



# AGENDA

## SHORELINE CITY COUNCIL REGULAR MEETING

Monday, September 16, 2019  
7:00 p.m.

Council Chamber · Shoreline City Hall  
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
<b>1. CALL TO ORDER</b>		7:00
<b>2. FLAG SALUTE/ROLL CALL</b>		
(a) Proclaiming Mayor's Day of Concern for the Hungry	<u>2a-1</u>	
<b>3. REPORT OF THE CITY MANAGER</b>		
<b>4. COUNCIL REPORTS</b>		
<b>5. PUBLIC COMMENT</b>		
<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 10 people are signed up to speak, each speaker will be allocated 2 minutes. Please be advised that each speaker's testimony is being recorded. 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>		
<b>6. APPROVAL OF THE AGENDA</b>		7:20
<b>7. CONSENT CALENDAR</b>		7:20
(a) Approving Minutes of Regular Meeting of August 5, 2019	<u>7a1-1</u>	
Approving Minutes of Regular Meeting of August 12, 2019	<u>7a2-1</u>	
(b) Adopting Resolution No. 443 - Approving Transfer of Cable Franchise from Frontier Communications Corporation to Northwest Fiber, LLC	<u>7b-1</u>	
(c) Adopting Resolution No. 446 - Setting a Public Hearing Date Before the City of Shoreline Hearing Examiner to Consider Vacation of a Portion of the Right-of-way on 7 <sup>th</sup> Avenue NE	<u>7c-1</u>	7:20
<b>8. ACTION ITEMS</b>		
(a) Public Hearing and Discussing Ordinance No. 865 - Amending the City's Commute Trip Reduction Plan	<u>8a-1</u>	7:20
<i>Public hearings are held to receive public comment on important matters before the Council. Persons wishing to speak should sign in on the form provided. After being recognized by the Mayor, speakers should approach the lectern and provide their name and city of residence. Individuals may speak for three minutes.</i>		
<b>9. STUDY ITEMS</b>		
(a) Discussing Ordinance No. 868 – Establishing a Citywide Moratorium on the Filing, Acceptance, Processing, and/or Approval	<u>9a-1</u>	7:40

of Applications for Master Plan Development Permits and  
Applications for Essential Public Facility Special Use Permits

**10. ADJOURNMENT**

8:10

*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](http://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

<b>AGENDA TITLE:</b>	Proclamation Declaring Mayor’s Day of Concern for the Hungry		
<b>DEPARTMENT:</b>	Community Services		
<b>PRESENTED BY:</b>	Colleen Kelly, Community Services Manager		
<b>ACTION:</b>	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Proclamation

**ISSUE STATEMENT:**

The Mayors’ Day of Concern for the Hungry provides an opportunity for cities to spotlight the needs and efforts their communities are taking to address hunger as a local concern. In Shoreline, fully one in four of our residents lacks the income to assure food security. This means these residents are making difficult choices between necessities and often rely on community resources for support. These resources include the Supplemental Nutrition Assistance Program (SNAP), weekend backpack for school kids, meal programs, and food banks. The meals programs, weekend backpacks and food banks all rely on generous donations of time, funds and food to be able to meet the growing demand in Shoreline.

As part of the regions’ recognition of the Mayors’ Day of Concern for the Hungry, Hopelink volunteers will collect food and funds at Traders Joe’s in Shoreline on Saturday, September 21, 2019. Hopelink and other food pantries at schools and churches welcome ongoing contributions of food and funds.

Hopelink is Shoreline’s largest food bank and is the major source of emergency financial support to Shoreline households. From July 2018 to June 2019, 2,356 individuals from 1,259 households were served by Hopelink’s food bank in Shoreline for a total of 23,691 visits. This represents a 12% increase in food bank usage over the previous year. Hopelink distributed 652,117 lbs. of food to these Shoreline residents.

Tonight, James Pabiniak, Hopelink’s Shoreline Food Bank Supervisor, will be accepting this proclamation on behalf of Hopelink and the community.

**RECOMMENDATION**

The Mayor should read and present the proclamation.

Approved By: City Manager **DT** City Attorney **MK**



## PROCLAMATION

WHEREAS, the City of Shoreline recognizes adequate nutrition as a basic need for each citizen; and

WHEREAS, food insecurity is a concern for one in four Shoreline residents; and

WHEREAS, the 12% increase in foodbank usage over the past year highlights the high level of need for food bank services in Shoreline; and

WHEREAS, Hopelink and local food pantries at churches and schools rely on contributions of food and funds to meet this ever increasing level of need;

NOW, THEREFORE, I, Will Hall, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim September 21, 2019 as the

### **MAYOR'S DAY OF CONCERN FOR THE HUNGRY**

in the City of Shoreline and urge all citizens to support local food banks with donations of food, funds and time.

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Will Hall, Mayor

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF REGULAR MEETING**

Monday, August 5, 2019  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor Hall, Deputy Mayor McConnell, Councilmembers McGlashan, Scully, Chang, and Roberts

ABSENT: Councilmember Robertson

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Hall who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Hall led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Robertson. Councilmember Scully moved to excuse Councilmember Robertson for personal reasons. The motion was seconded by Councilmember McConnell and passed unanimously, 6-0.

(a) Proclaiming National Night Out Against Crime

Mayor Hall proclaimed August 6, 2019, as National Night Out in Shoreline. The proclamation was accepted by Shawn Ledford, Police Chief, who thanked the Council and community for the support of public safety.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember McGlashan said that he and Councilmember McConnell attended the SeaShore Transportation meeting where Metro reported on the North Link Mobility Project and upcoming service restructuring. Councilmember Chang added that there are a number of bus routes that could potentially be affected by the restructuring and she directed community members to the Metro website to give feedback during the outreach period. Deputy Mayor McConnell shared details on the plans for bus route reallocations and her involvement in outreach.

Mayor Hall informed Councilmembers that on August 12, 2019 the Council is scheduled to consider Resolution No. 442, which is proposed to express the City's opposition to Initiative-976. He said that while noticing of Public Hearing was provided in a timely manner, there was a typographical error in the number of the noticed Initiative. He said that a correction to the notice has been issued and suggested that it would be appropriate to waive Council Rule 5.10, allowing the corrected notice to be published for less than the standard ten days. Councilmembers unanimously agreed to waive Council Rule 5.10 for this Public Hearing Notice.

5. PUBLIC COMMENT

Robert Doran, Carlsbad, California resident and Director of Development and Construction with Retail Opportunity Investments Corporation (ROIC), spoke regarding the Shoreline Place study item. He updated the Council on the planning progress. He said that ROIC recently met with Merlone Geier Partners and while ROIC still has concerns with some issues of the proposal they are hopeful to come to a resolution soon.

Juliet Scarpa, Shoreline resident and representative of Moms Demand Action, said that along with those in attendance with her, she supports the proposed Gun Violence Prevention Resolution No. 444. She shared information on the epidemic of gun violence and the regional voting outcomes in support of common sense solutions to gun violence. She urged the Council to authorize the Resolution.

6. APPROVAL OF THE AGENDA

**Councilmember Roberts moved to amend the agenda to add Resolution No. 444 Regarding Gun Violence and Gun Control Legislation as Action Item 8a. The motion was seconded by Councilmember Chang.**

Councilmember Roberts said that it is important for Council to discuss and act on policies that support the safety of Shoreline residents. Councilmember Scully said although he is aware of some concerns with process on this amendment, he supports adding it to the agenda. He observed that it is natural to want to act quickly in response to current tragedies and said that since there is momentum, it should be used. Councilmember McGlashan said he is concerned that the public is not aware that this is before the Council. He said he would like to see it communicated prior to decision making. Councilmember Chang said she supports the Resolution, and the statistics indicate that the majority of voters do, as well. Deputy Mayor McConnell thanked Councilmember Roberts for his work on the proposed Resolution. She said it is important to seize the moment.

Mayor Hall asked Councilmembers to consider deferring this decision until the August 12, 2019 meeting. He recognized the tragedy of the recent shootings but asked for Council to consider transparency and fairness of public process. He said Council meeting agendas are published a week in advance to give all community members the opportunity to weigh in. He said for the reason of providing an opportunity for all to be heard on any issue, he will be voting against adding Resolution No. 444 tonight, and that instead he hopes it will be added to next week's agenda.

**The amendment was approved by a vote of 4-2, with Mayor Hall and Councilmember McGlashan voting against.**

**The amended agenda was approved by unanimous consent, 6-0.**

7. CONSENT CALENDAR

**Upon motion by Councilmember McGlashan and seconded by Councilmember Roberts and unanimously carried, 6-0, the following Consent Calendar items were approved:**

- (a) Approving Minutes of Regular Meeting of June 24, 2019  
Approving Minutes of Regular Meeting of July 15, 2019**
- (b) Authorizing the City Manager to Execute a Professional Services Contract with Brown and Caldwell for System Capacity Modeling Plan Development in an Amount Not to Exceed \$316,306**
- (c) Authorizing the City Manager to Execute Interagency Agreement No. C2000032 with the Washington State Department of Ecology for Participation in the 2019-2021 Local Source Control Partnership**

8. ACTION ITEMS

- (a) Discussing and Potential Adoption of Resolution No. 444 Regarding Gun Violence and Gun Control Legislation**

Mayor Hall stated that the materials were provided to Councilmembers at the dais and confirmed that there is not a staff presentation in conjunction with the written report. The City Clerk made copies of the report available to those in attendance. Mayor Hall opened the floor for public comment.

Nara Kim, Shoreline resident and Shorewood student, shared a personal story on the impact of the prevalence of gun violence on youth and statistics on deaths and injuries as a result of gun violence. She asked the Council to adopt Resolution No. 444.

**Deputy Mayor McConnell moved to approve Resolution No. 444. The motion was seconded by Councilmember Roberts.**

Deputy Mayor McConnell thanked Councilmember Roberts for drafting the Resolution and the staff for the last minute work on preparation. She said it is important for Shoreline residents to know the City wants to keep them safe.

Councilmember Roberts said it is sad that a resolution such as this has to be considered, and disappointing that there has not been federal action. He said that on behalf of the City the Council has voted for the National League of Cities policy which urges all levels of government to adopt statutory, regulatory, and policy actions to confront, curb, and eventually eliminate

firearm violence in America. He said it is time to add this policy to the legislative agenda and demand action.

Councilmember McGlashan said he will be supporting adopting Resolution No. 444 and reiterated his concern that the community does not know this vote is happening.

Mayor Hall said the government should be transparent and the decision to adopt this Resolution tonight is setting a dangerous precedent. He added that voting on something without providing an opportunity for public input is not the way he prefers to interact with the community. He said he has no problems substantively, and since it is before Council for vote he will support it because of the content.

Councilmember Scully said he supports the Resolution and emphasized that it encourages federal officials to take action to prevent gun violence and he cannot imagine what someone could say at public comment that would change his stance on the matter.

**Resolution No. 444 was approved unanimously, 6-0.**

- (b) Appointing Pro and Con Committee Members for City of Shoreline Proposition 1: General Obligation Bonds for Parks, Recreation, and Open Space Improvements

Eric Bratton, Communications Program Manager, delivered the staff presentation. He explained that with the passage of Ordinance No. 866, Council has the responsibility to appoint Pro and Con Committee members to write supporting and opposing statements for ballot measure language in the voter's pamphlet. He said up to three people could be appointed for each of the Committees and described the communication of, and timeline for, the application submission. He said six applications were received for the Pro Committee, one of which subsequently withdrew from consideration, and none for the Con Committee. He displayed the next steps in the process and the related King County deadlines. He listed the Pro Committee applicants.

**Councilmember Roberts moved to appoint the following names, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ to serve as members of the Pro Committee. The motion was seconded by Councilmember Chang.**

**Deputy Mayor McConnell moved to amend the motion to appoint Susie McDowell to the Pro Committee. The motion was seconded by Councilmember Scully.**

Deputy Mayor McConnell explained that Robin McClelland removed herself from the applicant pool but hopes to contribute her expertise to the process. Deputy Mayor McConnell said that she nominated Susie McDowell because of her long term involvement with the School District Swim Teams.

