



SHORELINE CITY COUNCIL STUDY SESSION

Monday, November 7, 2011
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of Veteran's Appreciation Day	<u>1</u>	
3. CITY MANAGER'S REPORT AND FUTURE AGENDAS		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<p><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></p>		
6. APPROVAL OF THE AGENDA		
7. STUDY ITEMS		
(a) Discussion of the Legislative Rezone Implementing the Southeast Neighborhood Subarea	<u>3</u>	7:20
(b) Discussion of Tree City USA	<u>13</u>	8:05
(c) Continued Discussion of Proposed 2012 Budget	<u>25</u>	8:25
8. 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: Proclamation of "Veterans Appreciation Day"
DEPARTMENT: City Manager's Office/CCK
PRESENTED BY: Scott Passey, City Clerk

PROBLEM/ISSUE STATEMENT:

Friday, November 11, 2011 marks the 57th anniversary of Veterans Day in the United States. This proclamation recognizes the dedication and sacrifice that the veterans of our community, state, and country have made for the cause of freedom and peace.

Shoreline Veterans Association Chair Dwight Stevens and members Frank Moll, Ray Coffey, Tom Drapac, Bob Grasmick, Les Neu and Gerry Shogren will be present to accept the proclamation this evening.

RECOMMENDATION

No action is required.

Approved By: City Manager *JP* City Attorney _____



PROCLAMATION

WHEREAS, in 1938, Armistice Day was proclaimed as a national holiday to recognize the end of World War I; then in 1954, this holiday was renamed Veterans Day to provide an occasion to honor all our veterans; and

WHEREAS, the quality of life we enjoy today was purchased at great cost by the unselfish devotion of these veterans, as many of our soldiers lost their lives during wars to defend our freedom, and some are still missing in action; and

WHEREAS, the City of Shoreline recognizes the contributions of the men and women in the military who have served our country, and who continue to serve their communities through veterans organizations, and urges all citizens to honor the sacrifices of the loyal and courageous veterans who have given so much for the cause of peace; and

WHEREAS, in 2010 two Shoreline veterans had a vision to create and establish a yearly event in Shoreline on November 11; and

WHEREAS, a committee including Chairman Dwight Stevens, members of the Shoreline Veterans Association, the American Legion, Shoreline Community College and the City have planned the second annual program to honor local veterans;

NOW, THEREFORE, I, Mayor McGlashan, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim November 11, 2011 as

VETERANS APPRECIATION DAY

Keith A. McGlashan, Mayor

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Proposal for Legislative Rezone to Implement Southeast Neighborhoods Subarea Plan		
DEPARTMENT:	Planning and Community Development		
PRESENTED BY:	Joseph W. Tovar, FAICP, Director of Planning and Community Development Miranda Redinger, Associate Planner, Project Manager		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

Councilmember Roberts and Eggen have proposed a change to the zoning recommendation forwarded from the Planning Commission for the southeast corner of the SE Neighborhoods Subarea from Community Business (CB) to Mixed Use Zone (MUZ). The affected parcels comprise the nearly seven acre area bounded by 145th St. to the south, Bothell Way to the east, 149th St. to the north, and 32nd Ave. to the west. This is reflected in Attachment A, revised zoning map. The maximum density allowed under CB zoning is 48 units per acre; the maximum density allowed under MUZ can reach up to 150 units per acre, if certain conditions are met.

Staff analyzed traffic and other environmental impacts through the SEPA review process assuming a development scenario possible under CB zoning. In order to determine if the impacts of development possible under MUZ would be non-significant or significant (for example, whether they could cause traffic problems that would preclude that level of development) staff must undertake further analysis. Such analysis will need to be performed by a transportation consultant, and staff will complete another environmental review based on these findings. The SEPA Responsible Official needs this information before another threshold determination can be rendered.

The required additional analysis will have budget and timeline implications for implementation of the Subarea Plan. This staff report will delineate a potential decision-making process and other considerations.

RESOURCE/FINANCIAL IMPACT:

The additional traffic analysis is estimated to cost between \$4,000 and \$7,000 depending on scope and data available. The issuance of another SEPA threshold determination would require an allocation of staff resources and advertising costs, but would not require additional budget authorization.

RECOMMENDATION

Council should determine if staff should proceed with traffic and environmental analyses to determine the appropriateness of MUZ designation for implementation of SE Neighborhoods Subarea Plan or if staff should schedule the adoption of the Planning Commission recommended rezone implementing the SE Neighborhood Subarea Plan.

Approved By: City Manager JM City Attorney ____

INTRODUCTION

Councilmember Roberts and Eggen have proposed a change to the zoning recommendation forwarded from the Planning Commission for the southeast corner of the SE Neighborhoods Subarea from Community Business (CB) to Mixed Use Zone (MUZ). The affected parcels comprise the nearly seven acre area bounded by 145th St. to the south, Bothell Way to the east, 149th St. to the north, and 32nd Ave. to the west.

DISCUSSION

Development Code Standards

To understand how the Southeast Neighborhoods could be impacted by a change in proposed zoning from Community Business (CB) to Mixed Use Zone (MUZ), it is important to first understand the development standards that would apply under each designation. Below is a chart that summarizes significant features of each designation. Since MUZ is a tiered zone, certain criteria must be met in order to achieve full development potential. The chart depicts different levels of possible height and density for MUZ, but does not explain what conditions would need to be met in order to attain these levels. The full standards are included as Attachment B.

	CB	MUZ
Dwelling Units per Acre	48	48/70/110/150
Height	60	35/45/55/65
Front Yard Setback	10 ft.	10 ft.
Rear Yard Setback	15 ft.	15 ft.
Side Yard Setback	10 ft.	15 ft.
Maximum Hardscape Area	85%	95%

Criteria for rezone

When Council is considering whether an MUZ designation is appropriate for the southeast corner of the subarea, they are obligated to evaluate the proposal using the following criteria from SMC 20.30.320.

