoreline to the University of Washington.*

Implementation Strategies

- a) Encourage Metro Transit to expand Route 330, running from Shoreline Community College to Lake City, from a peak-only service to an all-day service.
- b) Work with Metro to ensure that north-south routes that intersect east-west routes do so at similar times in order to reduce delays associated with transfers.

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- c) Encourage Metro Transit to expand Route 373, running from the Aurora Village Transit Center to the University of Washington, from a peak-only service to an all-day service. Emphasize the need for express bus service from Shoreline to the University of Washington during the peak period.
- 4. **Recommended Policy:** *Strengthen Aurora Avenue N as a high usage transit corridor that encourages cross-county, seamless service.*

Implementation Strategies

- a) Study the relocation of all or a portion of the Aurora Village Transit Center function to the N 192nd Street Park and Ride. This relocation may be in conjunction with construction of a Transit Oriented Development at the N 192nd Street Park and Ride and should occur once the Aurora project is completed. Coordinate with Metro Transit and Community Transit to study the impacts of rerouting service from the Aurora Village Transit Center to the N 192nd Street Park and Ride.
 - b) Work with a private developer(s) to create a Transit Oriented Development at the N 192nd Street Park and Ride and/or nearby properties that incorporates a transit center. The transit center must be capable of accommodating the equivalent parking needs of the Aurora Village Transit Center and the N 192nd Street Park and Ride and the layover and bus bay needs for current and future needs of Metro Transit and Community Transit.
5. **Recommended Policy:** *Work with Shoreline neighborhoods, Sound Transit, the Shoreline School District, the Washington State Department of Transportation and Metro Transit to develop the final light rail alignment and station area plans for the areas surrounding the future Link Light Rail stations.*

Implementation Strategies

- a) Participate in Sound Transit's planning process and environmental review to identify the final alignment for light rail from Northgate to Lynnwood. Advocate for two stations in Shoreline that will result in the highest ridership, most cost-effective solution and compatibility with surrounding land uses. Should the final light rail alignment be located on I-5, it should be on the side(s) that takes advantage of potential transit oriented development, increased employment and residential densities, as well as land in public ownership, such as the Shoreline Center and NE 185th Street.
- b) Work with the neighborhoods and communities surrounding the future light rail stations to determine the types of land uses desired near the stations. Modify the City's land use policies and development regulations, as needed, to create the underlying zoning that will result in development of the stations as desired and that will lessen the impacts to these neighborhoods.
- c) Determine the desired and needed traffic mitigation for the station areas based upon the planned future land use and anticipated future traffic demand in the area, including provisions for bicycle and pedestrian facilities at and connecting to the stations.
- d) Coordinate with Sound Transit during their planning process to ensure the City's future land use plans are considered and integrated into their station area designs.

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- e) Closely monitor and participate in Sound Transit's required mode study, alternatives analysis and environmental process and coordinate with cities to the north and south of Shoreline regarding Sound Transit planning and design.

C. Shoreline's Medium Range Transit Plan

1. **Recommended Policy:** *Work with Metro Transit to develop a plan to orient bus service to feed the light rail station at Northgate immediately upon the beginning of light rail service.*

Implementation Strategies

- a) Coordinate with Metro Transit to ensure fast, frequent and reliable bus service to Northgate from Shoreline upon the beginning of light rail service at Northgate.
- b) Increase the frequency of existing routes that travel through Shoreline to Northgate.
- c) Advocate for the creation of a new express bus route from Shoreline Community College to Northgate that travels on N 145th Street.

2. **Recommended Policy:** *Develop additional high capacity transit service in Shoreline.*

Implementation Strategies

- a) Work with Metro Transit to identify future BRT lines serving Shoreline, including Greenwood Avenue North, 15th Avenue NE, SR 523/145th Street and SR 522/Bothell Way NE, and work with Metro Transit and Sound Transit to incorporate these routes into their planning processes.
- b) Develop specific BRT route plans with transit providers and the communities they will serve, including Seattle.
- c) Participate in Sound Transit discussions regarding development of the next phase of improvements (ST3) including:
 - Advocate for a commuter rail station that serves Richmond Beach.
 - Identify locations and routes that would be appropriate for light rail expansion, including east-west and new north-south routes. This may include connections to proposed extensions into Ballard and Bothell Way NE (SR 522).
 - Develop a plan for improved high capacity transit on Aurora Avenue N, such as a continuous street car or bus rapid transit from downtown Seattle to Everett.

3. **Recommended Policy:** *Monitor transit service to ensure the City is well served and transit quality, passenger comfort and safety are being maintained at the desired level for Shoreline residents.*

Implementation Strategies

- a) Review transit reports regarding ridership, park and ride usage and safety on a regular basis.
- b) Examine existing routes that serve new development to determine if additional or enhanced service is merited.
- c) Ensure new employers subject to Commute Trip Reduction laws are complying with state law and coordinate with them to determine if additional transit service would assist with that goal.

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4. Recommended Policy: Continue to install transit supportive infrastructure.

Implementation Strategies

- a) Include projects in the City's Capital Improvement Plan that make it easier, safer and more convenient for residents to access transit.
- b) Ensure private developers continue to construct improvements that are transit supportive.
- c) Advocate for reconstruction of the SR 104/SR 99 interchange to include business access-transit (BAT) lanes, which will provide seamless BAT lanes across the King/Snohomish County line.