**The amendment to the motion passed unanimously, 6-0.**

**Councilmember McGlashan moved to amend the motion to appoint Pamela Cross to the Pro Committee. The motion was seconded by Councilmember Scully.**



Councilmember McGlashan spoke to Pamela Cross's involvement in the community and her work to keep residents informed. Mayor Hall agreed that Ms. Cross pays close attention to, and accurately reports, what is happening in Shoreline. Deputy Mayor McConnell thanked Ms. Cross for her commitment to the community.

**The amendment to the motion passed 5-1, with Councilmember Chang voting no.**

**Deputy Mayor McConnell moved to amend the motion to appoint Carolyn Hope to the Pro Committee. The motion was seconded by Councilmember McGlashan.**

Deputy Mayor McConnell said Ms. Hope has been in the community a long time, is familiar with City work, and has a great command of the written language.

Mayor Hall expressed his gratitude for the willingness of all the applicants to participate and said he hopes that they all would be involved in the process in some capacity.

**The amendment to the motion passed unanimously, 6-0.**

**The motion to appoint Susie McDowell, Pamela Cross, and Carolyn Hope to the Pro Committee passed unanimously 6-0.**

It was acknowledged that there were no applicants for the Con Committee and that the deadline for submission of names is August 6, 2019.

9. STUDY ITEM

- (a) Discussing the Shoreline Place Development Agreement

Rachael Markle delivered the staff report and was joined by representatives of Merlone Geier Partners (MGP). Mayor Hall reviewed the Fairness checklist in compliance with the Appearance of Fairness Doctrine for this quasi-judicial proceeding. He disclosed that all Councilmembers received an email from ROIC inviting the Council to meet, and on the advice of the City Attorney the request was declined.

Councilmember Chang disclosed that she had been approached for her opinion on the matter by Shoreline residents John Hoey and Dave LeClurge, and she informed them she could not comment on the topic but that the City would welcome submission of written comments. She also said she attended a portion of the Planning Commission meeting at which Merlone Geier delivered a presentation.

Deputy Mayor McConnell said she remembers exchanging business cards with many of the people at one of the Planning Commission Hearings but has not connected with any of them. Councilmember Roberts said he had a brief conversation on the topic with Planning Commissioner Jack Malek before the discussion had taken place on whether this would result in a quasi-judicial hearing. Councilmember Scully said he spoke with Planning Commissioner

Malek generally about development in Shoreline; he said Commissioner Malek expressed a desire to make Shoreline Place work in the hopes of future projects but did not advocate for or against any particular feature.

Deputy Mayor McConnell and Councilmembers Chang, Roberts, and Scully stated for the record that they could remain impartial in the decision-making process. When offered the opportunity, no members of the public objected to any Councilmembers participating in the discussion.

Ms. Markle described the timeline of the staff review, Planning Commission meetings, and public process for the Shoreline Place Development Agreement. She said the draft agreement has evolved into a document that endeavors to represent the vision of both the City and the property owners for the Aurora Square Community Renewal Area (CRA). She said the Planning Commission unanimously recommended approval of the Development Agreement to the City Council, and she reviewed the property's land use entitlements and existing development potential. She stated that a development agreement is not required in a Mixed Business Zone but the applicant has voluntarily requested the City to enter into an agreement with them. She described some of the key components of the proposed Shoreline Place Development Agreement. She said the Supplemental Site Design Guidelines were developed by the applicant as an outcome of ongoing coordination with staff to ensure the future development would largely be reflective of the Concept Guideplan and said the guidelines focus on the areas of the concept plan that most directly align with the CRA plan and requires certain elements to be incorporated. She displayed a list of the included areas and said the supplemental plan also includes a menu of other elements that the owner may choose to include.

Ms. Markle stated that out of the 11 mitigation projects identified through the environmental review process, MGP will implement or participate in the implementation of five projects and the Alexan and WSDOT will implement four more projects, leaving just two lower priority mitigation projects.

Ms. Markle welcomed James Gwilliam, Vice President of Development with MGP. Mr. Gwilliam described the business emphasis of MGP. He introduced Glen Goodman, Vice President of Design and Construction with MGP and named the additional team members in attendance. Mr. Gwilliam recounted the evolution of the project and the decision to include a development agreement. He said MGP believes strongly that a site of this magnitude requires a cohesive plan which will result in a better outcome for phased development. He described the timeline for the community outreach process and shared some of the feedback themes, which he said coincided with a deep market analysis.

Jeff Foster, Director of Affordable Housing with GGLO Design, joined the presentation to review the site plans and conceptual sketches. He displayed an aerial image of the Aurora Square CRA and vicinity and identified Merlone Geier's site within it. He stated the goals of the CRA are to: increase land efficiency, transform Westminster, create an eco-district, integrate into the context of the surrounding neighborhood, establish a vibrant center, reinvent the Sears building, construct internal connections within the site, incorporate the nearby college, build new homes, trade surface parking for jobs, and add entertainment to the mix. He said there are multiple property owners on the site, with cross access agreements over the parcels that neighbor each

other, and he added that the proposed development respects those boundaries and acknowledges easements while suggesting enhancements.

Mr. Foster listed the project objectives for the design team, which includes continuing to pay attention to how this project can contribute to the potential of neighboring properties in the future. The existing traffic circulation was described as far from optimal and proposed improvements were reviewed. He displayed the upper and lower ground level site plans, indicating the open space systems, parking locations, and access diagram and mapped the designated residential parking, which is separate from the retail parking. He said the proposal includes more residential and retail parking than the Development Code requires. He described the CRA required improvements to North 160<sup>th</sup> Street and displayed a graphic of the proposed development. He shared details on the drafted open spaces plan and the interconnection of routes for pedestrians, bicyclists, and vehicles.

Mr. Gwilliam reported on the Block Plan and the required improvements per phase. He clarified that MGP worked with City staff to define off- and on- site improvements for each Block and phase of the development and displayed a detailed graphic of the plan.

Ms. Markle shared the timeline for the evolution of the Development Agreement and described some of the changes made during the process and the impetus for the changes. She displayed the Development Agreement Criteria and said the Planning Commission found that the project meets all of the criteria. She listed the next steps for the consideration of adoption of the Development Agreement.

Councilmember Chang said this is not what she was expecting when MGP first asked for a community survey and described the proposal as underwhelming. She said her goal is to make sure the Agreement has elements for the community to be happy about.

Councilmember Chang noted that the agreement language indicated that if MGP were to purchase additional parcels it would be considered a minor amendment, and would not have to return to Council, an approach with which she disagrees. She asked for clarification on the open space requirements and optional amenities. Mr. Gwilliam explained the Developer Agreement is voluntary and MGP is not committing to a building design but are holding themselves accountable for open spaces beyond what is required. He said this is the plan that allows them to develop in a way that reflects the demands of the market while they gradually work towards full buildout. He said that for retail to thrive you need foot traffic, easy parking, great signage, and good design. Today's consumers are picky, and if they cannot get what they want they will take their business elsewhere. There was discussion on how the upcoming development at Northgate Mall differs from the demand for space in Shoreline. Mr. Gwilliam said that that community feedback voiced a preference for restaurants and smaller shops, and all the major retailers contacted were not interested in an additional location in Shoreline.

Councilmember Roberts said since the CRA was adopted the City has been looking for ways to revitalize the site. He opened conversation on established parking reductions and the possibility of future flexibility. Ms. Markle replied that the developer would have the ability to apply for parking reductions under the existing code. Mr. Gwilliam said that within the conceptual site

plan they are attempting to remain flexible to the potential advancements in vehicle technology. It was confirmed that if the City were to amend the parking reduction codes in the future the developers would have the discretion to opt in to any revised parking amendments, with City approval.

When asked if MPG would be open to adding language stating that if the City makes a change in development code that it thinks may increase public benefits and serve the development, the City is allowed to suggest the developers look into opting into the revised code, Mr. Gwilliam responded that MPG would appreciate being kept up to speed on such changes.

In reviewing Impact Fees, the potential for Parks and Transportation Impact Fees was discussed, and Councilmember Scully said that his goal was to ensure that the Development Agreement was fair to existing tenants on the parcel and suggested staff review the terms of the potential credit calculation. Mayor Hall said he is interested in confirming a limit on the credit amount for calculated impact fees. Mr. Gwilliam said MGP's understanding is that the limit is established as not to exceed credit greater than 40% on a macro level, reminding the Council that MGP has committed to open spaces beyond the required amounts. When asked for the method of calculation for Fire Impact Fees, Margaret King, City Attorney, explained that the provision is in place to point toward the amounts to be used in formulas, and it was stated that the new fees would be calculated at the time of permitting. Mr. Gwilliam added that the language is in place because MGP wants it documented that there is an existing credit for the current building.

Councilmember McGlashan said he is excited about the development and hopeful that Shoreline will see more condos being build. He asked about the planned residential options for the site. Mr. Gwilliam said they have not precluded the ability to include condominiums or apartments, but right now there is not a plan to do either. He said MGP is hopeful that laws will continue to change to make it more attractive for condominium developers to want to partner with them, but that they are not seeing that level of investment in the suburbs yet. He said one of the benefits of having multiple blocks of development is as they approach each block, they can assess the current regulations as they evolve, and design unit sizes and mix closer to the time they apply for permits.

Mayor Hall and Councilmember McGlashan expressed concern that the planned retail areas would be decreased and residential would increase, since the existing Agreement does not prohibit a reduction of retail space. It was also established that retail spaces could be increased if there is demand. Councilmember Chang reminded MGP of the importance of the commercial component of the project. She stated that the community does not want this to be a purely residential space, but a destination for all Shoreline residents. Mr. Gwilliam said MGP shares the same desire. He said there is a benefit to Central Market being an anchor and that the depth of the retail spaces is in response to the community feedback. He said as the buildings are being developed, MGP will work with retail partners to accommodate needs. He said what they do not want is frivolous retail space that ends up sitting vacant. He said the approach is to get as much of the best type of retail as possible. Deputy Mayor McConnell said the evolution of the process has been exciting to watch. She said she understands about unpredictability of the future of retail space demand and that Central Market has been a part of Shoreline for a long time and deserves to be treated well.

When asked for clarification on the traffic changes into Shoreline Place and from the Alexan, Ms. Dedinsky described the planned entrance and egress points from Aurora/Westminster and the associated traffic calming elements. Upon questioning, she also described the best use of right-of-way areas as related to parking and accommodating bike riders of all abilities.

Councilmember McGlashan asked if an off-leash dog park would definitely be part of the plan and was told that it is an option for an open space component. He also asked about the regulations listed for photographing/videoing in the open spaces and was assured that the provision in place is to avoid disruption to traffic and retailers and not to discourage individual picture taking. Councilmember McGlashan commended MGP on the transportation and pedestrian traffic connections throughout the site.

Deputy Mayor McConnell commented that the issues raised by ROIC have seemed to be worked out and asked if there were any areas of concern. Mr. Gwilliam said that MGP has had a longstanding working relationship with ROIC and there are only a few items still to be resolved. She thanked MGP for the inclusion of open spaces, to which Mr. Gwilliam pointed out that within each residential building there are also semi-private shared open deck spaces.

Mayor Hall said he recognizes the development is MGP's project and appreciates that the Developer Agreement creates open space and public amenities. He said that while flexibility is important, the City should be guaranteed the public benefits it thinks it is going to get when the plans move beyond conceptual. He said the challenge he has is that all of the drawings and cross-sections are non-binding, which makes it hard to balance the public and private interests in the Agreement. There are a handful of places where he is interested in looking for language to provide a little more predictability and certainty, and he reviewed his list of suggested changes as follows:

- Strike paragraph 34 in its entirety so if MGP acquires additional land in the future it would not automatically be allowed to fall under the same entitlements in the Development Agreement.
- Add a specified limit to reduction in retail after a certain level.
- Increase parking stall width to minimum of 8 ft.
- Any major amendments requested by MGP would allow the City to open the Developer Agreement back up to ask for compensating public benefits, with the following items being classified as major amendments:
  - Preserving the location of retail location even if market changes
  - Changes to transportation access – ensuring that the network is not diminished
  - Preserving the aesthetics of the promenades and corridors in the streetscapes
  - Ensuring the public benefits like solar access in these plans will be built
  - Changes to the supplemental site design guidelines

Councilmember Scully said he agrees that major amendments need to be approved by that City, and the City should have the right to revisit the required public benefits.

