



# AGENDA

## STAFF PRESENTATIONS

## PUBLIC COMMENT

### SHORELINE CITY COUNCIL

### VIRTUAL/ELECTRONIC REGULAR MEETING

Monday, November 9, 2020  
7:00 p.m.

Held Remotely on Zoom  
<https://zoom.us/j/95015006341>

**In an effort to curtail the spread of the COVID-19 virus, the City Council meeting will take place online using the Zoom platform and the public will not be allowed to attend in-person. You may watch a live feed of the meeting online; join the meeting via Zoom Webinar; or listen to the meeting over the telephone.**

**The City Council is providing opportunities for public comment by submitting written comment or calling into the meeting to provide oral public comment. To provide oral public comment you must sign-up by 6:30 p.m. the night of the meeting. Please see the information listed below to access all of these options:**



[Click here to watch live streaming video of the Meeting on shorelinewa.gov](https://www.shorelinewa.gov)



Attend the Meeting via Zoom Webinar: <https://zoom.us/j/95015006341>



Call into the Live Meeting: 253-215-8782 | Webinar ID: 950 1500 6341



[Click Here to Sign-Up to Provide Oral Testimony](#)

*Pre-registration is required by 6:30 p.m. the night of the meeting.*



[Click Here to Submit Written Public Comment](#)

*Written comments will be presented to Council and posted to the website if received by 4:00 p.m. the night of the meeting; otherwise they will be sent and posted the next day.*

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. ROLL CALL		
(a) Veterans Appreciation Day Proclamation	<u>2a-1</u>	
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		

*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 by 6:30 p.m. the night of the meeting via the [Remote Public Comment Sign-in form](#). Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed.*

<b>6.</b>	<b>APPROVAL OF THE AGENDA</b>		7:20
<b>7.</b>	<b>CONSENT CALENDAR</b>		7:20
	(a) Approving Minutes of Special Meeting of October 21, 2020	<u>7a1-1</u>	
	Approving Minutes of Regular Meeting of October 26, 2020	<u>7a2-1</u>	
	(b) Approving Expenses and Payroll as of October 23, 2020 in the Amount of \$3,819,199.88	<u>7b-1</u>	
	(c) Authorizing the City Manager to Enter into a Partnering Agreement with the Central Puget Sound Regional Transit Authority (Sound Transit) for the SR 522 / NE 145 <sup>th</sup> Street Bus Rapid Transit (BRT) Project	<u>7c-1</u>	
<b>8.</b>	<b>ACTION ITEMS</b>		
	(a) Public Hearing and Discussion of Ordinance No. 903 - 2021-2022 Proposed Biennial Budget and the 2021-2026 Capital Improvement Plan	<u>8a-1</u>	7:20
	<i>All interested persons for the public hearing are encouraged to listen and/or attend the remote online public hearings and to provide oral and/or written comments. Written comments should be submitted to Sara Lane, Administrative Services Director, at <a href="mailto:slane@shorelinewa.gov">slane@shorelinewa.gov</a> by no later than 4:00 p.m. local time on the date of the hearing. Any person wishing to provide oral testimony at the hearing should register via the <u>Remote Public Comment Sign-in form</u> at least thirty (30) minutes before the start of the meeting. A request to sign-up can also be made directly to the City Clerk at 206-801-2230.</i>		
	(b) Public Hearing and Discussion of Ordinance No. 908 - Amending Shoreline Municipal Code Title 20 to Adopt Chapter 20.94, Point Wells – Planned Area 4	<u>8b-1</u>	7:50
	<i>All interested persons are encouraged to listen and/or attend the remote online public hearing and to provide oral and/or written comments. Written comments should be submitted to Andrew Bauer, Senior Planner, at <a href="mailto:abauer@shorelinewa.gov">abauer@shorelinewa.gov</a> by no later than 4:00 p.m. local time on the date of the hearing. Any person wishing to provide oral testimony at the hearing should register via the <u>Remote Public Comment Sign-in form</u> on the City's webpage at least thirty (30) minutes before the start of the meeting. A request to sign-up can also be made directly to the City Clerk at (206) 801-2230.</i>		
<b>9.</b>	<b>STUDY ITEMS</b>		
	(a) Discussing Ordinance No. 909 – 2020 Comprehensive Plan Annual Docket Amendments to the Shoreline Comprehensive Plan	<u>9a-1</u>	8:20
	(b) Discussing Ordinance No. 907 - Amending Development Code Sections 20.20, 20.30, 20.40, 20.50, and 20.80 for Administrative and Clarifying Amendments	<u>9b-1</u>	8:50
<b>10.</b>	<b>ADJOURNMENT</b>		9:20

*Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2230 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>.*

## **SHORELINE CITY COUNCIL CLOSED SESSION**

Monday, November 9, 2020  
9:20 p.m. (Estimated Time)

Held Remotely on Zoom

**CLOSED SESSION PURSUANT TO RCW 42.30.140(4)(b) – Discussing Collective Bargaining**

Per 42.30.140(4)(b) Council may hold a closed session to plan or adopt a strategy or position to be taken by the City Council during the course of any collective bargaining.

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

<b>AGENDA TITLE:</b>	Proclamation of Veterans Appreciation Day		
<b>DEPARTMENT:</b>	City Manager's Office/CCK		
<b>PRESENTED BY:</b>	Jessica Simulcik Smith, City Clerk		
<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:**

November 11, 1919 was initially proclaimed as "Armistice Day" to honor the country's World War I Veterans. To pay homage to Veterans of all wars, on June 1, 1954, President Dwight Eisenhower signed into law the renaming of Armistice Day to Veterans Day.

Wednesday, November 11, 2020 marks the 66<sup>th</sup> anniversary of Veterans Day in the United States. This proclamation recognizes the dedication and sacrifice that the Veterans of our community, state, and country have made for the cause of freedom and peace.

This year the Shoreline Veterans Association, in partnership with the City, will present their annual Veterans Day celebration through a pre-recorded program due to the ongoing pandemic.

**RECOMMENDATION**

Mayor Hall should read the Veterans Appreciation Day Proclamation.

**ATTACHMENT:**

Attachment A – Veterans Day Proclamation

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



## PROCLAMATION

**WHEREAS**, our Nation was founded on the belief that all Americans are created equal, and are guaranteed the inalienable rights of life, liberty, and the pursuit of happiness; and

**WHEREAS**, our Nation's Veterans have sacrificed to preserve and protect our country and constitution from all enemies foreign and domestic; and

**WHEREAS**, November 11, 1919, was initially proclaimed as "Armistice Day" to honor our country's World War I Veterans, and in order for a grateful Nation to pay homage to Veterans of all wars, on June 1, 1954, President Eisenhower signed into law the renaming of Armistice Day to Veterans Day; and

**WHEREAS**, the City of Shoreline recognizes the contributions of the men and women in the military who have served our country, and who continue to serve their communities; and

**WHEREAS**, on Wednesday, November 11, 2020 the Shoreline Veterans Association, in partnership with the City of Shoreline, will deliver their annual Veterans Day Celebration through a pre-recorded program due to the ongoing COVID-19 pandemic;

**NOW, THEREFORE**, I, Will Hall, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim November 11, 2020 as

## VETERANS APPRECIATION DAY

in the City of Shoreline and urge all citizens to honor the sacrifices of the loyal and courageous Veterans who have given so much for the cause of peace.

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Will Hall, Mayor

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF SPECIAL JOINT MEETING**

Wednesday, October 21, 2020  
7:00 p.m.

Held Remotely via Zoom

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

**ABSENT:** Councilmembers McGlashan and Robertson

**STAFF:** Debbie Tarry, City Manager; Pollie McCloskey, Executive Assistant; Suni Tolton, Diversity and Inclusion Coordinator

**GUESTS:** DarNesha Weary, Racial Equity Consultant of Let's Do Work

Planning Commission Members: Chair Laura Mork, Vice Chair Jack Malek, Janelle Callahan, Julius Rwamashongye, Pam Sager

Parks, Recreation and Cultural Services/Tree Board Members: Vice Chair William Franklin, Bruce Amundson, Sara Raab McNerny, Elizabeth White

At 7:00p.m. the workshop co-facilitators, Suni Tolton and DarNesha Weary, began the meeting and asked all participants to introduce themselves, share their experience with racial equity work, and identify what they need to increase their ability to advance racial equity. There was a range of experiences and interests shared with some having had no training previously and others who have been engaged in racial equity and advocacy work in other roles. Ms. Tolton and Ms. Weary gave an overview of the workshop training content and goals, which were to gain awareness of the history of race, implicit and explicit bias, and individual, institutional and structural racism and how it impacts our lives; clarify key terms and concepts; and motivate participants to take action. It was explained that the workshop is a modification of the Government Alliance on Race and Equity (GARE)/Race Forward training "Advancing Racial Equity: The Role of Government". Ms. Tolton explained that the training is built on the basic assumptions that 1) race matters; 2) institutions and systems maintain and perpetuate racism and inequities; and 3) government has a responsibility for ending inequitable outcomes and advancing racial equity.

After the workshop overview, participants were led through an activity called "Laying it on the Line", where they were asked to listen to three statements and indicate whether they agreed or disagreed and why. The focus was not about whether a statement was right or wrong, but to highlight how perspectives, values, and beliefs shape actions.

The next exercise asked for participants to reflect on their early experiences with race. They were asked to reflect on the racial diversity in their neighborhoods growing up; how they remember

racial differences were addressed; and if they saw racially diverse public officials. Participants were then paired up with one other participant in a breakout room to discuss their experiences. However, due to some challenges in joining the breakout rooms and lack of time, participants only had time to answer one question before rejoining the main zoom webinar.

Participants were asked to share any comments before closing the session and were invited to watch the *Race: the Power of an Illusion* videos and engage in other learning opportunities before the next session in order to continue to build their capacity to engage in discussions on racial equity.

Ms. Tolton informed participants that the next workshop session would take place on Wednesday, November 18 at 7:00 p.m. and would focus on implicit bias and defining terms.

The meeting was adjourned at 8:30 p.m.

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Suni Tolton, Diversity and Inclusion Coordinator

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

Monday, October 26, 2020  
7:00 p.m.

Held Remotely via Zoom

PRESENT: Mayor Hall, Deputy Mayor Scully, Councilmembers McConnell, McGlashan, 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. ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present.

(a) Proclaiming America Recycles Day

Mayor Hall announced that he proclaimed November 15, 2020 as America Recycles Day and encouraged residents to continue their efforts toward recycling.

Additionally, Mayor Hall said he issued a proclamation recognizing November 1, 2020 as Extra Mile Day, which celebrates the importance of volunteerism in every community.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided an update on COVID-19 and shared reports and information on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember Chang said it was reported at the Regional Transit Committee meeting that the results will soon be seen from Metro's adoption of the recommendations of the mobility framework, which emphasizes equity and providing services to priority riders. She said she continues to draw attention to the City investments made relative to transit oriented development and growth.

Councilmember Roberts said last week the Puget Sound Regional Council adopted the 2021-2024 Regional Transportation Improvement Program.



Councilmember McConnell said at the recent joint Transportation Boards meeting they heard updates on route and schedule planning.

Deputy Mayor Scully said he attended the exit conference for the City’s State Audit for Shoreline and reported that the outcome was uniformly good. He added that because of COVID-19, the Federal government may require a second audit.

Mayor Hall said the Governor’s Office has been holding periodic conference calls with Mayors to talk about COVID-19. He said recently the Governor shared data showing that the most common places of COVID-19 outbreaks are in restaurants and at grocery and retail establishments. Mayor Hall said he has had virtual meetings with State Representatives Ryu and Davis, and has a meeting scheduled with Senator Salomon, to share Council priorities. He said he attended the North Urban Human Services Alliance/Housing Development Consortium workshop on affordable housing. He also reported that members of the City Council, the Planning Commission, and the Parks, Recreation, and Cultural Services/Tree Board participated in the first of a three-part Racial Equity Training.

**5. PUBLIC COMMENT**

There was no general public comment.

**6. APPROVAL OF THE AGENDA**

The agenda was approved by unanimous consent.

**7. CONSENT CALENDAR**

**Upon motion by Deputy Mayor Scully and seconded by Councilmember Robertson and unanimously carried, 7-0, the following Consent Calendar items were approved:**

- (a) Approving Minutes of Special Meeting of September 22, 2020  
Approving Minutes of Regular Meeting of October 12, 2020**

- (b) Approving Expenses and Payroll as of October 9, 2020 in the Amount of \$1,529,425.76**

**\*Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
9/6/20-9/19/20	9/25/2020	93442-93643	17119-17127	80574-80581	\$908,816.83
					<u>\$908,816.83</u>

**\*Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
9/27/2020	1167	\$5,559.64
		<u>\$5,559.64</u>

**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
9/27/2020	80489	80504	\$157,955.41
9/27/2020	80505	80518	\$115,565.17
9/27/2020	80519	80566	\$692.44
9/27/2020	80567	80567	\$3,100.00
9/27/2020	80568	80573	\$50,508.51
10/4/2020	80582	80601	\$236,809.29
10/4/2020	80602	80650	\$1,029.11
10/4/2020	80651	80700	\$1,315.48
10/4/2020	80701	80708	\$18,976.96
10/4/2020	80709	80730	\$29,096.92
			<u>\$615,049.29</u>

**(c) Authorizing the City Manager to Execute a Professional Services Contract with Fehr & Peers in the Amount of \$548,651 for the Transportation Master Plan Update**

8. ACTION ITEMS

- (a) Public Hearing and Adopting Ordinance No. 906 - Interim Regulations for Adding Enhanced Shelter as an Allowable Use in the R-48 Zone

Nora Gierloff, Planning Manager, and Colleen Kelly, Recreation, Community and Cultural Services Director, delivered the staff presentation. Ms. Gierloff shared background information on the Council’s interest in addressing the homelessness crisis and the need for a 24/7 shelter in North King County. She recalled that in June the possibility arose for funding through the Department of Commerce (DOC) to expand homeless shelter capacity, and subsequently the City was asked to support a grant application by King County and Lake City Partners for a site at 165<sup>th</sup> and Aurora Avenue North. Following a City Council briefing on the shelter opportunity in August, staff was directed to proceed with developing an interim ordinance. And after discussion, Council asked for additional information and provided further direction to bring back code amendment alternatives, which will be presented tonight.

Ms. Gierloff stated that Ordinance No. 906 would create interim zoning regulations to allow siting a 24/7 Enhanced Shelter in the R-48 Zone and emphasized that interim regulations are effective for up to six months and renewable in six-month increments. She explained that it

would result in a new Use defining Enhanced Shelters being added to the Use Table. She then described the requested potential amendments to the existing Ordinance:

- Substituting the word ‘persons’ in place of ‘adults’, creating language that would allow for the consideration of family or juvenile shelters;
- Listing enhanced shelters as a Conditional Use, rather than Permitted Use;
- Requiring a “Good Neighbor Agreement”;
- Requiring annual reporting about shelter operations;
- Requiring an Interlocal Agreement, establishing negotiated operational requirements; and
- Requiring a Memorandum of Understanding (MOU), establishing standards for operational and funding issues that would address impacts of the shelter.

Ms. Gierloff said there was also a suggestion to use an alternative interim ordinance to temporarily rezone the site to Mixed Business (MB), which then would require establishing interim zoning regulations to allow enhanced shelters as a permitted or Conditional Use in MB with interim Indexed Criteria.

Ms. Gierloff displayed a zoning map of the parcel in consideration that identified the adjacent MB zoning along Aurora Avenue and the residential zoning that backs up to the location. She reviewed the next steps and reiterated that if interim regulations were to be established, King County would ultimately need to pursue permanent changes to the regulations.

**Mayor Hall opened the public hearing.** The following people submitted oral testimony:

David Anderson, Shoreline resident, shared his reasons for supporting the location for the Enhanced Shelter. He expressed gratitude that the City is providing this needed resource.

Margaret Willson, Shoreline resident, said Shoreline has offered constructive programs to help the less fortunate and she spoke of her efforts to encourage Council to reject the policies being considered. She asked the Council how they want to be remembered from these decisions.

Jackie Kurlle, Shoreline resident, said her concern is the close proximity of the proposed location to schools and other child-oriented facilities. She said there needs to be better planning to ensure safety for the community.

Jack Malek, Shoreline resident and Planning Commissioner, expressed his support for the shelter, but opposition to the location. He said the municipalities that should be partnering with the City have not been engaged, the entire process has been circumvented, and this shelter will undermine the goals established for the Aurora Corridor.

Barbara Twaddell, Shoreline resident, shared her reasons for opposing the proposed low-barrier shelter. She asked that if the Council moves forward with the Ordinance, they support the proposed amendments and she gave examples of the benefits they would provide.

David Trainer, Shoreline resident, shared his experiences supporting the homeless, said the proposed facility is an ideal location for an Enhanced Shelter, and urged approval of Ordinance No. 906.

Nancy Morris, Shoreline resident, shared research on the efficacy and impacts of low-barrier shelters. She shared her displeasure with the proceedings and with siting this type of shelter at this location until better policies are in place. She encouraged Council to incorporate the proposed amendments if they move forward with the Ordinance.

Stephanie Henry, Shoreline resident, said there will always be people who disagree with the placement of a shelter, and thanked the staff and Council for their quick and compassionate work on this project. She suggested bias training be offered related to how we treat people who are experiencing homelessness.

Vinay Venkatesh, Shoreline resident, said he has shared his disapproval and concerns about this low-barrier shelter, but he has not heard back from the Council on any of the questions presented to them. He suggested putting mechanisms in place to track the success of the program.

Sudeeptha Jothiprakash, Shoreline resident, said it seems the Council is only concerned with the legal ramifications. She said the community had provided feedback on the impacts, and that Council is responsible for what is good for the community. She urged the Council not to not pass the Ordinance.

Gretchen Holtz, Shoreline resident, said her experiences as a social worker has made her certain that an Enhanced Shelter with private rooms and supportive services will be a way for the residents to begin healing. She said until the bigger systems can be fixed, we have to do the best we can for individuals in our community.

Brian Henry, Shoreline resident, said he supports an Enhanced Shelter because it will give people a sense of hope and that they deserve a second chance. He shared the ways a shelter can make a difference, and listed reasons why the location is appropriate.

Diane Pfeil, Shoreline resident, stated her opposition for the interim regulations and said a low-barrier Enhanced Shelter does not belong at this location. She would like the neighborhood concerns about spillover from a shelter addressed.

Carrell Tysver, Bothell resident, shared her positive experiences working with the Lake City Partners team and said this is an opportunity for Shoreline to become a social asset supporting homelessness.

Dicky Leonardo, Shoreline resident, shared negative experiences of living near a low-barrier shelter in Seattle. He said he is not opposed to supportive housing but does oppose low-barrier shelters near residential areas.

Nancy Pfeil, Shoreline resident, said she opposes the proposed site being used as a low-barrier shelter and shared results on her research about low-barrier shelters, concerns about drug activity, and the impacts of detrimental neighborhood quality on children.

Domenick Dellino, Shoreline resident, spoke in support of an Enhanced Shelter. He said he respects the fears people have expressed but said people should not discriminate against a class of human beings in their time of need. He said neighborhoods will be safer when services are available.

Brooke Lather-McElligott, Shoreline resident, spoke in support of the Ordinance. She said the unhoused are among the most vulnerable populations, and this shelter would be an opportunity to provide them a sense of safety.

Joanne Godmintz, Shoreline resident, said her questions regarding costs associated with the shelter remain unanswered and all of Shoreline will be put in an awful space if City services are reduced because of financial impacts. She expressed concern with the low-barrier aspect of the shelter.

Chris Chalcraft, Shoreline resident, said the people of Shoreline are open to providing resources for homelessness, but that this approach does not seem to be an effective one. He said having rules and consequences are important. He said drug users will draw drug dealers to the area.

Pastor Kelly Dahlman-Oeth, Kirkland resident and Pastor at Ronald United Methodist Church, shared statistics on mass incarceration and its associated costs. He said the real immorality is the nation's willingness to continue to profit from the imprisonment of Black, Brown, Indigenous, and poor people. He urged the Council to pass the Ordinance and make this alternative possible.

Tyler Husky, Shoreline resident, said he lives near the proposed site and has a lot of concerns about the facility and the way this proposal was put forth. He asked Council to take the time to reconsider this and identify a better solution.

Steven Kurle, Shoreline resident, said his children attend a daycare near the proposed facility. He said he cares about homelessness, but the pendulum has swung too far toward supporting homeless people at any cost. He understands the need for shelters but this shelter will create an undue burden on the neighborhood. He asked the City to come up with a solution independent of King County.

Jace Hanks, Shoreline resident, said he lives near the proposed shelter location. He expressed concern about the potential loss of property taxes from the site and a decrease in area property values. He said he was shocked at the lack of accountability that this project has.

Jean Muir, Shoreline resident, said it is her understanding that the shelter residents will be expected to leave the shelter during the day. She asked where they would go and expressed her concern over the population congregating in public spaces.

Chris Brown, Shoreline resident, said this is a poor decision. He said the University District has declined because of their overwhelming homeless population. He said King County and the City of Seattle should take responsibility for their lack of leadership in the homelessness crisis and stated that homelessness should be addressed in a responsible way.

**Seeing no one wishing to provide additional testimony, Mayor Hall closed the public hearing.**

**Deputy Mayor Scully moved to adopt Ordinance No. 906. The motion was seconded by Councilmember Robertson.**

Deputy Mayor Scully acknowledged that there are a lot of emotions and frustration behind this Ordinance. He recalled that over the years he has heard general agreement from the public that something needs to be done to address homelessness, and that Council should be doing more. He shared examples of emergencies associated with homelessness that have been addressed as they arose, but said that until today the Council has not moved toward finding a way to make things better, proactively.

Deputy Mayor Scully said for him, the three questions to address before approving the Ordinance are: Should something be done? Is a low-barrier shelter the right thing to put into Shoreline at this time? And, is this the right location? He observed that the biggest housing need is for a low-barrier shelter. The City has learned some lessons in how not to do things as observed at the facilities in Pioneer Square in Seattle and Basecamp in Bellingham. He said the proposed model of allowing people to stay in the shelter until they can find a better option is the best possible approach. Regarding the location, he said he thinks this is the best place in Shoreline for this shelter and shared his rationale. He is sympathetic to the fears of the community but said the decision should not be driven by fear. He reflected on similar comments received when Ronald Commons was being established. Although Ronald Commons is a different model than the one being proposed, he pointed out there have been no problems with its residents. He asked the Councilmembers who support this project to keep their eyes on the prize without delaying the process and risk losing the DOC funding by trying to pursue the perfect solution, since he is not convinced any of the amendments are needed.

Councilmember Robertson said her goal is to find a way to support the shelter moving forward and to do it in the best possible way to provide reassurance to the surrounding businesses and neighborhood. She said the health and the safety of the community is important to her, and she emphasized that the Council is paying attention to the information and comments submitted. She described her steps in considering this Ordinance and said although the shelter she recently toured is not an apples-to-apples comparison, she saw a peaceful, comforting, safe, healthy, and supportive environment. She added that her tour of the proposed site instilled confidence in her in how the facility can provide personal space for the residents. As winter approaches, shelter beds that adhere to COVID-19 protocols are desperately needed, and those who qualify for them are highly incentivized to stay put. She said she hears the concerns being voiced, but what it comes down to for her is that these fears and concerns represent a possible, but not a predetermined, outcome. She said if the project were to be located in her neighborhood, she would vote the same way because of the confidence she has in the success of the facility.