D. Shoreline's Long Range Transit Plan

1. Recommended Policy: Expand and enhance transit within Shoreline.

Implementation Strategies

- a) Ensure transit service in Shoreline continues to serve multiple corridors in Shoreline and destinations other than the light rail stations
- b) Evaluate transit service to ensure the City's desired headways are being met.
- c) Ensure areas of new high-density development, employment and destinations are being adequately served by transit.
- d) Coordinate with transit providers to provide service to areas of the City that are supportive of transit.

2. Recommended Policy: Work with Metro Transit and Community Transit to develop a bus service plan that connect residents to light rail stations, high capacity transit corridors, such as BRT on Aurora Avenue N and serves park and ride lots throughout the City.

Implementation Strategies

- a) Work with Metro Transit to direct feeder routes from all areas of the City to the Shoreline light rail stations throughout the entire day and on weekends, with additional frequency during the peak periods.
- b) Strengthen links between the N 192nd Street Park and Ride to the light rail line through increased bus frequency, new routes and/or direct service between the two facilities.

3. Recommended Policy: Implement traffic mitigation for light rail station areas.

Implementation Strategies

- a) Work with Metro Transit to redirect commuter routes that travel to downtown Seattle via I-5 to light rail. Reallocate those hours to feeder routes that will bring commuters from Park and Ride lots or other areas of Shoreline to light rail.
- b) Work with Sound Transit to implement traffic mitigation in the light rail station areas, as developed in the station area planning process.
- c) Improve bicycle and pedestrian facilities in the vicinity of the light rail stations to encourage and support nonmotorized transportation to the stations.
- d) Work with the City of Seattle, the Washington State Department of Transportation, Sound Transit and Metro Transit to improve N/NE 145th Street from Lake City Way NE to Greenwood Avenue N in order to provide better east-

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west bus connections to the Aurora BRT line, the light rail station at NE 145th Street and the future BRT line on Lake City Way NE.

4. **Recommended Policy:** *Monitor transit service, transportation patterns and land use around the light rail stations.*

Implementation Strategies

- a) Ensure feeder routes to the light rail stations are serving all neighborhoods in Shoreline and operating at frequencies that encourage light rail use.
- b) Monitor traffic traveling to and from the light rail stations to ensure surrounding neighborhoods are not experiencing cut-through traffic or other negative impacts. Implement appropriate solutions to minimize impacts and improve safety.

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Bicycle System Plan



Attachment B

Legend




Bicycle Plan Routes:

-  Designated Bike Lane
-  Separated Path
-  Sharrow Lane
-  Signed Bicycle Route
-  To Be Determined
-  Bicycle/Pedestrian Bridge

Other Cities' Bicycle Facilities/Plan

-  Existing Facilities
-  Planned Facilities

Other Map Features:

-  School
-  Park
-  School Property

1 = Exact location through Fircrest to be determined.