The city may approve or approve with modifications an application for a rezone of property if:

- 1. The rezone is consistent with the Comprehensive Plan; and*
- 2. The rezone will not adversely affect the public health, safety or general welfare; and*
- 3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and*
- 4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and*
- 5. The rezone has merit and value for the community.*

Potential Process for Decision Making

Should Council direct staff to proceed with traffic and environmental analyses of an MUZ designation in the southeast corner of the subarea, the first step would be to contract with a transportation consultant to perform a traffic study. A potential scope of

work, including budget and timeline, is included as Attachment C. Assuming this contract could be executed by November 10th, it is estimated that staff would have the results to analyze by mid-December. Once this data is available the SEPA Responsible Official will perform another environmental analysis and decide if the original Determination of Non-Significance (DNS) would still be appropriate or whether a more detailed Environmental Impact Statement would need to be prepared. Release of a DNS would trigger noticing requirements and a public comment period. Typically, a public hearing on the zoning proposal would not be held until this comment period is closed.

An additional factor to consider in the timing of adoption of a legislative rezone is that the Department of Commerce requires 60 days notice of the decision under consideration before Council makes a final determination. It is possible to notify them of the proposal and start the clock before staff has all information needed for decision-making. Alternatively, if the DNS stands, staff would send the Department of Commerce an addendum, which requires a 14 day review time period rather than the full 60 days. Commerce had no comments to offer regarding the zoning proposal forwarded by the Planning Commission.

Given these factors and the required procedural requirements, it is unlikely that a legislative rezone could be adopted before January or February of 2012.

Influence of zoning on tax assessment and property values

Staff has contacted the King County Assessor's Office to get additional clarification regarding the impact of the rezone on the property values of the properties directly affected and those in the surrounding area. As of the writing of this staff report we have not been able to get a response, but staff hopes to receive an answer prior to the Council meeting discussion scheduled for this evening.

Alternative

The Council could determine that given the additional cost and extended timeline that they want to enact the Planning Commission recommendation for the legislative rezone implementing the SE Neighborhood Subarea Plan. The Council may also wish to augment the Planning Commission's recommendation by directing staff to return with a work plan scope to improve design, neighborhood transition and public amenity standards for all commercial zones (NB, O, NCBD, CB, MUZ and I) based on the recently adopted Town Center Subarea Plan and Development Code. This may address some of the issues that were discussed through the SE Neighborhoods Subarea Plan discussion.

STAKEHOLDER OUTREACH

Staff has sent an email to the SE Neighborhoods Subarea distribution list explaining the potential revision of the zoning proposal and inviting public comment.

RECOMMENDATION

Council should determine if staff should proceed with traffic and environmental analyses to determine the appropriateness of MUZ designation for implementation of SE

Neighborhoods Subarea Plan or if staff should schedule the adoption of the Planning Commission recommended rezone implementing the SE Neighborhood Subarea Plan.

ATTACHMENTS

Attachment A - Revised zoning map showing MUZ proposal

Attachment B - Development Standards for MUZ

Attachment C - Potential scope for traffic analysis

20.50.021 Development in the mixed-use zone (MUZ).

Development in the MUZ zone shall meet the following requirements:

- A. All developments in the MUZ zone are subject to administrative design review as approved by the Director. The Director is authorized to adopt and amend design guidelines by administrative order.
- B. All developments in the MUZ zone are subject to providing public gathering spaces. Public gathering spaces shall be provided at a rate of 1,000 square feet per one acre of site. Eighty percent of the public space shall be contiguous, with a maximum contiguous requirement of 1,600 square feet.
- C. A maximum 35-foot building height and 48 dwellings per acre for residential-only buildings and 45-foot building height for buildings designed to accommodate commercial uses, maximum density of 70 dwellings per acre, and a FAR (floor area ratio) of 2.0, except:

1. A maximum building height of 55 feet, maximum FAR of 3.2, and maximum density of 110 dwellings per acre is permissible if the development meets the following conditions:

- a. The development includes infrastructure for electric vehicle recharging. The Director is authorized to adopt guidelines for this requirement; and
- b. The building is designed to accommodate ground floor commercial uses; and
- c. "4-star" construction standards under King County Built Green Standards as amended, or equivalent standard approved by the Director; and
- d. Eight hundred square feet of common recreational space for residents of the development is provided for developments of five to 20 units; 40 square feet of recreational space per unit is provided for developments over 20 units.

2. A maximum height of 65 feet, maximum housing density of 150 dwellings per acre and maximum FAR of 3.6 is permissible if all the conditions under subsection (C)(1) of this section are met and the following conditions are met:

- a. Fifteen percent of the units are affordable to households in the 75 percent King County median income category for a minimum of 30 years. The average number of bedrooms for affordable units shall be similar to the number of bedrooms for market rate units. The affordable housing units shall be distributed throughout the building or development; and
- b. "5-star" construction standards under King County Built Green Standards as amended, or equivalent standard approved by the Director; and
- c. After the pre-application meeting and prior to submitting an application for construction, the developer must hold a neighborhood meeting with City staff in attendance to identify impacts caused by the new development and propose appropriate mitigation measures.

Meetings will be advertised by mailing to property owners and occupants within 500 feet of the property.

D. The maximum building height for developments within 100 feet of the property line from R-4, R-6, R-8, and R-12 is limited to 45 feet and the maximum building height for developments between 100 and 200 feet from the property line of R-4, R-6, R-8, and R-12 is 55 feet.

E. Structures allowed above the maximum height of the district under Exception 20.50.230(6) may not exceed the maximum building height by more than 10 feet, or four feet for parapet walls.

F. All conditions under Exception 2(b), (c), and (d) of Table 20.50.020(2) must be met for development in the MUZ zone abutting or across street right-of-way from R-4, R-6, R-8, and R-12 zones. (Ord. 560 § 1 (Exh. A), 2009).

Potential scope for Traffic Analysis

1. Update and rerun the City's 2030 travel demand model to reflect the increased density of households and jobs for the zone representing the area bounded by NE 145th St, Bothell Way, NE 149th St, and 30th Ave NE.
2. Utilize existing turning movement counts and model outputs to develop post processed traffic forecasts for the signalized intersections of:
 - o NE 145th St/30th Ave NE
 - o NE 145th St/Bothell Way
 - o NE 149th St/Bothell Way
3. Utilize existing turning movement counts at the unsignalized intersections of NE 145th/31st Ave NE, NE 145th/32nd Ave NE and NE 147th St/Bothell Way to adjust the traffic forecasts to take into account the effects of minor streets not represented within the travel demand model on trip distribution to/from the site.
4. Evaluate future LOS and queuing issues using Synchro software at a maximum of 3 signalized intersections.
5. Summarize the results of the intersection analysis in a technical memorandum for the City of Shoreline staff.