Councilmember Roberts said neighborhood associations have indicated it is challenging for the associations to make contact with multi-family communities for outreach. He suggested creating a standard within the development agreement to add access to neighborhood associations.

Mayor Hall clarified that some of his suggested amendments are formal requests, and others are suggestions for Staff to review. It was recognized that not all Councilmembers have had the opportunity to review Mayor Hall's proposed changes, which were submitted a few hours prior to the meeting. Ms. Markle said staff would work with the applicant to have something more complete for the September 9, 2019 Council Meeting. It was agreed that all potential amendments should be submitted by August 19, 2019.

9. ADJOURNMENT

At 9:41 p.m., Mayor Hall declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF REGULAR MEETING**

Monday, August 12, 2019  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor Hall, Deputy Mayor McConnell, Councilmembers McGlashan, Scully, Chang, Robertson, and Roberts

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Hall who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Hall led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

(a) Proclaiming Celebrate Shoreline

Mayor Hall proclaimed August 13-18, 2019 as a time to Celebrate Shoreline. He listed the scheduled events and said the festivities commemorate the incorporation of the City 24 years ago.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember Scully reported that he attended the Continuum of Care (CoC) Board meeting and gave an update on the efforts to create a Regional Action Plan and a central authority to coordinate care for the homeless. He said it is likely that the plan will begin as a combination of services for Seattle and King County and eventually involve other jurisdictions. He said he is a proponent of participation being designed as an opt-in system, so Shoreline has the opportunity to provide some regional services, instead of just paying into a system. He said the Board is also evaluating how far people will travel for services so CoC can appropriately place providers. Mayor Hall asked if there has been consideration of ways to give credit for regional services in other communities as part of the opt-in system. Councilmember Scully said that while it has been discussed, there is no final decision on how credit or cost sharing will be determined, but it is a

consistent position of all the Sound Cities Association representatives that credit be a component of the program. Councilmember Roberts added that he would not want Shoreline to be in a position of denying support to local organizations because all resources have been redirected to a regional authority. He asked for an update on how the discussion is going regarding how individual jurisdictions could provide services. Councilmember Scully said right now the focus is on creating a robust Regional Action Plan and then the work will begin on answering more tactical questions.

Mayor Hall said most Councilmembers and many staff and police officers participated in several of the neighborhood National Night Out events, and that it was a very successful evening with over 60 block parties.

5. PUBLIC COMMENT

There was no public comment.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

**Upon motion by Councilmember Roberts and seconded by Councilmember McGlashan and unanimously carried, 7-0, the following Consent Calendar items were approved:**

- (a) **Approving Minutes of Workshop Dinner Meeting of July 22, 2019**  
**Approving Minutes of Regular Meeting of July 22, 2019**

- (b) **Approving Expenses and Payroll as of July 26, 2019 in the Amount of \$1,984,805.87**

**\*Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
6/16/19-6/2919	7/5/2019	85680-85954	16401-16460	74989-74994	\$771,769.06
					\$771,769.06

**\*Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
7/25/2019	1148	\$7,267.39
		\$7,267.39



**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
7/10/2019	74995	75014	\$394,109.17
7/10/2019	75015	75077	\$7,141.70
7/10/2019	75078	75078	\$5,740.67
7/10/2019	75079	75115	\$83,908.09
7/10/2019	75116	75121	\$183,195.61
7/11/2019	75089	75089	(\$2,321.44)
7/11/2019	75122	75122	\$2,321.24
7/16/2019	75123	75124	\$69,576.19
7/18/2019	75125	75153	\$193,753.32
7/18/2019	75154	75186	\$169,520.99
7/18/2019	75187	75192	\$13,445.86
7/25/2019	75193	75202	\$14,740.04
7/25/2019	75203	75213	\$70,637.98
			\$1,205,769.42

- (c) **Adopting Resolution No. 439 – 2019 King County Comprehensive Solid Waste Management Plan**
- (d) **Authorizing the City Manager to Execute Amendment Number Four to the Professional Services Contracts with BHC Consultants and CWA Consultants Both in the Amount of \$175,000 for Total Contract Amounts of \$375,000 Each for Building Plan Review Services**
- (e) **Authorizing the City Manager to Increase the Contract Authorization Authority for PSF Mechanical, Inc. in the Amount of \$50,000 for On-Call Plumbing Services at Various City Facilities**
- (f) **Authorizing the City Manager to Execute the Revised Twin Ponds Park Temporary Construction Easement and Permanent Electrical and Communication Easement with Sound Transit**

8. STUDY ITEMS

- (a) Public Hearing for the Purpose of Hearing Residents’ Comments on Washington State Initiative-976 Concerning Motor Vehicle Taxes and Fees and Adoption of Shoreline City Council Resolution No. 442 Opposing Initiative-976 on the November 5, 2019 General Election Ballot

“Initiative Measure No. 976 concerns motor vehicle taxes and fees. This measure would repeal, reduce, or remove authority to impose certain vehicle taxes and fees; limit annual motor-vehicle-license fees to \$30, except voter-approved charges; and base vehicle taxes on Kelley Blue Book value. Should this measure be enacted into law?

Yes ..... •  
No ..... •”

Jim Hammond, the Intergovernmental Program Manager, delivered the staff presentation. He said that the purpose of the Public Hearing was to hear comment from residents on Washington State Initiative 976 (I-976) and Shoreline’s proposed Resolution No. 442, opposing the Initiative. He described the projected City, State, and Sound Transit impacts should I-976 go into effect and outlined the Public Hearing process.

Mayor Hall opened the Public Hearing. There was no public comment, and Mayor Hall closed the Public Hearing. He recognized the input received from residents prior to the meeting.

**Councilmember McGlashan moved to adopt Resolution No. 442 in opposition of Initiative 976. The motion was seconded by Councilmember Roberts.**

Councilmember McGlashan reflected on the negative impact the passage of I-976 would have on the City. He said that the Council consistently hears that the residents support sidewalk improvements and roads maintenance, and if the initiative passes the funding for these projects would likely cease.

Mayor Hall said he was pleased that residents took time to give input recognizing the importance of protecting funding to maintain Shoreline’s infrastructure.

**The motion passed unanimously, 7-0.**

9. EXECUTIVE SESSION: Litigation & Potential Litigation – RCW 42.30.110(1)(i)

At 7:23 p.m., Mayor Hall recessed into Executive Session for a period of 15 minutes as authorized by RCW 42.30.110(1)(i) to discuss with legal counsel matters relating to agency enforcement actions, litigation, and potential litigation. He stated that the Council is not expected to take any final action following the Executive Session. Staff attending the Executive Session included Debbie Tarry, City Manager; John Norris, Assistant City Manager; and Margaret King, City Attorney.

At 7:38 p.m. Mayor Hall extended the executive session for 15 minutes.

The Executive Session ended at 7:53 p.m.

10. ADJOURNMENT

At 7:54 p.m., Mayor Hall declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Resolution No. 443 - Approving Transfer of Cable Franchise from Frontier Communications Corporation to Northwest Fiber, LLC
<b>DEPARTMENT:</b>	City Manager's Office
<b>PRESENTED BY:</b>	Christina Arcidy, Management Analyst
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

On May 28, 2019, Frontier entered into a purchase agreement with Northwest Fiber, LLC (NW Fiber). As a result, NW Fiber became successor-in-interest to the assets of Frontier. In order for NW Fiber to operate, maintain, repair and further construct the cable television system established by Frontier in the City of Shoreline, the City Council must approve the request to transfer the franchise agreement to NW Fiber from Frontier. Proposed Resolution No. 443 approves this transfer and assigns the Franchise Agreement from Frontier to NW Fiber; confirms NW Fiber's acceptance of all the rights and responsibilities established by the terms and conditions of the franchise; and confirms that the terms and conditions of the existing agreement continue in full force and effect.

**RESOURCE/FINANCIAL IMPACT:**

There is no financial impact to the City of Shoreline. All the cable franchise provisions remain intact, therefore there will be no change in the franchise fee revenue collected by the City.

**RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 443 which would grant a transfer of control of the cable franchise granted to Frontier Communications Corporation to Northwest Fiber, LLC.

Approved By:            City Manager **DT**

City Attorney **MK**

## **BACKGROUND**

On October 27, 2008, the City Council adopted Ordinance No. 522, granting a non-exclusive cable franchise to Verizon Northwest Inc. (Verizon) for 12 years to construct, maintain, operate, and repair a cable television system in the City's rights-of-way. On September 14, 2009, City Council adopted Resolution No. 289, transferring the control of Verizon's franchise to Frontier Communications Corporation (Frontier) after Verizon transferred their wireline business in Washington to Frontier.

On May 28, 2019, Frontier entered into a purchase agreement with Northwest Fiber, LLC (NW Fiber). As a result, NW Fiber will acquire control of all of Frontier's operations, networks, and systems that currently provide voice, video, and broadband service in the Pacific Northwest, specifically the states of Idaho, Montana, Oregon, and Washington. In order for NW Fiber to operate, maintain, repair and further construct the cable television system established by Frontier in the City of Shoreline, the City Council must approve the request to transfer the franchise agreement to NW Fiber from Frontier.

According to FCC's rules, the City has a maximum of 120 days from the date of receipt of the notification to review the transfer and take any action the City deems necessary. The City is not required to take action, however, in such case consent will be deemed granted upon the expiration of the 120-day review period. Staff reviewed the transfer and recommends City Council take action regarding the transfer.

## **DISCUSSION**

Because NW Fiber is seeking the transfer of an existing franchise and is not an applicant for a new franchise, a number of requirements in the City's Municipal Code do not apply. However, NW Fiber has provided much of the same information required of a new franchisee in order to demonstrate its ability to operate, maintain, repair, and further construct the cable television system in Shoreline. To provide a recommendation to the City Council on whether to approve or deny the franchise transfer from Frontier to NW Fiber, staff reviewed NW Fiber's Federal Communications Commission (FCC) Form 394 to determine if they have the financial, technical, and legal qualifications to carry out the obligations identified in the franchise. Staff's analysis of these qualification is as follows:

### **Financial**

- NW Fiber meets the financial qualifications necessary to carry out the franchise:
  - NW Fiber will be owned jointly by WaveDivision Capital VII, LLC (WDC) and investment funds affiliated with Searchlight Capital Partners, LP (Searchlight).
  - At the close of the transaction between Frontier and NW Fiber, NW Fiber expects to have approximately \$300 million in cash on its balance sheet at closing.
  - NW Fiber is a new entity without prior operations and therefore does not have any financial statements prepared in the ordinary course of business.

## **Technical**

- NW Fiber meets the technical qualifications necessary to assume control of the franchise:
  - NW Fiber will be run by professionals at the management and operational levels with a long history of deploying and operating communications networks in the Pacific Northwest.
  - NW Fiber's managerial team will be supported by managers, directors, and supervisors who form part of the more than 1,000 transferring Frontier employees in the four states. These management and other personnel have expertise and experience on a range of key operational functions, including customer service, customer care and support, network engineering and support, emergency management and public safety, interconnection issues, and regulatory reporting and compliance. It also includes all of the current technical employees who serve the existing customers, and whose experience includes network deployment, network and traffic routing, information technology, and ordering and billing systems.

## **Legal**

- NW Fiber meets the legal qualifications necessary to assume control of the franchise:
  - The current Frontier cable franchise will remain intact and no portions of the document will be amended. NW Fiber will be held to and comply with all the legal obligations currently mandated of Frontier.
  - NW Fiber will conduct business in accordance with all applicable laws, rules, and regulations.