2 = Bicycle Lane, Uphill; Signed Route, Downhill

0 500 1,000 2,000 3,000 Feet

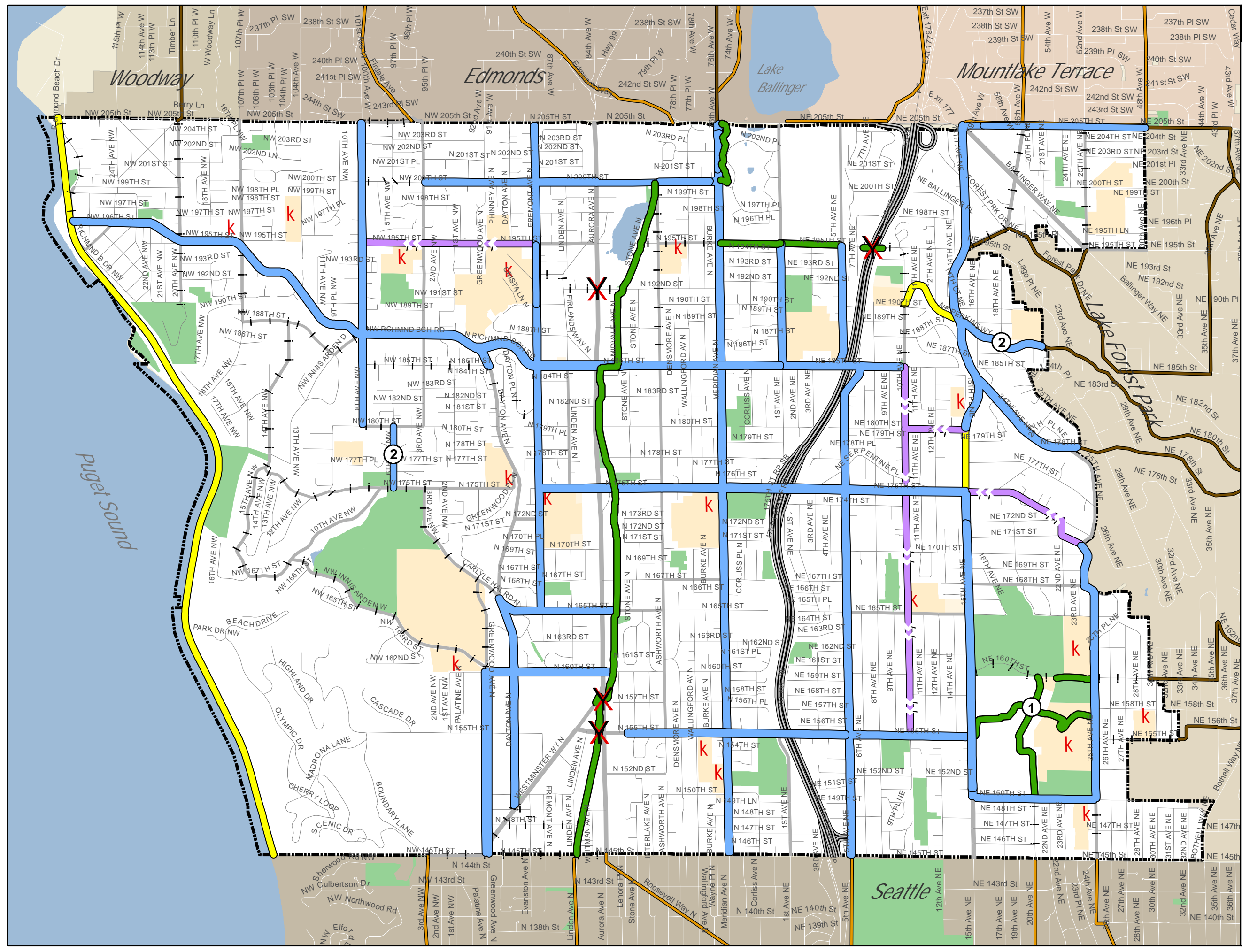
1 inch = 1,953 feet

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Proposed Pedestrian System Plan

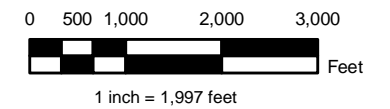
Attachment C

Legend

-  Proposed Pedestrian System
-  Trail (Interurban, Other Trails)
-  Bridge

Other Map Features:

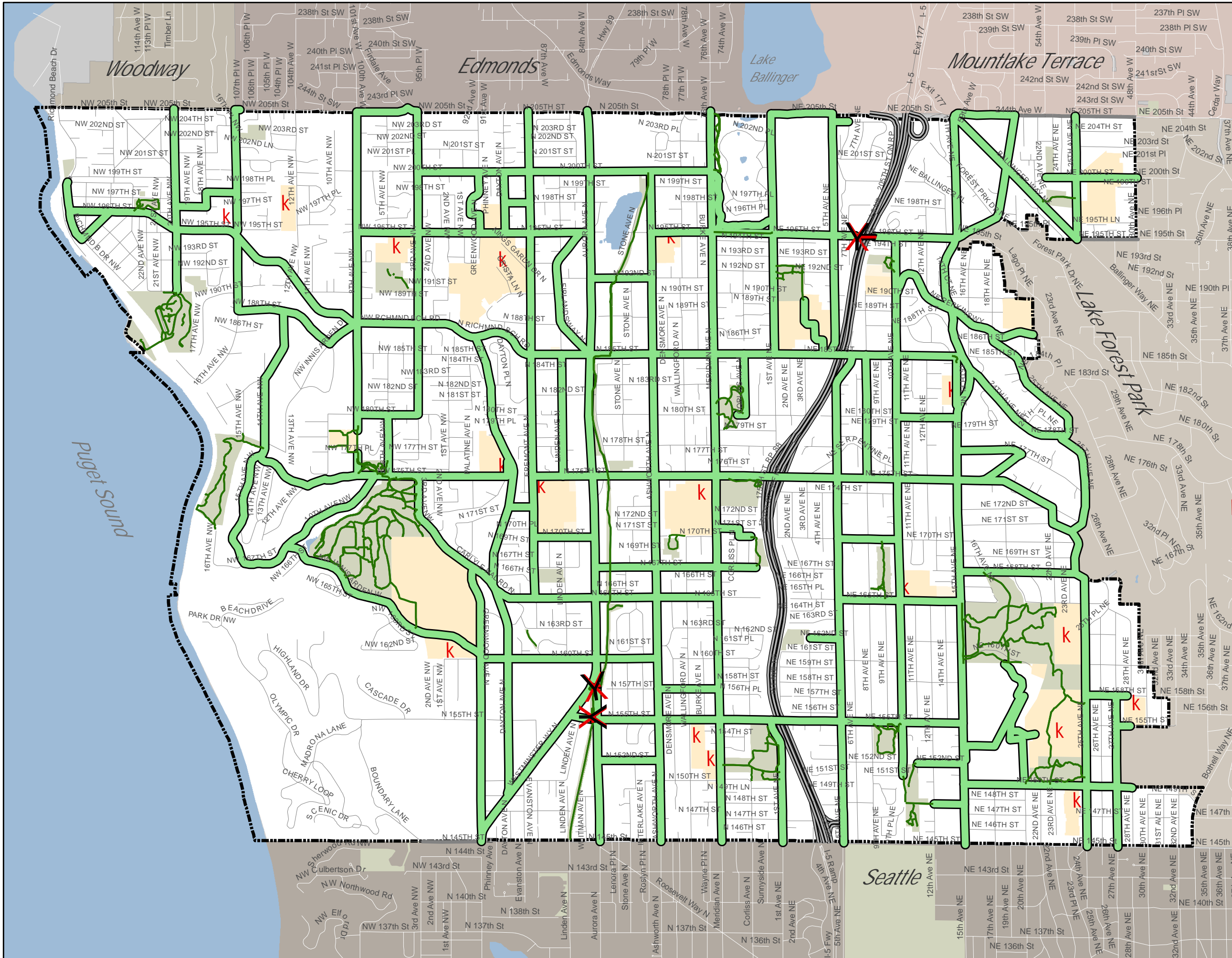
-  School
-  Park
-  School Property



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Geographic Information System