Councilmember Chang recognized the need of the unsheltered population. She stated she agrees with the benefits the set-up of the facility will offer, but she is strongly opposed to the location. She said in her work for the City of Seattle she has noticed that when permitting shelters, attempts are made to keep them away from residential areas. When researching the list of King County shelters provided by staff, she said she found very few shelters across the street from a single-family neighborhood and they were either women's shelters, had a sobriety requirement, or were small facilities located in churches. These findings increased her concern on the impacts of low-barrier shelters on neighborhoods. She said this process was not what she thought the approach would be when the Council established the goal of helping the homeless in North King County and she asked why the City had not collaborated with other cities in this planning. She said she understands the time constraints but does not think the decision should be driven by the grant timeline. She is concerned about the long-term effects this will have on growth and commercial development in the City, and she shared feedback she has heard from developers. She said she would like to focus on putting some guardrails and guidelines on the project and observed that the legislation as written, does not provide adequate direction. She wants to make sure Lake City Partners knows what they can handle.

Councilmember McGlashan reflected on his involvement with King County's Ten Year Plan to End Homelessness and said it is exciting to now see things start to happen. He said it is disappointing that the population with the most need is not being prioritized. He stated that while this location is not optimum, it is not often that the stars align as has happened with this facility. He said it is important to remember that the residents can stay onsite all day. He said the City needs to take advantage of this partnership with the County and make a go of it. He asserted that it is up to the City to stay involved and make it successful.

**Councilmember Roberts moved to list Enhanced Shelters in Table 20.40.120 Residential Uses as C-I rather than P-I in the R-18 to R-48 Column. The motion was seconded by Councilmember Chang.**

Councilmember Roberts said from the onset Council has listened to the community and wants to do what is best for everyone. He said he wants this shelter to be successful and at the end of the day the Council will need to make sure King County and Lake City Partners remain good partners. He commented that the real factor to be aware of is that permitted uses vest permanent rights to the property owner and he believes a Conditional Use designation provides additional layers of authority and assurances to the City to make sure the partnerships work for the community.

Deputy Mayor Scully asked if taking the time necessary to go this route might interfere with the DOC grant and he asked for a comparison of the process to revoke either designation. Ms. Kelly said the Grant FAQ stipulates that if it is a program that is unable to have people on site by December 31, 2020, the County should reach out to the DOC with a reason for the delay and present a plan. She said the City has asked the County staff to clarify these parameters but there has not yet been a response. Ms. Gierloff said if a Conditional Use Permit (CUP) were to be revoked the City would need to document that conditions were not being met through the Code Enforcement process.

Councilmember Chang said this amendment makes sense for a shelter use. She shared information the Mayor of Renton shared with her on their less than positive experiences in collaboration with King County on their shelter, and she emphasized the importance of maintaining a certain level of control through detailed agreements.

Councilmember McConnell said this decision is not getting easier for her. She expressed that the haste is concerning to her, especially based on the community requests for details. She has consistently supported the City's Human Services efforts, but she is concerned that the trust with the community is being damaged. She recommended the Council do whatever they can to maintain control and establish guardrails so the community feels protected and the residential areas safeguarded. She observed that if the homelessness problem is so dire, there will be additional opportunities for funding. She expressed interest in supporting Councilmember Chang's amendments proposed in the staff report.

Councilmember McGlashan said he fears that the amendment could push Council beyond the time limit for the funding, but he will support it because of the possibility for extension. He said this will give the community some assurance.

Deputy Mayor Scully said he is disappointed with this amendment because guardrails are already in place and this creates delays.

Mayor Hall said he thinks there is a better path to getting to the right place than through this amendment. He said housing is a basic human right, and he believes the community will be better off when everyone has a safe place to sleep at night. The concern he has is that this amendment might slow the process down and the opportunity to address the identified gap in shelters in North King County would be lost. The ideal long-term solution would be for this property to be zoned MB, but because of the concerns about delay, he stated he will not recommend it at this time. He suggested that a MOU would provide the needed safeguards. He concluded that it is important to protect the community and he is proud that our City is welcoming.

Councilmembers discussed the differences between a MOU and a CUP. Ms. Gierloff said either solution could address the Council's concerns about external impacts and that the MOU would be a negotiated agreement. Councilmember McGlashan said in that case, he will support an MOU rather than this amendment because he does not want to create delays. Councilmember Chang said she thinks having a CUP will provide the real teeth to establishing guidelines, and that the State and County will be willing to accept a delay since shelters are difficult to site. Deputy Mayor Scully said he will move for an MOU and the Council should find a way to regulate it without backdoor killing the project.

Councilmember Roberts said when he introduced the idea of the CUP his goal was not to kill the project but to make sure the Council retained a certain amount of control and authority over the Shelter. He agreed that the long-term solution is to rezone the Aurora corridor, since R-48 is not a rationale choice for the location. He said these interim regulations will provide the Planning Commission time to consider and implement alternatives, and when they do rezone, it should be



done based on what is right for the community, and not be pressured by funding opportunities or time constraints.

Councilmember McConnell said when this was discussed at the Strategic Planning Workshop, she had a totally different vision of how it would play out. She thinks it is important to have transparency with the community.

**The motion to list Enhanced Shelters in Table 20.40.120 Residential Uses as C-I rather than P-I in the R-18 to R-48 Column failed, 3-4. with Councilmembers McConnell, Roberts, and Chang voting in favor.**

**Councilmember Chang moved to add another index criterion to SMC 20.40.355 to state “The shelter operator and the City shall enter into an ILA regarding operational issues of concern such as**

- **Staffing plans**
- **Requirement for regular reports to the Council on how the shelter is meeting performance metrics**
- **Documentation of the number of calls for service to the site and an agreement that the shelter operator will be billed for calls over an agreed threshold.**
- **Shelter operator to contribute to the cost of a mental health professional to assist in police response, perhaps through part of the RADAR program.**
- **Require adherence to the Good Neighbor Plan.**
- **Agreement to discontinue the shelter use if documented violations of the operational agreements are not addressed in a timely manner.”**

**The motion was seconded by Deputy Mayor Scully.**

Councilmember Chang said she wants this to work with the least amount of impact on the community and having an interlocal agreements approved by Council will provide them with input on some details that will influence the impact the shelter has on the neighborhood.

Deputy Mayor Scully said he is concerned with some of the items on the list. He said he does not want to obligate the Shelter operator to contribute to the cost of a mental health professional and he questioned the imprecise language on “Agreement to discontinue the shelter use if documented violations of the operational agreements are not addressed in a timely manner.”

**Deputy Mayor Scully moved to amend the amendment by changing the following two bullet points as follows:**

- **If possible, shelter operator to contribute to the cost of a mental health professional to assist in police response, perhaps through part of the RADAR program.**
- **Staff to develop criteria Agreement to discontinue the shelter use if documented violations of the operational agreements are not addressed in a timely manner.”**

**The motion was seconded by Councilmember Roberts.**

Mayor Hall asked for clarification on which parties would enter into the interlocal agreement, and Ms. King confirmed that since the County would be the property owner, the agreement would be with them.

**Councilmember Roberts moved to extend the Council Meeting end time until 10:30 p.m. The motion was seconded by Councilmember McConnell. The motion passed unanimously, 7-0.**

**The motion to amend the amendment passed unanimously, 7-0.**

Councilmember Chang stated that she would prefer that the City retain control over the selection of the shelter operator. Ms. Tarry clarified that there will not be an agreement between the City and the operator, since the contract for operation would be between the County and the operator. Mayor Hall suggested an amendment to the motion to add a bullet point stating “Provisions for city approval of any proposed change in shelter operator.”

**Councilmember Chang moved to amend the amendment by adding another bullet point stating: “Provisions for city approval of any proposed change in shelter operator.” The motion was seconded by Deputy Mayor Scully.**

Ms. King added that this type of language can also be added in during the ILA negotiations.

**The motion to amend the amendment passed unanimously, 7-0.**

**Councilmember Chang moved to amend the amendment by adding another bullet point stating: “Include a detailed referral plan.” The motion was seconded by Councilmember McConnell.**

Councilmember Chang said this requirement is key to the success of the shelter. She said she envisions the plan indicating the agencies that will be referring people to the Shelter and how the decisions are made. She shared examples of other referral processes and said there needs to be an understanding of the population in order to properly serve them.

Councilmember Roberts said the Council does not need to be in a position of evaluating referral programs. Councilmember McGlashan said he will oppose the amendment because the referral process should be worked out in the ILA. Mayor Hall said he wants to leave the decision of who gets services to the professionals.

Councilmember Chang replied that she is not suggesting that the Council decide who gets services, just that the ILA should designate referring agencies. Mayor Hall explained that since this direction is being proposed as part of an ILA, it would mean that Council would be the deciding authority, and that is where his discomfort lies with it, but he agreed that a referral plan should be a standard part of shelter management.

**The motion to amend the amendment failed, 1-6, with Councilmember Chang voting in favor.**

**Councilmember Roberts moved to amend the amendment by changing the verbiage “Require adherence to the Good Neighbor Plan” to read “Require adherence to a Good Neighbor Plan that addresses litter, noise, security procedures, and other issues of concern.” The motion was seconded by Councilmember McGlashan, and passed unanimously, 7-0.**

Councilmember Chang asked if there would be a management plan that would help Lake City Partners control who is admitted to the shelter based on the needs of the existing population, and if so, where it would be noted. Ms. Kelly replied that she asked for feedback from County staff about this but has not had a response. She said she suspects it may be a requirement of the County, based on her conversations with Catholic Community Services. Ms. Kelly said she is gathering information to help Lake City Partners develop a management plan for this program.

**The motion to add another index criterion to SMC 20.40.355 as further amended by Council to read as follows passed unanimously, 7-0.**

**“The shelter operator and the City shall enter into an ILA regarding operational issues of concern such as:**

- **Staffing plans;**
- **Requirement for regular reports to the Council on how the shelter is meeting performance metrics;**
- **Documentation of the number of calls for service to the site and an agreement that the shelter operator will be billed for calls over an agreed threshold;**
- **If possible, shelter operator to contribute to the cost of a mental health professional to assist in police response, perhaps through part of the RADAR program;**
- **Require adherence to a Good Neighbor Plan that addresses litter, noise, security procedures, and other issues of concern.**
- **Staff to develop criteria to discontinue the shelter use if documented violations of the operational agreements are not addressed in a timely manner;**
- **Provisions for city approval of any proposed change in shelter operator”**

Councilmember McConnell asked if the three to five year timeline of the transition of the enhanced shelter to permanent supportive housing was a condition of the County, or of the grant. Ms. Kelly said it is not a condition, but that King County has expressed interest in this possibility for the property. Councilmember McConnell asked if the period the property could be used as an Enhanced Shelter could be shortened. Ms. Kelly said she thinks the expectation of the County and the Department of Commerce would be that it runs the term of the grant. Councilmember Chang said it is her belief that the community would be more accepting of permanent supportive housing than an Enhanced Shelter.

**Councilmember McConnell moved to extend the Council Meeting end time until 10:40 p.m. The motion was seconded by Councilmember Chang and passed 6-1, with Councilmember McGlashan voting against.**

Councilmember Chang confirmed that just because permanent supportive housing may be added, it is not a given that the Enhanced Shelter would be eliminated.

**Deputy Mayor Scully moved to strike the word “adults” from the definition of Enhanced Shelter and replace it with “persons”. The motion was seconded by Councilmember Robertson.**

Councilmember Scully said although it is highly unlikely that King County will transition this shelter to a family or juvenile shelter, this amendment would permit persons other than adults to live in the shelter.

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

Mayor Hall said looking at rezoning the parcels on Aurora that are not currently zoned MB would be an alternative approach to making these regulations permanent. He said if these interim regulations are adopted, the next step would be for staff to work with the Planning Commission and King County on permanent regulations. Councilmembers Roberts and Robertson agreed that it would be good to take a holistic look at the entire Aurora corridor.

Mayor Hall said he would work with the City Manager to create a future study item to review permanent regulations.

**The main motion to adopt Ordinance No. 906 as amended passed 5-2, with Councilmembers Chang and McConnell voting against.**

Mayor Hall confirmed that the remaining agenda items would be rescheduled.

9. ADJOURNMENT

At 10:37 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>	Approval of Expenses and Payroll as of October 23, 2020
<b>DEPARTMENT:</b>	Administrative Services
<b>PRESENTED BY:</b>	Sara S. Lane, Administrative Services Director

**EXECUTIVE / COUNCIL SUMMARY**

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

**RECOMMENDATION**

Motion: I move to approve Payroll and Claims in the amount of \$3,819,199.88 specified in the following detail:

**\*Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
9/20/20-10/3/20	10/9/2020	93644-93848	17128-17137	80790-80795	\$732,033.01
					<u>\$732,033.01</u>

**\*Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
10/20/2020	1168	\$2,571.75
10/20/2020	1169	\$1,120.15
		<u>\$3,691.90</u>

**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
10/11/2020	80731	80731	\$481,498.22
10/11/2020	80732	80754	\$439,970.26
10/11/2020	80755	80760	\$63,781.86
10/11/2020	80761	80787	\$1,122,453.41

**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
10/11/2020	80788	80788	\$1,639.92
10/11/2020	80145	80145	(\$261.51)
10/11/2020	80789	80789	\$261.51
10/18/2020	80796	80810	\$533,755.07
10/18/2020	80811	80826	\$216,916.70
10/18/2020	80827	80856	\$740.00
10/18/2020	80857	80862	\$53,100.00
10/18/2020	80863	80889	\$96,867.55
10/21/2020	80890	80891	\$73,617.12
10/20/2020	Multiple (29)		(\$865.14)
			<u>\$3,083,474.97</u>

Approved By: City Manager **DT**

City Attorney **MK**

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

<b>AGENDA TITLE:</b>	Authorizing the City Manager to Enter into a Partnering Agreement with the Central Puget Sound Regional Transit Authority (Sound Transit) for the SR 522 / NE 145 <sup>th</sup> Street Bus Rapid Transit (BRT) Project
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Natasha Walters, Transportation Planning Manager
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

The City of Shoreline has been working closely with the Central Puget Sound Regional Transit Authority (Sound Transit) to bring light rail to Shoreline and provide/coordinate improvements on the 145<sup>th</sup> Street Corridor. Three key projects are the Sound Transit Lynnwood Link Extension (LLE), including the Shoreline South/145<sup>th</sup> light rail station, the Sound Transit SR 522 / NE 145<sup>th</sup> Street Bus Rapid Transit (BRT), and the City of Shoreline SR 523 (N/NE 145<sup>th</sup> Street) & Interchange 5 Improvements.

The BRT Project was part of the ST3 Plan approved by voters in November 2016. It will connect north Lake Washington and Shoreline communities along SR522 and SR523 (NE 145<sup>th</sup> Street) with the Shoreline South/145<sup>th</sup> light rail station via STRIDE which will provide frequent transit service. In 2017, Sound Transit, the City of Shoreline, and several other local municipalities signed a Partners' Concurrence Document to begin planning efforts for the BRT Project. Sound Transit has since developed an implementation plan, identifying methods of project development and delivery and is currently in the design process.

Sound Transit is now requesting Partnering Agreements with each jurisdiction along the BRT Project in order to establish a common understanding of roles, responsibilities, and schedule and budget imperatives necessary for the timely delivery of the project. The Partnering Agreement between Sound Transit and Shoreline for the BRT Project is attached to this staff report as Attachment A.

**RESOURCE/FINANCIAL IMPACT:**

With the exception of City of Shoreline staff time to implement the programs and activities identified in this Partnering Agreement, there are no other resource or financial impacts anticipated to result from the authorization of this agreement. Authorization of this agreement provides good faith collaboration, an incentive for Sound Transit in a down-turned economy to stay on schedule in delivering this project, and generates

expediency in finalizing a Funding Agreement scheduled to be presented to Council later this year for the \$10 million Sound Transit has pledged in support of the City's Interchange Project.

**RECOMMENDATION**

Staff recommends that the City Council authorize the City Manager to enter into the Partnering Agreement for the SR 522 / NE 145<sup>th</sup> Street BTR Project with Sound Transit.

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



## **INTRODUCTION**

Sound Transit is moving design forward on the SR 522 / NE 145<sup>th</sup> Street BRT Project that will provide frequent transit service to the Shoreline South/145<sup>th</sup> light rail station. Sound Transit is requesting the City of Shoreline to enter into a Partnering Agreement that will establish a common understanding of roles, responsibilities, and schedule and budget imperatives necessary for the timely delivery of the project. This agreement will memorialize specific commitments from Sound Transit and the City of Shoreline for the BRT Project. This agreement is separate from and will not affect the current agreement that both parties have for the Lynnwood Link Extension (LLE) light rail project.

## **BACKGROUND**

The City has been collaborating with Sound Transit over the last few years on three key projects that affect the 145<sup>th</sup> Street Corridor; the Sound Transit LLE (including Shoreline South/145<sup>th</sup> light rail station), the Sound Transit SR 522 / NE 145<sup>th</sup> Street Bus Rapid Transit (BRT), and the City of Shoreline SR 523 (N/NE 145<sup>th</sup> Street) & Interchange 5 Improvements (Interchange Project). Early on, Sound Transit recognized the benefits that improvements at the interchange will provide to both their light rail and BRT projects. As a result of this acknowledgment, Sound Transit has committed to a financial partnership to assist the City in completing the Interchange Project and has provided letters of support to funding agencies on the City's behalf.

This partnership was last discussed with Council at the [January 27, 2020 Council meeting](#) when staff provided an update on the 145<sup>th</sup> Street / I-5 Interchange Project (Interchange Project) as well as the Sound Transit projects in this vicinity. At that time, Sound Transit had committed to \$5 million in support of the Interchange Project.

City of Shoreline staff have indicated to Sound Transit staff that the Interchange Project does not have adequate construction funding without Sound Transit's contribution of up to \$10 million. On April 22, 2020, Sound Transit and the City co-signed a Letter of Concurrence which outlined the scope of the proposed BRT Project within the City of Shoreline and described an increased Sound Transit funding contribution of up to \$10 million for the Interchange Project. This funding is being programmed and expected to be approved as part of the Sound Transit BRT Project budget by the Sound Transit Board in December 2020; the Funding Agreement to support Sound Transit's up to \$10 million contribution to the Interchange Project (separate from the attached Partnership Agreement) is currently under review and is tentatively scheduled to be brought to Shoreline City Council on December 14, 2020.

## **DISCUSSION**

### **The BRT Project Partnering Agreement**

The BRT Project Partnering Agreement between Sound Transit and the City (Attachment A) lays out basic project management, decision making, responsibilities, and process elements for project delivery, including:

- Community engagement
- Streamlined permitting

- Environmental review
- Property acquisition
- Utility relocation

Pending Sound Transit Board approval, the BRT Project components anticipated to be provided by Sound Transit within the City's municipal boundaries and/or along the north side of the NE 145<sup>th</sup> Street corridor include:

- BRT station amenities at the Shoreline South/145<sup>th</sup> Street station to support safe and reliable transfers;
- 15<sup>th</sup> Avenue NE / NE 145<sup>th</sup> Street Station;
- 30<sup>th</sup> Avenue NE (vicinity) Station;
- Portions of BAT (Business Access & Transit) lanes on the 145<sup>th</sup> Street corridor; and
- Other appropriate traffic management measures as identified and implemented with cooperation from both parties.

The BRT Project assumes the construction of two roundabouts replacing two signalized intersections will be constructed at the 145<sup>th</sup> and I-5 Interchange prior to the operation of the BRT Project.

Sound Transit is the lead agency for environmental compliance for the BRT Project and will complete the environmental review working with the City throughout this process. Sound Transit is responsible for any permanent or temporary property rights and/or acquisitions from private individuals and commercial interests to implement the BRT Project. Sound Transit staff have begun outreach to affected property owners. Sound Transit and the City will cooperatively work with utilities for relocation of facilities and will discuss and consider compensation for relocation of City owned facilities.

The City and Sound Transit will identify appropriate actions that could facilitate project delivery. The parties may enter into a separate funding agreement to support the City's permit review and approvals for the BRT Project (both parties currently have an agreement in place for the LLE light rail permitting) and develop a Permitting Plan.

If any components of the BRT Project are later determined to be implemented by the City, appropriate additional agreements will be developed. Both parties will continue to coordinate and work together to achieve their project goals. Each agency has an art program associated with each respective agency's projects; if working together in a cohesive way to fulfill this requirement is determined to be beneficial, the process may be documented in a future agreement.

Sound Transit is requesting the City sign the BRT Project Partnering Agreement mutually negotiated by both parties. Signing the Partnering Agreement strengthens the City's commitment to the BRT Project and demonstrates to Sound Transit the City's willingness to collaborate to keep the BRT schedule.

Sound Transit staff have communicated that it would be beneficial to have this agreement signed prior to November 12, 2020, which is the next Sound Transit

committee meeting where Sound Transit board members will receive a BRT Project update and can authorize the Partnering Agreement.

### **City Support of Sound Transit's BRT Project**

The City has recently provided a letter of support to the Sound Transit Board for the BRT Project. In this letter, the City acknowledges the impacts of the current pandemic and appreciation for efforts to deliver the voter approved ST3 program despite these challenges, and illustrates the need for the BRT Project to move forward on schedule as Sound Transit works through their Capital Program Realignment process. The letter of support also encourages the Sound Transit Board to execute the Funding Agreement for the Interchange Project as soon as possible.

### **Sound Transit Approval of the Funding Agreement**

Sound Transit staff is currently performing a final review of the Funding Agreement and is working to have it to the City of Shoreline by the end of November so that staff can take it to Shoreline City Council in December 2020. This would allow the agreement to go to the Sound Transit Board for execution in January 2021 or soon thereafter.

Sound Transit staff has shared that they expect the Funding Agreement will be executed by the Sound Transit Board in early 2021. If, however, the Sound Transit Board decides not to execute the Funding Agreement, the City will not move forward with the Interchange Project. If this were to occur, Sound Transit would be required to construct alternative, more expensive and impactful road improvements on 145<sup>th</sup> Street in order to ensure their desired transit performance.

In addition, as part of Sound Transit's environmental and permit review processes, they will be asking the City for review and comment on these alternative improvements. If this occurs, City staff will recommend the City not support these alternative improvements and will instead recommend construction of the 145<sup>th</sup> and I-5 roundabouts. Sound Transit staff have been made aware of the City's approach to environmental and permit review if the \$10 million Funding Agreement is not executed.

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

Support of this BRT Project directly addresses Council Goal 3 to continue preparation for regional mass transit in Shoreline.