## **Granting of Franchise Transfer**

Proposed Resolution No. 443 would approve this transfer and assign the Franchise Agreement from Frontier to NW Fiber; confirm NW Fiber's acceptance of all the rights and responsibilities established by the terms and conditions of the franchise; and confirm that the terms and conditions of the existing agreement continue in full force and effect.

## **RESOURCE/FINANCIAL IMPACT**

There is no financial impact to the City of Shoreline. All the cable franchise provisions remain intact, therefore there will be no change in the franchise fee revenue collected by the City.

## **RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 443 which would grant a transfer of control of the cable franchise granted to Frontier Communications Corporation to Northwest Fiber, LLC.

**ATTACHMENT**

Attachment A: Resolution No. 433, Transferring Control of the Cable Television Franchise Granted to Frontier Communications Corporation to Northwest Fiber, LLC.

**RESOLUTION NO. 443**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, CONSENTING TO THE TRANSFER OF CONTROL OF THE CABLE FRANCHISE GRANTED IN ORDINANCE NO. 522.**

WHEREAS, on October 27, 2008, the City Council adopted Ordinance No. 522, granting a 12-year Franchise to Verizon Northwest Inc. (“Franchisee”), with the Franchise effective until November 6, 2020; and

WHEREAS, on September 14, 2009, the City Council adopted Resolution No. 289 consenting to the transfer of control of the Franchisee to Frontier Communications Corporation (“Frontier”); and

WHEREAS, on July 1, 2010, the Franchisee changed its corporate name from Verizon Northwest Inc. to Frontier Communications Northwest Inc.; and

WHEREAS, on May 28, 2019, Northwest Fiber LLC entered into a Purchase Agreement with Frontier by which the Franchisee will reorganize as a limited liability corporation and will then become a direct, wholly-owned subsidiary of Northwest Fiber and, pursuant to the Purchase Agreement, the ultimate control of the Franchise will transfer to Northwest Fiber; and

WHEREAS, pursuant to 47 USC §537 and Section 11 of the Franchise, Frontier and Northwest Fiber have required written consent by the City for the transfer of control; and

WHEREAS Frontier and Northwest Fiber have executed a Federal Communications Commission (“FCC”) Form 394, together with attachments, collectively the “Transfer Application,” which documents more fully the transfer and the requests for the City’s consent to the transfer; and

WHEREAS, the City Council considered the Transfer Application and all applicable and relevant factors, and deems it to be in furtherance of the public interest and welfare of its citizens to consent to the transfer request, subject to appropriate conditions;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:**

**Section 1. Consent Approved.** The City of Shoreline, as the franchise authority, consents to the transfer of control from Frontier Communications Corporation to Northwest Fiber LLC as set forth in the Transfer Application. Upon transfer, Northwest Fiber shall comply with all of the terms and conditions of the Franchise granted by Ordinance No. 522.

**Section 2. Franchise in Full Force and Effect.** The City of Shoreline confirms the Franchise granted by Ordinance No. 522 is in full force and effect and expires on November 6, 2020.

**Section 3. Representations of the City.** With passage of this Resolution, the City of Shoreline makes no representations concerning whether any violations or non-compliance exist with respect to the Franchise. Nothing in this Resolution shall be construed by Frontier or Northwest Fiber as precluding the City from addressing any prior acts of noncompliance by Frontier, pursuant to the terms and conditions of the Franchise.

**Section 4. Effective Date of Consent and Notice.** The City of Shoreline's consent shall not take effect until such time as Frontier and Northwest Fiber consummate the proposed transaction described in the Transfer Application. Northwest Fiber shall notify the City by sending written notice to the City Clerk within thirty (30) days of the closing of the transaction.

**Section 5. Severability.** If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

**Section 6. Effective Date of Resolution.** This Resolution shall take effect and be in full force immediately upon passage by the City Council.

**ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 16, 2019.**

\_\_\_\_\_  
Mayor Will Hall

**ATTEST:**

\_\_\_\_\_  
Jessica Simulcik Smith  
City Clerk



**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Resolution No. 446 – Setting a Public Hearing Date Before the City of Shoreline Hearing Examiner to Consider Vacation of a Portion of the Right-of-way on 7th Avenue NE and NE 185 <sup>th</sup> Street
<b>DEPARTMENT:</b>	City Manager’s Office/ Public Works
<b>PRESENTED BY:</b>	Juniper Nammi, Light Rail Project Manager Tricia Juhnke, City Engineer
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Staff is requesting that the City Council adopt Resolution No. 446 (Attachment A) setting the date, time, and location for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN19-0154, which is a petition from Sound Transit seeking to vacate a portion of 7<sup>th</sup> Avenue NE on the north side of NE 185<sup>th</sup> Street to the north end of the street and a contiguous triangular portion of the north side of NE 185<sup>th</sup> Street between 7<sup>th</sup> Avenue NE and 8<sup>th</sup> Avenue NE. This street vacation is proposed to facilitate construction of the Shoreline North/185<sup>th</sup> Street Station, Garage and Transit Center as currently designed for the Lynnwood Link Extension (LLE) Light Rail Project. The date, time, and location of the Public Hearing being set are as follows:

- Wednesday, October 9, 2019 at 6:00 p.m.
- Shoreline City Council Chambers, 17500 Midvale Ave NE, Shoreline, WA 98133

Shoreline Municipal Code (SMC) Chapter 12.17 provides for property owners to petition the City Council for vacation of City Right-of-Way. This petition has been filed with the City by Ms. Stephannie Karlsson representing Sound Transit. The Washington State Department of Transportation (WSDOT) has joined in support of this petition as the other adjacent property owner and will eventually transfer the abutting portion of I-5 Limited Access Area to Sound Transit for the LLE Project. Together the property owned by WSDOT and Sound Transit constitutes 100 percent of the ownership of the property abutting the proposed area of Right-of-Way vacation. Staff has verified the petition is sufficient as defined in Chapter 35A.01.040 RCW.

**RESOURCE/FINANCIAL IMPACT:**

No financial impact is directly associated with adoption of this resolution. However, if the resolution is adopted and the Council eventually approves the Right-of-Way vacation ordinance as proposed, SMC 12.17 requires the petitioner to compensate the City for the vacated right-of-way. Sound Transit and the City have tentatively agreed to compensation through transfer of surplus property and easements to be held in escrow until final legal descriptions and property rights transfers can be recorded. Appraisal

values for the area to be vacated and identified compensation property are pending. Sound Transit and City staff are also still drafting the terms of the street vacation agreement for compensation.

### **RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 446 setting the date, time, and location of 6:00 p.m. on Wednesday, October 9, 2019, in the Shoreline City Council Chambers, 17500 Midvale Ave NE, Shoreline, WA 98133, for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN19-0154 seeking to vacate a portion of 7<sup>th</sup> Avenue NE on the north side of NE 185<sup>th</sup> Street to the north end of the street and a contiguous triangular portion of the north side of NE 185<sup>th</sup> Street between 7<sup>th</sup> Avenue NE and 8<sup>th</sup> Avenue NE.

Approved By:            City Manager **DT**    City Attorney **MK**

## BACKGROUND

Sound Transit is moving forward with permitting and construction of the Lynnwood Link Extension (LLE) Light Rail Project, including two light rail stations and over three miles of guideway within the Shoreline city limits. The proposed Shoreline South/185<sup>th</sup> Station is designed to be located parallel to the I-5 corridor and immediately north of NE 185<sup>th</sup> Street and west of 8<sup>th</sup> Avenue NE. The station is proposed to be located over portions of the I-5 Limited Access Area and the City Right-of-Way for 7<sup>th</sup> Avenue NE and the northern margin of NE 185<sup>th</sup> Street.

Due to the building type and applicable building standards in the International Building Code, the City Right-of-Way lines must be relocated or eliminated prior to issuance of the building permits for the Shoreline North station and garage/transit center structures. Sound Transit has agreed to submit a street vacation petition for this and other locations of City Right-of-Way that are proposed to be fully occupied by the new light rail facilities and no longer usable or easily accessible to the City. This is the first of ten locations where Sound Transit will seek to vacate portions of the City's Right-of-Way and the only one where the Right-of-Way lines conflict with applicable building codes.

## DISCUSSION

Sound Transit, owner of 11 tax parcels located on 7<sup>th</sup> Avenue NE or 8<sup>th</sup> Avenue NE north NE 185<sup>th</sup> Street (listed below), filed a petition (File No. PLN19-0154) seeking to vacate a triangular portion of the north side of NE 185<sup>th</sup> Street and 7<sup>th</sup> Avenue NE from the intersection with NE 185<sup>th</sup> Street to the north end of the street (approximately 489 feet) as depicted and legally described in Exhibit A to Attachment A. WSDOT has joined in support of this petition as the other adjacent property owner. WSDOT has also agreed to eventually transfer the abutting portion of I-5 Limited Access Area to Sound Transit for the LLE Project. Together the property owned by WSDOT and Sound Transit constitutes 100 percent of the ownership of the property abutting the proposed area of ROW vacation.

<b>King County Parcel Number</b>	<b>Address</b>	<b>Owner</b>
0526049030	18509 8 <sup>th</sup> Ave NE	Central Puget Sound Regional Transit Authority (Sound Transit)
0526049052	18511 8 <sup>th</sup> Ave NE	Sound Transit
0526049029	18510 7 <sup>th</sup> Ave NE	Sound Transit
0526049060	18516 7 <sup>th</sup> Ave NE	Sound Transit
0526049027	18520 7 <sup>th</sup> Ave NE	Sound Transit
0526049044	18528 7 <sup>th</sup> Ave NE	Sound Transit
0526049015	18534 7 <sup>th</sup> Ave NE	Sound Transit
0526049056	18540 7 <sup>th</sup> Ave NE	Sound Transit
0526049061	18546 7 <sup>th</sup> Ave NE	Sound Transit
0526049032	18552 7 <sup>th</sup> Ave NE	Sound Transit
Interstate 5 Limited Access Area	I-5 at NE 185 <sup>th</sup> Street and north ~489 feet	State of Washington – Dept. of Transportation (WSDOT)

SMC 12.17.020 requires that the City Council, by resolution, fix a time when the petition will be heard by the City of Shoreline Hearing Examiner, not more than 60 days and not less than 20 days after the date of passage of the proposed resolution. Proposed Resolution No. 446 sets the date, time and location for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN19-0154. The date, time and location being set are as follows:

- Wednesday, October 9, 2019 at 6:00 p.m.
- Shoreline City Council Chambers, 17500 Midvale Ave NE, Shoreline, WA 98133

Following the public hearing, the City's Hearing Examiner will forward his recommendation regarding the proposed right-of-way vacation. Staff will then prepare a staff report detailing the Hearing Examiner's recommendation and requesting that the Council either pass or reject and ordinance granting the vacation.

### **STAKEHOLDER OUTREACH**

Sound Transit has held three open house public meetings for the design for the portion of LLE Project to be located in Shoreline. The Shoreline North/185<sup>th</sup> Station Area site plans consistently showed the proposed station site as occupying a portion of the 7<sup>th</sup> Avenue NE and NE 185<sup>th</sup> Street Right-of-Way area. Additional public outreach will be in the form of the public hearing to be set before the City's Hearing Examiner by Resolution No. 446 and related notice and comment periods.

### **COUNCIL GOAL(S) ADDRESSED**

Adoption of proposed Resolution No. 446 to advance City consideration of this Street Vacation Petition from Sound Transit supports the 2019-2021 *Council Goal 3 – Continued preparation for regional mass transit in Shoreline.*

### **RESOURCE/FINANCIAL IMPACT**

No financial impact is directly associated with adoption of this resolution. However, if the resolution is adopted and the Council eventually approves the right-of-way vacation ordinance as proposed, SMC 12.17 requires the petitioner to compensate the City for the vacated right-of-way. Sound Transit and the City have tentatively agreed to compensation through transfer of surplus property and easements to be held in escrow until final legal descriptions and property rights transfers can be recorded. Appraisal values for the area to be vacated and identified compensation property are pending. Sound Transit and City staff are also still drafting the terms of the street vacation agreement for compensation.