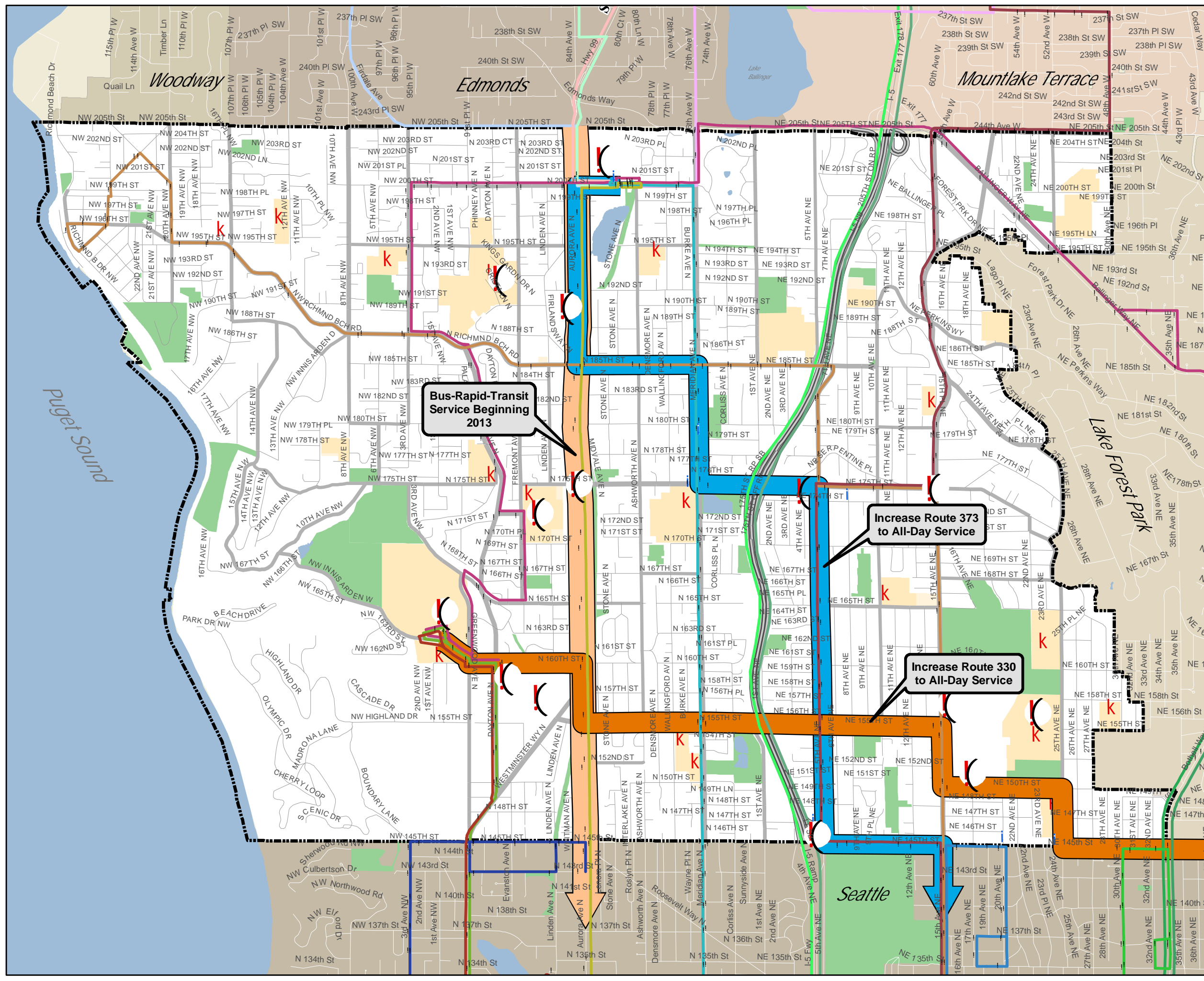
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Proposed Transit Enhancements: Short-Range Plan

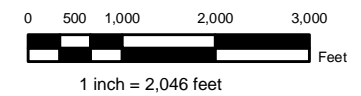
Attachment D

Legend

- Bus Stop
- Park and Ride (P&R)
- Metro Transit**
 - 5: Downtown Seattle-Shoreline
 - 28: Downtown Seattle-Shoreline
 - 65: North Seattle-University District
 - 73: Downtown-Cowen Park-Jackson Park
 - 331: Kenmore-Aurora Village-Shoreline Comm. College
 - 345: Northgate-Transit Center-Shoreline Comm. College
 - 346: Northgate Transit Center-Aurora Village
 - 347: Northgate Transit Center-Richmond Beach
 - 348: Northgate Transit Center-Richmond Beach
 - 358: Downtown Seattle-Aurora Village
 - 372: Woodinville-Kenmore-University District (Seattle)
- Community Transit**
 - Swift & 101: Aurora Village-Transit Center-Everett Station
 - 118: Aurora Village-Transit Center-Ash Way Park and Ride
 - 130: Aurora Village Transit Center-Lynnwood Transit Center
 - 131: Aurora Village-Transit Center-Edmonds Comm. College
- Sound Transit**
 - 510: Everett-Downtown Seattle
 - 511: Ash Way Park and Ride-Downtown Seattle
 - 522: Woodinville-Downtown Seattle
- Other Map Features**
 - Transit Attractions/Destinations
 - School
 - School Property
 - Park