It is assumed that the City would provide the number of households and jobs that should be assumed in 2030 for the full build out of the zone with the proposed mixed use zoning. It is also assumed that the City would provide current intersection turning movement counts for the intersections noted above.

The estimated cost of this analysis is \$4,500 and could be completed within 3 to 4 weeks.

As an optional task, (consultant firm) could also update and rerun the City's 2030 travel demand model for an alternate land use, assuming a moderate build-out of the mixed use zoning area, and complete a comparative analysis to the maximum build out of mixed use land use described above. This task would include an intersection LOS/queuing comparison against the maximum build-out of the site. The estimated cost of this additional analysis is \$2,500.

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Council Meeting Date: November 7, 2011

Agenda Item: 7(b)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Tree City USA Discussion
DEPARTMENT:	City Manager's Office Parks, Recreation and Cultural Services
PRESENTED BY:	John Norris, CMO Management Analyst Dick Deal, Parks, Recreation and Cultural Services Director
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

In the City Council's 2011-2012 goal work plan, Council Goal No. 1 is to implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses. An objective of this goal is to become a designated Tree City USA. This report provides an overview of the process of how a City becomes a Tree City USA, makes a recommendation about how to structure the required Tree Board, and also provides a draft tree management ordinance for city-owned trees for Council review.

RESOURCE/FINANCIAL IMPACT:

There is no direct fiscal impact to becoming a Tree City USA. Although there is a requirement that a Tree City USA jurisdiction have a community forestry program with an annual budget of at least \$2.00 per capita (roughly \$106,000 annually for Shoreline), this level of funding is already provided in regular tree maintenance in City parks and rights-of-way. If however the City were to engage in Arbor Day tree planting efforts or other tree-related projects or activities, these initiatives might have a cost associated with them, over and above the City's current budget.

RECOMMENDATION:


No action is required at this time. This report presents a draft tree management ordinance to the Council for review that proposes to designate the Parks, Recreation and Cultural Services Director as the legally responsible tree manager for the City of Shoreline and proposes to have the Parks, Recreation and Cultural Services Board also serve as an advisory Tree Board. This is for city-owned trees and not for trees on private property. Council is scheduled to adopt the tree management ordinance that is required for a Tree City USA designation on November 28.

Approved by:

City Manager



City Attorney



BACKGROUND:

In the City Council's 2011-2012 goal work plan, Council Goal No. 1 is to implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses. An objective of this goal is to become a Tree City USA. This report provides an overview of the process of how a designated City becomes a Tree City USA, makes a recommendation about how to structure the required Tree Board, and also provides a draft tree management ordinance for city-owned trees for Council review.

The Tree City USA program, sponsored by the Arbor Day Foundation in cooperation with the United States Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs in thousands of towns and cities across America. In Washington State, there are currently 80 cities that are recognized Tree Cities.

Although the Council has already identified becoming a Tree City USA as a goal for Shoreline, it should be noted that the Arbor Day Foundation has identified many benefits of Tree City USA recognition. Some of these benefits include:

- better care of community forests,
- increased public awareness of the many social, economical and environmental benefits urban forestry practices,
- educational opportunities to improve current urban forestry practices,
- provision of a blueprint for planting and maintaining a community's trees,
- publicity opportunities through presentation of the Tree City USA award and the celebration of Arbor Day, and
- regional and national branding, through community signage, that shows that the community cares about its environment and supports tree preservation and planting.

As well, the established Tree Board that is required to become a Tree City USA will serve as a sounding board for and provide oversight of the City's annual tree care and management activities.

It should also be noted that the tree management component of the Tree City USA program is specific to public trees, most notably "street trees" in city rights-of-way and trees on city-owned property, such as park trees. The tree management component of Tree City USA does not relate to trees on private property. Although all trees in Shoreline are highly valued and the City of Shoreline does have a goal of maintaining and enhancing the City's tree canopy, which includes trees on private property, Tree City USA and the required Tree Department or Tree Board will not have jurisdiction over Shoreline Development Code issues as they relate to these private trees.

DISCUSSION:

To qualify as a Tree City USA, cities must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were

established to ensure that every qualifying community would have a viable tree management plan and program. The standards as are follows:

A. Tree Department/Tree Board

Someone must be legally responsible for the care and management of the community's trees. This may be the City Manager or her designee, a professional forester on City staff, an inter-departmental group of staff that deals with tree issues in their course of work, or a volunteer Tree Board. A Tree Board is usually a group of volunteer residents with designated responsibilities within the City's tree management ordinance. Tree City USA is very flexible and unrestrictive when it comes to how this requirement is implemented and managed.

In speaking with Sarah Foster, Urban and Community Forestry Coordinator at the Washington State Department of Natural Resources (DNR) who is responsible for working with cities interested in the Tree City USA program, she stated that most larger cities in Washington State (cities with a population of greater than 10,000 residents) identify a City staff member or inter-departmental group of staff as the party responsible for tree care and management in the City. This is sometimes coupled with a volunteer Tree Board, which would make recommendations to the responsible party on tree management issues. The City of Everett, for instance, uses this model by designating their Parks and Recreation Director as the person responsible for all trees on City streets, rights-of-way and city-owned public property (parks and other city property), but also has a Tree Committee that is an advisory group to their Parks Board that makes recommendations to the Parks Board and Parks Director on tree care issues.

The other Tree Cities in Washington State have various ways this requirement is managed, from having an individual staff member as the responsible tree manager, to having an inter-departmental team of staff, to having a Tree Board that also serves as a standing advisory board (Parks Board/Planning Commission), to having a "stand alone" Tree Board, made up of citizens who are appointed by the Council or are representative of other boards and commissions or neighborhood groups. All of these configurations are allowable under the Tree City USA guidelines, and it recommended that cities adopt a configuration that works best for their community and is able to be managed and staffed within existing resources.