### **RESOURCE/FINANCIAL IMPACT**

With the exception of City of Shoreline staff time to implement the programs and activities identified in this Partnering Agreement, there are no other resource or financial impacts anticipated to result from the authorization of this agreement. Authorization of this agreement provides good faith collaboration, an incentive for Sound Transit in a down-turned economy to stay on schedule in delivering this project, and generates expediency in finalizing a Funding Agreement scheduled to be presented to Council later this year for the \$10 million Sound Transit has pledged in support of the City's Interchange Project.

## **RECOMMENDATION**

Staff recommends that the City Council authorize the City Manager to enter into the Partnering Agreement for the SR 522 / NE 145<sup>th</sup> Street BTR Project with Sound Transit.

## **ATTACHMENTS**

Attachment A: Sound Transit and City of Shoreline BRT Project Partnering Agreement

# Attachment A

## PARTNERING AGREEMENT BETWEEN

THE CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY (“SOUND TRANSIT”)

AND

THE CITY OF SHORELINE

FOR THE SR 522 / NE 145<sup>th</sup> St BUS RAPID TRANSIT (“BRT”) PROJECT

GA 0315-18

This Partnering Agreement (“Agreement”) is between the Central Puget Sound Regional Transit Authority (“Sound Transit”), a regional transit authority organized under RCW 81.112, and the City of Shoreline (“City”), a Washington municipal corporation, for the purposes set forth below. Sound Transit and the City are collectively referred to hereafter as “the Parties” or individually as a “Party.”

### RECITALS

**WHEREAS**, in November 2016, the voters approved the Sound Transit 3 Plan (“ST3 Plan”), which is a high capacity transit system expansion plan that includes a wide variety of projects to be implemented over the next 25 years, including the SR 522/NE 145<sup>th</sup> Bus Rapid Transit project (“BRT Project”);

**WHEREAS**, to meet the challenges of delivering the projects in the ST3 Plan, Sound Transit developed a System Expansion Implementation Plan that identifies new methods of project development and delivery;

**WHEREAS**, Sound Transit has refined processes, policies, and organizational structures to support this streamlined project delivery model, and developed new approaches for working with project partners, stakeholders, and local jurisdictions;

**WHEREAS**, the overall development approach, including phases and key decisions, for the BRT Program is depicted in **Exhibit A**;

**WHEREAS**, the ST3 Plan and the Bus Rapid Transit (BRT) Program include the Refined SR 522/NE 145<sup>th</sup> St BRT proposed BRT Project (**Exhibit B**) which provides for the construction of distinct improvements, referred to as “Components,” that include three (3) BRT station pairs, non-motorized access improvements, bus lanes or queue jumps, and traffic signal adjustments along NE 145<sup>th</sup> Street;

**WHEREAS**, in 2017, Sound Transit, the City, and the cities of Bothell, Kenmore, Lake Forest Park, Seattle, and Woodinville entered into the Partners’ Concurrence Document (attached as **Exhibit C**), the principles agreed to in that document will apply to the BRT Program in general and the BRT Project in particular;

**WHEREAS**, the City and Sound Transit have existing agreements for the Lynwood Link Extension project (“LLE Project”), and this Agreement does not pre-empt or otherwise alter the terms of those agreements;

**WHEREAS**, Sound Transit and the City of Shoreline co-signed a Letter of Concurrence on April 22, 2020 which outlines the scope of the proposed Sound Transit SR 522/145<sup>th</sup> Bus Rapid Transit Project (“BRT Project”) within the City of Shoreline and describes Sound Transit’s funding contribution up to \$10 M and participation in the City of Shoreline’s I-5/145<sup>th</sup> Interchange Project (“Interchange Project”) in support of the City’s 2020 Surface Transportation Program (STP), subject to approval by the Sound Transit Board of Directors (attached as **Exhibit D**).

**WHEREAS**, the SR523 (N/NE 145<sup>th</sup> Street) corridor is a state highway and City principle arterial, and the Washington State Department of Transportation (“WSDOT”), the City, and the City of Seattle (“Seattle”), collectively the “Corridor Parties,” have jurisdictional responsibilities and interests in design, construction and operations of that corridor;

**WHEREAS**, the Corridor Parties are currently engaged in multiple planning processes regarding future capital investments along the corridor. The Corridor Parties have shared amongst themselves the results of studies, provided comment, and sought to identify a common and consistent understanding of the needs, opportunities and constraints on the corridor, to help guide agency decisions regarding future capital infrastructure.;

**WHEREAS**, as a result of these studies, the City has developed two (2) capital improvement projects, the SR523 (N/NE 145<sup>th</sup> Street) and I-5 Interchange Project (“Interchange Project”) and the SR523 (N/NE 145<sup>th</sup> Street) Aurora Avenue N to I-5 Project (the 145<sup>th</sup> Corridor Project);

**WHEREAS**, the City’s Interchange Project will reconfigure the I-5/145<sup>th</sup> highway interchange with two roundabouts to improve transit access, speed, and reliability; better manage arterial traffic and on and off ramp traffic; and enhance pedestrian and bicycle facilities;

**WHEREAS**, Sound Transit and the City co-signed a Letter of Concurrence on April 22, 2020 which outlines the scope of the BRT Project within the City of Shoreline and describes Sound Transit’s funding contribution up to \$10 M and participation in the City’s Interchange Project in support of the City’s 2020 Surface Transportation Program (STP), subject to approval by the Sound Transit Board of Directors (attached as **Exhibit D**);

**WHEREAS**, the BRT Project proposes to construct a westbound BAT lane from just east of 8<sup>th</sup> Avenue NE to approximately 6<sup>th</sup> Avenue NE. Between 8<sup>th</sup> and 6<sup>th</sup> Avenues the current design includes a 12-foot wide shared use path and a 5-foot wide planting strip. Westbound NE 145<sup>th</sup> Street general-purpose traffic is expected to be metered in order to provide transit priority approaching the roundabout. The City’s Interchange Project will be designed to match

up to this proposed lane in the vicinity of 6<sup>th</sup> Ave NE. The City will be responsible for all improvements to the west of 6<sup>th</sup> Ave NE and for the traffic meter;

**WHEREAS**, the Sound Transit Board is expected to make a decision to select the project to be built and advance the BRT Project into final design in the coming months after the completion of environmental review. Shoreline is expected to complete environmental review of the proposed Interchange Project by the end of 2020. The BRT Project environmental review assumes that the Interchange Project will be completed after the BRT Project in 2024;

**WHEREAS**, the Sound Transit Board of Directors has the sole authority to identify the proposed BRT Project for environmental study and to subsequently select the BRT Project to be built after conclusion of the environmental review phase;

**WHEREAS**, Sound Transit will need to utilize City rights-of-way to build and operate transit service envisioned in the BRT Project;

**WHEREAS**, Sound Transit may acquire permanent and temporary property rights from private individuals and commercial interests within the City of Shoreline to implement the BRT Project;

**WHEREAS**, the timely delivery of the BRT Project is dependent upon close cooperation between the Parties, and the Parties wish to memorialize specific commitments from Sound Transit and from the City for the BRT Project;

**NOW THEREFORE**, in consideration of the mutual promises and covenants herein, it is mutually agreed as follows.

## **1. PROJECT MANAGEMENT**

- 1.1. **Purpose.** With this Agreement, Sound Transit and the City are establishing a common understanding of roles, responsibilities, and schedule and budget imperatives necessary for the timely delivery of the BRT Project within the City.
- 1.2. **Designated Representatives.** Each Party's Designated Representative is identified in **Exhibit E**. Exhibit E also describes the duties to be performed by the City's Designated Representative. Either Party may change its Designated Representative after consultation with the other Party, provided that the new Designated Representative has appropriate qualifications and level of authority to fulfill the expectations of the role.
- 1.3. **Process for Project Reviews.** BRT Project reviews will involve strategies, such as "over the shoulder" reviews, task forces, page-turn meetings, workshops, charrettes, or other forms of engagement that encourage the Parties to engage in early and thorough discussion of BRT Project opportunities, risks, and issues. The Parties will participate in

these strategies and engagements and seek to resolve issues before Sound Transit provides formal submittals to the City for review.

1.3.1 In alignment with the three (3) month look ahead identified in Section 1.3.3, unless the Parties otherwise agree to an alternate review schedule in cases of multiple or concurrent reviews, Sound Transit will notify the City twenty-one (21) calendar days in advance of providing a BRT Project review package, including draft environmental documents, to the City.

1.3.2 Upon receipt of the BRT Project review package, the City will review and return consolidated comments to Sound Transit from all relevant City reviewers. If Sound Transit would like City permitting staff to be a part of the project review process prior to formal permit submittal, the parties will enter into a funding agreement to support these City of Shoreline review activities.

1.3.3 Sound Transit will provide the City with a minimum three (3)-month look-ahead schedule of review package submittals, updated regularly; and if there are changes to the schedule, Sound Transit will notify the City promptly, to help the City identify and plan for resources needed to conduct its reviews.

1.4. **Decision Making.** The Parties will be transparent in their respective decision-making processes and agree to avoid postponing difficult decisions until a critical deadline. The Parties will discuss upcoming decisions by either Party that may affect BRT Project scope, schedule, or budget, and will strive to reach concurrence before decisions are made.

#### 1.5. **Commitment to Project Schedule and Budget**

1.5.1. **Schedule.** The Parties are mutually committed to meeting key BRT Project milestones. The Parties will regularly review staffing plans and levels of effort to support delivery of the BRT Project within the agreed-upon schedule. Accordingly, the Parties will work in good faith toward the target dates identified in the schedule attached as **Exhibit F**.

1.5.2. **Budget.** The Parties will facilitate the BRT Project being completed within adopted budget.

## 2. **PROJECT DEVELOPMENT**

### 2.1. **Overall Approach to BRT Program Development and Delivery**

2.1.1. Section VII of the Partners' Concurrence Document (**Exhibit C**) describes generally how the Sound Transit Board will engage the City and other stakeholders in their decision-making process for the BRT Project. The



overall development approach for the BRT Program is described in **Exhibit A** and indicates key decision points.

- 2.1.2. During Phase 1, identified in **Exhibit A**, Sound Transit conducted a project refinement activity, which included more detailed analysis to confirm the representative project alternative sites or site development options for the BRT Project.
- 2.1.3. During Phase 2, identified in **Exhibit A**, Sound Transit will complete environmental review of the BRT Project, and the Parties will review development regulations and processes that will likely apply to the BRT Project and identify and document any actions necessary to streamline the permit review process or resolve code conflicts, as further described in Section 5. The Parties will strive to identify the changes and actions that require Shoreline City Council actions, and the City will provide Sound Transit with schedule information to allow sufficient lead time to implement each change or action before permitting begins. At the conclusion of Phase 2, the Sound Transit Board will identify the BRT Project to be built.
- 2.1.4. During Phase 2, the Parties will also determine which components of the BRT Project, if any, will be implemented by the City and begin to develop any applicable funding agreement or agreements. After the Sound Transit Board identifies the BRT Project to be built, Sound Transit will begin the Implementation Phase and, if any components of the BRT Project are to be implemented by the City, execute the funding agreement or agreements whereby Sound Transit would fund design, right-of-way acquisition, permitting, construction, ownership, and maintenance of the components implemented by the City. The funding agreement or agreements should also contain mutually agreeable terms and conditions regarding Sound Transit review, approval, and oversight roles in relationship to the components implemented by the City.

## **2.2. Addressing Access and Transit Integration, Land Use, Transit-Oriented Development, Art, and Sustainability**

- 2.2.1. The Parties agree that the BRT Project stations, roadway improvements, non-motorized improvements, and design decisions will be informed by a balanced commitment to improving customer access from all modes (especially connecting local transit, pedestrian, and bicycle modes) and facilitating transit-supportive land use and urban form.
- 2.2.2. The Parties will identify priorities for improving customer access to the BRT system and will identify opportunities to maximize and leverage

project transit access-related funding by coordinating with City plans and other funding sources.

- 2.2.3. The City expects Sound Transit to design and construct sidewalks, curb ramps, and crosswalks in the immediate vicinity of the BRT stations where the right-of-way is improved by the BRT Project. The City expects that these facilities will be consistent with applicable City standards, though the City may consider design deviations, where necessary, in order to minimize property impacts and where cost is prohibitive due to site constraints or the like, provided that ADA standards and safe pedestrian and bicycle access are maintained.
- 2.2.4. The Parties will coordinate content and sequencing of their planning activities with regard to the BRT Stations, land use, and non-motorized access improvements. This should be done in such a way that both Parties preserve their interests while avoiding duplication of effort or sudden change in direction.
- 2.2.5. The Parties will work together to identify and evaluate opportunities for transit-oriented development (“TOD”) near the BRT Stations, including direct integration of transit facilities with development done by others. The Parties further agree to consider strategies for advancing equitable development outcomes in their planning activities, including but not limited to opportunities for development of affordable housing consistent with local plans and codes and Sound Transit’s statutory direction if surplus property is identified through the acquisition process.
- 2.2.6. Sound Transit and the City recognize that each agency has an art program and budget associated with each respective agency’s projects. Both agencies agree to work together to document a process for development, funding, fabrication, and installation of artwork associated with Sound Transit’s BRT Program. The process will describe community outreach and provide a design-review path for the artwork. This process may be documented in a future agreement.
- 2.2.7. The Parties will identify and evaluate opportunities for implementing green building and infrastructure, including certification to third-party standards such as LEED and Greenroads.

### **3. PROJECT DEFINITIONS**

- 3.1. **Project Development.** The Refined Project attached as **Exhibit B** was developed for the ST3 Plan for the purpose of establishing scope, cost estimates, and ridership forecasts. The Representative Project was used to establish the transit mode, corridor, number of

stations, general station locations, and non-motorized access during Phase 1, which resulted in refinements to form the basis for the BRT Project which is the subject of environmental review in Phase 2.

3.1.1 Pending Sound Transit Board approval, BRT Project components anticipated to be provided by Sound Transit within the City's municipal boundaries and/or along the north side of NE 145<sup>th</sup> Street corridor include:

- Lynnwood Link/Shoreline South/145<sup>th</sup> Street Station: BRT station amenities will be provided at the BRT pick-up zone to support reliable transfers between BRT and Lynnwood Link.
- 15<sup>th</sup> Avenue NE/NE 145<sup>th</sup> Street Station: A station would be established, and to facilitate bus speed and reliability, NE 145<sup>th</sup> Street would be widened at this intersection. Existing sidewalks would be reconstructed where disturbed by the BRT Project, as illustrated in the 10% Design Update.
- 30<sup>th</sup> Avenue NE (vicinity) Station: A station would be established, and existing sidewalks would be reconstructed where disturbed by the BRT Project to accommodate the station and any associated roadway widening. Sound Transit will continue to work with its partners to ensure that the final location of the station meets access, safety, and speed and reliability goals.
- NE 145<sup>th</sup> Street BAT Lane: A westbound BAT lane would be constructed by the BRT Project from just east of 8<sup>th</sup> Avenue NE to approximately 6<sup>th</sup> Avenue NE. Between 8<sup>th</sup> and 6<sup>th</sup> Avenues, the 10% Design Update includes a twelve (12) foot wide shared-use path and a five (5) foot wide planting strip. This BAT lane would connect to the westbound turn lane that will be constructed by the Sound Transit Lynnwood Link Extension project ("LLE Project") to provide for speed and reliability improvements for BRT.
- 145<sup>th</sup> Street corridor traffic management: Sound Transit and the City will cooperate to identify and implement appropriate traffic management measures within the existing NE 145<sup>th</sup> Street corridor to enhance safety and maximize travel reliability. The City will work with Sound Transit and other partners to evaluate and implement signal operations that minimize transit delay and enhance pedestrian and motorist safety. In undertaking this, Sound Transit and the City will strive to avoid or minimize negative impacts such as diversion of traffic into neighborhoods or reduced access to nearby schools and churches. As such, eastbound to northbound left turn restrictions may not be appropriate.

3.2 City's Interchange Project will reconfigure the I-5/145<sup>th</sup> Street highway interchange with two (2) roundabouts to improve transit access, speed, and reliability; better manage arterial traffic and on- and off-ramp traffic; and enhance pedestrian and bicycle facilities. The

Interchange Project roundabout on the east side of I-5 would alter the NE 145<sup>th</sup> Street/5<sup>th</sup> Avenue NE intersection and eliminate the planned LLE Project turn lane. As a result, the planned BRT Project BAT lane would merge into general purpose lanes in the vicinity of 6<sup>th</sup> Avenue NE. To ensure BRT speed and reliability equivalent to or better than that offered by the BRT Project configuration, westbound NE 145<sup>th</sup> Street general-purpose traffic would be metered in the vicinity of 6<sup>th</sup> Avenue NE in order to provide transit priority approaching the roundabout. This meter and all associated meter infrastructure would be constructed by the City and activated upon substantial completion of the Interchange Project. The Interchange Project would be designed to match up to the BRT Project curb locations and paving limits in the vicinity of 6<sup>th</sup> Avenue NE.

3.2.3 The Interchange Project does not anticipate underground utility relocations or modifications and therefore it will not modify planned underground LLE Project work.

3.2.4 Sound Transit's BRT Project would benefit from improved transit speed and reliability offered by the City's Interchange Project and, therefore, it is anticipated that Sound Transit would contribute up to \$10 million to the Interchange Project, subject to completion of the City's environmental review. Sound Transit will support the City's grant applications and other efforts to secure full funding for the Interchange Project. Due to economic uncertainty created by the impacts of COVID-19, an agency work group is developing the information and data the Sound Transit Board will consider in a realignment process that may be similar to the 2010 process during the Great Recession. The scope and timing of the BRT Project will be considered during the realignment process and any contributions to the Interchange Project will be subject to approval by the Sound Transit Board.

**3.3 Scope Control.** The Parties agree to follow Sound Transit Board Resolution No. R2009-24 (the "Scope Control Policy") to address requests to enhance the BRT Project scope. Any decisions on scope changes will be memorialized in agreements as mutually determined by the Parties.

#### **4. ENGAGEMENT AND COMMUNICATIONS**

4.1. **Community Engagement and Communication Plan.** The Partners' Concurrence Document (**Exhibit C**), provides a description of the Community Engagement and Communications Plan with regard to the BRT Project.

4.2. **Public Communication.** The Parties intend to provide information to the community in an accurate and timely manner and will strive to notify and coordinate with each other in advance of formal press releases, news conferences, or similar public statements concerning the BRT Project. Coordination may include identifying opportunities for joint public statements.

## 5. STREAMLINED PERMITTING

- 5.1. **Funding Agreement.** The City and Sound Transit may enter into a separate funding agreement to support the City’s permit review and approval(s) for the BRT Project.
- 5.2. **Code Review.** Sound Transit will coordinate with the City to complete a code review as part of streamlined permitting to assess compatibility of the BRT Project with applicable provisions of the Shoreline Municipal Code (SMC). The City and Sound Transit will identify appropriate actions that could facilitate BRT Project delivery.
- 5.3. **Draft Permitting Plan.** Before completion of Phase 2, the Parties will develop a draft Permitting Plan that supports the proposed BRT Project action and schedule.
  - 5.3.1. The draft Permitting Plan will describe the processes intended to facilitate the timely preparation, filing and processing of any required permits, identify City departments with permitting responsibilities, and address the overall strategy for completing land use and/or discretionary approvals, environmental permits to be issued by the City, and building/trade/ministerial permits.
  - 5.3.2. The draft Permitting Plan will also address the potential or selected delivery method(s) for BRT Project construction and related implications for the permitting process as well as a strategy for closing out permits upon completion of construction and the issuance of necessary certificates of occupancy.
  - 5.3.3. The Parties will develop timelines in the draft Permitting Plan that support the ST3 Plan goals of issuing land use decisions within one hundred twenty (120) days of City acceptance of a complete application and the goal of approvals of construction permit decisions within sooner timeframes that includes a “time-clock” process to account for turn-around times for Sound Transit to address comments, clarifications, or necessary revisions.
- 5.4. **Final Permitting Plan.** Upon completion of the environmental review phase and selection of the BRT Project to be built, the Parties will develop a final Permitting Plan and implement the processes identified in the final Permitting Plan. Implementation actions identified in the final Permitting Plan may be formalized in permitting agreements, development agreements, or other agreements as mutually agreed by the Parties.
- 5.5. Nothing in this Agreement shall be deemed a waiver of the City’s regulatory authority, review fees, nor a predetermination of BRT Project compliance with applicable codes and regulations.

## **6. ENVIRONMENTAL REVIEW**

- 6.1. For the BRT Project, Sound Transit is the lead agency for compliance with the State Environmental Policy Act (“SEPA”). In coordination with the City and other agencies with jurisdiction, Sound Transit will complete the environmental review for the BRT Project in accordance with SEPA. The City, including all relevant departments and divisions, will participate in the environmental review process to ensure that the scope of review, environmental impacts, and appropriate mitigation measures are identified and agreed to during the environmental review process. The goal is for the Parties to work together to ensure that there are no surprises later in the BRT Project permitting process regarding environmental impacts or mitigation measures.
- 6.2. The City commits to participating in the environmental review process as a Consulted Agency under SEPA, and as a Cooperating Agency under the National Environmental Policy Act (“NEPA”) if federal funds are to be obtained for the BRT Project, as appropriate. The City will review the scope and environmental documents for the BRT Project. The environmental review will cover the City’s issuance of all permits for the BRT Project as well as agreed upon environmental mitigation for BRT Project impacts. The City will use and rely on the BRT Project’s environmental documents and agreed upon mitigation measures to satisfy its SEPA responsibilities, consistent with WAC 197-11-600.

## **7. ESSENTIAL PUBLIC FACILITIES**

- 7.1. The Parties agree that the BRT Project is an essential public facility (“EPF”) and that the requirements of RCW 36.70A.200 apply. The siting and location of the BRT Project will be consistent with Chapter 36.70A RCW.

## **8. PLANNING AND MANAGING CONSTRUCTION**

- 8.1. Sound Transit has selected Design-Bid-Build as the delivery method for all BRT project elements in along 145<sup>th</sup> as design build delivery format.

## **9. PROPERTY ACQUISITION**

### **9.1. Temporary and Permanent Property Acquisitions**

- 9.1.1. Sound Transit will require use of City rights-of-way to build and operate transit service envisioned in this BRT Project. Sound Transit may also acquire permanent and temporary property rights from private individuals and commercial interests to implement the BRT Project.
- 9.1.2. Sound Transit will consider property acquisition needs, including construction staging and temporary construction easements, early in the BRT Project development phase. Sound Transit will assess the risk of

potential loss of critical parcels due to imminent property sale or development pressure in the corridor. Parcels at risk of imminent development may be subject to further evaluation and potential suitability for early protective acquisition by Sound Transit.

- 9.1.3. The City's Designated Representative will notify Sound Transit's Designated Representative of potential development activities (pre-application or permit requests, etc.) on parcels along the refined BRT Project, once identified.