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Proposed Transit Enhancements: Medium-Range Plan

Light Rail Service to Northgate

Attachment E

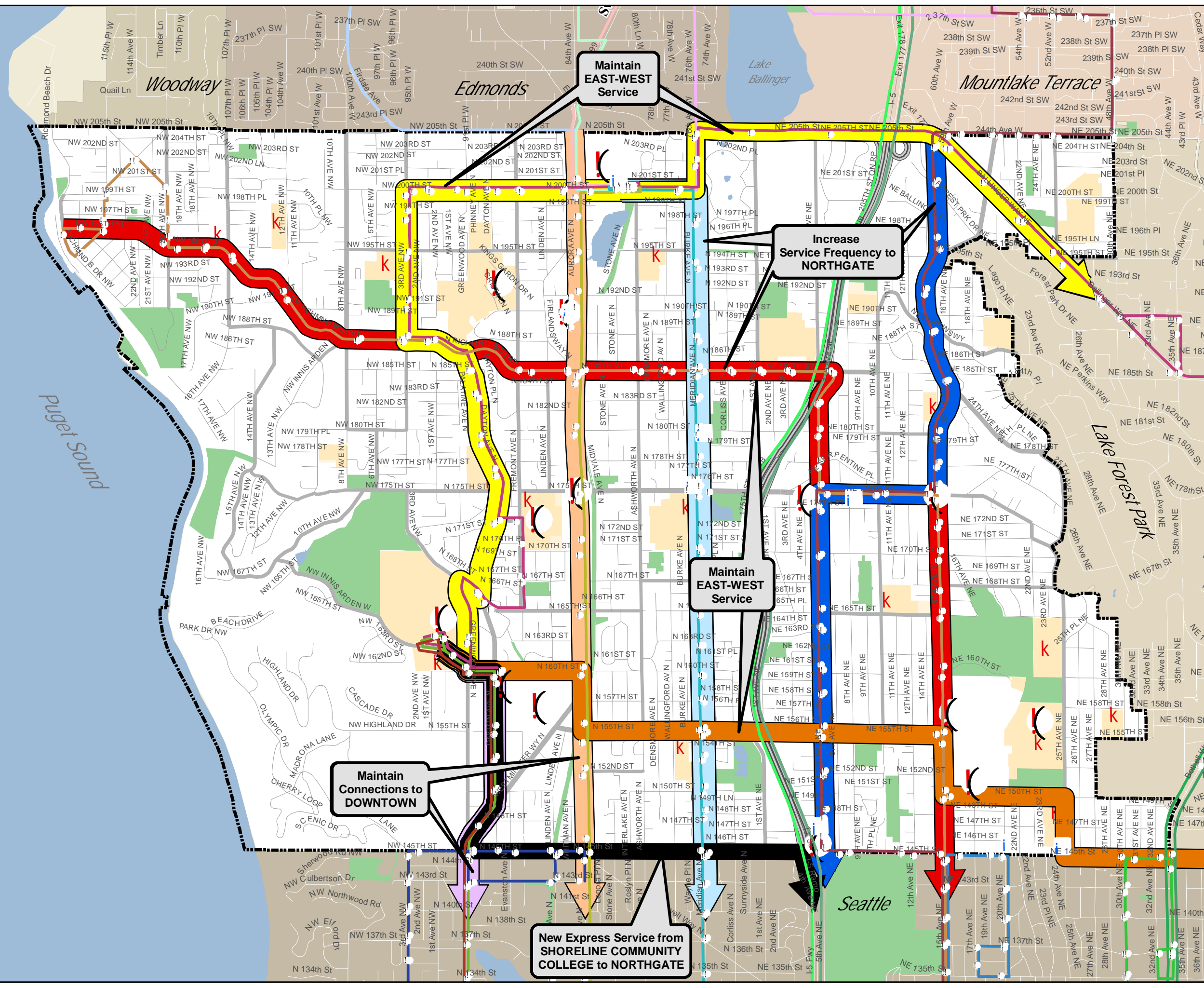

Legend

- ! Bus Stop
- i Park and Ride (P&R)
- Metro Transit**
 - 5: Downtown Seattle-Shoreline
 - 28: Downtown Seattle-Shoreline
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 - 347: Northgate Transit Center-Richmond Beach
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- Community Transit**
 - Swift & 101: Aurora Village-Transit Center-Everett Station
 - 118: Aurora Village-Transit Center-Ash Way Park and Ride
 - 130: Aurora Village Transit Center-Lynnwood Transit Center
 - 131: Aurora Village-Transit Center-Edmonds Comm. College
- Sound Transit**
 - 510: Everett-Downtown Seattle
 - 511: Ash Way Park and Ride-Downtown Seattle
 - 522: Woodinville-Downtown Seattle
- Other Map Features**
 - ⌋ Transit Attractions/Destinations
 - K School
 - 🌳 Park
 - 🏫 School Property