### **RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 446 setting the date, time, and location of 6:00 p.m. on Wednesday, October 9, 2019, in the Shoreline City Council Chambers, 17500 Midvale Ave NE, Shoreline, WA 98133, for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN19-0154 seeking to vacate a portion of 7<sup>th</sup> Avenue NE on the north side of NE 185<sup>th</sup> Street to the north

end of the street and a contiguous triangular portion of the north side of NE 185<sup>th</sup> Street between 7<sup>th</sup> Avenue NE and 8<sup>th</sup> Avenue NE.

### **ATTACHMENTS**

Attachment A: Proposed Resolution No. 446

Attachment A – Exhibit A: Proposed Street Vacation Area Map and Legal Description

EXHIBIT "B"

R/W No. LL-509  
7<sup>TH</sup> AVE NE  
CITY OF SHORELINE



**VACATION AREA:**

ALL OF 7TH AVE NE AND PORTION OF NE 185TH STREET IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 4 EAST, LYING **NORTHERLY** OF THE FOLLOWING DESCRIBED **LINE**:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 4 EAST;  
THENCE S87°58'49"E ALONG THE SOUTH LINE OF SAID SECTION, BEING THE CENTERLINE OF NE 185<sup>TH</sup> STREET, A DISTANCE OF 589.21 TO HIGHWAY ENGINEER'S STATION 10+70 ON THE 185<sup>TH</sup> STREET LINE SURVEY OF WSDOT R/W PLAN "SR5, SEATTLE FREEWAY, EAST 145<sup>TH</sup> STREET TO EAST 200<sup>TH</sup> STREET";  
THENCE AT RIGHT ANGLES N02°01'11"E A DISTANCE OF 40 FEET TO THE EXISTING ANGLE POINT IN THE NORTH MARGIN OF SAID STREET, BEING THE **POINT OF BEGINNING**;  
THENCE N87°29'59"W A DISTANCE OF 278.56 FEET TO THE EAST MARGIN OF SR 5, BEING THE END OF THE HEREIN DESCRIBED **LINE**.

CONTAINING 24,429 SQUARE FEET

**RESOLUTION NO. 446**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, SETTING A PUBLIC HEARING DATE BEFORE THE CITY OF SHORELINE HEARING EXAMINER TO CONSIDER VACATION OF THE RIGHT-OF-WAY COMMONLY REFERRED TO AS 7TH AVENUE NE AND A PORTION OF NE 185TH STREET.**

WHEREAS, Shoreline Municipal Code Chapter 12.17 provides the owners of two-thirds interest in any real estate abutting a City Right-of-Way to petition the City Council for vacation of the City Right-of-Way; and

WHEREAS, a petition to vacate public right-of-way, being 7<sup>th</sup> Avenue NE and a portion of NE 185<sup>th</sup> Street, as shown on Exhibit A attached hereto and incorporated in full by this reference, was filed with the City of Shoreline on August 20, 2019; and

WHEREAS, this petition, referenced as File No. PLN19-0154, was filed by the Central Puget Sound Regional Transit Authority (Sound Transit), the owner of nine (9) tax parcels abutting the eastern edge of 7<sup>th</sup> Avenue NE and the northern edge of NE 185<sup>th</sup> Street; and

WHEREAS, Sound Transit is also the owner of two (2) tax parcels for which 7<sup>th</sup> Avenue NE provides ingress and egress with one parcel partially abutting the northern edge of 7<sup>th</sup> Avenue NE;

WHEREAS, Sound Transit secured ownership of these tax parcels to facilitate construction of the Lynnwood Link Light Rail System under the threat of condemnation; these tax parcels are identified by King County Tax Parcel Nos. 0526049031, 0526049032, 0526049061, 0526049056, 0526049015, 0526049044, 0526049027, 0526049060, 0526049029, 0526049052, and 0526049030, which represents the ownership of at least two-thirds interest in the abutting property; and

WHEREAS, property on the western border of 7<sup>th</sup> Avenue NE is owned by the State of Washington for state highway purposes; and

WHEREAS, in 1961, the State of Washington (Department of Transportation) obtained land for state highway purposes; namely the construction of State Highway 1, what is now Interstate 5, and, in 1984 conveyed to King County by quick claim deed all of the State's right, title, and interest for certain lands that were not required for state highway purposes, provided that these lands were for road purposes and that any vacation, sale or rental of such road shall be placed in a fund used exclusively for road purposes; and

WHEREAS, City staff has verified the petition as sufficient; and

WHEREAS, SMC 12.17.020 requires that the City Council, by resolution, fix a time when the petition will be heard by the City of Shoreline Hearing Examiner not more than 60 days and not less than 20 days after the date of passage of this resolution;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The time and place for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN19-0154, seeking to vacate 7th Avenue NE, is fixed as Wednesday, October 9, 2019, at 6:00 pm and shall be held in City Council Chambers, Shoreline City Hall located at 17500 Midvale Avenue N, Shoreline, WA 98133.

**Section 2.** The City Clerk shall cause notice of the public hearing to be provided as set forth in SMC 12.17.020.

**ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 16, 2019.**

\_\_\_\_\_  
Mayor Will Hall

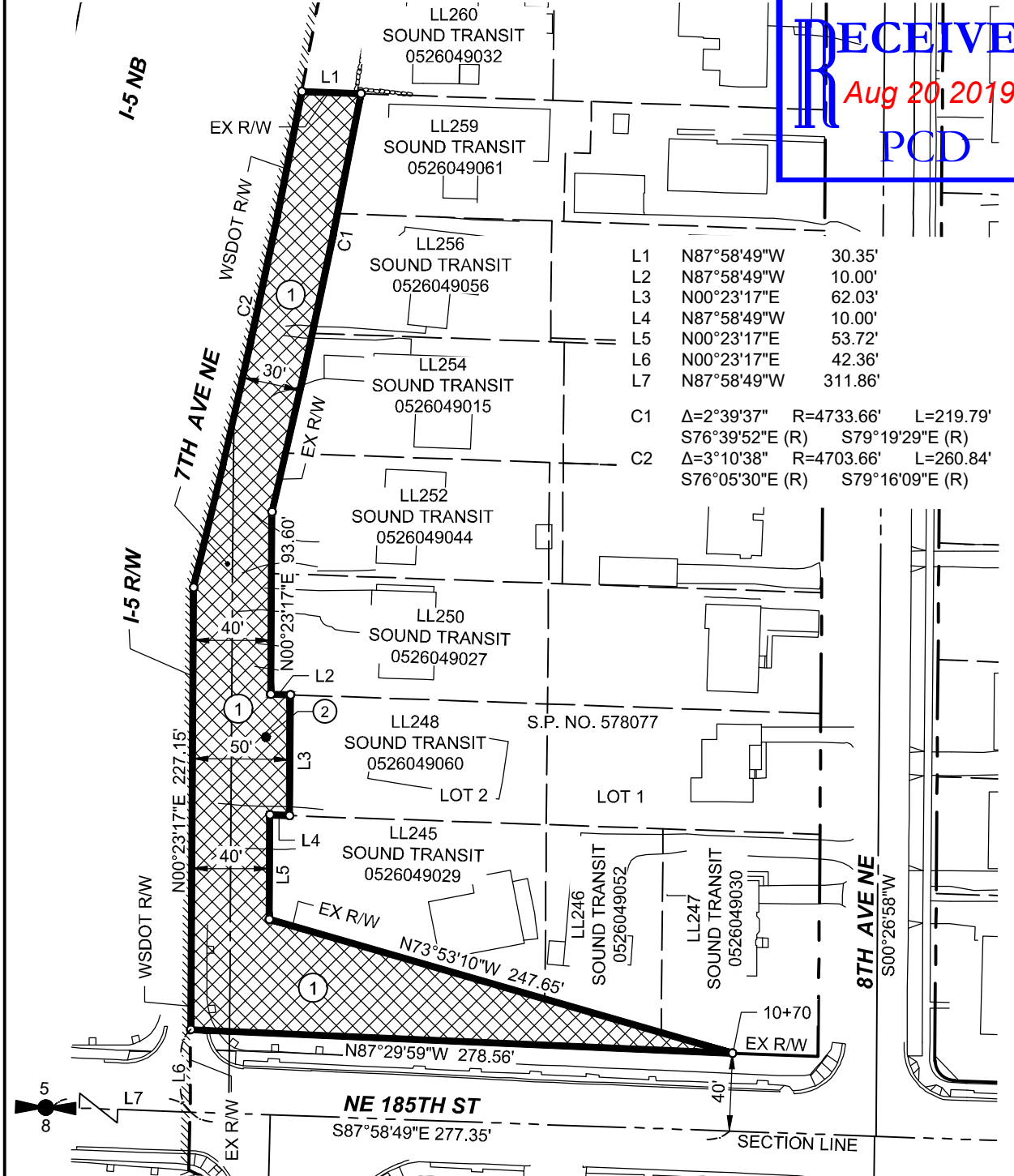
**ATTEST:**

\_\_\_\_\_  
Jessica Simulcik Smith, City Clerk



# 7TH AVE NE & NE 185TH STREET VACATION

SW 1/4 SE 1/4 SEC 5, T 26 N, R 4 E, W.M.



L1	N87°58'49"W	30.35'
L2	N87°58'49"W	10.00'
L3	N00°23'17"E	62.03'
L4	N87°58'49"W	10.00'
L5	N00°23'17"E	53.72'
L6	N00°23'17"E	42.36'
L7	N87°58'49"W	311.86'
C1	Δ=2°39'37" R=4733.66' L=219.79' S76°39'52"E (R) S79°19'29"E (R)	
C2	Δ=3°10'38" R=4703.66' L=260.84' S76°05'30"E (R) S79°16'09"E (R)	

- ① R/W CONVEYED TO KING COUNTY BY DEED, RECORDING NO. 8603110515.
- ② R/W CONVEYED TO KING COUNTY BY SHORT PLAT, RECORDING NO. 7901170721.

**LEGEND**

- RIGHT-OF-WAY LINE
- EXISTING RIGHT-OF-WAY LINE
- STREET CENTER LINE
- PROPERTY LINE
- VACATED PARCEL

40 20 0 40 80 NAD 83 (2011)

SCALE IN FEET

R/W VACATION AREA

**SOUNDTRANSIT**

**HNTB Jacobs** Trusted design partners

**L & A** LIN & ASSOCIATES

LINK LIGHT RAIL TRANSIT SYSTEM

VACATION AREA: 24,429 SF      DATE: 7/10/2019

EXHIBIT "C"  
R/W NO. LL509

SHORELINE STREET VACATION

CITY OF SHORELINE      KING COUNTY, WA

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Public Hearing and Discussion of Ordinance No. 865: Amending the City of Shoreline Commute Trip Reduction Plan
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Nytasha Walters, Transportation Services Manager
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

In 2006, the Washington State Legislature passed the Commute Trip Reduction (CTR) Efficiency Act updating the 1991 Commute Trip Reduction Law, which requires local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce single-occupant vehicle trips. The City of Shoreline adopted a CTR Plan in 2008. Per State law, local CTR plans must be updated at least once every four years in order to establish any new four-year targets and program strategies.

In June 2018, the state CTR Board adopted a draft Strategic Plan and because no major changes were made to the state’s CTR Program, the CTR Board took action to exempt local jurisdictions from plan updates for the 2019-2023 cycle. The current Shoreline CTR Plan has an effective period through the 2015-2019 cycle. Staff would like to utilize the state CTR Board exemption by extending the City’s current CTR Plan for the 2019-2023 cycle without any additional updates, allowing a thorough review of the plan’s targets and program strategies over the next few years as staff updates the Transportation Master Plan. Tonight’s public hearing is an opportunity for public comment on the City’s CTR Plan prior to Council action to adopt proposed Ordinance No. 865, which is scheduled for action on September 30, 2019.