9.2. **Utility Relocation.** The City has agreements and franchises with third-party utilities that describe processes and notice requirements associated with requests for relocation of such facilities for City projects. The Parties will collaboratively develop procedures for ensuring that notices and required plans and specifications are prepared and provided to third-party utility providers consistent with all applicable codes and regulations. Likewise, the Parties will collaboratively develop similar procedures and protocols for developing plans for the necessary relocation of utilities owned by the City. To the extent possible the City will use its existing franchise agreements with third-party utilities to have the utilities moved at their expense. The Parties agree that they will discuss and consider Sound Transit payments to the City for the cost of relocation of utilities owned by the City as part of the development of such procedures and protocols. The schedule and timeline for utility relocation is critical to the overall BRT Project schedule.

## **10. DISPUTE RESOLUTION**

- 10.1. The Parties will work cooperatively and in good faith to resolve issues as they arise. The Parties agree that neither Party shall take or join any action in any judicial or administrative forum to challenge the action of the other party associated with this Agreement or the BRT Project, except as set forth herein.
- 10.2. The Parties will use their best efforts to prevent and resolve potential sources of conflict at the lowest level possible.
- 10.3. Any disputes or questions of interpretation of this Agreement or the performance of either Party under this Agreement that may arise between Sound Transit and the City shall be governed under the dispute resolution provisions in this Section. The Parties agree that cooperation and communication are essential to resolving issues efficiently.
- 10.4. Either Party may refer a dispute to the dispute resolution process by providing written notice of such referral to the other Party's Designated Representative, as shown in **Exhibit D**. The Parties will use their best efforts to resolve disputes arising out of or related to this Agreement or the BRT Project using good faith

negotiations by engaging in the following dispute resolution process should any such disputes arise:

10.4.1. Level One: Sound Transit's Designated Representative and the City's Designated Representative will meet to discuss and attempt to resolve the dispute in a timely manner. If these individuals cannot resolve the dispute within fourteen (14) days after referral of that dispute to Level One, either Party may refer the dispute to Level Two.

10.4.2. Level Two: Sound Transit's BRT Program Director and the City's Transportation Services Manager will meet to discuss and attempt to resolve the dispute in a timely manner. If these individuals cannot resolve the dispute within fourteen (14) calendar days after referral of that dispute to Level Two, either Party may refer the dispute to Level Three.

10.2.3 Level Three: Sound Transit's Corridor Development Director and the City's Public Works Director will meet to discuss and attempt to resolve the dispute in a timely manner.

10.5. Except as otherwise specified in this Agreement, in the event the dispute is not resolved at Level Three within 14 calendar days, the Parties are free to seek any available legal remedy, up to and including filing suit. At all times prior to resolving the dispute, the Parties will continue to perform any undisputed obligations and make any undisputed required payments under this Agreement in the same manner and under the same terms as existed prior to the dispute. Notwithstanding anything in this Agreement to the contrary, neither Party has an obligation to agree to refer the dispute to mediation nor other form of dispute resolution following completion of Level Three of the process described herein. Such agreement may be withheld for any reason or no reason.

10.6. The dispute resolution process may be supplemented by subsequent agreements identified within this agreement

## **11. GENERAL PROVISIONS**

11.1. **Duration of Agreement.** This Agreement shall take effect on the last date of signature by the Parties as set forth below. This Agreement shall remain in effect until the BRT Project contemplated by this Agreement is completed and the first day of revenue operation has occurred, unless this Agreement is extended by mutual agreement of the Parties pursuant to Section 11.9 or superseded by a future agreement.



11.2. **Warranties**

11.2.1. By execution of this Agreement, the City warrants that the City has the full right and authority to enter into and perform this Agreement, and that by entering into or performing this Agreement the City is not in violation of any law, regulation, or agreement; and that the execution, delivery and performance of this Agreement by the City has been duly authorized by all requisite corporate action, that the signatory for the City hereto is authorized to sign this Agreement.

11.2.2. By execution of this Agreement, Sound Transit warrants that Sound Transit has the full right and authority to enter into and perform this Agreement, and that by entering into or performing this Agreement Sound Transit is not in violation of any law, regulation or agreement; and that the execution, delivery and performance of this Agreement by Sound Transit has been duly authorized by all requisite corporate action, that the signatory for Sound Transit hereto is authorized to sign this Agreement.

11.3. **Administration of Agreement.** This Agreement will be jointly administered by Sound Transit’s Designated Representative and the City’s Designated Representative. Each Party shall be responsible for its own public records and public records requests submitted pursuant to chapter 42.56 RCW.

11.4. **Assignment and Beneficiaries.** Neither Party may assign all or any portion of this Agreement without the express written consent of the other Party. This Agreement is made and entered into for the sole protection and benefit of the Parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.5. **Notices.** Unless otherwise provided herein, all notices and communications concerning this Agreement shall be in writing and addressed to the Designated Representative.

11.5.1 All notices shall be either: (i) delivered in person, (ii) deposited postage prepaid in the certified mails of the United States, return receipt requested, (iii) delivered by a nationally recognized overnight or same-day courier service that obtains receipts, or (iv) delivered electronically to the other Party’s Designated Representative as listed herein.

11.6. **Federal Provisions.** Sound Transit’s design and construction of the BRT Project may become subject to a financial assistance contract between Sound Transit and the Federal Transit Administration (“FTA”) and/or the Federal Highway

Administration (“FHWA”). Both Parties recognize that the FTA/FHWA may request a change to this Agreement to comply with its funding requirements.

- 11.7. **Governing Law and Venue.** This Agreement shall be interpreted, construed, and enforced in accordance with the laws of the State of Washington. Venue of any suit between the Parties arising out of this Agreement shall be King County Superior Court or the US District Court for Western Washington.
- 11.8. **Interpretation.** This Agreement has been reviewed and revised by legal counsel for all Parties and no presumption or rule that ambiguity shall be construed against the Party drafting the document shall apply to the interpretation or enforcement of this Agreement. Nothing herein shall be construed as a waiver of either Party’s statutory or constitutional owners, The Parties intent that this Agreement be interpreted to the full extent authorized by applicable law.
- 11.9. **Costs.** Each Party shall be responsible for its own costs, including legal fees, incurred in negotiating and finalizing this Agreement. If either Party brings any claim or lawsuit arising from this Agreement, each Party shall pay all its own legal costs and expenses, including attorney’s fees, incurred in prosecuting or defending such claim or lawsuit, including all appeals. However, nothing in this paragraph shall be construed to limit the Parties’ rights to indemnification.
- 11.10. **Legislative Actions.** The Parties shall not unreasonably withhold requests for information, approvals, or consents provided for in this Agreement; provided, however, that approvals or consents required to be given by vote of the Sound Transit Board or the Shoreline City Council are recognized as legislative actions. The Parties further agree to take further actions and execute further documents, either jointly or within their respective powers and authority, to implement the intent of this Agreement; provided, however, that where such actions or execution must first be approved by vote of the Sound Transit Board or the Shoreline City Council, such actions or executions are recognized to be legislative actions.
- 11.11. **Cooperative Efforts.** The Parties agree to work cooperatively with each other to achieve the mutually agreeable goals as set forth in this Agreement.
- 11.12. **Non Waiver.** Neither Party shall be relieved of its obligations to comply promptly with any provision of this Agreement by reason of any failure by the other Party to enforce prompt compliance, nor such failure to enforce shall not constitute a waiver of rights or acquiescence to the other Party’s conduct.
- 11.13. **No Joint Venture.** No joint venture or partnership is formed as a result of this Agreement. No employees, agents or subcontractors of one Party shall be deemed, or represent themselves to be, employees of any other Party.

- 11.14. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all counterparts together shall constitute but one and the same instrument.
- 11.15. **Amendments.** This Agreement may be amended only by a written instrument executed by both Parties. The Designated Representatives may, by mutual agreement, revise or replace the Exhibits as necessary.
- 11.16. **Captions.** The titles of sections or any other parts of this Agreement are for convenience only and do not define or limit the contents.
- 11.17. **Severability.** In case any term of this Agreement shall be held invalid, illegal, or unenforceable in whole or in part, neither the validity of the remaining part of such term nor the validity of the remaining terms of this Agreement shall in any way be affected thereby.

Each of the Parties has executed this Agreement by having its authorized representative affix his/her name in the appropriate space below and the effective date shall be the last date written below:

**SOUND TRANSIT**

**CITY OF SHORELINE**

By: \_\_\_\_\_  
Peter M. Rogoff, Chief Executive Officer

By: \_\_\_\_\_  
Debbie Tarry, City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Authorized by Motion No. \_\_\_\_\_

Authorized by City Council on \_\_\_\_\_, 2020

**EXHIBIT LIST**

- Exhibit A: Overall Approach to Project Development and Delivery
- Exhibit B: ST3 Plan Refined Project Template
- Exhibit C: SR 522/SR 523 Partners' Concurrence Document
- Exhibit D: Letter of Concurrence
- Exhibit E: Designated Representatives and Description of Role
- Exhibit F: Schedule Milestones

## EXHIBIT A

### BRT PROGRAM



#### Phase 1: Project Refinement

- Community Engagement and Communications Plan Activities
- Proposed action concurrence document

**CONCLUSION: BOARD Approves proceeding with conceptual design and environmental review for PROPOSED ACTION**

#### Phase 2: Complete Conceptual Engineering and Environmental Review

- Continued Community Engagement and Communications Plan Activities
- Select project delivery method
- Draft Permitting Plan

**CONCLUSION: BOARD SELECTS PROJECT TO BUILD**

#### Implementation Phase

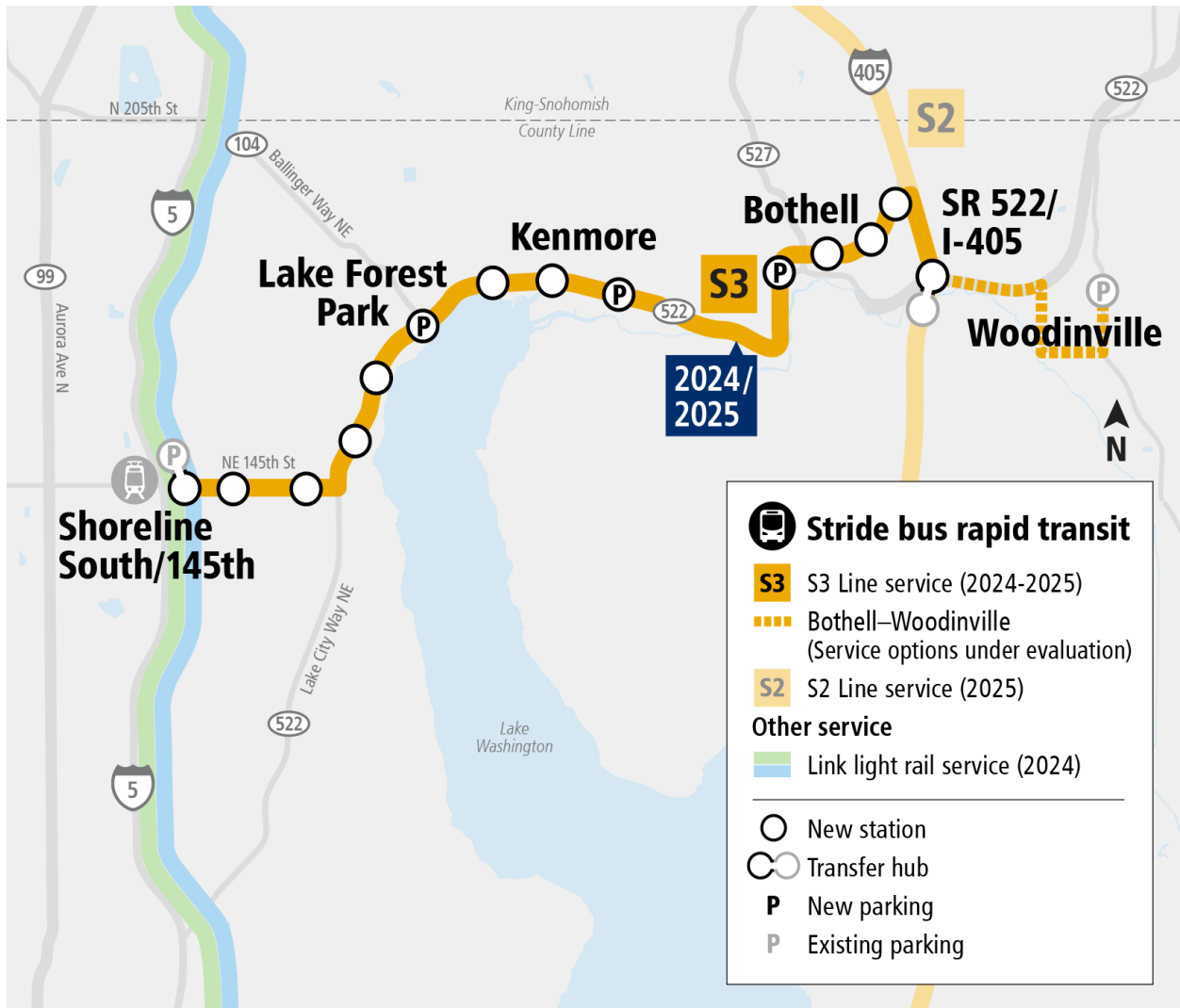
- Permitting actions
- Construction begins
- Pre-Operations testing

#### Operations

- Facilities open to public/revenue service begins

EXHIBIT B

ST3 PLAN REFINED PROJECT TEMPLATE



**EXHIBIT C**

**SR 522/SR 523 BRT PARTNERS' CONCURRENCE DOCUMENT (GCA 0176-17)**

(see following seven pages)

**Sound Transit SR 522/523 Bus Rapid Transit (BRT) Project**  
**Partners' Concurrence Document**  
**GA 0176-17**

**I. INTRODUCTION**

- A. The Sound Transit 3 (ST3) high capacity transit system expansion approved by the voters in November 2016 includes a wide variety of projects to be implemented over the next 25 years. Implementing ST3 consistent with the scope, budget, and schedule approved by the voters will require coordination and collaboration by Sound Transit and by its federal, state, and local partners.
- B. To meet the challenges of delivering the ST3 projects, Sound Transit developed a System Expansion Implementation Plan (SEIP) that embraces new alternative methods of working. Sound Transit has refined processes, policies, and organizational structures to support this streamlined project delivery model, and developed new approaches for working with project partners, stakeholders, and local jurisdictions. Additionally, Sound Transit will conduct a robust city and public outreach and stakeholder engagement effort to reach early and durable agreement on project definition, including station locations, access, branding, transit integration, and other project components. The public partner and stakeholder involvement process will be designed to reach key milestones earlier in the project development process, including early identification of the preferred alternative, to achieve the accelerated project delivery schedule.
- C. While the ST3 Plan adds Bus Rapid Transit (BRT) service in two corridors, Interstate 405 (1-405) and SR 522/SR 523, this Partners' Concurrence Document is applicable to the SR522/523 BRT Project only. BRT benefits to Sound Transit riders include:
- Reliable and frequent: Service every 10 minutes in the peak and off-peak periods from NE 145th Street to UW Bothell and every 20 minutes in the peak and off-peak between UW Bothell and Woodinville.
  - Dependable: Reliable headways with bidirectional service with up to 19 hours of service Monday through Saturday, and up to 17 hours on Sunday.
  - Accessible: Stations accessible for all persons including those with disabilities, providing shelter and information on schedules and routes with direct connections to local and regional destinations.
  - Easily identifiable: Distinct and consistent branding for stations and vehicles.
- D. This Concurrence Document has been developed to help facilitate the delivery of SR 522/523 BRT. It is intended to broadly describe roles, responsibilities, goals, and expectations for the public agencies participating in the Project. This document and subsequent agreements will help the Parties cooperate effectively, so that revenue service begins on schedule by the end of 2024. Specific roles and responsibilities will be defined in partnership agreements with individual agencies (see section VIII.B.).

## II. PARTIES

The Parties are Sound Transit, the Washington State Department of Transportation (WSDOT), King County, and the cities of Bothell, Kenmore, Lake Forest Park, Seattle, Shoreline, and Woodinville.

## III. PROJECT INFORMATION

- A. Sound Transit's BRT program development for the I-40S and SR522/523 BRT Projects will involve coordinated planning, design, and implementation of BRT elements, including routes, stations, a bus operations and maintenance facility, vehicle fleet, rider information/technology integration, and branding. The two Projects share several common elements including a bus operation and maintenance facility, BRT station design and functional elements, vehicles purchases, and branding. Other documents and agreements may be developed to separately address the 1-405 BRT Project and common elements shared between the two Projects.
- B. The SR 522/523 BRT Project will be developed along the SR 522 and SR 523 corridors, with a western terminus at the future Shoreline South/145th Link station (serving the SR 523/1-5 interchange), then east along SR 523 to the intersection with SR 522 (Bothell Way NE) and continuing along SR 522, 99th Ave. NE, NE 185<sup>th</sup> St, and Beardslee Blvd to the University of Washington (UW) Bothell campus. BRT service, with limited capital improvements, will be provided from UW Bothell to Woodinville. The cities along this corridor, WSDOT, and Sound Transit have each undertaken previous efforts to develop transit and BRT infrastructure such as Business Access and Transit (BAT) lanes in Kenmore and Bothell and the 145<sup>th</sup> Multi-modal Corridor Study led by the City of Shoreline in partnership with the parties to this document. Also, in 2016 the cities formed a coalition to promote adding the 522 BRT Project to the ST3 project list.
- C. The ST3 Plan included a "representative alignment" for SR 522/523 BRT, which is a conceptual scope of work and estimated costs for the Project for the purpose of generating preliminary cost and planning data. The representative alignment is attached as **Exhibit A**. The Project will use general purpose lanes, queue jumps, and existing and new BAT lanes and bus only lanes as well as operational improvements. There are nine station pairs, three 300-stall parking garages, and a transit center planned at UW Bothell/Cascadia College. Depending on location, improvements to rights-of-way will be owned and maintained by WSDOT or the applicable city. Sound Transit will be responsible for ownership and maintenance of transit facility elements (shelters, benches, garages, etc.).

## IV. KEY ROLES AND RESPONSIBILITIES

- A. Sound Transit: Serves as the Project lead and is the lead agency for compliance with the State Environmental Policy Act . Sound Transit and its partners will collaborate to identify a preferred alternative prior to initiation of the environmental review process, and to refine it throughout the project development process. The Sound Transit Board of Directors makes final decisions regarding the Project based on environmental review and input from project partners, stakeholders, local jurisdictions, and other public comment. Sound Transit is responsible to fund the design and construction of the SR 522/523 BRT Project and ensure operation and maintenance of SR 522/523 BRT service.



- B. WSDOT: Will have design approval as appropriate for State Routes and may serve as potential construction agent<sup>1</sup>.
- C. Cities: Local agencies have in some cases already made significant capital improvements to this corridor to accommodate BRT service. They also have regulatory authority for permitting decisions and design authority for city streets, will collaborate with Sound Transit on design, or may have design approval under agreement with Sound Transit, and may serve as potential design and construction agents. Specific roles and responsibilities will be described in subsequent partnership agreements.
- D. King County: A portion of SR 523 (NE 145th St.) is in unincorporated King County. As a state highway, WSDOT has regulatory authority and maintenance responsibility over King County's portion of the roadway. King County will provide input to design. King County Metro provides transit service along the corridor and will work with Sound Transit to integrate capital and service needs and improvements with the SR 522/523 BRT Project along the corridor.

**V. GENERAL GOALS AND EXPECTATIONS**

- A. Sound Transit plans to develop, build, and operate BRT in the SR 522/523 corridor.
- B. Sound Transit recognizes that transit facilities and services play an important role in helping communities achieve long-term land use and transportation goals including place-making and downtown planning.
  - 1. For example, Sound Transit recognizes that cities have an interest in the function and design of parking facilities to be developed in this Project in Lake Forest Park, Kenmore, and Bothell. All members of the Project team should collaborate and seek to achieve the best possible architectural and operational solutions.
- C. Sound Transit's services implemented for this Project will be of high quality, consistent with Sound Transit financial plans, and open for service on schedule.
- D. The SEIP establishes timelines for project delivery consistent with the ST3 Plan. To deliver projects within the established timelines, Sound Transit is embracing new ways of organizing internally, as well as new approaches for working with stakeholders, partners, jurisdictions, and the planning, design, and construction contracting communities. It is in the mutual interests of the Parties to meet timelines and deliver quality transit expansion projects on schedule and within budget.
- E. Transparent processes with clear goals, objectives, and decision-making milestones will help ensure success. The Parties will develop a schedule outlining key decision-making milestones, working collaboratively to develop the Project within scope, schedule, and budget.

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<sup>1</sup> Guidelines Reached by the Washington State Department of Transportation and the Association of Washington Cities on the Interpretation of Selected Topics of RCW 47.24 and Figures of WAC 468-18-050 for the Construction, Operations and Maintenance Responsibilities of WSDOT and Cities for Such Streets is available at: <http://www.wsdot.wa.gov/NR/rdonlyres/56224677-BSBE-41F4-96CI-01BC888052CB/0/CityStreets.pdf>

- F. The Parties agree to work cooperatively and in good faith toward resolution of issues in a timely manner.
- G. The Sound Transit financial plan includes funding for the Project representative alignments, including identified costs for preliminary engineering and environmental review, staffing, final design and specifications, planning for transit-oriented development, transit integration, sustainability, station access, property acquisition and relocation, permits, construction, mitigation, and contingencies. Future federal or other grant funding may also be secured.
- H. To ensure effective intergovernmental cooperation and efficient Project review, Sound Transit and the Parties shall each designate staff representative(s) responsible for communication and coordination regarding the Project and to review the work of assigned staff within their organization.
- I. The Parties will strive to ensure that all applicable local, state, and federal requirements are met. The Parties will review development regulations and permit review processes to identify potential code and process changes necessary to streamline the permit review process or resolve code conflicts as mutually agreed. The Parties will strive to identify the changes and actions requiring Executive or Council actions with sufficient lead time to implement the changes or actions before permitting begins.
- J. Recognizing the above principles and the complexities of the tasks involved, the Parties will take steps to provide efficient processes, including but not necessarily limited to:
  - 1. Organize functions to ensure effective communication between team representatives and between teams and the respective organizations.
  - 2. Provide executive oversight and direction to the assigned teams to ensure the performance of assigned elements.
  - 3. Give priority to the reviews and approvals related to the Project, as appropriate and mutually agreed by respective agencies.
  - 4. Evaluate task completion on an ongoing basis to minimize time required to design and construct Project elements.
  - 5. Monitor Project status and tasks on an ongoing basis to keep Project on-track.
  - 6. Identify and implement opportunities for conducting concurrent and streamlined activities to support efficient design and construction phases.
  - 7. Conduct meetings to follow timeline and encourage meaningful input by the Parties.
- K. Specific commitments by each Party may be identified in future agreements and plans (see section VIII.B.).
- L. The performance of the system as a whole depends on the performance of individual components such as travel lanes, stations, intersections, etc. Each jurisdiction has an interest in helping to individually and collectively ensure the system can meet performance goals.