For Shoreline, staff recommends that the legally responsible tree manager be the Director of Parks, Recreation and Cultural Services. This would entail being responsible for all public trees on City-owned property and in City rights-of-way. Although right-of-way management, including tree management within the right-of-way, would still be performed by the City's Public Works Department, Public Works staff would work with the Parks Director when planning for tree planting, pruning, and other management in the right-of-way. Consistent with this approach, approval of right-of-way site permits for the planting, pruning or removal of street trees has been removed from Chapter 12.15 *Use of Right of Way* administered by Public Works to the new proposed Chapter 12.30 *Public Tree Management* administered by Parks, Recreation and

Cultural Services. Criteria for the permit is a codification of Right of Way Site Permits Policy No. 12.111025. See proposed Ordinance No.617, Attachment A.

In addition to this designation, staff also recommends that the Shoreline Parks, Recreation and Cultural Services Board serve as an advisory Tree Board that will make recommendations to the Parks Director regarding tree care and management issues. This includes providing input and recommendations on the annual community forestry work plan that is a component of the Tree City USA program.

At this time, given the completion of the 2006 Parks Bond projects and the Parks, Recreation and Open Space Plan, the Parks Board has the capacity to take on this additional role. Although this role would be an ongoing function of the Parks Board and not an ad hoc responsibility, it is likely that Tree Board issues would not be discussed at every Parks Board meeting. As well, given the staffing levels typically required to staff an advisory committee, co-locating this responsibility with an existing advisory board provides a cost-effective way to manage this additional workload.

B. Tree Ordinance

A tree ordinance is required to designate the party responsible for the care and management of the community's trees, whether it is an individual staff member, group of staff, Tree Board, etc. The ordinance must also give this person or body the responsibility for writing and implementing an annual community forestry work plan. The annual work plan identifies when tree management activities such as pruning, planting, removal, and leaf clean-up, among others, will take place throughout the year, given the City's budget and staffing for these activities. Proposed Ordinance No. 617 satisfies this requirement.

Staff proposes that one of the initial work items of the newly designated tree manager and Tree Board is to review best practices and prepare internal policies that provide clear guidance for planting, maintaining and removing trees from streets, parks and other public places.

C. Community Forestry Program with an Annual Budget of at Least \$2 Per Capita

The third requirement to become a Tree City is to provide evidence that the jurisdiction has established a community forestry program that is supported by an annual budget of at least \$2.00 per capita. For Shoreline, this would be an annual expenditure of roughly \$106,000. Evidence of the community forestry program is provided through a work plan of the tree care and maintenance work that was carried out over the past year. Given that the City already spends more than this amount in regular tree maintenance in City parks and rights-of-way, staff will be able to demonstrate compliance with this requirement.

Specifically, the City has spent roughly \$135,000 thus far in 2011 on tree maintenance. This figure includes the cost of park maintenance staff time, contracted tree maintenance services, and the cost of materials. However, it should also be noted that in addition to annual tree maintenance expenditures, the City installed many trees and

shrubs as part of capital projects in 2011. As part of the Aurora Project for example, the City planted over 200 trees and thousands of shrubs and groundcover along the corridor. The capital costs for purchase and installation of these new trees have not been included in the annual tree maintenance expenditure.

D. Arbor Day Observance and Proclamation

The final requirement is an annual Council proclamation prior to Arbor Day, which in Washington State is held on the second Wednesday in April (the upcoming Arbor Day is April 11, 2012.) However, the City could choose its own designated Arbor Day, as there is no requirement to have a local Arbor Day coincide with the State's. As well, many cities observe Arbor Day in their communities with a tree planting event or other tree events, such as an award ceremony that honors leading tree planters or "champion trees." Arbor Day is also a great opportunity for publicity around tree planting and education of residents regarding proper tree care. It is also possible to align Arbor Day activities with the City's already well established Earth Day events. This information and events could be shared through articles in *Currents* or through other Shoreline communication channels.

NEXT STEPS:

To become a Tree City USA, the City must first adopt an ordinance that designates a legally responsible tree manager. Proposed Ordinance No. 617 (Attachment A) provides this designation. Staff will be bringing back proposed Ordinance No. 617 for adoption on November 28.

Subsequent to this, the Council will need to observe and proclaim Arbor Day in Shoreline. Although the State's Arbor Day is in April, staff recommends that the Council conduct the initial Arbor Day proclamation in December 2011. This will allow staff to submit the Tree City USA application this calendar year (by December 31, 2011), which will also allow for the City's initial Tree City USA designation to be in 2012. If the City waits until 2012 to conduct the Arbor Day proclamation and to submit the application, the Tree City designation would have to wait until 2013.

Once the tree management ordinance is adopted and Arbor Day is proclaimed, staff will submit the Tree City USA application to the Washington State Urban and Community Forestry Office. This office would then certify Shoreline as a Tree City USA, and provide the City promotional materials to use, such as signage for our community and parks and other marketing material. After the designation, the Tree Board (Parks Board) and legally responsible tree manager (Parks Director) can then begin to explore a more comprehensive tree management ordinance and work on the community forestry work plan for the coming year. These work items will need to be managed within existing staff resources however, so it will take some time to get these additional planning and management tools in place.

STAKEHOLDER OUTREACH:

In bringing this recommendation to the Council to have the Parks Director serve as the legally responsible tree manager and have the Parks, Recreation and Cultural Services

Board serve as the advisory Tree Board, staff discussed this with the Parks Board at their September 22 and October 27 meetings. Generally, Parks Board members provided positive feedback regarding this additional role and were excited about working on tree management issues going forward. On October 27 the Parks Board voted unanimously to support the staff recommendation as is proposed in this staff report.

COUNCIL GOAL ADDRESSED:

This staff report addresses Council Goal No. 1: Implement the adopted Community Vision by updating the Comprehensive Plan and key development regulations in partnership with residents, neighborhoods, and businesses.

RESOURCE/FINANCIAL IMPACT:

There is no direct fiscal impact to becoming a Tree City USA. Although there is a requirement that a Tree City USA jurisdiction have a community forestry program with an annual budget of at least \$2.00 per capita (roughly \$106,000 annually for Shoreline), this level of funding is already provided in regular tree maintenance in City parks and rights-of-way. If however the City were to engage in Arbor Day tree planting efforts or other tree-related projects or activities, these initiatives might have a cost associated with them.

RECOMMENDATION:

No action is required at this time. This report presents a draft tree management ordinance to the Council for review that proposes to designate the Parks, Recreation and Cultural Services Director as the legally responsible tree manager for the City of Shoreline and proposes to have the Parks, Recreation and Cultural Services Board also serve as an advisory Tree Board. It is recommended that Council adopt the tree management ordinance when it is brought back to Council on November 28.