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0 500 1,000 2,000 3,000 Feet
1 inch = 2,046 feet



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Geographic Information System

DRAFT Conceptual Transit Enhancements: Long Range Plan Light Rail Service in Shoreline

Attachment F

Legend

Light Rail Station Scenario Options

- ▲ Light Rail Station (Scenario #1)
- ▲ Light Rail Station (Scenario #2)
- ➔ Transit Connection To Be Determined

Bus Locations

- ! Bus Stop
- | Park and Ride (P&R)

Metro Transit

- 5: Downtown Seattle-Shoreline
- 28: Downtown Seattle-Shoreline
- 65: North Seattle-University District
- 73: Downtown-Cowen Park-Jackson Park
- 331: Kenmore-Aurora Village-Shoreline Comm. College
- 345: Northgate-Transit Center-Shoreline Comm. College
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Community Transit

- Swift & 101: Aurora Village-Transit Center-Everett Station
- 118: Aurora Village-Transit Center-Ash Way Park and Ride
- 130: Aurora Village Transit Center-Lynnwood Transit Center
- 131: Aurora Village-Transit Center-Edmonds Comm. College

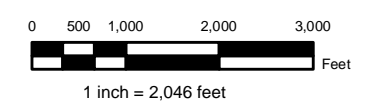
Sound Transit

- 510: Everett-Downtown Seattle
- 511: Ash Way Park and Ride-Downtown Seattle
- 522: Woodinville-Downtown Seattle

Other Map Features:

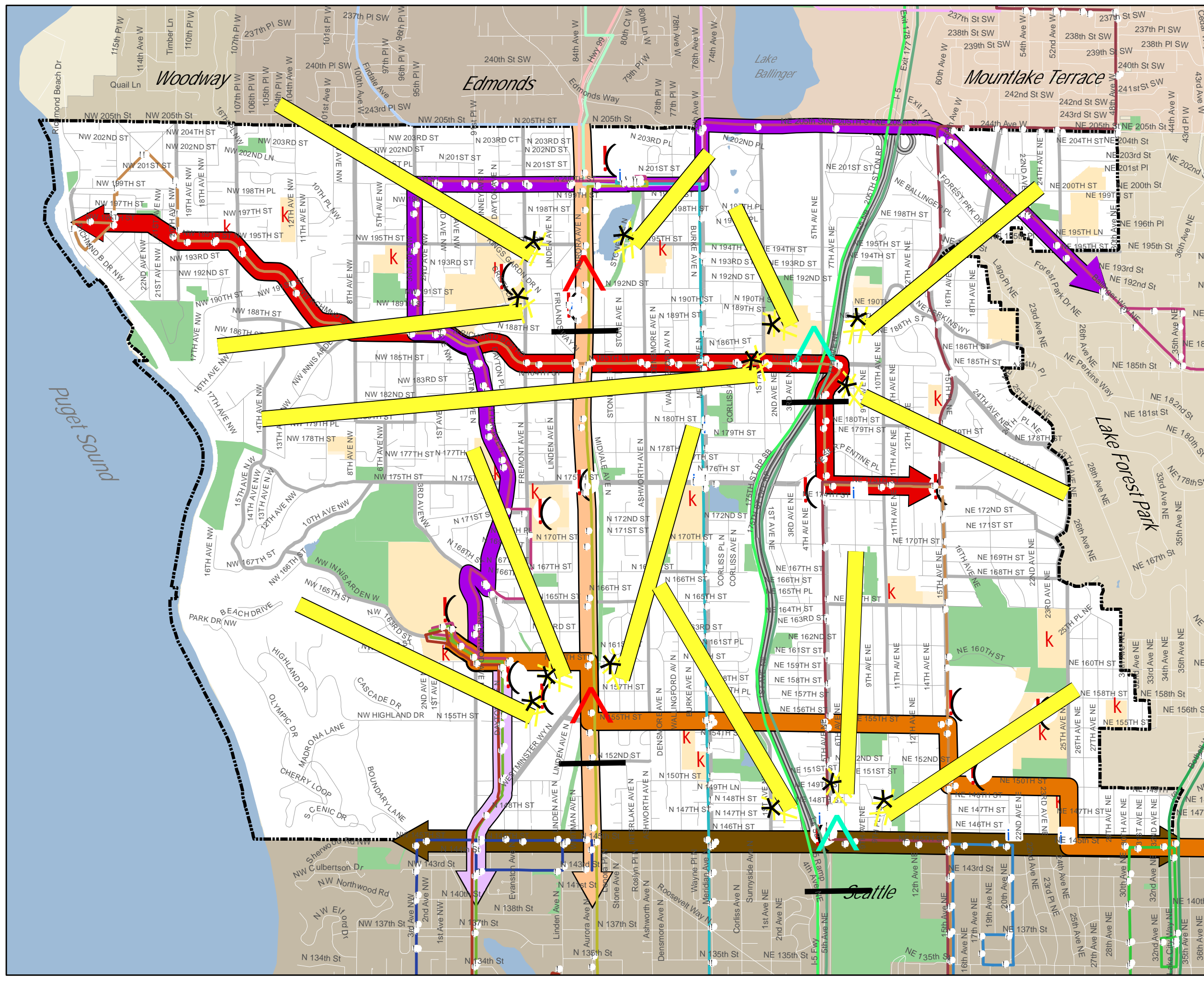
- ⌒ Transit Attractions/Destinations
- K School
- School Property
- Park and Trail