VI. PROJECT SCHEDULE AND DELIVERY DATE

- A. The Project is scheduled to begin revenue service along the corridor before the end of 2024. An 18-month look ahead is attached to this document as **Exhibit B**. As project development proceeds, updated schedules will be developed by Sound Transit and shared among the parties for review and input.
- B. The Parties acknowledge the importance of meeting Project schedule milestones and objectives in order to begin BRT revenue service on time. Accordingly, the parties will work in good faith toward the target dates identified in the schedule by raising any concerns, potential conflicts, or other issues as early as possible, and by working collaboratively to solve problems.
- C. The Parties will coordinate their respective planning, capital development, and service programs to take advantage of opportunities to reduce costs and increase benefit for all partners.
- D. The Parties will coordinate to manage construction schedules in such a way to minimize public disruption whenever possible.

VII. COMMUNITY ENGAGEMENT AND COMMUNICATIONS

- A. Sound Transit will consult with the partners to develop a Community Engagement and Communications Plan that describes the process for convening and managing three community engagement groups as envisioned in the SEIP - an Elected Leadership Group, a Stakeholder Group, and an Interagency Group – as well as engaging with the public and the media. The Parties agree that the purpose of engaging with these groups is to offer opportunities for greater and sustained collaboration early in Project development. The Community Engagement and Communications Plan will further describe the roles and responsibilities of the groups generally comprised as follows:
  - 1. The Elected Leadership Group will be comprised of Sound Transit Board members and other local elected officials in the corridor.
  - 2. The Stakeholder Group will be comprised of transit riders, residents, business owners, major institutional representatives, community organizations and other members of the public.
  - 3. The Interagency Group will be comprised of senior staff from Sound Transit and the city, county, state, and federal permitting agencies empowered with technical decision-making authority.
    - i. As of the date of this writing, Sound Transit, City Managers, and senior agency staff along this corridor have already started meeting regularly. This group has helped to serve the collaboration goal of the SEIP and there is support for it to continue these regular meetings. Such a 'city managers' group could serve as the inter-agency group.
  - 4. These groups will be tailored to the needs of the Project, and will help advise and guide the Project as alternatives are analyzed, a preferred alternative is identified, and final decisions are made by the ST Board.

5. Sound Transit recognizes that:

- i. The groups described in this section will help to ensure the SR 522/523 BRT Project is designed and built to operate as a well-integrated system along the corridor. Such multi-jurisdictional groups are not a substitute for community-specific decision-making.
- ii. There will be issues and opportunities that are specific to individual cities or locations and that the relevant partner agencies should collaborate to address those issues.

B. Each partner is encouraged to use their own communication and outreach infrastructure in support of the Project. For example, a city could use a planned event or its website to help notify and engage community members.

VIII. **ADDITIONAL AGREEMENTS**

- A. This Concurrence Document is the first of multiple agreements and concurrence actions that may be necessary to document shared understanding and commitments between Sound Transit and the other Parties over the life of the Project. This document may be signed in counterparts, and it is effective between Sound Transit and each of the signing Parties once signed. The Parties anticipate entering into future agreements as the Project advances through subsequent design and delivery phases. Future agreements may include a partnering agreement, preferred alternative concurrence document, permitting plan, permitting and development agreements, or other agreements as mutually determined by the Parties.
- B. Sound Transit will collaborate with its partners to propose to develop, negotiate, and execute future agreements on a case-by-case basis, consistent with the SEIP and this Concurrence Document. The parties acknowledge that timely consideration of those agreements will help facilitate the Project. The Partnering Matrix, included as an appendix in the SEIP (see **Exhibit C**), lists and describes the types of agreements that may be required to deliver the Project.

IX. SIGNATURE PAGE

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Jennifer Phillips, City Manager  
City of Bothell

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Rob Karlinsey, City Manager  
City of Kenmore

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Pete Rose, City Manager  
City of Lake Forest Park

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Scott Kubly, SOOT Director  
City of Seattle

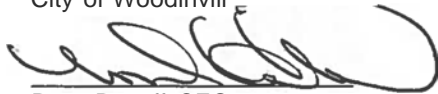


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Debbie Tarry, City Manager  
City of Shoreline

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Brandon Buchanan, City Manager  
City of Woodinville



---

Peter Rogoff, CEO  
Sound Transit

---

Harold Taniguchi, Director, King County DOT  
King County

---

Patty Rubstello, Assistant Secretary, Urban Mobility and Access  
WSDOT

EXHIBITS:

Exhibit A: SR 522 BRT Project Template

Exhibit B: 18-month Project look-ahead

Exhibit C: System Expansion Implementation Plan including Partnering Matrix

**EXHIBIT D**

**LETTER OF CONCURRENCE**

**(see following two pages)**



April 22, 2020

Debbie Tarry, City Manager  
City of Shoreline  
17500 Midvale Avenue North  
Shoreline, WA 98133

**RE: Sound Transit Contribution to Shoreline Interchange Project**

Dear Ms. Tarry:

I am writing to confirm Sound Transit's interest in providing a financial contribution to the City of Shoreline's SR 523 (N/NE 145th Street) & I-5 Interchange Improvements project (Interchange Project) that includes a design with roundabouts. This contribution would reflect the benefits of the roundabout project design to Sound Transit's riders and to our SR 522 / NE 145th Stride Bus Rapid Transit project.

For several years, the cities of Shoreline and Seattle, WSDOT, King County Metro and Sound Transit have been collaborating on several capital planning and design projects that affect the I-5 Interchange area at NE 145th St (SR 523). These include Shoreline's Connecting Washington capital project on NE 145th St, Sound Transit's Lynnwood Link Extension (LLE) project and our SR 522 Stride BRT project. Other related projects include potential King County Metro service changes, potential land use and zoning changes by the city of Seattle and WSDOT's larger vision study for the corridor.

The multiple projects offer opportunities and challenges for each agency to share data and analysis, align decision-making and collaborate to find cost-effective solutions. Sound Transit believes that the roundabout design for the interchange offers such a solution. The design would improve transit travel time and reliability, offer safer pedestrian and bicycle connections, reduce adjacent property impacts and improve general traffic capacity. We appreciate each agency's cooperation to develop this win-win approach.

We intend our contribution to reflect the value of the project to Sound Transit and to help provide a contribution and potential match for the City's Surface Transportation Program grant application for the Interchange Project. In support of this grant application, Sound Transit anticipates contributing up to \$10 Million to the Interchange Project.

Important elements to note:

- Environmental review and permitting for the Interchange Project must be completed in a time sufficient to support final design and construction and align with 2024 opening of the LLE and Stride BRT projects.
- Sound Transit will not complete project development or construction. We understand that WSDOT Northwest Region has expressed their interest in doing so.

Central Puget Sound Regional Transit Authority • Union Station  
401 S. Jackson St., Seattle, WA 98104-2826 • Reception: (206) 398-5000 • FAX: (206) 398-5499  
[www.soundtransit.org](http://www.soundtransit.org)

**CHAIR**

**Kent Keel**  
*University Place Councilmember*

**VICE CHAIRS**

**Dow Constantine**  
*King County Executive*

**Paul Roberts**  
*Everett Councilmember*

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*Auburn Mayor*

**David Baker**  
*Kenmore Mayor*

**Claudia Balducci**  
*King County Council Chair*

**Bruce Dammeier**  
*Pierce County Executive*

**Jenny Durkan**  
*Seattle Mayor*

**Debora Juarez**  
*Seattle Councilmember*

**Joe McDermott**  
*King County Council Vice Chair*

**Roger Millar**  
*Washington State Secretary of Transportation*

**Ed Prince**  
*Renton Councilmember*

**Kim Roscoe**  
*Fife Mayor*

**Nicola Smith**  
*Lynnwood Mayor*

**Dave Somers**  
*Snohomish County Executive*

**Dave Upthegrove**  
*King County Councilmember*

**Peter von Reichbauer**  
*King County Councilmember*

**Victoria Woodards**  
*Tacoma Mayor*

**CHIEF EXECUTIVE OFFICER**

**Peter M. Rogoff**

Debbie Tarry  
April 22, 2020  
Page 2

- Due to the economic uncertainty created by the impacts of COVID-19, an agency work group is developing the information and data the Sound Transit Board will consider in a realignment process that may be similar to the 2010 process during the Great Recession. The scope and timing of the BRT Project will be considered during the realignment process and any contributions to the Interchange Project will be subject to approval by the Sound Transit Board.
- Sound Transit is highly interested in seeing this project completed. We will continue to collaborate with all partners to resolve issues, identify funding options, and complete design and construction.

We hope that this collaborative work across multiple jurisdictions is recognized and the Interchange Project is strongly considered for funding. Partnerships like this will help make Sound Transit's investments in high capacity transit even more successful.

Sincerely,

DocuSigned by:  
  
82706978D0E842F...

Don Billen  
Executive Director – Planning, Environmental and Project Development  
Sound Transit



## EXHIBIT E

### DESIGNATED REPRESENTATIVES

#### SOUND TRANSIT:

Kathy Leotta  
Project Manager  
Sound Transit  
401 S Jackson St  
Seattle, WA 98104  
(206) 903-7028  
[kathy.leotta@soundtransit.org](mailto:kathy.leotta@soundtransit.org)

#### CITY OF SHORELINE:

Nora Daley-Peng  
Senior Transportation Planner  
City of Shoreline  
17500 Midvale Ave N  
Shoreline, WA 98133  
(206) 801-2483  
Ndaleypeng@shorelinewa.gov

### CITY DESIGNATED REPRESENTATIVE ROLE

In order to proactively work through planning and design issues, and facilitate expedited project delivery, key City staff will need to coordinate on a regular basis with Sound Transit. Regular coordination meetings with the City Designated Representative as well as periodic coordination meetings with key technical staff at various City departments (including Public Works, Planning and Community Development, etc.) are anticipated from the outset of project development. The Designated Representative, in conjunction with Sound Transit, will also identify appropriate check-in points with City Council. Participation by key technical staff in regular interagency meetings as well as occasional stakeholder workshops focused on alternatives development, station area planning, system access, TOD or other technical areas would also be anticipated.

Key responsibilities of the Designated Representative would include:

#### **Serve as City's point of contact and coordinate involvement of other City staff**

- Serve as City's single point of contact facilitating Sound Transit coordination efforts with the various City departments, City Council, and City Manager.
- Manage internal coordination efforts between various City departments.
- Attend management coordination meetings with Sound Transit.

- Coordinate City staff involvement in periodic technical coordination meetings with Sound Transit staff and consultants.
- Participate in interagency meetings and coordinate involvement by other City staff as necessary.
- Coordinate City involvement in stakeholder workshops focused on project refinements, station area planning, system access, TOD or other issues.
- Support and facilitate Sound Transit with successfully navigating the City's processes and meeting the City's permitting requirements in a timely manner.

**Respond to requests for technical input and facilitate resolving issues**

- Respond to Sound Transit and consultant staff requests for technical input related to project development. These could include: land use/zoning, traffic/parking, sensitive areas, hazmat, historic/archeological, parks/open space, other environmental concerns, utility, roadway/traffic, drainage, structural/building, fire/life safety, construction staging, property acquisition/right-of-way vacation, maintenance, or similar design and permitting issues.
- Identify City and private projects or proposals (e.g. utility projects, transportation projects, private development projects) that have the potential to interfere with the expeditious design and construction of the Project, facilitate conflict resolution, and identify opportunities for coordinated delivery or joint development.

**Coordinate City review of technical work and resolve potential inconsistencies**

- Coordinate City staff review of environmental related documents and resolve inconsistencies among review comments between departments.
- Coordinate City staff review of design submittals for BRT stations, roadway improvements, and other BRT elements and associated facilities and resolve inconsistencies among review comments between departments.

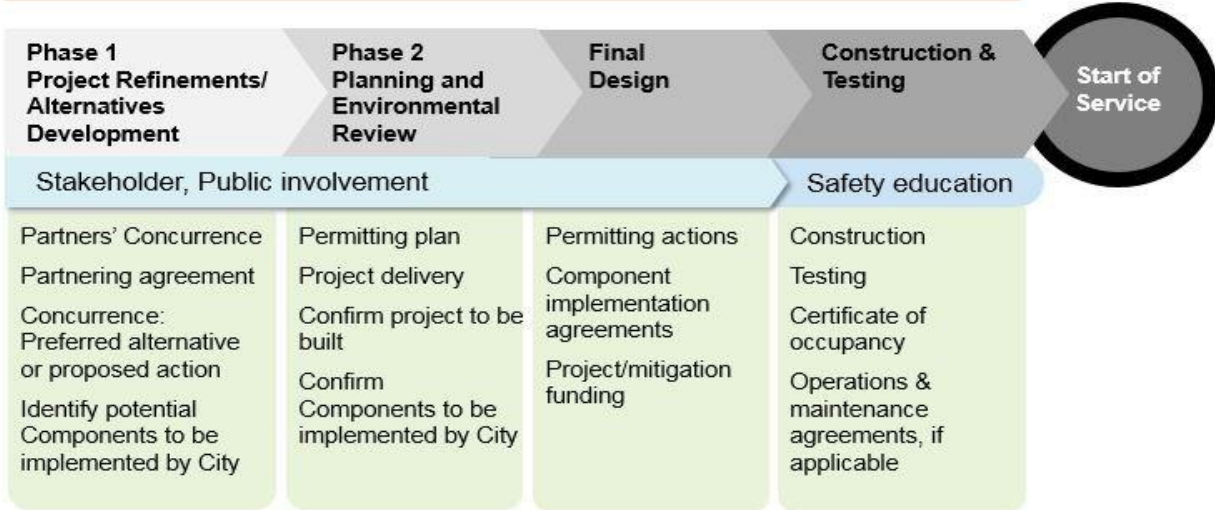
**Facilitate development of agreements**

- Facilitate development of staff level agreements documenting City concurrence on analysis/design approaches and proposed solutions.
- Facilitate development of agreements with Sound Transit at key decision points or milestones in project development.
- Facilitate administration of interagency agreements, including City budget process, legislation, and ongoing reporting and financial management.

## EXHIBIT F

### SCHEDULE MILESTONES

#### Exhibit A: BRT Overall Approach to Project Development and Key Decisions



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

<b>AGENDA TITLE:</b>	Public Hearing on Ordinance No. 903 - 2021-2022 Proposed Biennial Budget and the 2021-2026 Capital Improvement Plan
<b>DEPARTMENT:</b>	Administrative Services
<b>PRESENTED BY:</b>	Sara Lane, Administrative Services Director Rick Kirkwood, Budget and Tax 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:**

The City Manager presented the 2021-2022 Proposed Biennial Budget and the 2021-2026 Capital Improvement Plan (CIP) to the City Council on October 12, 2020. The 2021-2022 Proposed Biennial Budget and 2021-2026 Capital Improvement Plan (CIP) book is available online here:

<https://www.shorelinewa.gov/government/departments/administrative-services/budget-and-capital-improvement-plan>. Department budget presentations were provided on October 19 and October 26. A presentation of the proposed 2021-2026 CIP was also made on October 26. This is the third of three scheduled public hearings on the 2021-2022 Proposed Biennial Budget, two of which are required by statute. This first public hearing addressed revenue sources including the 2021 regular and excess property tax levies. The second and this public hearing are on the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP. Proposed Ordinance No. 902 (Attachment A) will set the 2021 regular and excess property tax levies in Shoreline. Adoption of the 2021 regular and excess property tax levies (Ordinance No. 902), budget and Capital Improvement Program (Ordinance No. 903) are scheduled for November 16.

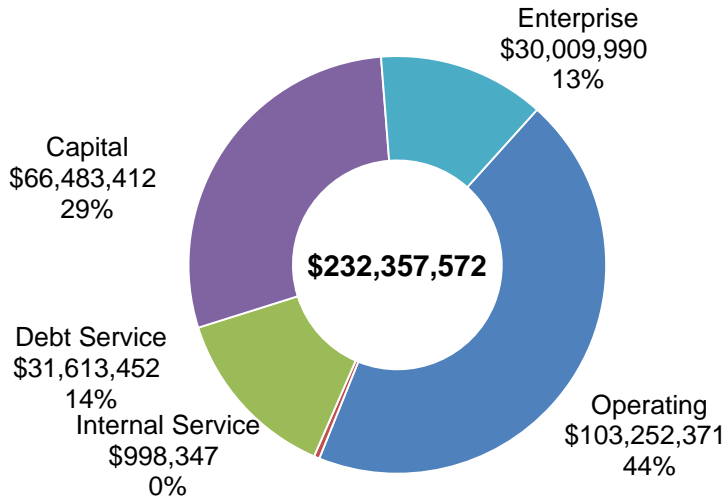
This staff report will support the City Council's continued discussion following the public hearing of the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP. Specifically, this staff report will present any proposed changes to the fee and salary schedules.

**RESOURCE/FINANCIAL IMPACT:**

The City’s 2021-2022 Proposed Biennial Budget is balanced in all funds and totals \$232.358 million. The

budget can be divided into five types of funds as shown in the chart to the right. The Operating Funds represent the cost of providing services to the Shoreline community on a day-to-day basis and includes such items as public safety (police, court, jail), park maintenance, recreation programming, grounds maintenance, street maintenance, street lighting, land use planning, permitting,

**2021-2022 Proposed Biennial Budget**



communications, emergency management, and administration. The Operating Funds also include some special revenue funds that must be used for designated purposes such as police services. The Debt Service Funds account for the annual repayment of the voter approved park bonds; the councilmanic bonds issued to pay for a portion of City Hall, acquisition of property for a maintenance facility, and construction of new sidewalks; and, the bond anticipation notes issued to acquire properties for the Parks, Recreation and Open Space Plan. The Enterprise Funds consist of the operation and capital improvements of the surface water utility and operation of the Ronald Wastewater District (RWD) under a service contract. The RWD will retain all revenue and costs associated with interlocal agreements and certain operating contracts. In addition, the RWD Board of Commissioners will be responsible for addressing policy matters, setting rates and managing capital improvements for the Utility. The City’s 2021-2022 Proposed Biennial Budget includes revenues and expenditures developed based on the personnel and maintenance and operations costs necessary to operate the RWD under a service contract. RWD will reimburse the City based on budgeted costs with annual reconciliation of direct costs. The Capital Funds represent the cost of making improvements to the City’s facilities, parks, and transportation systems. The Internal Service Funds represent transfers between funds (Vehicle Operations, Equipment Replacement, Public Art, and Unemployment funds) to fund maintenance and replacement of City equipment, installation of public art, and unemployment claims.

The 2021-2022 Proposed Biennial Budget is \$22.613 million, or 10.8%, more than the estimated expenditures for the 2019-2020 biennium (2019 actual plus 2020 year-end estimates). The increase can be linked to the following changes:

- \$9.452 million increase in the City’s Enterprise Funds;
- \$6.144 million increase in the City’s Capital Funds; and,
- \$1.243 million increase in the Operating Funds.

The 2021-2022 Proposed Biennial Budget includes adequate reserve levels to meet all adopted budget policies.

## **RECOMMENDATION**

Staff recommends that the City Council conduct the public hearing to take public comment on the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP. Staff recommends that the City Council continue discussion on the 2021-2022 Proposed Biennial Budget. Proposed Ordinance No. 903, which would adopt the 2021-2022 Biennial Budget and the 2021-2026 Capital Improvement Plan, is scheduled to return to the City Council for adoption on November 16, 2020.

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

## **DISCUSSION**

Following the public hearing, this staff report will support the City Council's discussion of the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP prior to the scheduled adoption on November 16. Specifically this staff report will discuss any proposed changes to the fee and salary schedules.

The City's 2021-2022 Proposed Biennial Budget is balanced in all funds and totals \$232.358 million. The budget can be divided into five types of funds: Operating, Internal Service, Debt Service, Capital and Enterprise as shown in the chart presented in the Resource/Financial Impact section of this staff report. The relationship of the departments and funds which they manage is illustrated on the 2021-2022 Proposed Biennial Budget Department/Fund Overview on p. 69 of the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP book.

### ***Operating Funds***

The Operating Funds represent the cost of providing services to the Shoreline community on a day-to-day basis and includes such items as public safety (police, court, jail), park maintenance, recreation programming, grounds maintenance, street maintenance, street lighting, land use planning, permitting, communications, emergency management, and administration. The Operating Funds also include some special revenue funds that must be used for designated purposes such as police services.

### ***Debt Service Funds***

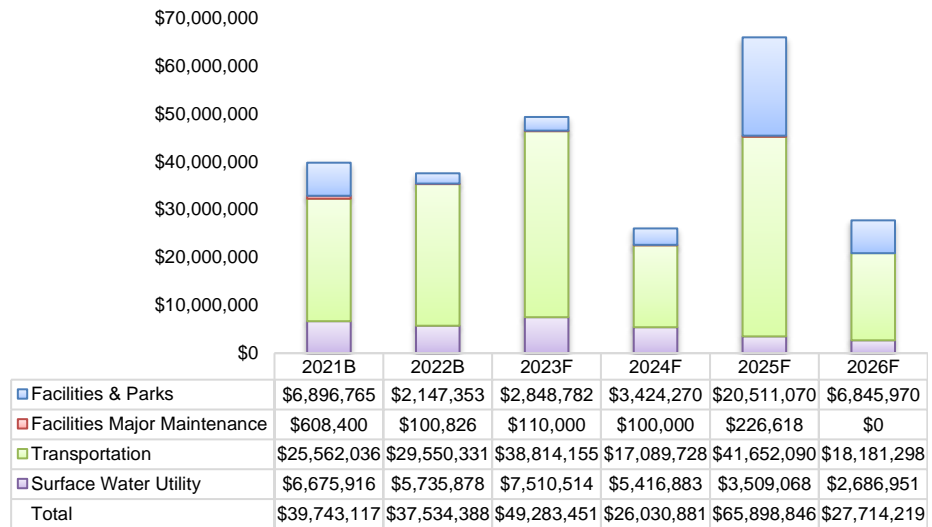
The Debt Service Funds account for the annual repayment of the voter approved park bonds; the councilmanic bonds issued to pay for a portion of City Hall, acquisition of property for a maintenance facility, and construction of new sidewalks; and, the bond anticipation notes issued to acquire properties for the Parks, Recreation and Open Space Plan.

### ***Capital Funds***

Staff discussed the proposed 2021-2026 CIP, which is balanced as required by the Growth Management Act, with the City Council on October 26. The CIP covers projects over \$10,000 and includes buildings, land acquisition, park facilities, road and transportation projects, and drainage system improvements. Much of the capital improvement activity is funded through contributions from the General Fund, real estate excise tax (REET), grants, and debt issuance. The 2021-2026 CIP, including surface water projects totals \$246.205 million. The 2021-2022 capital budget reflects the 2021-2022 Capital Improvement Program projects, including surface water projects, proposed in the 2021-2026 CIP, which totals \$77.278 million.

This chart provides a breakdown of the allocation of capital spending throughout the 2021-2026 CIP. The change in spending can vary significantly from year to year based on available resources to complete projects and the impact of previously completed capital projects on the City's operating budget.

Detailed information about projects can be found in pages 299 through 414 of the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP book. Attachment B – Exhibit B presents the 2021-2026 Capital Improvement Plan staff recommends be adopted through Ordinance No. 903.