ATTACHMENTS:

- A: Ordinance No. 617, draft Tree Management Ordinance
- B: Tree City USA Application

ORDINANCE NO. 617

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
DESIGNATING A RESPONSIBLE INDIVIDUAL FOR THE
MANAGEMENT OF CITY-OWNED PUBLIC TREES IN THE CITY OF
SHORELINE AND ESTABLISHING A TREE BOARD**

WHEREAS, the Tree City USA program is sponsored by the Arbor Day Foundation in cooperation with the United States Forest Service and the National Association of State Foresters; and

WHEREAS, benefits of joining the Tree City USA program, as outlined by the Arbor Day Foundation, include increased public awareness of social, economical and environmental benefits of urban forestry practices, educational opportunities to improve urban forestry practices, provision of a blueprint for planting and maintaining City-owned trees, and community signage that shows that the community cares about its environment and supports tree preservation and planting; and

WHEREAS, to become a Tree City USA, the City must designate an individual to oversee the planting, care, maintenance and removal of City-owned trees; and

WHEREAS, designating a Tree Board to make tree management recommendations to the City-designated individual is beneficial to Tree City USA programs; and

WHEREAS, the responsibility for issuing right-of-way site permits for planting, pruning or removing streets trees has heretofore been under the direction of Director of Public Works but will now transfer to the Director of Parks, Recreation and Cultural Services Department.

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

Section 1. New Chapter. A new chapter, Chapter 12.30, *Public Tree Management*, is hereby adopted to read as follows:

12.30.010 Jurisdiction and administration.

It shall be the responsibility of the Director of the Parks, Recreation and Cultural Services Department (hereafter "director") to manage and oversee the planting, care, maintenance and removal of all trees on all streets, rights-of-way, and City-owned public property within the City limits in accordance with the provisions of this chapter.

12.30.020 Tree Board.

The Parks, Recreation and Cultural Services Board is authorized to serve as the City's Tree Board. The Tree Board shall be advisory to the Director of Parks, Recreation and Cultural Services. The primary responsibility of the Tree Board shall be to make recommendations to the director concerning the management of trees located on City-owned public property and in City rights-of-way. The Tree Board shall be comprised of all members of the Parks,

Recreation and Cultural Services Board acting in an ex officio capacity, and the roles, officers and terms of the Tree Board shall be the same as the Parks, Recreation and Cultural Services Board.

12.30.030 Right-of-way street trees.

A. A right-of-way site permit shall be required and issued by the director for planting street trees in rights-of-way according to the variety and spacing approved in the Engineering Development Guide if such activity does not physically disturb the existing or planned public use of the right-of-way.

B. A right-of-way site permit may be issued to an adjacent property owner for the pruning or removal of trees in the right-of-way by extending the clearing and grading regulations applicable to trees on the adjacent parcel, including limits on removal under Chapter 20.50 SMC and critical area regulations, except as follows:

1) No permit shall issue for removal of trees on rights-of-way that have not been opened with public improvements.

2) No trees listed in the Engineering Development Guide as approved street tree varieties shall be removed regardless of size.

3) All significant trees, as defined in SMC 20.20.048, allowed to be removed under clearing and grading regulations shall be replaced with an approved variety of street tree in the area of removal according to the replacement formula in SMC 20.12.15.030C(3). If the director determines there is not suitable space for replanting street trees in the vicinity of removal, the applicant shall pay a fee in lieu of replacement according to a schedule maintained by the director to be used exclusively for planting public trees in rights-of-way, parks or other public places.

12.30.040 Adoption of administrative procedures.

The director may prepare and adopt policies and procedures necessary to implement this chapter. Such policies do not require approval by the city council.

Section 2. Amendment. SMC 12.15.030(C) is hereby amended as follows:

SMC 12.15.030 Right-of-way permit issuance

(A and B unchanged)

C. Right-of-Way Site Permit. Right-of-way site permit is a specific class of right-of-way permit that may be available for utilities or other parties who do not hold a valid city franchise in accordance with Chapter 12.25 SMC for activities of extended duration which will not further physically disturb the existing or planned public use of the right-of-way once in place. This may include structures, facilities, and uses that involve capital expenditures.

1. Right-of-way site permits, if allowed in the nearest classified land use zone may be issued for:
 - a. Accessory uses permitted to the adjacent property such as parking, displays, and signage, provided the proposed use is not required to meet city development standards for any private property development;
 - b. Air rights;
 - c. Bus shelters/stops;

- d. Construction site/haul roads;
- e. Fences, retaining walls, terracing, and similar structures;
- f. Litter and recycle receptacles placed by private parties;
- g. Special and unique structures such as benches, fountains, clocks, flagpoles, kiosks, banners, street furniture, decorations, bicycle racks, private planters, or any other obstruction to be placed in the right-of-way by an entity other than the city;
- h. Sales structures, including sidewalk cafes, telephone booths or the usage of the right-of-way for the sale of flowers, food, or beverages, newspapers, or other items
- i. Underground rights
- j. Utility facilities;
- k. ~~Planting pruning or removing of street trees.~~

...

(remainder of section unchanged)

Section 3. Amendment. SMC 2.55.010 is hereby amended to read as follows:

2.55.010 Created – Purpose.

The Shoreline parks, recreation and cultural services board is hereby created. The board is to provide additional citizen input on park maintenance and operations, design matters, programs and services in sports, leisure and cultural activities, and management of trees located in City-owned public property and in City rights-of-way.

Section 4. Amendment. SMC 2.55.060(B) is hereby amended to read as follows:

2.55.060 Responsibilities.

B. The full board may make reports and recommendations to the city council concerning parks and recreation plans and policies, maintenance, operation and design of parks, and program activities in sports, leisure and cultural services. The board will make recommendations concerning the acquisition, care, maintenance, utilization and disposition of buildings, property and equipment related to parks programs. The board will also make recommendations to city staff concerning the management of trees located in City-owned public property and in City rights-of-way.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 28, 2011.

Mayor Keith A. McGlashan

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Publication Date:
Effective Date:

TREE CITY USA Application

Mail completed application with requested attachments to your state forester no later than December 31.
The TREE CITY USA award is in recognition of work completed by the community during the calendar year.
Please provide information for the year ending.