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Recommended Street Classifications

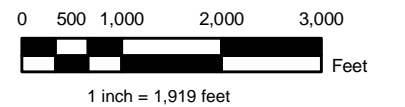
Attachment G

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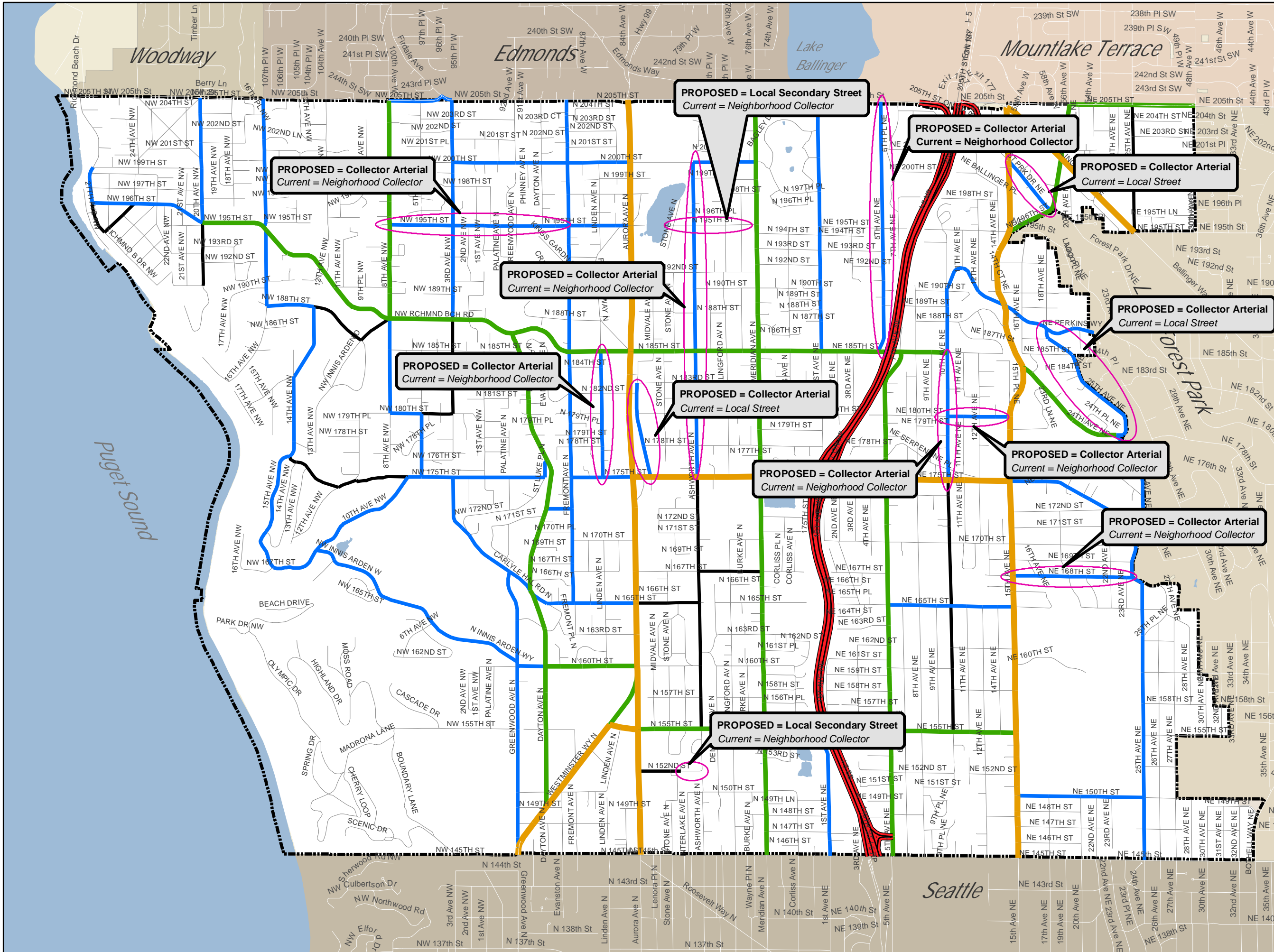
-  Interstate
- Arterial Streets:**
 -  Principal Arterial
 -  Minor Arterial
 -  Collector Arterial
- Non-Arterial Streets:**
 -  Local Primary Street (formerly "Neighborhood Collector")
 -  Local Secondary Street (formerly "Local Street")
 -  Recommend Change / Affected Street Segment
 -  City Limits

Note: This map includes the following recommended changes to street classification titles:

- Neighborhood Collectors to be renamed "Local Primary Streets"
- Local Streets to be renamed "Local Secondary Streets"