### **Enterprise Funds**

The Enterprise Funds consist of the operation and capital improvements of the surface water utility and operation of the Ronald Wastewater District (RWD) under a service contract. The RWD will retain all revenue and costs associated with interlocal agreements and certain operating contracts. In addition, the RWD Board of Commissioners will be responsible for addressing policy matters, setting rates and managing capital improvements for the Utility. The City's 2021-2022 Proposed Biennial Budget includes revenues and expenditures developed based on the personnel and maintenance and operations costs necessary to operate the RWD under a service contract. RWD will reimburse the City based on budgeted costs with annual reconciliation of direct costs.

### **Internal Service**

The Internal Service Funds represent transfers between funds (Vehicle Operations, Equipment Replacement, Public Art, and Unemployment funds) to fund maintenance and replacement of City equipment, installation of public art, and unemployment claims.

The 2021-2022 Proposed Biennial Budget is \$22.613 million, or 10.8%, more than the 2019-2020 biennial budget (2019 Actual plus 2020 Current Budget as amendments, excluding re-appropriations from 2019-to-2020, which have been adopted by the City Council through September 2020). The more can be linked to the following changes:

- \$9.452 million increase in the City's Enterprise Funds;
- \$6.144 million increase in the City's Capital Funds; and,
- \$1.243 million increase in the Operating Funds.

The increase in the enterprise funds is the result of a full biennium of wastewater operations in 2021-2022 as well as the implementation of the Proactive Management Strategy for surface water operations and capital. The increase in the Operating Funds is



largely due to addition of Shoreline Secure Storage and normal operational increases, offset by the closure of the Shoreline Pool and reduction of jail costs. The 2021-2022 Proposed Biennial Budget includes adequate reserve levels to meet all adopted budget policies.

### **DISCUSSION: FEE SCHEDULES**

As prescribed in Shoreline Municipal Code (SMC) Section 3.01.820, increases of the fees contained in the fee schedules shall be calculated on an annual basis by the average for the period that includes the last six months of the previous budget year and the first six months of the current budget year of the Seattle / Tacoma / Bellevue Consumer Price Index for all urban consumers (CPI-U; link to historical table: <https://data.bls.gov/timeseries/CUURS49DSA0>), unless the SMC calls for the use of another index/other indices, the fee is set by another agency, or specific circumstances apply to the calculation of the fee.

The City Manager may choose to change user fees for all, some, or none of the fees listed, except those set by another agency (e.g., solid waste or fire impact fees). The text in the fee schedules included in the 2021-2022 Proposed Biennial Budget and 2021-2026 Capital Improvement Plan (CIP) book on pp. 462 through 478 have changes from the current adopted fee schedules with deletions shown as ~~strikethrough~~ and additions shown as **bold**.

Staff discussed these fee schedules in the staff report for the Public Hearing on the 2021-2022 Proposed Biennial Budget and the 2021-2026 Capital Improvement Plan held on November 2 (staff report available here: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport110220-8b.pdf>). Since that time, Environmental Services provided Administrative Services the 2021 rate table prepared by Recology CleanScapes in accordance with the Comprehensive Garbage, Recyclables, and Compostable Collection Contract. Since Shoreline Municipal Code (SMC) 13.14.035 states that residential property shall be charged the rates specified in the solid waste rate schedule set forth in SMC 3.01.500, the Solid Waste Rate Schedule from Recology (SMC 3.01.500) has been incorporated in Attachment B – Exhibit A staff recommends be adopted through Ordinance No. 903.

### **DISCUSSION: CLASSIFICATION AND COMPENSATION PROGRAM**

Pages 428 through 442 of the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP book presents the draft proposed 2021 salary schedule for exempt, non-exempt and extra help employees in accordance with the City's Compensation Plan. Both tables reflect application of a recommended 0.87% cost of living adjustment (COLA), which is 100% of the June-to-June percentage change of the CPI-U.

### **DISCUSSION: PROPOSED BUDGET AMENDMENTS**

Proposed amendments received thus far will be reviewed and discussed during this workshop. Any additional proposed amendments received after tonight will need to be considered as part of the budget adoption process on November 16.

Proposed Ordinance No. 903 (Attachment B) will adopt the 2021-2022 Biennial Budget including the City's appropriations for 2021-2022, as amended; the 2021 salary schedule; the 2021 Fee Schedule; the 2021-2026 Capital Improvement Plan; and appropriations for the 2021-2022 Capital Improvement Program.

## **RESPONSES TO CITY COUNCIL QUESTIONS**

As part of the City Council's fiduciary responsibilities to citizens, businesses, and other taxpayers, the Mayor and Councilmembers have asked a number of questions throughout this budget process. Answers to those questions will be provided in an updated Budget Questions Matrix prior to tonight's meeting.

### **RESOURCE/FINANCIAL IMPACT**

The City's 2021-2022 Proposed Biennial Budget is balanced in all funds and totals \$232.358 million. The budget can be divided into five types of funds as shown in the chart to the right. The Operating Funds represent the cost of providing services to the Shoreline community on a day-to-day basis and includes such items as public safety (police, court, jail), park maintenance, recreation programming, grounds maintenance, street maintenance, street lighting, land use planning, permitting, communications, emergency management, and administration. The Operating Funds also include some special revenue funds that must be used for designated purposes such as police services. The Debt Service Funds account for the annual repayment of the voter approved park bonds; the councilmanic bonds issued to pay for a portion of City Hall, acquisition of property for a maintenance facility, and construction of new sidewalks; and, the bond anticipation notes issued to acquire properties for the Parks, Recreation and Open Space Plan. The Enterprise Funds consist of the operation and capital improvements of the surface water utility and operation of the Ronald Wastewater District (RWD) under a service contract. The RWD will retain all revenue and costs associated with interlocal agreements and certain operating contracts. In addition, the RWD Board of Commissioners will be responsible for addressing policy matters, setting rates and managing capital improvements for the Utility. The City's 2021-2022 Proposed Biennial Budget includes revenues and expenditures developed based on the personnel and maintenance and operations costs necessary to operate the RWD under a service contract. RWD will reimburse the City based on budgeted costs with annual reconciliation of direct costs. The Capital Funds represent the cost of making improvements to the City's facilities, parks, and transportation systems. The Internal Service Funds represent transfers between funds (Vehicle Operations, Equipment Replacement, Public Art, and Unemployment funds) to fund maintenance and replacement of City equipment, installation of public art, and unemployment claims.

The 2021-2022 Proposed Biennial Budget is \$22.613 million, or 10.8%, more than the estimated expenditures for the 2019-2020 biennium (2019 actual plus 2020 year-end estimates). The increase can be linked to the following changes:

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- \$1.243 million increase in the Operating Funds.

The 2021-2022 Proposed Biennial Budget includes adequate reserve levels to meet all adopted budget policies.

### **RECOMMENDATION**

Staff recommends that the City Council conduct the public hearing to take public comment on the 2021-2022 Proposed Biennial Budget and 2021-2026 CIP. Staff recommends that the City Council present any potential budget amendments by November 4 and that the City Council continue discussion on the 2021-2022 Proposed Biennial Budget. Proposed Ordinance No. 903, which would adopt the 2021-2022 Biennial Budget and the 2021-2026 Capital Improvement Plan, is scheduled to return to the City Council for adoption on November 16, 2020.

### **ATTACHMENTS**

- Attachment A: Proposed Ordinance No. 902  
Attachment B: Proposed Ordinance No. 903, including Exhibit A and Exhibit B

**ORDINANCE NO. 902**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON LEVYING THE GENERAL TAXES FOR THE CITY OF SHORELINE IN KING COUNTY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2021, THE FIRST YEAR OF THE CITY OF SHORELINE'S 2021-2022 FISCAL BIENNIUM, ON ALL PROPERTY BOTH REAL AND PERSONAL, IN SAID CITY, WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PAYING SUFFICIENT REVENUE TO CONDUCT CITY BUSINESS FOR THE SAID FISCAL YEAR AS REQUIRED BY LAW, AND LEVYING AN EXCESS LEVY FOR THE REPAYMENT OF UNLIMITED GENERAL OBLIGATION BONDS.**

WHEREAS, as required pursuant to RCW 35A.33.135, the City Council for the City of Shoreline and the City Manager have considered the City's anticipated financial requirements for 2021 and the amounts necessary and available to be raised by ad valorem taxes on real, personal, and utility property; and

WHEREAS, as required pursuant to RCW 84.55.120, a public hearing was held on November 2, 2020 to consider the revenue sources for the City's current expense budget for the 2021-2022 Biennial Budget, including the consideration of possible increases in property tax revenues; and

WHEREAS, on November 8, 2016, Shoreline Proposition No. 1 (Basic Public Safety, Parks & Recreation, and Community Services Maintenance and Operations Levy) limiting annual levy increases for the years 2018 to 2022 to the June-to-June percentage change in the Seattle/Tacoma/Bellevue CPI-U was approved by the voters; and

WHEREAS, the maximum change from the 2020 levy to be used for calculating the 2021 regular levy, in addition to new construction, is based on the CPI-U index change from June 2019 to June 2020 which is 0.87 percent, applied to the City's highest previous levy of \$13,891,601.00; and

WHEREAS, application of this methodology will set the estimated 2021 regular property tax levy rate at \$1.19259 per \$1,000.00 of assessed valuation; and

WHEREAS, on May 16, 2006, Shoreline Proposition No. 1 (Parks and Open Space General Obligations Bonds) for the issuance of \$18,795,000.00 in unlimited general obligation bonds was approved by the voters;

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

**Section 1. Regular Property Tax Levy.** Based on the voter-approved limitation on annual levy increases, the City Council of the City of Shoreline has determined that the property tax levy for the year 2021 is fixed and established in the amount of \$14,242,496.00. This property tax levy represents a dollar increase of \$120,857.00 and a percentage increase of 0.87

percent from the levy amount of the previous year, excluding the addition of new construction, improvements to property, any increase in the value of state assessed property, any annexations that have occurred, and administrative refunds made as shown below:

	<b>Amount</b>
<b>2021 Regular Levy</b>	<b>\$14,242,496</b>
Less 2020 Levy	13,891,601
Less New Construction	214,267
Less Refunds	15,771
<b>Total Increase</b>	<b>\$120,857</b>
<b>Percent Increase</b>	<b>0.87%</b>

**Section 2. Voter-Approved Excess Tax Levy for Unlimited General Obligation Bonds.** In addition, a further tax is hereby levied to raise revenue to provide for the interest and redemption of the 2006 voter-approved unlimited general obligation bonds for the fiscal year of 2021 in the amount of \$1,135,144.00. This tax is applicable to all taxable property within the City of Shoreline.

**Section 3. Notice to King County.** This Ordinance shall be certified to the proper County officials, as provided by law, and taxes herein levied shall be collected to pay to the Administrative Services Department of the City of Shoreline at the time and in the manner provided by the laws of the State of Washington for the collection of taxes for non-charter code cities.

**Section 4. 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 5. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or Federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 6. Effective Date.** This Ordinance shall be in full force five days after publication of this ordinance, or a summary consisting of its title, in the official newspaper of the City, as provided by law.

**ADOPTED BY THE CITY COUNCIL ON NOVEMBER 16, 2020.**

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

Date of Publication:                   , 2020  
Effective Date:                         , 2021

**ORDINANCE NO. 903**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING THE BIENNIAL BUDGET OF THE CITY OF SHORELINE FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2022 AND ADOPTING THE 2021-2026 SIX YEAR CAPITAL FACILITIES PLAN.**

WHEREAS, as authorized by Chapter 35A.34 Revised Code of Washington (RCW), the Shoreline City Council adopted Ordinance No. 816, codified at Chapter 3.02 Shoreline Municipal Code (SMC), thereby establishing a two-year fiscal biennium budget system and directing the City to follow the procedures set forth in Chapter 35A.34 RCW; and

WHEREAS, Chapter 35A.34 RCW requires the City to adopt a biennial budget; and

WHEREAS, the Growth Management Act, RCW 36.70A.070(3) and 36.70A.130(2), requires a six-year plan for financing capital facilities (CIP) and permits amendment of the City’s Comprehensive Plan to occur concurrently with the adoption of the city budget; and

WHEREAS, a proposed budget for fiscal biennium 2021-2022 has been prepared, filed, and submitted to the Shoreline City Council in a timely manner for review; and

WHEREAS, the Shoreline City Council conducted duly noticed public hearings on November 2, 2020 and November 9, 2020 for the purposes of fixing the final budget, including a public hearing on revenues held on November 2, 2020, to take public comment from all persons wishing to be heard with respect to the proposed Biennial Budget of the City of Shoreline for 2021-2022 were heard; and

WHEREAS, the Shoreline City Council has deliberated and has made adjustments and changes deemed necessary and proper;

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

**Section 1. 2021-2022 Biennial Budget Adopted.** The 2021-2022 Final Biennial Budget for the City of Shoreline for the period January 1, 2021 through December 31, 2022 as set forth in the 2021-2022 Proposed Biennial Budget, as amended, is hereby adopted.

**Section 2. Summary of Revenues and Expenditures.** The budget sets forth totals of estimated revenues and estimated expenditures of each separate fund, and the aggregate totals for all such funds, as summarized as follows:

<b>Fund</b>	<b>Appropriation</b>
General Fund	\$96,464,883
Shoreline Secure Storage Fund	2,259,500
Street Fund	4,140,897
Code Abatement Fund	200,000
State Drug Enforcement Forfeiture Fund	36,486
Public Arts Fund	124,605

<b>Fund</b>	<b>Appropriation</b>
Federal Drug Enforcement Forfeiture Fund	26,000
Transportation Impact Fees Fund	867,701
Park Impact Fees Fund	750,000
2006/2016 Unlimited Tax General Obligation Bond Fund	1,135,144
2009/2019 Limited Tax General Obligation Bond Fund	2,202,688
2020 Limited Tax GO Bond	25,960,000
2013 Limited Tax General Obligation Bond Fund	516,520
Sidewalk Limited Tax General Obligation Bond Fund	1,799,100
General Capital Fund	9,044,118
City Facility-Major Maintenance Fund	709,226
Roads Capital Fund	49,710,564
Sidewalk Expansion Fund	5,401,803
Surface Water Capital Fund	24,336,730
Wastewater Utility Fund	5,673,260
Vehicle Operations/Maintenance Fund	478,891
Equipment Replacement Fund	484,456
Unemployment Fund	35,000
<b>Total Funds</b>	<b>\$232,357,572</b>

**Section 3. Repeal, Chapter 3.01.** Shoreline Municipal Code Chapter 3.01 *Fee Schedule* is repealed in its entirety and replaced with a new Chapter 3.01 *Fee Schedule* as set forth in Exhibit A attached hereto.

**Section 4. Capital Improvement Plan (CIP) Adoption.** The *Capital Improvement Plan (2021-2026)* is adopted as set forth in Exhibit B attached hereto.

**Section 5. Copies of Budget to be Filed.** The City Clerk is directed to transmit a complete copy of the 2021-2022 Final Biennial Budget as adopted by the City Council to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities as required by RCW 35A.34.120.

**Section 6. 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 7. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 8. Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force at 12:01 am on January 1, 2021.



**ADOPTED BY THE CITY COUNCIL ON NOVEMBER 16, 2020.**

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

Date of Publication: \_\_\_\_\_, 2020  
Effective Date: January 1, 2021

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.010 Planning and Community Development**

Type of Permit Application	2021 Proposed
<b>A. BUILDING</b>	
Valuation (The Total Valuation is the "Building permit valuations" as delineated in section R108.3 of the International Residential Code and section 108.3 of the International Building Code. The hourly rate referenced throughout SMC 3.01.010 is calculated by multiplying the minimum number of hours noted for each fee by the fee established in SMC 3.01.010(A)(1).	
1. \$0 - \$11,000.00	\$206.00
2. \$11,000.01 - \$25,000.00	\$75 for the first \$2,000.00 + \$14.00 for each additional 1,000.00, or fraction thereof, to and including \$25,000.00.
3. \$25,000.01 - \$50,000.00	\$397 for the first \$25,000.00 + \$11.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
4. \$50,000.01 - \$100,000.00	\$672 for the first \$50,000.00 + \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
5. \$100,000.01 - \$500,000.00	\$1,122 for the first \$100,000.00 + \$7 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
6. \$500,000.01 - \$1,000,000.00	\$3,922 for the first \$500,000.00 + \$5 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00.
7. \$1,000,000.01 +	\$6,422 for the first \$1,000,000.00 + \$4 for each additional \$1,000.00, or fraction thereof.
8. Building/Structure Plan Review	65% of the building permit fee
9. Civil Plan Review, Commercial (if applicable)	Hourly rate, 12 Hour Minimum
10. Civil Plan Review, Residential (if applicable)	Hourly rate, 4 Hour Minimum
11. Civil Plan Review, Residential, up to 1,000 square feet (if applicable)	Hourly rate, 1-hour minimum
12. Floodplain Permit	\$220.00
13. Floodplain Variance	\$618.00
14. Demolition, Commercial	\$1,756.00
15. Demolition, Residential	\$659.00
16. Zoning Review	Hourly rate, 1-hour minimum
17. Affordable Housing Review	Hourly rate, 10-hour minimum
18. Temporary Certificate of Occupancy (TCO)-Single-Family	\$206.00
19. Temporary Certificate of Occupancy (TCO)-Other	\$618.00
<b>B. ELECTRICAL</b>	
1. Electrical Permit	Permit fee described in WAC 296-46B-905, plus a 20% administrative fee
<b>C. FIRE - CONSTRUCTION</b>	
1. Automatic Fire Alarm System:	
a. Existing System	
New or relocated devices up to 5	\$206.00
New or relocated devices 6 up to 12	\$618.00
Each additional new or relocated device over 12	\$7.00 per device
b. New System	
Each additional new or relocated device over 30	\$7.00 per device
2. Fire Extinguishing Systems:	
a. Commercial Cooking Hoods	
1 to 12 flow points	\$618.00
More than 12	\$824.00
b. Other Fixed System Locations	
Each additional new or relocated device over 30	\$7.00 per device
3 Fire Pumps:	
a. Commercial Systems	
Each additional new or relocated device over 30	\$824.00
4. Commercial Flammable/Combustible Liquids:	
a. Aboveground Tank Installations	
First tank	\$412.00
Additional	\$206.00

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.010 Planning and Community Development**

<b>Type of Permit Application</b>	<b>2021 Proposed</b>
b. Underground Tank Installations	
First tank	\$412.00
Additional	\$206.00
c. Underground Tank Piping (with new tank)	\$412.00
d. Underground Tank Piping Only (vapor recovery)	\$618.00
e. Underground Tank Removal	
First tank	\$412.00
Additional Tank	\$103.00 per additional tank
5. Compressed Gas Systems (exception: medical gas systems require a plumbing permit):	
a. Excess of quantities in IFC Table 105.6.9	\$412.00
6. High-Piled Storage:	
a. Class I – IV Commodities:	
501 – 2,500 square feet	\$412.00
2,501 – 12,000 square feet	\$618.00
Over 12,000 square feet	\$824.00
b. High Hazard Commodities:	
501 – 2,500 square feet	\$618.00
Over 2,501 square feet	\$1,030.00
7. Underground Fire Mains and Hydrants	\$618.00
8. Industrial Ovens:	
Class A or B Furnaces	\$412.00
Class C or D Furnaces	\$824.00
9. LPG (Propane) Tanks:	
Commercial, less than 500-Gallon Capacity	\$412.00
Commercial, 500-Gallon+ Capacity	\$618.00
Residential 0 – 500-Gallon Capacity	\$206.00
Spray Booth	\$824.00
10. Sprinkler Systems (each riser):	
a. New Systems	\$1,030.00 plus \$3.00 per head
b. Existing Systems	
1 – 10 heads	\$618.00
11 – 20 heads	\$824.00
More than 20 heads	\$1,030.00 plus \$3.00 per head
c. Residential (R-3) 13-D System	
1 – 30 heads	\$618.00
More than 30 heads	\$618.00 plus \$3.00 per head
Voluntary 13-D Systems in residencies when not otherwise required	\$206.00
11. Standpipe Systems	\$824.00
12. Emergency Power Supply Systems:	
10 kW - 50 kW	\$618.00
> 50 kW	\$1,030.00
13. Temporary Tents and Canopies	\$206.00
14. Fire Review -Single-Family	\$103.00
15. Fire Review -Subdivision	Hourly rate, 1-hour minimum
16. Fire Review -Other	Hourly rate, 1-hour minimum
17. Emergency Responder Radio Coverage System	\$618.00
18. Smoke Control Systems - Mechanical or Passive	\$824.00
<b>D. MECHANICAL</b>	
1. Residential Mechanical System	\$206.00 (including 4 pieces of equipment), \$12.00 per piece of equipment over 4
2. Commercial Mechanical System	\$550.00 (including 4 pieces of equipment), \$12.00 per piece of equipment over 4

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.010 Planning and Community Development**

<b>Type of Permit Application</b>	<b>2021 Proposed</b>
3. All Other Mechanical Plan Review (Residential and Commercial)	Hourly rate, 1-hour minimum
<b>E. PLUMBING</b>	
1. Plumbing System	\$206.00 (including 4 fixtures), \$12.00 per fixture over 4
2. Gas Piping System standalone permit	\$206.00 (including 4 outlets), \$12.00 per outlet over 4
3. Gas Piping as part of a plumbing or mechanical permit	\$12.00 per outlet (when included in outlet count)
4. Backflow Prevention Device - standalone permit	\$206.00 (including 4 devices), \$12.00 per devices over 4
5. Backflow Prevention Device as part of a plumbing systems permit	\$12.00 per device (when included in fixture count)
6. All Other Plumbing Plan Review (Residential and Commercial)	Hourly rate, 1-hour minimum
<b>F. ENVIRONMENTAL REVIEW</b>	
1. Single-Family SEPA Checklist	\$3,296.00
2. Multifamily/Commercial SEPA Checklist	\$4,944.00
3. Planned Action Determination	Hourly rate, 5-hour minimum
4. Environmental Impact Statement Review	\$8,560.00
<b>G. LAND USE</b>	
1. Accessory Dwelling Unit	\$879.00
2. Administrative Design Review	\$1,648.00
3. Adult Family Home	\$493.00
4. Comprehensive Plan Amendment – Site Specific (Note: may be combined with Rezone public hearing.)	\$18,128.00 , plus public hearing (\$3914.00)
5. Conditional Use Permit (CUP)	\$7,683.00
6. Historic Landmark Review	\$412.00
7. Interpretation of Development Code	\$770.00
8. Master Development Plan	\$27,439.00 , plus public hearing (\$3914.00)
9. Changes to a Master Development Plan	\$13,719.00 , plus public hearing (\$3914.00)
10. Rezone	\$17,779.00 , plus public hearing (\$3914.00)
11. SCTF Special Use Permit (SUP)	\$16,024.00 , plus public hearing (\$3914.00)
12. Sign Permit - Building Mounted, Awning, Driveway Signs	\$440.00
13. Sign Permit - Monument/Pole Signs	\$879.00
14. Special Use Permit	\$16,024.00 , plus public hearing (\$3914.00)
15. Street Vacation	\$11,305.00 , plus public hearing (\$3914.00)
16. Temporary Use Permit (TUP) EXCEPT fee is waived as provided in SMC 20.30.295(D)(2) for Transitional Encampments and Emergency Temporary Shelters	\$1,648.00
17. Deviation from Engineering Standards	Hourly rate, 8-hour minimum
18. Variances - Zoning	\$9,329.00
19. Lot Line Adjustment	\$1,648.00
20. Lot Merger	\$412.00
21. Development Agreement	Hourly rate, 125-hour minimum , plus public hearing (\$3914.00)
<b>H. CRITICAL AREAS FEES</b>	
1. Critical Area Field Signs	\$7.00 per sign
2. Critical Areas Review	Hourly rate, 2-hour minimum
3. Critical Areas Monitoring Inspections (Review of three reports and three inspections.)	\$1,976.00
4. Critical Areas Reasonable Use Permit (CARUP)	\$14,817.00 , plus public hearing (\$3914.00)
5. Critical Areas Special Use Permit (CASUP)	\$14,817.00 , plus public hearing (\$3914.00)
<b>I. MISCELLANEOUS FEES</b>	
1. Permit Fee for Work Commenced Without a Permit	Twice the Applicable Permit Fee