(Some states require information in addition to the requested on this application. Check with your state foresters.)

As _____ of the community of _____
(Title - Mayor or other city official)

I herewith make application for this community to be officially recognized and designated as a Tree City USA for _____, having achieved the standards set forth by The National Arbor Day Foundation as noted below.
(year)

Standard 1: A Tree Board or Department

List date of establishment of board, board members, and meeting dates for the past year; or name of city department and manager.

Standard 2: A Community Tree Ordinance

Date ordinance established _____
Attach ordinance.

Standard 3: A Community Forestry Program with an Annual Budget of at Least \$2 Per Capita

Total community forestry expenditures \$ _____
Community population _____

Attach annual work plan outlining the work carried out during the past year. Attach breakdown of community forestry expenditures.

Standard 4: An Arbor Day Observance and Proclamation

Date observance was held _____
Attach program of activities and/or news coverage. Attach Arbor Day proclamation.

Signature	Title	Date
Please type or print the following:		
Mayor or equivalent:		
Name: _____	City Forestry Contact:	
Title: _____	Name: _____	
Address: _____	Title: _____	
City, State, Zip: _____	Address: _____	
Phone #: _____	City, State, Zip: _____	
Email: _____	Phone #: _____	
	Email: _____	

NOTE: Application will not be processed without attachments.

Certification

(To Be Completed By The State Forester)

(Community)

The above named community has made formal application to this office. I am pleased to advise you that we reviewed the application and have concluded that, based on the information contained herein, said community is eligible to be recognized and designated as a Tree City USA, for the _____ calendar year, having in my opinion met the four standards of achievement in urban forestry.

Signed _____ State Forester _____ Date _____

Person in State Forester's Office who should receive recognition material:

Name: _____	UPS Address: _____
Title: _____	City, State, Zip: _____
Agency: _____	PH #: _____ Email: _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	2012 Proposed Budget Workshop and Department Presentations
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Debbie Tarry, Assistant City Manager
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT: The City Manager presented the 2012 proposed budget to the City Council on October 17, 2011 and department presentations began on October 24. Tonight's agenda continues the department presentations which includes the review of the Public Works department budget including the Surface Water Utility and the capital budget. Tonight staff from Public Works will be available to answer City Council questions.

Public hearings for the 2012 budget will be held on November 14 and November 21, along with continued Council discussion. The adoption of the 2012 budget is scheduled for November 28.

RESOURCE/FINANCIAL IMPACT: The 2012 Proposed Budget totals \$54,737,441.

RECOMMENDATION

This item is for discussion purposes only. Council discussion regarding the proposed process to review and adopt the 2012 City Budget and any key questions or issues that Council may wish staff to address as part of that process is desired.

Approved By: City Manager DM City Attorney

DISCUSSION

Tonight's discussion focuses on the Public Works Department, the Surface Water Utility, and the 2012 capital budget.

The proposed 2012 budget includes a recommendation to add three new positions within the Public Works Department. Two of the positions (City Engineer and Facility Maintenance Worker) are funded in the City's operating budget. The funding is provided as a result of reallocating funding from existing positions. As staff discussed with Council during the initial presentation of the budget on October 17, the proposed 2012 budget recommends eliminating four current positions to reallocate funding for other community and Council priority programs. The third position is funded through the City's Surface Water Utility.

City Engineer

Currently, the responsibilities of a City Engineer lie with the Public Works Director. Historically the City has had at times two separate positions, but in 2006 the City eliminated the City Engineer position and shifted the development code related responsibilities for engineering approvals and standards to the Public Works Director.

The City Engineer functions are a very distinct set of responsibilities. They include the oversight and management of all capital construction within the City, regardless of whether it is part of a new private development application, or part of a city capital project. It is the City Engineer's responsibility to make sure there is consistent application of policy, code and standards through the design, inspection and eventually the construction. This oversight requires a consistent and vigilant commitment to the processes of capital construction and the private development process. Proper execution of these responsibilities would ensure for the private development process consistency, predictability and timeliness; all of which are essential to any developer or applicant.

In order to achieve real success with this approach, the reporting structure within Public Works must capture all engineering functions under the City Engineer. This includes engineering design, the development review engineers (DREs), inspection services and traffic engineering. Attachment A is an organizational chart that depicts the proposed Public Works structure that includes a City Engineer. This structure is also important as the City considers the addition of other utilities. Eventually, this position will be critical to the operation and development of any major utility.

The current work plan for the Public Works Director is included as Attachment B. The challenge with the current structure is the amount of time it takes for the Public Works Director to perform the "City Engineer" responsibilities and the management, coordination and oversight of the Public Works Department and the various projects performed by staff within the department, especially when all of the Council Goals are considered.

The City Engineer position will support the successful completion of several Council goals. Goal No. 1, assisting with timely and predictable development review processes; Goal No. 2, safe, efficient, and effective infrastructure; Goal No. 4, construction of

Aurora improvements for 192nd to 205th; and Goal No. 7, acquisition of Seattle Public Utility water infrastructure in Shoreline.

In 2006, when the City eliminated the City Engineer position and shifted the development code related responsibilities for engineering approvals and standards to the Public Works Director, the position of Capital Project Administrator was created. This position is not required to be a licensed engineer, although the incumbent is a licensed professional engineer. If Council approves adding a City Engineer the Capital Projects Administrator will be reclassified as an Engineering Supervisor. This position will remain at the same salary range (65) as currently exists. In September 2011 the Development Review Engineers were transferred from Planning and Community Development to Public Works. This was an effort to centralize the engineering functions within the City. These positions, along with the Capital Project Managers, will continue to report to the Engineering Supervisor, who in turn will report to the City Engineer.

If the City Engineer position is not created, then an alternative to balance the work load could be to maintain the current organization structure (Attachment C), but expand the professional services contract for the acquisition of the SPU water system through 2012. Within the current consultant team there is considerable expertise that might be expanded to assist the Public Works Director with this effort. The cost of such work would have to be negotiated and may not necessarily achieve a cost savings over the City Engineer position, although these monies would not necessarily be an on-going budget commitment. The additional risk with this approach is simply less involvement by the Public Works Director, who has considerable utility experience, and the added challenges of coordination and communication.