**RESOURCE/FINANCIAL IMPACT:**

There is no financial impact associated with tonight’s action.

**RECOMMENDATION**

Staff recommends that Council hold the public hearing to receive comments on proposed Ordinance No. 865 which amends the City of Shoreline current CTR Plan to cover the 2019-2023 planning period. Council is scheduled to adopt proposed Ordinance No. 865 amending the City’s CTR Plan on September 30, 2019.

Approved By:            City Manager **DT**    City Attorney **MK**

## **BACKGROUND**

In 2006, the Washington State Legislature passed the Commute Trip Reduction (CTR) Efficiency Act updating the 1991 Commute Trip Reduction Law, which requires local governments in those counties experiencing the greatest automobile-related air pollution and traffic congestion to develop and implement plans to reduce single-occupant vehicle trips. The City of Shoreline is located within the affected urban growth area and is required to have a CTR Plan.

The City of Shoreline CTR Plan was adopted in 2008 and incorporated by reference into the City's Municipal Code (SMC 14.10.020.). It is an aggregation of City-adopted goals and policies, facility and service improvements, and marketing strategies about how the City will help make progress for reducing drive alone trips and vehicle miles traveled. The financial impacts of the Plan are also addressed. The Plan helps to support the achievement of the City of Shoreline's vision and the goals of its Comprehensive Plan.

Per State law, local CTR plans must be updated at least once every four years in order to establish any new four-year targets and program strategies. The City of Shoreline CTR Plan was last updated in September 2017 by Ordinance No. 787, which amended the 2008 CTR Plan with the 2015-2019 CTR Implementation Plan Update. That staff report can be viewed at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport091117-7c.pdf>.

The 2008 CTR Plan had been previously updated by Ordinances Nos. 526 and 658.

In June 2018, the CTR Board adopted a draft Strategic Plan with no major changes made to the CTR program. Because no major changes were made to the CTR program, in July 2018 the CTR Board issued a memorandum exempting CTR jurisdictions from CTR Plan update requirements for the 2019-2023 cycle. This allows jurisdictions to defer updating CTR Plans until June 2023.

## **DISCUSSION**

As proposed by Ordinance No. 865, staff recommends deferring updates to the City of Shoreline CTR Plan at this time and taking advantage of the CTR Board time deferment by amending the current CTR Plan to cover the 2019-2023 planning period. To do this, an ordinance to extend the plan effective date must be adopted.

Over the next few years, staff will be updating the Transportation Master Plan (TMP), which was last updated in 2011, and as part of this effort, a thorough review of the current CTR Plan will be made. This review will evaluate the program goals, targets, successes, challenges, and program strategies. While staff realizes that portions of the current CTR Plan are outdated, aligning a major update of the CTR Plan with the TMP update will allow the CTR Plan to include the most recent vision and policies. The City did not budget for a major CTR Plan update this year, and so staff recommends updating the CTR plan along with the TMP, beginning in 2020. If staff were to proceed with plan updates this year, those updates would be temporary and incomplete. Utilizing the CTR Board exemption makes implementation and financial sense.

The City contracts with King County to help implement the Washington State CTR Program on behalf of Shoreline. A temporary contract extension is in place until fall 2019 when King County will have a contract available for the 2019-2021 biennium. King County assists the City with its plan updates, as well as providing technical assistance and promotional materials to the six CTR site in Shoreline, administering surveys, and submitting annual reports. King County has undergone staffing changes and currently has temporary staff in the support role for this contract. Deferring a plan update at this time would also benefit the City by waiting to work with the County's new Shoreline representative on a detailed plan and performance review over the next few years.

**Public Hearing and Proposed Council Adoption**

Tonight's public hearing is an opportunity for the public to provide comment on the City's CTR Plan prior to Council action to adopt proposed Ordinance No. 865, which is currently scheduled for September 30, 2019. Following tonight's public hearing, Council may discuss proposed Ordinance No. 865 and ask questions of staff about the plan update.

**COUNCIL GOAL(S) ADDRESSED**

This program is related to Council Goal 2: Improve Shoreline's infrastructure to continue the delivery of highly-valued public services. The major goals for the CTR program are to improve transportation system efficiency, conserve energy, and improve air quality.

**RESOURCE/FINANCIAL IMPACT**

There is no financial impact associated with tonight's action.

**RECOMMENDATION**

Staff recommends that Council hold the public hearing to receive comments on proposed Ordinance No. 865 which amends the City of Shoreline current CTR Plan to cover the 2019-2023 planning period. Council is scheduled to adopt proposed Ordinance No. 865 amending the City's CTR Plan on September 30, 2019.

**ATTACHMENTS**

Attachments A: Proposed Ordinance No. 865

**ORDINANCE NO. 865**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING THE CITY OF SHORELINE COMMUTE TRIP REDUCTION PLAN, AS SET FORTH IN SECTION 14.10.020 OF THE SHORELINE MUNICIPAL CODE.**

WHEREAS, RCW 70.94.527 requires the City of Shoreline to adopt a commute trip reduction plan (“CTR Plan”); and

WHEREAS, with the adoption of Ordinance No. 787, the City adopted its CTR Plan for the 2015-2019 planning period; and

WHEREAS, on June 22, 2018 the Washington State Commute Trip Reduction Board (CTR Board) adopted a strategic plan, entitled *Expanding Travel Options: Faster, Smarter and More Affordable*; and

WHEREAS, because there were no major changes being made to the State’s CTR Program at that time, the CTR Board took action to exempt jurisdictions from local/regional plan updates for the 2019-2023 cycle, permitting jurisdictions to defer updates until June 2023 if they so desired, despite RCW 70.94.527’s requirement that the City is to update its CTR Plan every four years; and

WHEREAS, the CTR Plan currently incorporated by reference within SMC 14.10.020 provides for a planning period ending 2019; and

WHEREAS, an amendment is needed to reflect the deferral of updates to 2023 as authorized by the Washington State CTR Board;

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

**Section 1. Amendment to SMC 14.10.020.** SMC 14.10.020 City of Shoreline CTR Plan, dated August 25, 2008, as amended by Ordinance Nos. 526, 658, and 787, is amended to cover the 2019-2023 planning period.

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

**Section 3. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

**Section 4. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 30, 2019

\_\_\_\_\_  
Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jessica Simulcik Smith  
City Clerk

\_\_\_\_\_  
Margaret King  
City Attorney

Date of Publication: \_\_\_\_\_, 2019  
Effective Date: \_\_\_\_\_, 2019

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Discussion of Ordinance No. 868 – Establishing a Citywide Moratorium on the Filing, Acceptance, Processing, and/or Approval of Applications for Master Plan Development Permits and Applications for Essential Public Facility Special Use Permits
<b>DEPARTMENT:</b>	Planning and Community Development
<b>PRESENTED BY:</b>	Rachael Markle, Planning & Community Development Director
<b>ACTION:</b>	<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 Department of Social and Health Services (DSHS) is currently developing a Master Development Plan (MDP) permit application that includes expansion of existing uses and that may include new uses and the siting of an Essential Public Facility (EPF). The Development Code identifies both the Special Use Permit (SUP) and the MDP permit as processes to be used for the siting of EPFs. The current criteria for MDP approval in Shoreline Municipal Code (SMC) Section 20.30.353, however, are not designed to evaluate siting of EPFs. Additionally, the MDP permit process was adopted in 2008 and has not been holistically updated to reflect current Comprehensive Plan policies and development goals. The SUP process, which is designed for the siting of EPFs, also has not been evaluated since the adoption of the City’s Unified Development Code in 2000. Reviewing the criteria for these processes and amending them, if necessary, will ensure that any future MDP or SUP will further the City’s long-term vision and goals.

Given the current deficiencies in these provisions, staff recommends that Council enact a citywide moratorium on the acceptance of permit applications for MDP permits and EPF SUPs. A moratorium will allow staff time to study the appropriateness of current approval criteria for both permit types in relationship to the City’s goals and policies and determine the process or processes to use to best evaluate a plan that includes the siting of an EPF.

Tonight, Council is scheduled to discuss proposed Ordinance No. 868 (Attachment A), which would enact a six (6) month citywide moratorium on the acceptance of all applications for MDP permits and EPF SUPs. If Council would like to proceed with adopting Ordinance No. 868, then Council should direct staff to schedule Ordinance No. 868 for action.

**RESOURCE/FINANCIAL IMPACT:**

A moratorium on the acceptance of permit applications for MDP permits and EPF SUPs will have an impact on staff resources. The time sensitive nature of work under a moratorium will require prioritizing this effort more quickly than considering possible

changes under next year's batch amendment process and possibly work on the Housing Choices initiative in 2020.

**RECOMMENDATION**

Staff recommends that Council discuss Ordinance No. 868 to enact a six (6) month citywide moratorium on the acceptance of all applications for Master Development Plan permits and Essential Public Facility Special Use Permits. Staff further recommends that Council hold a public hearing and act on proposed Ordinance No. 868 on October 7, 2019.

Approved By:            City Manager ***DT***    City Attorney ***MK***



## **INTRODUCTION**

Based on the recent renewal of activity by the State Department of Social and Health Services (DSHS) to submit a Fircrest Master Development Plan (MDP) that includes the expansion of existing uses on the campus, new uses that would support persons with developmental disabilities, and the siting of an Essential Public Facility (EPF), staff recommends that Council enact a citywide moratorium on the acceptance of permit applications for MDP permits and EPF Special Use Permits (SUPs). A moratorium will allow staff time to study the current approval criteria for both permit types in relationship to the City's goals and policies and determine and adopt adequate and relevant processes to best evaluate a plan that includes the siting of an EPF.

The current criteria for MDP permit approval in SMC 20.30.353 are not adequate or designed to evaluate the siting of EPFs and also may not fully reflect the City's updated and current comprehensive plan policies and development goals. The SUP process, which is designed for the siting of EPFs, does not currently consider long range, multi-year campus planning. Additionally, since the Development Code states that the purpose of both MDP permits and SUPs are to permit EPFs, it is unclear which process or processes would be required to review an MDP permit that also includes the siting of an EPF. Reviewing the criteria for these processes and amending them, if necessary, will ensure that any future MDP or SUP will further the City's long-term vision and goals and that the process is compliant with the City's current comprehensive plan.

A moratorium will also allow for the evaluation of potential issues associated with the permitting of MDP permits and SUPs beyond the compatibility with plans and zones, including whether updates to specific design standards and the decision criteria should be instituted, which, once in place, will help the processing of such permits.

## **BACKGROUND**

In December of 2008, the City Council amended the Comprehensive Plan to create the Campus Zone; rezoned Shoreline Community College, CRISTA, the State Public Health Lab and Fircrest to the Campus zone and amended the Development Code to create the MDP permit process. The MDP permit in SMC 20.50.046(C) requires that all development within Campus zones shall be governed by an MDP permit reviewed pursuant to SMC 20.30.060 and 20.30.353. SMC 20.30.353 further states that an MDP permit is to be used to define development of EPFs (Attachment B).

A Master Development Plan is defined as:

“A plan that establishes site specific development standards for an area designated Campus or Essential Public Facility as defined in the comprehensive plan. Master Development Plans incorporate proposed development, redevelopment, and/or minor expansion of uses as authorized in the Development Code.”

The Comprehensive Plan defines an Essential Public Facility as:

“Facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities;

and in-patient facilities, including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020 (RCW 36.70A.200).”(Attachment C)

SMC 20.30.330 Special Use Permit states the purpose of this permit is to “...allow a permit granted by the City to locate a regional land use including essential public facilities on unclassified lands, unzoned lands, or when not specifically allowed by the zoning of the location...”. The decision criteria for approving a SUP is more applicable to the siting an EPF than the MDP criteria, however, the SUP process would not be adequate to review and approve a Campus Master Plan.