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.010 Planning and Community Development**

<b>Type of Permit Application</b>	<b>2021 Proposed</b>
2. Expedited Review – Building or Site Development Permits	Twice the applicable permit review fee(s)
3. All Other Fees Per Hour	Hourly rate, 1-hour minimum
4. Multiple Family Tax Exemption Application Fee	Hourly rate, 3-hour minimum
5. Extension of the Conditional Certificate for the Multiple Family Tax Exemption Application Fee	\$206.00
6. Multiple Family Tax Exemption or Affordable Housing Annual Compliance Verification	\$412.00
7. Pre-application Meeting	\$483.00 Mandatory pre-application meeting
	\$206.00 Optional pre-application meeting
8. Transportation Impact Analysis (TIA) Review (less than 20 trips)	\$206.00
9. Transportation Impact Analysis (TIA) Review (20 or more trips)	Hourly rate, 1-hour minimum
10. Noise Variance	\$412.00
<b>J. RIGHT-OF-WAY</b>	
1. Right-of-Way Utility Blanket Permits	\$206.00
2. Right-of-Way Use Limited	Hourly rate, 1-hour minimum
3. Right-of-Way Use	Hourly rate, 3-hour minimum
4. Right-of-Way Use Full Utility Permit	Hourly rate, 4-hour minimum
5. Right-of-Way Site	Hourly rate, 4-hour minimum
6. Right-of-Way Special Events	\$1,030.00
7. Residential Parking Zone Permit	\$20.00
8. Right-of-Way Extension	Hourly rate, 1-hour minimum
<b>K. SHORELINE SUBSTANTIAL DEVELOPMENT</b>	
1. Shoreline Conditional Permit Use	\$7,902.00
2. Shoreline Exemption	\$516.00
3. Shoreline Variance	\$10,976.00 , plus public hearing (\$3914.00)
Substantial Development Permit (based on valuation):	
4. up to \$10,000	\$2,744.00
5. \$10,000 to \$500,000	\$6,586.00
6. over \$500,000	\$10,976.00
<b>L. SITE DEVELOPMENT</b>	
1. Clearing and/or Grading Permit	Hourly rate, 3-hour minimum
2. Subdivision Construction	Hourly rate, 10-hour minimum
3. Multiple Buildings	Hourly rate, 10-hour minimum
4. Clearing and Grading Inspection - Sum of Cut and Fill Yardage:	
5. 50-500 CY without drainage conveyance	\$206.00
6. 50-500 CY with drainage conveyance	\$440.00
7. 501-5,000 CY	\$879.00
8. 5001-15,000 CY	\$1,756.00
9. More than 15,000 CY	\$4,611.00
10. Tree Removal	\$206.00
<b>M. SUBDIVISIONS</b>	
1. Binding Site Plan	\$6,256.00
2. Preliminary Short Subdivision	\$7,135.00 for two-lot short subdivision, plus (\$549.00) for each additional lot
3. Final Short Subdivision	\$2,086.00
4. Preliminary Subdivision	\$16,464.00 for ten-lot subdivision, plus \$770.00 for each additional lot and \$3,914.00 for public hearing
5. Final Subdivision	\$5,618.00
6. Changes to Preliminary Short or Formal Subdivision	\$4,062.00
7. Plat alteration	Hourly rate, 10-hour minimum
8. Plat alteration with public hearing	Hourly rate, 10-hour minimum , plus public hearing (\$3914.00)

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.010 Planning and Community Development**

Type of Permit Application	2021 Proposed
<b>N. SUPPLEMENTAL FEES</b>	
1. Supplemental permit fees	Additional review fees may be assessed if plan revisions are incomplete, corrections not completed, the original scope of the project has changed, or scale and complexity results in review hours exceeding the minimums identified in this schedule. Fees will be assessed at the fee established in SMC 3.01.010(A)(1), minimum of one hour.
2. Reinspection fees	\$274.00
	Reinspection fees may be assessed if work is incomplete and corrections not completed.
3. Additional Inspection fees	Additional inspection fees may be assessed for phased construction work or if more inspections are required than included in the permit fee. Fees will be assessed at the fee established in SMC 3.01.010(A)(1), minimum of one hour.
4. Investigation inspection	\$274.00
5. Consultant Services	Additional outside consultant services fee may be assessed if the scope of the permit application exceeds staff resources. Estimate of outside consultant services fees to be provided in advance for applicant agreement.
<b>O. FEE REFUNDS</b>	
The city manager or designee may authorize the refunding of:	
1. One hundred percent of any fee erroneously paid or collected.	
2. Up to 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.	
3. Up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled and minimal plan review work has been done.	
4. The city manager or designee shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.	
<b>P. FEE WAIVER</b>	
1. The City Manager or designee may authorize the waiver of the double fee for work commenced without a permit for property owners not responsible for initiating the work without a permit. Any fee waiver request must be submitted in writing by the current property owner prior to permit issuance and detail the unpermitted work related to the dates of property ownership.	
<b>Q. IMPACT FEE ADMINISTRATIVE FEES</b>	
1. Administrative Fee - All applicable projects per building permit application	Hourly rate, 1-hour minimum
2. Administrative Fee - Impact fee estimate/preliminary determination for	Hourly rate, 1-hour minimum
3. Administrative Fee - Independent fee calculation per impact fee type	Hourly rate, 1-hour minimum
4. Administrative Fee - Deferral program	Hourly rate, 1-hour minimum
All administrative fees are nonrefundable.	
Administrative fees shall not be credited against the impact fee.	
Administrative fees applicable to all projects shall be paid at the time of building permit issuance.	
Administrative fees for impact fee estimates or preliminary determination shall be paid at the time the request is submitted to the city.	
Administrative fees for independent fee calculations shall be paid prior to issuance of the director's determination, or for fire impact fees, the fire chief's determination.	

[Ord. 872 § 3 (Exh. A), 2019; Ord. 857 § 2 (Exh. B), 2019; Ord. 855 § 2 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 785 § 1, 2017; Ord. 779 § 1, 2017; Ord. 778 § 1, 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 737 § 1 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3, 2012; Ord. 646 § 2, 2012; Ord. 641 § 1, 2012; Ord. 629 § 1, 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 §§ 3(a), 3(b) (Exh. B), 2010; Ord. 563 § 3 (Exh. B), 2009; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 § 1, 2006; Ord. 426 § 4, 2006]

## City of Shoreline Fee Schedules

### 3.01.015 Transportation Impact Fees

ITE Code	Land Use Category/Description	2021 Proposed	
		Impact Fee Per Unit @	
		\$7,675.28 per Trip	
<b>A. Rate Table</b>			
90	Park-and-ride lot w/ bus svc	3,638.09	per parking space
110	Light industrial	9.94	per square foot
140	Manufacturing	7.49	per square foot
151	Mini-warehouse	2.67	per square foot
210	Single family house Detached House	7,111.87	per dwelling unit
220	Low-Rise Multifamily (Apartment, condo, townhome, ADU)	4,608.25	per dwelling unit
240	Mobile home park	3,323.57	per dwelling unit
251	Senior housing	1,520.95	per dwelling unit
254	Assisted Living	697.10	per bed
255	Continuing care retirement	2,268.91	per dwelling unit
310	Hotel	4,754.55	per room
320	Motel	3,787.52	per room
444	Movie theater	14.91	per square foot
492	Health/fitness club	19.63	per square foot
530	School (public or private)	5.77	per square foot
540	Junior/community college	15.10	per square foot
560	Church	3.88	per square foot
565	Day care center	37.29	per square foot
590	Library	18.84	per square foot
610	Hospital	9.13	per square foot
710	General office	13.74	per square foot
720	Medical office	24.97	per square foot
731	State motor vehicles dept	120.34	per square foot
732	United States post office	28.72	per square foot
820	General retail and personal services (includes shopping center)	10.40	per square foot
841	Car sales	19.12	per square foot
850	Supermarket	28.40	per square foot
851	Convenience market-24 hr	52.77	per square foot
854	Discount supermarket	28.96	per square foot
880	Pharmacy/drugstore	16.72	per square foot
912	Bank	40.69	per square foot
932	Restaurant: sit-down	29.34	per square foot
934	Fast food	67.51	per square foot
937	Coffee/donut shop	85.65	per square foot
941	Quick lube shop	30,454.32	per service bay
944	Gas station	27,693.48	per pump
948	Automated car wash	59.20	per square foot
<b>B. Administrative Fees - See SMC 3.01.010</b>			

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 737 § 2 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 720 § 1, 2015; Ord. 704 § 1, 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 690 § 2 (Exh B), 2014]

**City of Shoreline  
Fee Schedules**

**3.01.016 Park Impact Fees**

		2021 Proposed	
<b>A. Rate Table</b>			
Use Category		Impact Fee	
Single Family Residential		4,327	per dwelling unit
Multi-Family Residential		2,838	per dwelling unit
<b>B. Administrative Fees - See SMC 3.01.010</b>			

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 786 § 2 (Exh. B), 2017]



**City of Shoreline  
Fee Schedules**

**3.01.017 Fire Impact Fees**

		<b>2021 Proposed</b>	
<b>A. Rate Table</b>			
<b>Use Category</b>	<b>Impact Fee</b>		
<b>Residential</b>			
Single-Family Residential	2,311.00	per dwelling unit	
Multi-Family Residential	2,002.00	per dwelling unit	
<b>Commercial</b>			
Commercial 1	2.84	per square foot	
Commercial 2	1.83	per square foot	
Commercial 3	5.73	per square foot	
<b>B. Administrative Fees - See SMC 3.01.010</b>			

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 791 § 2 (Exh. 2), 2017]

**City of Shoreline  
Fee Schedules**

**3.01.020 Fire - Operational**

Type of Permit Application	2021 Proposed
<b>A. FIRE - OPERATIONAL</b>	
1. Aerosol Products	\$206.00
2. Amusement Buildings	\$206.00
3. Carnivals and Fairs	\$206.00
4. Combustible Dust-Producing Operations	\$206.00
5. Combustible Fibers	\$206.00
6. Compressed Gases	\$206.00
7. Cryogenic Fluids	\$206.00
8. Cutting and Welding	\$206.00
9. Dry Cleaning (hazardous solvent)	\$206.00
10. Flammable/Combustible Liquid Storage/Handle/Use	\$206.00
11. Flammable/Combustible Liquid Storage/Handle/Use - (add'l specs)	Add'l fee based on site specs
12. Floor Finishing	\$206.00
13. Garages, Repair or Servicing - 1 to 5 Bays	\$206.00
14. Garages, Repair or Servicing - (add'l 5 Bays)	\$103.00
15. Hazardous Materials	\$616.00
16. Hazardous Materials (including Battery Systems 55 gal>)	\$206.00
17. High-Piled Storage	\$206.00
18. Hot Work Operations	\$206.00
19. Indoor Fueled Vehicles	\$206.00
20. Industrial Ovens	\$206.00
21. LP Gas-Consumer Cylinder Exchange	\$103.00
22. LP Gas-Retail Sale of 2.5 lb or less	\$103.00
23. LP Gas-Commercial Containers (Tanks)	\$206.00
24. LP Gas-Commercial Containers, Temporary (Tanks)	\$206.00
25. Lumber Yard	\$206.00
26. Misc Comb Material	\$206.00
27. Open Flames and Candles	\$206.00
28. Open Flames and Torches	\$206.00
29. Places of Assembly 50 to 100	\$103.00
30. Places of Assembly up to 500	\$206.00
31. Places of Assembly 501>	\$411.00
32. Places of Assembly (add'l assembly areas)	\$103.00
33. Places of Assembly - A-5 Outdoor	\$103.00
34. Places of Assembly - Outdoor Pools	\$103.00
35. Places of Assembly - Open Air Stadiums	\$206.00
36. Pyrotechnic Special Effects Material	\$206.00
37. Pyrotechnic Special Effects Material (add'l specs)	Add'l fee based on site specs
38. Refrigeration Equipment	\$206.00
39. Scrap Tire Storage	\$206.00
40. Spraying or Dipping	\$206.00
41. Waste Handling	\$206.00
42. Wood Products	\$206.00

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 3 (Exh. A), 2013]

**City of Shoreline  
Fee Schedules**

**3.01.025 Affordable Housing Fee In-Lieu**

		<b>2021 Proposed</b>	
<b>A. Rate Table</b>			
<b>Zoning District</b>	<b>Fee per unit if providing 10% of total units as affordable</b>	<b>Fee per unit if providing 20% of total units as affordable</b>	
MUR-45	207,946.00	159,827.00	
MUR-70	207,946.00	159,827.00	
MUR-70 with development agreement	256,064.00	207,946.00	
Note: The Fee In-Lieu is calculated by multiplying the fee shown in the table by the fractional mandated unit. For example, a 0.40 fractional unit multiplied by \$207,946 would result in a Fee In-Lieu of \$83,179.			

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 2 (Exh. A), 2019; Ord. 817 § 1, 2018]

**City of Shoreline  
Fee Schedules**

**3.01.100 Animal Licensing and Service Fees**

Annual License	2021 Proposed
<b>A. PET - DOG OR CAT</b>	
1. Unaltered	\$60.00
2. Altered	\$30.00
3. Juvenile pet	\$15.00
4. Discounted pet	\$15.00
5. Replacement tag	\$5.00
6. Transfer fee	\$3.00
7. License renewal late fee – received 45 to 90 days following license expiration	\$15.00
8. License renewal late fee – received 90 to 135 days following license expiration	\$20.00
9. License renewal late fee – received more than 135 days following license expiration	\$30.00
10. License renewal late fee – received more than 365 days following license expiration	\$30.00 plus license fee(s) for any year(s) that the pet was unlicensed
<i>Service Animal Dogs and Cats and K-9 Police Dogs: Service animal dogs and cats and K-9 police dogs must be licensed, but there is no charge for the license.</i>	
<b>B. GUARD DOG</b>	
1. Guard dog registration	\$100.00
<b>C. ANIMAL RELATED BUSINESS</b>	
1. Hobby kennel and hobby cattery	\$50.00
2. Guard dog trainer	\$50.00
3. Guard dog purveyor	\$250.00
<b>D. GUARD DOG PURVEYOR</b>	
1. If the guard dog purveyor is in possession of a valid animal shelter, kennel or pet shop license, the fee for the guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel or pet shop license.	
<b>E. FEE WAIVER</b>	
1. The director of the animal care and control authority may waive or provide periods of amnesty for payment of outstanding licensing fees and late licensing penalty fees, in whole or in part, when to do so would further the goals of the animal care and control authority and be in the public interest. In determining whether a waiver should apply, the director of the animal care and control authority must take into consideration the total amount of the fees charged as compared with the gravity of the violation and the effect on the owner, the animal's welfare and the animal care and control authority if the fee or fees or penalties are not waived and no payment is received.	

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 595 § 3 (Att. B), 2011]

## City of Shoreline Fee Schedules

### 3.01.200 Business License Fees

License	2021 Proposed	
<b>A. BUSINESS LICENSE FEES - GENERAL</b>		
1. Business license registration fee for new application filed between January 1 and June 30)	\$40.00	
2. Business license registration fee for new application filed between July 1 and December 31	\$20.00	
The annual business license fee is prorated as necessary to conform to SMC 5.05.060.		
3. Annual business license renewal fee due January 31	\$40.00	
a. Penalty schedule for late annual business license renewal as described in SMC 5.05.080 received on or after:		
i. February 1	\$10.00	
ii. March 1	\$15.00	
iii. April 1	\$20.00	
<b>B. REGULATORY LICENSE FEES</b>		
1. Regulated massage business	\$226.00 Per Year	
2. Massage manager	\$49.00 Per Year	
Plus additional \$11 fee for background checks for regulated massage business or massage manager		
3. Public dance	\$154.00 Per Dance	
4. Pawnbroker	\$723.00 Per Year	
5. Secondhand Dealer	\$70.00 Per Year	
6. Master solicitor	\$141.00 Per Year	
7. Solicitor	\$35.00 Per Year	
Late fees for the above regulatory licenses: A late penalty shall be charged on all applications for renewal of a regulatory license received later than 10 working days after the expiration date of such license. The amount of such penalty is fixed as follows: * For a license requiring a fee of less than \$50.00, two percent of the required fee. * For a license requiring a fee of more than \$50.00, ten percent of the required fee.		
8. Adult cabaret operator	\$723.00 Per Year	
9. Adult cabaret manager	\$154.00 Per Year	
10. Adult cabaret entertainer	\$154.00 Per Year	
11. Panoram Operator	\$721.00 Per Year	
Plus additional \$58 fee for fingerprint background checks for each operator:		
12. Panoram premise	\$297.00 Per Year	
13. Panoram device	\$85.00 Per Year Per Device	
Penalty schedule for Adult cabaret and Panoram licenses:		
Days Past Due		
7 - 30	10%	of Regulatory License Fee
31 - 60	25%	of Regulatory License Fee
61 and over	100%	of Regulatory License Fee

## City of Shoreline Fee Schedules

14. Duplicate Regulatory License	\$6.00	
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[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 734 § 2, 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 650 § 3 (Exh. A), 2012; Ord. 625 § 4, 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 §§ 3(a), 3(b) (Exh. B), 2010; Ord. 563 § 4 (Exh. B), 2009]

### 3.01.205 Filmmaking Permit Fees

	2021 Proposed
<b>A. PERMIT FEES</b>	
1. Low Impact Film Production	\$25.00 flat fee per production (for up to 14 consecutive days of filming)
2. Low Impact Daily Rate (each additional day after 14 days)	\$25.00 per additional day
3. Moderate Impact Film Production	\$25.00 per day
4. High Impact Film Production	Applicable permit fees apply, including but not limited to, permits for the right-of-way and park rental fees.
<b>B. FEE WAIVER</b>	
The city manager may consider a waiver for any fees that may apply under this section. Any fee waiver request must be submitted concurrently with the filmmaking permit application.	
<b>C. ADDITIONAL COSTS</b>	
Any additional costs incurred by the city, related to the filmmaking permitted activity, shall be paid by the applicant. The applicant shall comply with all additional cost requirements contained in the Shoreline Film Manual.	

[Ord. 872 § 3 (Exh. A), 2019; Ord. 859 § 2 (Exh. B), 2019]

### 3.01.210 Hearing Examiner Fees

	2021 Proposed
<b>A. HEARING EXAMINER APPEAL HEARING FEE</b>	\$538.00

[Ord. 872 § 3 (Exh. A), 2019; Ord. 855 § 2 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 650 § 3 (Exh. A), 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 §§ 3(a), 3(b) (Exh. B), 2010; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 § 2, 2006]

### 3.01.220 Public Records

	2021 Proposed
1. Photocopying paper records	
a. Black and white photocopies of paper up to 11 by 17 inches - if more than five pages	\$0.15 Per Page
b. Black and white photocopies of paper larger than 11 by 17 inches - City Produced	\$5.00 First Page \$1.50 Each additional page
c. Color photocopies up to 11 by 17 inches - if more than three pages	\$0.25 Per Page
2. Scanning paper records	
a. Scans of paper up to 11 by 17 inches - if more than five pages	\$0.15 Per Page

**City of Shoreline  
Fee Schedules**

3. Copying electronic records		
a. Copies of electronic records to file sharing site - if more than five pages (2 minute minimum)	\$0.91	Per Minute
b. Copies of electronic records onto other storage media	Cost incurred by City for hardware plus \$0.91/minute	
4. Other fees		
a. Photocopies - vendor produced	Cost charged by vendor, depending on size and process	
b. Convert electronic records (in native format) into PDF format – if more than 15 minutes	\$50.00	Per hour
c. Service charge to prepare data compilations or provide customized electronic access services	Actual staff cost	
d. Photographic prints and slides	Cost charged by vendor, depending on size and process	
e. Clerk certification	\$1.50	Per document
5. Geographic Information Systems (GIS) services		
a. GIS maps smaller than 11 by 17 inches	\$0.50	Per Page
b. GIS maps larger than 11 by 17 inches	\$1.70	Per Square Foot
c. Custom GIS Mapping and Data Requests	\$101.00	Per Hour (1 Hour Minimum)

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 784 § 1, 2017; Ord. 778 § 1, 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 738 § 1, 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 §§ 3(a), 3(b) (Exh. B), 2010; Ord. 563 § 3 (Exh. B), 2009; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 § 6, 2006; Ord. 435 § 7, 2006; Ord. 404, 2005; Ord. 366, 2004; Ord. 342, 2003; Ord. 315, 2002; Ord. 294 § 1, 2001; Ord. 285 § 3, 2001; Ord. 256 § 3, 2000]