The proposed 2012 budget allocates \$110,000 for the City Engineer position. This assumes a start date of April 1, 2012, and includes salary, benefit, and other related costs such as supplies and a computer. The proposed 2012 budget placed the City Engineer in range 70 of the City's salary table based on preliminary estimates from the Human Resources department, but since that time a more complete review of the City's comparable cities reflects that the position should be placed in range 71.

Facility Maintenance Worker

Historically the City has had one maintenance worker to serve all of the City's facilities. This has been supplemented with extra-help dollars allowing the equivalent of a full-time worker to assist. Given the limitations of the City's extra-help policies, which limit a worker to 1,040 hours per year, this means that there has been continuous turnover in the extra-help for facilities. The City's facilities total nearly 174,000 square feet and include the Shoreline Pool, Richmond Highlands Recreation Center, Spartan Recreation Center, City Hall, Police Station, restroom facilities in various parks, and the maintenance facilities at Hamlin. Budgeted extra-help dollars will be allocated towards funding the recommended full-time position.

The 2012 proposed budget includes the incremental cost of \$46,300 to fund this position. This position is a Facility Maintenance Worker II and is at range 37 of the non-exempt salary schedule.

Surface Water Utility

The surface water utility is supported by the utility fee charged to all property owners in Shoreline. There are no general taxes, such as property tax, used to support the utility. The 2012 budget proposes a 2.5% increase in the surface water utility fee. This results in the single family residential rate going from \$130 annually to \$133 annually.

The City Council has been reviewing the proposed updated Surface Water Master Plan throughout 2011. During the Council's discussion they have indicated support for increasing the current level of service to allow for development of an asset management system and to meet compliance with the requirements of the 2013 National Pollution Elimination Discharge System (NPDES) stormwater permit. The 2012 budget includes adding one FTE to manage the maintenance of the stormwater assets including scheduling, contracting, and condition assessment. This would be a Sr. Engineering Technician at salary range 44. The 2012 proposed budget includes \$76,000 for funding of the position.

2012 Capital Budget

The City Council adopted the 2012-2017 Capital Improvement Program (CIP) in June of this year. The total 2012 -2017 CIP is nearly \$58 million, while the 2012 capital budget, including surface water projects, totals \$11.1 million.

The proposed 2012 capital project budget remains primarily the same as the adopted CIP, with the exception that the proposed budget includes an additional \$500,000 in funding for sidewalks. The Council has continued to emphasize the importance of additional sidewalk funding to staff. The funding for 2012 is one-time funding as a result of anticipated budget savings in 2011.

Based on the \$500,000 identified in the proposed budget, staff has reviewed the existing priority sidewalk map and the draft transportation master plan to identify and recommend the 2012 sidewalk program. The following three locations were identified and considered:

1. Ashworth Ave N from NE195th to NE200th. This route is a continuation of the Priority Sidewalk Route currently under construction (185th to 192nd). This would complete sidewalk from 185th to 200th; this route serves Echo Lake Elementary, the Aurora Transit Center, and Echo Lake Park.
2. 15th Ave NE from 160th to 165th (frontage to Hamlin Park). This route is on an arterial, a bus route and connects to existing sidewalk at NE 165th and to trail improvements (currently under construction) through Hamlin Park that connects 15th to 25th, and Kellogg and Shorecrest schools. Depending on costs, we also recommend completing a nearby critical gap program project on NE 150th, between approximately 18th NE and 20th NE, north side. This gap project will complete the sidewalk system along the South Woods and Fircrest/State Lab properties.
3. 195th Ave NW from 3rd Ave NW to 8th Ave NW. This route serves Einstein Elementary and would fill several critical gaps in existing sidewalk; it also would connect to previous pedestrian improvements on 3rd Ave NW and 8th Ave NW. The scope could be expanded to Greenwood depending on estimates and available budget.

Of these three routes, staff recommends 15th Ave NE (option 2) primarily because when compared to the other two routes the design and construction of this route is less complex and could be constructed in 2012. The other two routes have more complex design issues including driveways, transitions to private property and possibly utility relocation that would make it impractical to design and construct in 2012. This route also should be lower in cost which would allow staff to use any remaining funding in 2012 to begin design on another route to be constructed in 2013 assuming additional funding is identified in the 2013 budget. The Ashworth route (option 1) would most likely be the route considered for 2013. Staff will continue to pursue grants for this route through the Safe Routes to School Program with applications due in Spring 2012 and funding available July 2013.

The City has completed a number of sidewalk projects as part of the priority sidewalk program (\$2.6 million) and other small works projects. Projects completed with park bond monies and traffic small works projects include: NE 150th/Southwoods, NE 165th – 5th to 8th Ave NE, and N195th - Meridian to 1st Ave N. A map of completed projects is included as Attachment D.