The MDP permit and SUP decision criteria adopted in 2008 and 2000 respectively, may also be outdated and not reflective of Shoreline’s current goals and policies. The City adopted “Vision 2029” in 2009. Then in 2012, the City’s Comprehensive Plan went through the State mandated major update process. In 2015 and 2016, the City Council adopted two subarea plans and rezoned approximately 500 acres around the two future Sound Transit light rail stations to create two transit oriented communities. These changes and the coming of light rail to Shoreline has dramatically advanced the City’s vision for the future. The MDP permit process and decision criteria, however, were created before these major updates to Shoreline’s long-range vision and plans. Council priorities have certainly shifted since 2008 when the MDP and SUP processes and decision criteria were adopted, with many of these changes being reflected in the City’s Comprehensive Plan.

Furthermore, when the MDP and SUP processes were codified, the Planning Commission was designated as the review authority and the City Council was the approving authority. In December 2011, the review and decision authority were amended to be the Hearing Examiner. The decision criteria have also not been reevaluated by the Council to ensure sufficient direction will be provided to the Hearing Examiner to make these decisions on behalf of the City Council.

All of the areas in the City that are zoned Campus and require MDPs have completed this planning work with the exception of the Fircrest School Campus. Multiple planning efforts have occurred, the latest in 2018, but none have progressed to the point of submittal of an application to the City. DSHS has recently restarted work on the Fircrest MDP with the goal of submitting a new proposal to the City this November.

## **ANALYSIS**

Moratoria are regulated by the Revised Code of Washington (RCW) 36.70A.390 and RCW 35A.63.220. Both of these statutes require that the City Council hold a public hearing on the moratorium within at least 60 days of adoption of the moratorium. The moratorium may be in effect for no longer than six (6) months. The moratorium, however, may be extended to up to a year if supported by a work plan or renewed for one or more six-month periods following a public hearing and findings of fact supporting the continuation are made prior to each renewal.

The statute further allows a Council to adopt a moratorium on an emergency basis requiring approval of a majority plus one (super-majority) of the Council. In this case

the moratorium goes into effect immediately. The Council can adopt a moratorium ordinance without declaring an emergency and in this case a Council majority approval is required, and the moratorium would go into effect five days after adoption. In either case the Council is required to hold a public hearing within 60 days of adoption of the moratorium if the hearing is not held at the same time as the adoption.

Staff's recommendation for a moratorium was prompted, as noted above, by DSHS restarting the MDP permit process for the Fircrest Campus. The draft site plan DSHS shared with stakeholders on August 19, 2019 illustrated a shift away from the expansion of existing uses and inclusion of underutilized property previously shown to now include the establishment of completely new uses, including an EPF but not underutilized property. For over a decade, the City has planned for and discussed with various state partners the potential for a portion of the underutilized property to be made available for advancing community goals and policies that would also be compatible with the planned DSHS uses.

Behavioral Health facilities are a new use, yet to be defined, that are being considered by the State for inclusion in the MDP and are considered EPFs. The State's interest in including a Behavioral Health facility in the Fircrest MDP permit represents the first time that the City's MDP permit process would need to be used to site an EPF. Upon examination, staff identified that the MDP permit decision criteria does not adequately address the siting of EPFs. The SUP, a process that is also designated in the SMC to site EPFs, has criteria that is more on point with the factors that should be considered when siting an EPF. However, it is unclear which process would be appropriate to use for the Fircrest Campus since both processes appear applicable which may create conflict or a duplicative process at best.

There are also multiple stakeholders from the State (DSHS, Department of Natural Resources (DNR), the Governor's Office, Office of Financial Management (OFM) and individual Legislators) with goals for the Fircrest Campus that are not being contemplated as a whole. The State Legislature has funded DSHS for \$69.2 million for two state constructed community civil bed facilities; one providing 16 state operated civil beds and one providing 48 mixed-use beds of which 16 beds would be state operated civil beds. DNR must consult with OFM and DSHS to develop recommendations for future use of the Fircrest School Campus by the end of 2019. Knowing that there are these interests and studies funded in process that have the potential to influence future uses on the Fircrest Campus, the City is very interested in having this information and analysis to help inform the City's decision on an MDP permit or EPF SUP.

The City's definitions and permitted uses were created prior to the State's creation of a program to site community behavioral health facilities. Existing uses defined in the SMC may be too broadly defined to ensure adequate process and procedures to appropriately site these EPFs. The reason for this moratorium is not only to allow time for staff to analyze and the public to consider where and/or under what conditions to site such new uses in the City, but to determine how EPFs can be designed to be consistent with the goals and policies for the surrounding community.

In addition, the MDP process does not address the following:

- Sites with multiple property owners with diverging interests;
- The need for compact site planning to make the best use of the limited remaining under-utilized property within the City;
- The possibility of portions of a site being removed from the Campus designation; and
- The social justice implications of concentrations of institutional and essential public facility uses in a particular area.

### **Alternatives**

The alternatives considered by staff include:

1. Adopt a citywide moratorium on the acceptance of all permit applications for MDPs and EPF SUPs; or
2. Continue to review applications under the current processes and add a review of MDP and SUP criteria and use definitions to the 2020 Development Code batch amendments.

### **Alternative 1 City Wide Moratorium:**

A citywide moratorium would allow the City time to analyze this issue based on the city as a whole and would provide clear guidelines and standards to those using the MDP and/or SUP process for ESPs. This analysis would likely include not only where new facilities should be located but may also include consideration of potential distribution or limitation on numbers, and design standards so as to mitigate impacts and ensure compatibility with the vision for the area.

### **Alternative 2 Retain Current Code:**

If the Council elects this option, no ordinance would be needed at this time and this would be reviewed next year.

Staff recommends Alternative 1: adopt a citywide moratorium on the acceptance of all permit applications for MDPs and EPF SUPs. Staff further recommends that Council hold the public hearing and act on proposed Ordinance No. 868 on October 7, 2019.

## **RESOURCE/FINANCIAL IMPACT**

A moratorium on the acceptance of permit applications for MDP permits and EPF SUPs will have an impact on staff resources. The time sensitive nature of work under a moratorium will require prioritizing this effort more quickly than considering possible changes under next year's batch amendment process and possibly work on the Housing Choices initiative in 2020.

## **RECOMMENDATION**

Staff recommends that Council discuss Ordinance No. 868 to enact a six (6) month citywide moratorium on the acceptance of all applications for Master Development Plan permits and Essential Public Facility Special Use Permits. Staff further recommends that Council hold a public hearing and act on proposed Ordinance No. 868 on October 7, 2019.

## **ATTACHMENTS**

Attachment A: Proposed Ordinance No. 868

Attachment B: Shoreline Development Code Excerpts – SMC 20.30

Attachment C: Shoreline Comprehensive Plan Excerpts

**ORDINANCE NO. 868**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON IMPOSING A MORATORIUM ON THE FILING, ACCEPTANCE, AND APPROVAL OF APPLICATIONS FOR MASTER DEVELOPMENT PLANS AND ESSENTIAL PUBLIC FACILITIES SPECIAL USE PERMITS WITHIN THE CITY OF SHORELINE FOR SIX MONTHS.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, Shoreline Municipal Code (SMC) 20.50.046(C) requires that all development within campus zones shall be governed by a master development plan reviewed pursuant to SMC 20.30.060 and 20.30.353; SMC 20.30.353 further states that a master development plan is to define development of essential public facilities; and

WHEREAS, SMC 20.30.330 states that a special use permit may be used to locate a regional land use, including essential public facilities, when not specifically allowed by the zoning of the location; and

WHEREAS, the Master Development Plan permit and Special Use Permit decision criteria adopted in 2008 and 2000 respectively, may also be outdated and not reflective of Shoreline's current goals and policies; and

WHEREAS, the City Council has significant concerns about development in the City under the current master development plan and essential public facilities special use permit regulations in the context of the visions and goals of the City's Comprehensive Plan, and is discussing how to best accommodate growth and development in both general and specific ways so as not to frustrate the City Council's vision; and

WHEREAS, allowing the submittal of applications for master development plans and essential public facilities special use permits before the City can conduct a comprehensive analysis, may result in applications being approved that could not only violate the goals and policies of the City's Comprehensive Plan but also result in adverse impacts to the character of the City and its citizens; and

WHEREAS, the City Council requires time to review regulations and policies related to these types of applications and the uses permitted to ensure that the visions and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, a moratorium will allow time for the City Council to gather information, perform an analysis, engage the community, and to adopt development regulations addressing the comprehensive long-term planning that is associated with master development plans and special use permits so as to ensure consistency with the City's Comprehensive Plan, the development regulations, and to ensure consistency and conformity with the surrounding community while maintaining the status quo; and

WHEREAS, the MDP process does not address sites with multiple property owners with diverging interests, the need for compact site planning to make the best use of the limited remaining under-utilized property within the City, the possibility of portions of a site being removed from the campus designation, and the social justice implications of concentrations of institutional and essential public facility uses; and

WHEREAS, existing uses defined in the SMC may be too broadly defined to ensure adequate process and procedures to appropriately site these essential public facilities; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the Shoreline City Council to adopt moratoriums, interim zoning ordinances, and interim official controls as methods to preserve the status quo while comprehensive analysis is being conducted and regulations are being developed PROVIDED that the City hold a public hearing on the proposed moratorium within sixty days of adoption; and

WHEREAS, the City Council desires to impose a six (6) month moratorium on the filing, acceptance, and approval of applications for master development plans and essential public facilities special use permits within the all zoning districts of the City;

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

**Section 1. Moratorium.** The City hereby imposes a six (6) month moratorium on the filing, acceptance, and approval of all applications for master development plans and essential public facilities special use permits within all zoning districts of the City of Shoreline. All such applications shall be rejected and returned to the applicant.

**Section 2. Definitions.** For the purpose of this moratorium, the terms "master development plan" and "special use permit" have the same meaning as provided in SMC Chapter 20.20 Definitions and the term "essential public facilities" has the same meaning as provided in Comprehensive Plan Policies LU63 and RCW 36.70A.200.

**Section 3. Public Hearing Set.** As provided in RCW 35A.63.220 and RCW 36.70A.390, the City Council sets a public hearing for October 7, 2019, starting at 7:15 pm or as soon thereafter

as possible. After the public hearing, the City Council shall adopt findings of fact on the subject of this moratorium and either justify its continued imposition or cancel the moratorium.

**Section 4. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

**Section 5. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication. This Ordinance does not affect any existing vested rights for any complete application for a master development plan or essential public facility special use permit submitted or approved prior to the effective date.

**PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jessica Simulcik-Smith  
City Clerk

\_\_\_\_\_  
Margaret King  
City Attorney

Date of Publication: , 2019  
Effective Date: , 2019



**SMC Title 20**

**Excerpt from Chapter 20.30 – Procedures and Administration**

**Shoreline Municipal Code (SMC)**

**20.20.034 M definitions.**

Master Development Plan	A plan that establishes site-specific development standards for an area designated campus zone or essential public facility as defined in the Comprehensive Plan. Master development plans incorporate proposed development, redevelopment and/or expansion of uses as authorized in this Code. (Ord. 507 § 4, 2008).
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**SMC Title 20**

**Excerpt from Chapter 20.30 – Procedures and Administration**

**20.30.353 Master development plan.**

A. **Purpose.** The purpose of the master development plan is to define the development of property zoned campus or essential public facilities in order to serve its users, promote compatibility with neighboring areas and benefit the community with flexibility and innovation. With the exception of those uses and standards contained in this section, all other aspects of development, redevelopment or expansion will be regulated as prescribed in this title and other applicable codes for all uses that are permitted outright or through conditional or special use processes in the underlying zones.

B. **Decision Criteria.** A master development plan shall be granted by the City only if the applicant demonstrates that:

1. The project is designated as either campus or essential public facility in the Comprehensive Plan and Development Code and is consistent with goals and policies of the Comprehensive Plan.
2. The master development plan includes a general phasing timeline of development and associated mitigation.
3. The master development plan meets or exceeds the current critical areas regulations, Chapter [20.80](#) SMC, Critical Areas, or Shoreline Master Program, SMC Title [20](#), Division II, if critical areas or their buffers are present or project is within the shoreline jurisdiction and applicable permits/approvals are obtained.
4. The proposed development uses innovative, aesthetic, energy-efficient and environmentally sustainable architecture and site design (including low impact development stormwater systems and substantial tree retention) to mitigate impacts to the surrounding neighborhoods.

5. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.

6. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.

7. The master development plan proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards that minimize conflicts and create transitions between the proposal site and adjacent neighborhoods and between institutional uses and residential uses.

8. The applicant shall demonstrate that proposed industrial, commercial or laboratory uses will be safe for the surrounding neighborhood and for other uses on the campus.

C. **Amendments.** Minor amendments to an approved master development plan may be approved by the Director if the amendment meets the development standards and criteria applicable to the zoning and requirements set forth in this section. Minor amendments include any revision or modification of the previously approved master development plan that would result in any one or more of the following:

1. An increase in the square footage of any proposed building or structure by 10 percent or less;  
or
2. A change of 15 percent or less in the number of new parking spaces, parking spaces created by restriping existing parking areas and/or a combination of both except for an increase in parking spaces for bicycles or electric vehicles; or
3. A change in the original phasing timeline for mitigation of the master development plan; or

4. Changes to building placement when located outside of the required setbacks and any required buffers for critical areas; or
5. A cumulative increase in impervious surface of 10 percent or less or a cumulative decrease in tree cover of 10 percent or less; or
6. Other specific changes as noted in the master development plan.

Major amendments are changes that exceed the thresholds for a minor amendment or were not analyzed as part of an approved master development plan. Major amendments to an approved master development plan shall be processed as a new master development plan.

**D. Development Standards.**

1. Density is limited to a maximum of 48 units per acre;
2. Height is limited to a maximum of 65 feet;
3. Buildings must be set back at least 20 feet from property lines at 35 feet building height abutting all R-4 and R-6 zones. Above 35 feet buildings shall be set back at a ratio of two to one;
4. New building bulk shall be massed to have the least impact on neighboring single-family neighborhood(s) and development on campus;
5. At a minimum, landscaping along interior lot lines shall conform with the standards set forth in SMC [20.50.490](#);
6. Construction of buildings and parking areas shall preserve existing significant trees to the maximum extent possible. Landscaping of parking areas shall at a minimum conform with the standards set forth in SMC [20.50.500](#);
7. Development permits for parking shall include a lighting plan for review and approval by the Planning Director. The lighting shall be hooded and directed such that it does not negatively impact adjacent residential areas;
8. The location, material, and design of any walkway within the campus shall be subject to the review and approval of the Planning Director; and

9. Where adjacent to existing single-family residences, campus roadways and parking areas shall be landscaped as much as possible in the space available to provide a visual screen. The amount and type of plant materials shall be subject to the review and approval of the Planning Director.

These standards may be modified to mitigate significant off-site impacts of implementing the master development plan in a manner equal to or greater than the code standards.

**E. New Uses or New Development Standards.** Any new use or new uses on a campus zoned site must be processed as part of a master development plan permit. New uses requested through a master development permit shall be considered concurrently with an amendment to SMC [20.40.150](#), Campus uses.

**F. Early Community Input.** Applicants are encouraged to develop a community and stakeholders consensus-based master development plan. Community input is required to include soliciting input from stakeholders, community members and any other interested parties with bubble diagrams, diagrammatic site plans, or conceptual site plans. The meeting notice shall be provided at a minimum to property owners located within 1,000 feet of the proposal, the neighborhood chair as identified by the Shoreline Office of Neighborhoods (note: if a proposed development is within 1,000 feet of adjacent neighborhoods, those chairs shall also be notified), and to the City of Shoreline Planning and Community Development Department. Digital audio recording, video recording, or a court reporter transcription of this meeting or meetings is required at the time of application. The applicant shall provide an explanation of the comments of these entities to the City regarding the incorporation (or not) of these comments into the design and development of the proposal.

**G. Master Plan Vesting Expiration.** A master development plan's determination of consistency under RCW [36.70B.040](#) shall vest for 10 years after issuance or after a major amendment, unless extended vesting for phased development is approved in the master development plan permit. After 10 years, the Planning Commission may review the master development plan permit for consistency with current City vision, goals, strategies (such as the Economic Development Strategy, Housing Strategy, Environmental Sustainability Strategy), Comprehensive Plan and other sections of the Development Code. If changes are recommended, staff shall initiate a major amendment under this section to achieve consistency unless the revision is approved by the owner. (Ord. 724 § 1 (Exh. A), 2015; Ord. 669 § 1 (Exh. A), 2013; Ord. 631 § 1 (Exh. 1), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 507 § 4, 2008).

20.30.330 Special use permit – SUP (Type C action).

A. **Purpose.** The purpose of a special use permit is to allow a permit granted by the City to locate a regional land use including essential public facilities on unclassified lands, unzoned lands, or when not specifically allowed by the zoning of the location, but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. The special use permit may be granted subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. The special use permit shall not be used to preclude the siting of an essential public facility.

B. **Decision Criteria (Applies to All Special Uses).** A special use permit shall be granted by the City only if the applicant demonstrates that:

1. The use will provide a public benefit or satisfy a public need of the neighborhood, district, City or region;
2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;
3. The special use will not materially endanger the health, safety and welfare of the community;
4. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
6. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
7. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties;
8. The special use is not in conflict with the basic purposes of this title; and

9. The special use is not in conflict with the standards of the critical areas regulations, Chapter [20.80](#) SMC, Critical Areas, or Shoreline Master Plan, SMC Title [20](#), Division II.

**C. Decision Criteria (Light Rail Transit Facility/System Only).** In addition to the criteria in subsection B of this section, a special use permit for a light rail transit system/facilities located anywhere in the City may be granted by the City only if the applicant demonstrates the following standards are met:

1. The proposed light rail transit system/facilities uses energy efficient and environmentally sustainable architecture and site design consistent with the City's guiding principles for light rail system/facilities and Sound Transit's design criteria manual used for all light rail transit facilities throughout the system and provides equitable features for all proposed light rail transit system/facilities;

2. The use will not result in, or will appropriately mitigate, adverse impacts on City infrastructure (e.g., roads, sidewalks, bike lanes) as confirmed by the performance of an access assessment report or similar assessment, to ensure that the City's transportation system (motorized and nonmotorized) will be adequate to safely support the light rail transit system/facility development proposed. If capacity or infrastructure must be increased to meet the decision criteria set forth in this subsection C, then the applicant must identify a mitigation plan for funding or constructing its proportionate share of the improvements; and

3. The applicant demonstrates that the design of the proposed light rail transit system/facility is generally consistent with the City's guiding principles for light rail system/facilities.

**D. Vesting of Special Use Permits Requested by Public Agencies.** A public agency may, at the time of application or at any time prior to submittal of the SUP application to the City Hearing Examiner, request a modification in the vesting expiration provisions of SMC [20.30.160](#), allowing for vesting of the SUP for a period of up to five years from the date of Hearing Examiner approval or, if the SUP provides for phased development, for a period of up to 10 years from date of Hearing Examiner approval. If permitted, the expiration date for vesting shall be set forth as a condition in the SUP. (Ord. 767 § 1 (Exh. A), 2017; Ord. 741 § 1 (Exh. A), 2016; Ord. 739 § 1 (Exh. A), 2016; Ord. 724 § 1 (Exh. A), 2015; Ord. 238 Ch. III § 7(e), 2000).

**Relevant Comprehensive Plan Goals and Policies related to Fircrest Campus:**

Framework Goal (FG)18: Encourage Master Planning at Fircrest School that protects residents and encourages energy and design innovation for sustainable future development.

Land Use policy (LU) 30: Evaluate property along transportation corridors that connects light rail stations and other commercial nodes in the city, including Town Center, North City, Fircrest, and Ridgecrest for multi-family, mixed use, and non-residential uses.

Economic Development policy (ED) 30: Unlock the Fircrest excess property to create living-wage jobs while respecting and complementing its existing function as a facility for people with disabilities.

**Essential Public Facilities (EPF)**

LU63: Require land use decisions on essential public facilities meeting the following criteria to be made consistent with the process and additional criteria set forth in LU65:

- a. The facility meets the Growth Management Act definition of an essential public facility, ref. RCW 36.70A.200(1) now and as amended; or
- b. The facility is on the statewide list maintained by the Office of Financial Management, ref. RCW 36.70A.200(4) or on the countywide list of essential public facilities; and
- c. The facility is not otherwise regulated by the Shoreline Municipal Code (SMC).

LU64: Participate in efforts to create an interjurisdictional approach to the siting of countywide or statewide essential public facilities with neighboring jurisdictions. Through participation in this process, seek agreements among jurisdictions to mitigate against the disproportionate financial burden, which may fall on the jurisdiction that becomes the site of a facility of a state-wide, regional, or countywide nature. This policy (LU 64) amended by Ordinance No. 766; December 20, 2016.

LU65: Use this Siting Process to site the essential public facilities described in LU63 in Shoreline. Implement this process through appropriate procedures incorporated into the SMC.

**EPF Siting Process**

1. Use policies LU63 and LU64 to determine if a proposed essential public facility serves local, countywide, or statewide public needs.
2. Site EPF through a separate multi-jurisdictional process, if one is available, when the City determines that a proposed essential public facility serves a countywide or statewide need.
3. Require an agency, special district, or organization proposing an essential public facility to provide information about the difficulty of siting the essential public facility, and about the alternative sites considered for location of the proposed essential public facility.

4. Process applications for siting essential public facilities through SMC Section 20.30.330 — Special Use Permit.
5. Address the following criteria in addition to the Special Use Permit decision criteria:
  - a. Consistency with the plan under which the proposing agency, special district or organization operates, if any such plan exists;
  - b. Include conditions or mitigation measures on approval that may be imposed within the scope of the City's authority to mitigate against any environmental, compatibility, public safety or other impacts of the EPF, its location, design, use or operation; and
  - c. The EPF and its location, design, use, and operation must be in compliance with any guidelines, regulations, rules, or statutes governing the EPF as adopted by state law, or by any other agency or jurisdiction with authority over the EPF.

LU66: After a final siting decision has been made on an essential public facility according to the process described in LU65, pursue any amenities or incentives offered by the operating agency, or by state law, other rule, or regulation to jurisdictions within which such EPF is located.

LU67: For EPF having public safety impacts that cannot be mitigated through the process described in LU64, the City should participate in any process available to provide comments and suggested conditions to mitigate those public safety impacts to the agency, special district or organization proposing the EPF. If no such process exists, the City should encourage consideration of such comments and conditions through coordination with the agency, special district, or organization proposing the EPF. A mediation process may be the appropriate means of resolving any disagreement about the appropriateness of any mitigating condition requested by the City as a result of the public safety impacts of a proposal.

LU68: Locate essential public facilities equitably throughout the city, county, and state. No jurisdiction or area of the city should have a disproportionate share of essential public facilities. This policy shall not be interpreted to require the preclusion of an essential public facility from any specific locations in the city.

## **Parks Recreation and Open Space**

GOAL 1: Preserve, enhance, maintain, and acquire built and natural facilities to ensure quality opportunities exist.

Policy 1.3: Plan for, acquire and develop land for new facilities to meet the need of a growing population.

Policy 1.9: Improve and leverage the potential of existing facilities.

GOAL 3: Meet the parks, recreation and cultural service needs of the community by equitably distributing resources.



Policy 3.4: Identify unserved and underserved populations with unmet recreation and cultural needs.

GOAL 4: Establish and strengthen partnerships with other public agencies, non-governmental organizations, volunteers, and City departments to maximize the public use of all community resources.

Policy 4.2: Seek partners in the planning, enhancement and maintenance of facilities and programs.

GOAL 5: Engage the community in park, recreation and cultural services decisions and activities.

Policy 5.1: Encourage consistent and effective public involvement in the short and long range park planning process.

Policy 5.2: Provide public relations and publicity efforts to inform citizens of communitywide opportunities.