Map Date: April 2011



Attachment H: Typical Shoreline Street Characteristics

	Arterial Streets			Non Arterial (Local) Streets	
	Principal Arterial	Minor Arterial	Collector Arterial	Local Primary Street	Local Secondary Street
Function	<ul style="list-style-type: none"> - Connect cities and urban centers with minimum delay - Connect traffic to Interstate system - Accommodate long and through trips 	<ul style="list-style-type: none"> - Connect activity centers within the City - Connect traffic to Principal Arterials and Interstate - Accommodate some long trips 	<ul style="list-style-type: none"> - Provide access to community services and businesses - Connect traffic from Non Arterial Streets to Minor or Principal Arterials - Accommodate medium length trips 	<ul style="list-style-type: none"> - Connect traffic from local secondary streets to Arterials - Accommodate short trips to neighborhood destinations - Provide local accesses 	<ul style="list-style-type: none"> - Provide local accesses
Speed Limits	30 – 40 mph	30 – 35 mph	25 – 30 mph	25 mph	25 mph
Daily Volume (vehicles per day)	More than 15,000	7,000 – 20,000	2,000 – 8,000	less than 3,000	less than 3,000
Number of Lanes	Three or more lanes	Two or more lanes	Two or more lanes	One or Two lanes	One or Two lanes
Lane striping	Pavement markings used to delineate travel lanes.	Pavement markings used to delineate travel lanes.	Pavement markings used to delineate travel lanes.	No centerline striping	No centerline striping
Transit	Buses/transit stops allowed	Buses/transit stops allowed	Buses/transit stops allowed	Buses/transit stops not generally allowed except for short segments	Buses/transit stops not allowed
Bicycle Facilities	May contain bicycle lanes, shared lanes or signage	May contain bicycle lanes, shared lanes or signage	May contain bicycle lanes, shared lanes or signage	<ul style="list-style-type: none"> - Shared lanes can be provided - Signs may be included 	Bike facilities not specifically provided; may include signed bike routes
Pedestrian Facilities	<ul style="list-style-type: none"> - Sidewalks on both sides - Amenity zones 	<ul style="list-style-type: none"> - Sidewalks on both sides - Amenity zones 	<ul style="list-style-type: none"> - Sidewalks on both sides - Amenity zones 	Safe pedestrian access through the use of sidewalks, trails, or other means.	Safe pedestrian access through the use of sidewalks, trails, or other means.

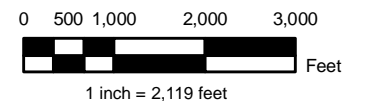
Completed Transportation Projects: 1999-2011

Attachment I

- 1 Aurora Ave N: N 145th St - N 165th St
- 2 Aurora Ave N: N 165th St - N 185th St (under construction)
- 3 Aurora Ave N: N 185th St - N 192nd St (under construction)
- 4 Aurora Ave N: N 192nd St - N 205th St (design/ROW acquisition)
- 5 Intersection Improvement: N 185th St & Aurora Ave N
- 6 North City Business District: 15th Ave NE Improvements
- 7 Richmond Beach Overcrossing
- 8 Retaining Wall: Dayton Ave N / N 175th St
- 9 Sidewalk: N 172th St
- 10 Sidewalk: N 175th St (Wallingford Ave N to Meridian Ave N)
- 11 Sidewalk: N 175th St (Meridian Ave N to I-5)
- 12 Sidewalk: Meridian Ave N (N 172nd St to N 175th St)
- 13 Sidewalk: NE 175 St (10th Ave NE to 15th Ave NE)
- 14 Sidewalk: 1st Ave NE
- 15 Sidewalk: 3rd Ave NW Drainage Improvement/Sidewalk
- 16 Sidewalk: Priority Routes - 3rd Ave NW
- 17 Sidewalk: Priority Routes - 8th Ave NW
- 18 Sidewalk: Priority Routes - 10th Ave NE
- 19 Sidewalk: Priority Routes - 25th Ave NE
- 20 Sidewalk: Priority Routes - Ashworth Ave N (N 185th St to N 192nd St)
- 21 Sidewalk: Priority Routes - Dayton Ave N
- 22 Sidewalk: Priority Routes - Fremont Ave N
- 23 Sidewalk: Priority Routes - N 192 St (Trail to Ashworth Ave N)
- 24 Sidewalk: Briarcrest Elem. Safe Routes to School (2012)
- 25 Trail Corridor: Interurban Trail
- 26 Trail Corridor: Interurban Trail - North Central
- 27 Trail Corridor: Interurban Trail Pedestrian Crossing
- 28 Trail Corridor: Interurban Trail Safety & Enhancements
- 29 Trail Corridor: Volunteer Public Works Project
- 30 Trail Corridor: South Woods
- 31 Trail Corridor: N 195th St (Meridian Ave N to 1st Ave NE)
- 32 Trail Corridor: NE 160th St / Hamlin Park Connection (2011)
- 33 Re-channelization: 15th Ave NE
- 34 Re-channelization: N 185th St
- 35 Traffic Signal Installation: Aurora / N 180th St (Ped Improvement)
- 36 Traffic Signal Installation: 15th Ave NE / NE 150th St
- 37 Traffic Signal Installation: 15th Ave NE / NE 165th St
- 38 Traffic Signal Installation: 15th Ave NE / NE 170th St
- 39 Traffic Signal Installation: 15th Ave NE / NE 172nd St
- 40 Green Street: 17th Ave NE
- 41 Bicycle Lane: NE 205th St
- Frontage Improvements: Kruckeberg Garden (2012)
- Speed Humps
- Traffic Circles
- Chicanes

Note: This map does not include project locations for the City's Annual Street Overlay Program, curb ramp replacement and installation, or various sidewalk panel repair projects and other improvements.

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