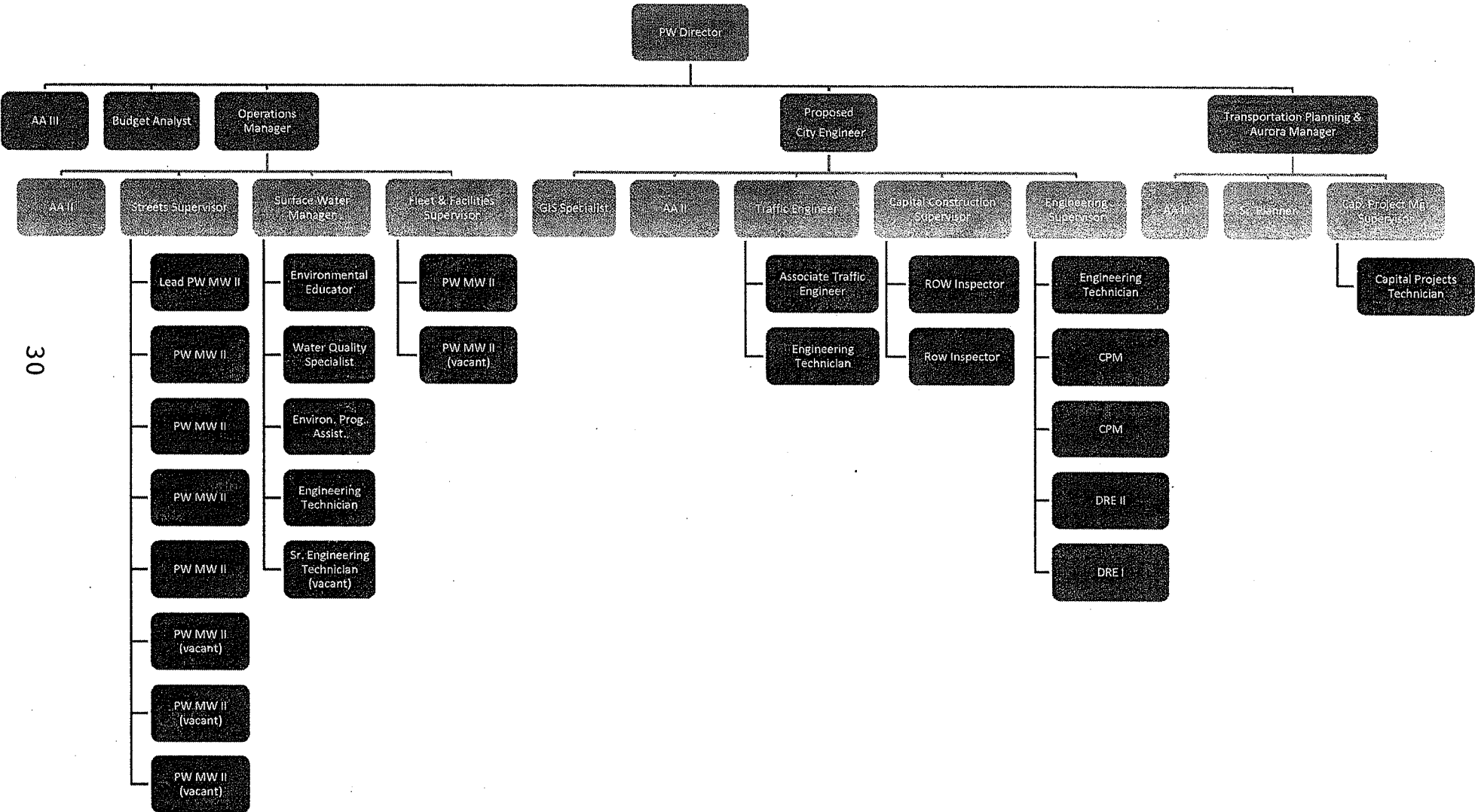
RECOMMENDATION

This item is for discussion purposes only. Council discussion regarding the proposed process to review and adopt the 2012 City Budget and any key questions or issues that Council may wish staff to address as part of that process is desired.

ATTACHMENTS:

- | | |
|---------------|---|
| Attachment A: | Proposed Public Works Organizational Chart |
| Attachment B: | Public Works Director Work Plan Summary |
| Attachment C: | Current Public Works Organizational Chart |
| Attachment D: | Map of Completed Priority Sidewalk Projects |

Attachment A Public Works Organizational Chart with the proposed City Engineer



Attachment B

Public Works Director's Work Plan Summary

October 2011

Project & Project Description	Council Goal #	Direct Oversight	Indirect Oversight
1. Surface Water Rate Study and Implementation Plan <i>Complete a comprehensive review of a utility's ability to meet specific operational and capital demands.</i>	#2	X	
2. Outside Utility Facility Plans and concurrency review with City's Comprehensive Planning process <i>Review of outside utility's long range facility plans and the check for concurrency with the City's Comprehensive Plan. This includes Ronald Wastewater, Shoreline Water, SPU, SCL, PSE, etc.</i>	#1	X	
3. SPU Acquisition <i>Negotiation for the acquisition of the water system.</i>	#7	X	
4. Local Governmental Agency Coordination <i>PSRC/RPEC, King PEC, WSDOT, MSWMAC, King County Flood Control Zone District, PSRC Sound Transit 2 Planning, TOD, 145th Jurisdictional Determination and Corridor Study, Seashore Transportation Forum, Metro Transit and BRT Implementation</i>			X
5. Aurora Corridor Improvement Project (N 165th – N 185th Street)	#4		X
6. Aurora Corridor Improvement Project (N 185th – N 192nd Street)	#4		X
7. Aurora Corridor Improvement Project (N 192nd – N 205th Street)	#4	X	
8. Traffic Safety Improvements <i>To provide flexibility in the development of pedestrian, bicycle, and traffic projects designed to enhance safety and quality of life.</i>			X
9. Transportation Master Plan Update	#2	X	

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Attachment B
Public Works Director's
Work Plan Summary
October 2011

Project & Project Description	Council Goal #	Direct Oversight	Indirect Oversight
10. Traffic Signal Rehabilitation Program			X
11. Right-of-Way Permitting and Utility Coordination			X
12. GIS in Public Works Trial <i>In June 2011 the GIS Specialist position was transferred to PW for a one year trial to focus on PW related issues such as development of the SW Asset Management System</i>			X
13. Richmond Beach Overcrossing <i>Design and construct a concrete bridge to replace the existing timber structure over the Burlington Northern Railroad at Richmond Beach Drive NW and NW 195th Ct.</i>			X
14. Sidewalks – Priority Routes <i>Ashworth Ave NE is the final pedestrian priority route in design for 2011 construction.</i>			X
15. Briarcrest Safe Routes to Schools <i>This project will install sidewalks serving Briarcrest elementary. It is funded through a Safe Routes to School Grant.</i>			X
16. Green Street Evaluation Report			X
17. Surface Water Small Projects <i>Construction of minor drainage improvements to reduce localized flooding or surface water related problems at various locations throughout the City.</i>			X
18. Stream Rehabilitation Program			X
19. Annual Road Surface Maintenance Program		X	

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Attachment B
Public Works Director's
Work Plan Summary
October 2011

Project & Project Description	Council Goal #	Direct Oversight	Indirect Oversight
20. Fleet Policies & Vehicle Assessment <i>Create Fleet Policies & Procedures Manual and update the Vehicle Users Standard Operating Procedures; develop a work program; implement a Facilities Communications Program; complete vehicle/equipment assessment; prepare motor pool handbook for City vehicles.</i>		X	
21. Special Projects (MR) a. Supervisor's Team b. Public Works Organizational Development		X X	

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Attachment C

Existing Public Works Organizational Chart