**City of Shoreline  
Fee Schedules**

**3.01.300 Parks, Recreation and Community Services**

Fee	2021 Proposed Resident Rate	2021 Proposed Non-Resident Rate
<b>A. OUTDOOR RENTAL FEES</b>		
1. Picnic Shelters – (same for all groups)		
a. Half Day (9:00am-2:00pm or 2:30pm-Dusk)	\$72	\$92
b. Full Day (9:00am - Dusk)	\$105	\$132
2. Cromwell Park Amphitheater & Richmond Beach Terrace		
a. Half Day	\$72	\$92
b. Full Day	\$105	\$132
3. Alcohol Use		
a. Per hour, 4 hour minimum (includes shelter rental)	\$93	\$112
4. Athletic Fields (Per Hour)		
a. Lights (determined by dusk schedule; hourly rate includes \$5 Capital Improvement Fee)	\$24	\$24
b. Non-Profit Youth Organization - All Use *	\$7	\$10
c. For-Profit Youth Organization All-Use *	\$18	\$22
d. All Other Organizations/Groups - Practice	\$18	\$22
e. All Other Organizations/Groups - Games *	\$33	\$40
f. * Additional field prep fee may be added	\$27	\$37
5. Synthetic Fields (Per Hour)		
a. Non-Profit Youth Organizations - All Use	\$20	\$29
b. For-Profit Youth Organization - All Use	\$30	\$40
c. All Other Organizations/Groups - All Use	\$68	\$83
d. Discount Field Rate **	\$20	\$29
**Offered during hours of low usage as established and posted by the PRCS Director		
6. Tennis Courts		
a. Per hour	\$8	\$9
7. Park and Open Space Non-Exclusive Area		
a. Event Permit Hourly Fee *	\$16	\$19
b. Concession Sales Hourly Fee**	\$3	\$4
* Event Permit fees waived for sanctioned Neighborhood events. **Concession Sales Hourly fee waived for youth non-profit organizations and sanctioned neighborhood events		
8. Community Garden Plot Annual Rental Fee		
a. Standard Plot	\$44	N/A
b. Accessible Plot	\$22	N/A
9. Amplification Supervisor Fee		
a. Per hour; when applicable	\$27	\$27
10. Attendance Fee		
a. 101+ Attendance	\$53	\$53
<b>B. INDOOR RENTAL FEES</b>		
	Per Hour (2 Hour Minimum)	Per Hour (2 Hour Minimum)
1. Richmond Highlands (same for all groups) Maximum Attendance 214		
a. Entire Building (including building monitor)	\$64	\$77
2. Spartan Recreation Center Fees for Non-Profit Youth Organizations/Groups		
a. Multi-Purpose Room 1 or 2	\$13	\$18
b. Multi-Purpose Room 1 or 2 w/Kitchen	\$22	\$27
c. Gymnastics Room	\$13	\$18
d. Dance Room	\$13	\$18
e. Gym-One Court	\$22	\$27
f. Entire Gym	\$38	\$49
g. Entire Facility	\$104	\$132



**City of Shoreline  
Fee Schedules**

**3.01.300 Parks, Recreation and Community Services**

Fee	2021 Proposed Resident Rate	2021 Proposed Non-Resident Rate
<b>3. Spartan Recreation Center Fees for All Other Organizations/Groups</b>		
a. Multi-Purpose Room 1 or 2	\$26	\$32
b. Multi-Purpose Room 1 or 2 w/Kitchen	\$37	\$45
c. Gymnastics Room	\$26	\$32
d. Dance Room	\$26	\$32
e. Gym-One Court	\$37	\$45
f. Entire Gym	\$70	\$84
g. Entire Facility	\$137	\$165
As a health and wellness benefit for regular City employees, daily drop-in fees for regular City employees shall be waived.		
* Rentals outside the normal operating hours of the Spartan Gym may require an additional supervision fee. (See Below)		
<b>4. City Hall Rental Fees</b>		
a. City Hall Rental - Third Floor Conference Room	\$38 Per Hour	\$46 Per Hour
b. City Hall Rental - Council Chambers	\$111 Per Hour	\$132 Per Hour
c. AV Set-up Fee - Per Room	\$16	\$16
<b>5. Other Indoor Rental Fees:</b>		
a-1. Security Deposit (1-125 people): (refundable)	\$200	\$200
a-2. Security Deposit (126+ people): (refundable)	\$400	\$400
b. Supervision Fee (if applicable)	\$20/hour	\$20/hour
c. Daily Rates (shall not exceed)	\$933	\$1,119
<b>C. CONCESSIONAIRE PERMIT FEES</b>		
1. Concession Permit (requires additional hourly fee)	\$53	\$64
Concession Permit fees and additional Concession Fees are exempt for Non-Profit Youth Organizations, and sanctioned Neighborhood Association Events. Sanctioned Neighborhood Associations Events are exempt from all rental fees with the exception of associated supervision fees when applicable. Concession/Admission/Sales Fees may be modified at the discretion of the PRCS Director.		
<b>D. INDOOR DROP-IN FEES</b>		
1. Showers Only (Spartan Recreation Center)	\$1	\$1
2. Drop-In		
a. Adult	\$3	\$4
b. Senior/Disabled	\$2	\$3
3. 1 Month Pass		
a. Adult	\$26	\$33
b. Senior/Disabled	\$18	\$23
4. 3 Month Pass		
a. Adult	\$66	\$77
b. Senior/Disabled	\$46	\$54
Senior is 60+ years of age		
<b>E. GENERAL RECREATION PROGRAM FEES</b>		
General Recreation Program Fees are based upon Recreation and Community Services' Cost Recovery/Fee Setting Framework.		
<b>F. FEE IN LIEU OF STREET TREE REPLACEMENT</b>	\$2,634	N/A
<b>G. FEE REFUNDS</b>		
Whenever a fee is paid for the use of parks or recreation facilities or property or for participation in a Recreation and Community Services Department sponsored class or program, and a refund request is made to the city, fees may be refunded according to the Recreation and Community Services Department's Refund Policy and Procedures.		
<b>H. RECREATION SCHOLARSHIPS</b>		
Scholarships for the fee due to the participate in a Recreation and Community Services Department sponsored class or program may be awarded when a request is made to the city according to the Recreation and Community Services Department's Recreation Scholarship Policy and Procedures.		

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 647 § 2, 2012; Ord. 627 § 4, 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 602 § 1, 2011; Ord. 585 §§ 3(a), 3(b) (Exh. B), 2010; Ord. 563 § 3 (Exh. A), 2009; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 § 3, 2006; Ord. 428 § 1, 2006; Ord. 404, 2005; Ord. 366, 2004; Ord. 342, 2003; Ord. 315, 2002; Ord. 294 § 1, 2001; Ord. 285 § 2, 2001; Ord. 256 § 2, 2000]

**City of Shoreline  
Fee Schedules**

**3.01.400 Surface Water Management Rate Table**

Rate Category	Percent Hard Surface	2021 Proposed SWM Annual Fee			
		2021 SWM Annual Fee	Effective Utility Tax	Per Unit	Fee + Utility Tax
<b>A. Rate Table</b>					
1. Residential: Single-family home		\$281.44	\$16.89	Per Parcel	\$298.33
2. Very Light	Less than or equal to 10%	\$281.44	\$16.89	Per Parcel	\$298.33
3. Light	More than 10%, less than or equal to 20%	\$653.65	\$39.22	Per Acre	\$692.87
4. Moderate	More than 20%, less than or equal to 45%	\$1,350.37	\$81.02	Per Acre	\$1,431.39
5. Moderately Heavy	More than 45%, less than or equal to 65%	\$2,619.02	\$157.14	Per Acre	\$2,776.16
6. Heavy	More than 65%, less than or equal to 85%	\$3,318.05	\$199.08	Per Acre	\$3,517.13
7. Very Heavy	More than 85%, less than or equal to 100%	\$4,346.14	\$260.77	Per Acre	\$4,606.91
Minimum Rate		\$281.44	\$16.89		\$298.33
<p>There are two types of service charges: The flat rate and the sliding rate.                      The flat rate service charge applies to single family homes and parcels with less than 10% hard surface. The sliding rate service charge applies to all other properties in the service area. The sliding rate is calculated by measuring the amount of hard surface on each parcel and multiplying the appropriate rate by total acreage.</p>					
<b>B. CREDITS</b>					
Several special rate categories will automatically be assigned to those who qualify					
1.	An exemption for any home owned and occupied by a low income senior citizen determined by the assessor to qualify under RCW 84.36.381.				
2.	A public school district shall be eligible for a waiver of up to 100% of its standard rates based on providing curriculum which benefits surface water utility programs. The waiver shall be provided in accordance with the Surface Water Management Educational Fee Waiver procedure. The program will be reviewed by July 1, 2021.				
3.	Alternative Mobile Home Park Charge. Mobile Home Park Assessment can be the lower of the appropriate rate category or the number of mobile home spaces multiplied by the single-family residential rate.				
<b>C. RATE ADJUSTMENTS</b>					
Any person receiving a bill may file a request for a rate adjustment within two years of the billing date. (Filing a request will not extend the payment period). Property owners should file a request for a change in the rate assessed if:					
1. The property acreage is incorrect;					
2. The measured hard surface is incorrect;					
3. The property is charged a sliding fee when the fee should be flat;					
4. The person or property qualifies for an exemption or discount; or					
5. The property is wholly or in part outside the service area.					
<b>D. REBATE</b>					
Developed properties shall be eligible for the rebate under SMC 13.10.120 for constructing approved rain gardens or conservation landscaping at a rate of \$2.50 per square foot not to exceed \$2,000 for any parcel.					

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 704 § 1, 2015; Ord. 699 § 3 (Exh. A), 2014; Ord. 678 § 1, 2013 (Exh. A); Ord. 659 § 2, 2013; Ord. 650 § 3 (Exh. A), 2012; Ord. 642 § 1, 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 § 3(a), 2010; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 §§ 7, 14, 2006; Ord. 404, 2005; Ord. 366, 2004; Ord. 342, 2003; Ord. 315, 2002. Formerly 3.01.070.]

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.500 Solid Waste Rate Schedule**

Effective 1/1/2021

<b>Solid Waste Rate Schedule from Recology</b>				
<b>Service Level</b>	<b>Pounds Per Unit</b>	<b>Disposal Fee</b>	<b>Collection Fee</b>	<b>Total Service Fee</b>
<b>A. MONTHLY</b>				
1 One 32-gallon Garbage Cart	4.43	\$1.35	\$10.34	\$11.69
<b>B. WEEKLY RESIDENTIAL CURBSIDE SERVICE</b>				
1. One 10-gallon Garbage Micro-Can	6.00	\$1.83	\$12.78	\$14.61
2. One 20-gallon Garbage Cart	12.00	\$3.66	\$17.11	\$20.77
3. One 32/35 -gallon Garbage Cart	19.20	\$5.86	\$21.11	\$26.97
4. One 45-gallon Garbage Cart	27.00	\$8.25	\$28.54	\$36.79
5. One 60/64-gallon Garbage Cart	38.40	\$11.74	\$30.17	\$41.91
6. One 90/96-gallon Garbage Cart	57.60	\$17.60	\$34.44	\$52.04
7. Additional 32 Gallon Cans (weekly svc)	0.00	\$5.87	\$7.98	\$13.85
8. Extras (32 gallon equivalent)	0.00	\$1.35	\$3.03	\$4.38
9. Miscellaneous Fees:				
a. Extra Yard Debris (32 gallon bag/bundle/can)				\$3.19
b. 2nd and Additional 96-Gallon Yard Waste Cart				\$6.38
c. Contamination Charge (per cart, per contract amendment)				
d. Return Trip				\$6.38
e. Roll-out Charge, per 25 ft, per cart, per time				\$3.19
f. Drive-in Charge, per month				\$6.38
g. Extended Vacation Hold (per week)				\$1.00
h. Overweight/Oversize container (per p/u)				\$3.19
i. Redelivery of one or more containers				\$10.65
j. Cart Cleaning (per cart per cleaning)				\$10.65
<b>C. ON-CALL BULKY WASTE COLLECTION</b>				
1. Non-CFC Containing Large Appliances ("white goods"), per item				\$21.29
2. Refrigerators/Freezers/Air Conditioners per item				\$31.94
3. Sofas, Chairs, per item	0.00	\$7.63	\$14.37	\$22.00
4. Mattresses, Boxsprings, per item	0.00	\$7.63	\$14.37	\$22.00
<b>D. WEEKLY COMMERCIAL CAN AND CART</b>				
1. One 20-gallon Garbage Cart	12.00	\$3.66	\$15.17	\$18.83
2. One 32/35-gallon Garbage Cart	19.20	\$5.86	\$17.10	\$22.96
3. One 45-gallon Garbage Cart	27.00	\$8.25	\$19.68	\$27.93
4. One 60/64-gallon Garbage Cart	38.40	\$11.74	\$22.82	\$34.56
5. One 90/96-gallon Garbage Cart	57.60	\$17.60	\$26.24	\$43.84
6. Extras (32-gallon equivalent)	-	\$1.35	\$4.17	\$5.52
7. Ancillary Fees:				
a. Weekly 64-gal Cart Yard Debris/Foodwaste service				\$25.60
b. Return Trip				\$8.10
c. Roll-out Charge, per addtn'l 25 ft, per cart, per p/u				\$2.02
d. Redelivery of containers				\$13.49
e. Cart Cleaning (per cart per cleaning)				\$13.49
<b>Service Level</b>	<b>Pounds Per Unit</b>	<b>Disposal Fee</b>	<b>Collection Fee</b>	<b>Total Service Fee</b>
<b>E. WEEKLY COMMERCIAL DETACHABLE CONTAINER (COMPACTED)</b>				
1. 1 Cubic Yard Container	394.80	\$120.63	\$114.83	\$235.46
2. 1.5 Cubic Yard Container	789.60	\$241.28	\$211.93	\$453.21
3. 2 Cubic Yard Container	1,184.40	\$361.91	\$309.03	\$670.94
4. 3 Cubic Yard Container	1,579.20	\$482.55	\$421.15	\$903.70
5. 4 Cubic Yard Container	1,974.00	\$603.19	\$533.27	\$1,136.46
6. 6 Cubic Yard Container	2,961.00	\$892.63	\$632.61	\$1,525.24
<b>F. COMMERCIAL DETACHABLE CONTAINER (LOOSE)</b>				
1. 1 Cubic Yard, 1 pickup/week	112.80	\$34.47	\$73.13	\$107.60
2. 1 Cubic Yard, 2 pickups/week	225.60	\$68.93	\$139.53	\$208.46
3. 1 Cubic Yard, 3 pickups/week	338.40	\$103.40	\$205.91	\$309.31
4. 1 Cubic Yard, 4 pickups/week	451.20	\$137.88	\$272.32	\$410.20
5. 1 Cubic Yard, 5 pickups/week	564.00	\$172.34	\$338.71	\$511.05

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.500 Solid Waste Rate Schedule**

Effective 1/1/2021

6. 1.5 Cubic Yard, 1 pickup/week	169.20	\$51.70	\$102.96	\$154.66
7. 1.5 Cubic Yard, 2 pickups/week	338.40	\$103.40	\$199.19	\$302.59
8. 1.5 Cubic Yard, 3 pickups/week	507.60	\$155.11	\$295.41	\$450.52
9. 1.5 Cubic Yard, 4 pickups/week	676.80	\$206.81	\$391.63	\$598.44
10. 1.5 Cubic Yard, 5 pickups/week	846.00	\$258.51	\$487.85	\$746.36
11. 2 Cubic Yard, 1 pickups/week	225.60	\$68.93	\$133.25	\$202.18
12. 2 Cubic Yard, 2 pickups/week	451.20	\$137.88	\$259.74	\$397.62
13. 2 Cubic Yard, 3 pickups/week	676.80	\$206.81	\$386.24	\$593.05
14. 2 Cubic Yard, 4 pickups/week	902.40	\$275.74	\$512.74	\$788.48
15. 2 Cubic Yard, 5 pickups/week	1,128.00	\$344.68	\$639.23	\$983.91
16. 3 Cubic Yard, 1 pickup/week	338.40	\$103.40	\$183.03	\$286.43
17. 3 Cubic Yard, 2 pickups/week	676.80	\$206.81	\$359.31	\$566.12
18. 3 Cubic Yard, 3 pickups/week	1,015.20	\$310.21	\$535.59	\$845.80
19. 3 Cubic Yard, 4 pickups/week	1,353.60	\$413.62	\$711.87	\$1,125.49
20. 3 Cubic Yard, 5 pickups/week	1,692.00	\$517.02	\$1,309.80	\$1,826.82
21. 4 Cubic Yard, 1 pickup/week	451.20	\$137.88	\$232.81	\$370.69
22. 4 Cubic Yard, 2 pickups/week	902.40	\$275.74	\$458.88	\$734.62
23. 4 Cubic Yard, 3 pickups/week	1,353.60	\$413.62	\$684.96	\$1,098.58
24. 4 Cubic Yard, 4 pickups/week	1,804.80	\$551.49	\$911.02	\$1,462.51
25. 4 Cubic Yard, 5 pickups/week	2,256.00	\$689.37	\$1,137.09	\$1,826.46
26. 6 Cubic Yard, 1 pickup/week	676.80	\$206.81	\$332.40	\$539.21
27. 6 Cubic Yard, 2 pickups/week	1,353.60	\$413.62	\$658.04	\$1,071.66
28. 6 Cubic Yard, 3 pickups/week	2,030.40	\$620.42	\$983.66	\$1,604.08
29. 6 Cubic Yard, 4 pickups/week	2,707.20	\$827.23	\$1,309.30	\$2,136.53
30. 6 Cubic Yard, 5 pickups/week	3,384.00	\$1,034.04	\$1,634.95	\$2,668.99
31. 8 Cubic Yard, 1 pickup/week	902.40	\$275.74	\$422.99	\$698.73
32. 8 Cubic Yard, 2 pickups/week	1,804.80	\$551.49	\$839.21	\$1,390.70
33. 8 Cubic Yard, 3 pickups/week	2,707.20	\$827.23	\$1,255.47	\$2,082.70
34. 8 Cubic Yard, 4 pickups/week	3,609.60	\$1,102.98	\$1,671.69	\$2,774.67
35. 8 Cubic Yard, 5 pickups/week	4,512.00	\$1,378.72	\$2,087.93	\$3,466.65
36. Extra loose cubic yard in container, per pickup	0.00	\$7.97	\$6.28	\$14.25
37. Extra loose cubic yard on ground, per pickup	0.00	\$7.97	\$19.78	\$27.75
38. Detachable Container Ancillary Fees (per occurrence):				
a. Stand-by Time (per minute)				\$2.16
b. Container Cleaning (per yard of container size)				\$13.49
c. Contamination Charge (per yard, per contract amendment)				\$25.00
d. Redelivery of Containers				\$27.00
e. Return Trip				\$13.49
<b>Service Level (based on pick ups)</b>	<b>Daily Rent</b>	<b>Monthly Rent</b>	<b>Delivery Charge</b>	<b>Haul Charge</b>
<b>G. COMMERCIAL &amp; MULTIFAMILY DROP-BOX COLLECTION</b>				
1. Non-compacted 10 cubic yard Drop-box (6 boxes)	8.48	\$84.91	\$152.85	\$215.81
2. Non-compacted 15 cubic yard Drop-box	8.48	\$84.91	\$152.85	\$215.81
3. Non-compacted 20 cubic yard Drop-box (7 boxes)	8.48	\$118.89	\$152.85	\$261.90
4. Non-compacted 25 cubic yard Drop-box	8.48	\$135.87	\$152.85	\$284.88
5. Non-compacted 30 cubic yard Drop-box (11 boxes)	8.48	\$152.85	\$152.85	\$307.89
6. Non-compacted 40 cubic yard Drop-box (2 boxes)	8.48	\$169.82	\$152.85	\$353.91
7. Compacted 10 cubic yard Drop-box (2 boxes)			\$169.82	\$272.82
8. Compacted 20 cubic yard Drop-box (3 boxes)			\$169.82	\$295.83
9. Compacted 25 cubic yard Drop-box (2 boxes)			\$169.82	\$318.83
10. Compacted 30 cubic yard Drop-box (4 boxes)			\$169.82	\$341.87
11. Compacted 40 cubic yard Drop-box (1 box)			\$169.82	\$387.88
12. Drop-box Ancillary Fees				<b>Per Event</b>
a. Return Trip				\$33.74
b. Stand-by Time (per minute)				\$2.16
c. Container cleaning (per yard of container size)				\$13.49
d. Drop-box directed to other facility (per one-way mile)				\$4.05

**City of Shoreline  
Fee Schedules**

**Exhibit A**

**3.01.500 Solid Waste Rate Schedule**

Effective 1/1/2021

Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Haul Charge
<b>H. TEMPORARY COLLECTION HAULING</b>				
1. 2 Yard detachable Container	270.00	\$19.06	\$140.16	\$159.22
2. 4 Yard detachable container	540.00	\$38.11	\$142.60	\$180.71
3. 6 Yard detachable container	810.00	\$57.17	\$145.07	\$202.24
4. 8 Yard detachable container	1,080.00	\$76.21	\$147.51	\$223.72
5. Non-compacted 10 cubic yard Drop-box				\$198.89
6. Non-compacted 20 cubic yard Drop-box				\$229.49
7. Non-compacted 30 cubic yard Drop-box				\$260.10
8. Non-compacted 40 cubic yard Drop-box				\$275.40
Service Level		Delivery Fee	Daily Rental	Monthly Rental
<b>I. TEMPORARY COLLECTION CONTAINER RENTAL AND DELIVERY</b>				
1. 2 Yard detachable container		\$86.65	\$8.01	\$86.60
2. 4 Yard detachable container		\$86.65	\$8.01	\$86.60
3. 6 Yard detachable container		\$86.65	\$8.01	\$86.60
4. 8 Yard detachable container		\$86.65	\$8.01	\$86.60
Service Level		Delivery Fee	Daily Rental	Monthly Rental
5. Non-compacted 10 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
6. Non-compacted 20 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
7. Non-compacted 30 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
8. Non-compacted 40 cubic yard Drop-box		\$113.73	\$10.50	\$129.91
<b>J. EVENT SERVICES</b>				<b>Per Day</b>
1. Delivery, provision, collection of a set of 3 carts (G, R &C)				\$33.74
<b>K. HOURLY RATES</b>				<b>Per Hour</b>
1. Rear/Side-load packer + driver				\$168.72
2. Front-load packer + driver				\$168.72
3. Drop-box Truck + driver				\$168.72
4. Additional Labor (per person)				\$91.13

[Ord. 872 § 3 (Exh. A), 2019; Ord. 858 § 1 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 § 3(b) (Exh. B), 2010; Ord. 563 § 4 (Exh. B), 2009]

**City of Shoreline  
Fee Schedules**

**3.01.800 Fee Waiver**

The city manager or designee is authorized to waive the following fees as a city contribution toward events which serve the community and are consistent with adopted city programs:

- A. Right-of-way permits (SMC 3.01.010).
- B. Facility use and meeting room fees (SMC 3.01.300).
- C. Concessionaire permits (SMC 3.01.300).
- D. The city manager is authorized to designate collection points in the City Hall lobby, Shoreline Pool, or Spartan Recreation Center for any charitable organization without charge to be used for the donation of food or goods that will benefit Shoreline residents in need.

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 779 § 1, 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 704 § 1, 2015; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 602 § 2, 2011; Ord. 570 § 2, 2010; Ord. 243 § 1, 2000]

**3.01.805 Damage Restitution Administrative Fee**

	2021 Proposed
An administrative fee to cover a portion of the cost of collecting information and processing damage restitution invoices. This fee shall be added to the amount of calculated restitution necessary to repair, replace or restore damage to City property when invoiced. The administrative fee may be reduced or waived as provided	\$50.00

[Ord. \_\_\_ § \_\_ (Exh. \_\_), 2020]

**3.01.810 Collection Fees (Financial)**

	2021 Proposed
The maker of any check that is returned to the city due to insufficient funds or a closed account shall be assessed a collection fee	\$34.00

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 704 § 1, 2015; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 622 § 3 (Exh. A), 2011; Ord. 585 § 3(b) (Exh. B), 2010; Ord. 528 § 3 (Exh. A), 2008; Ord. 486 § 3, 2007; Ord. 451 §§ 5, 14, 2006; Ord. 315, 2002; Ord. 294 § 1, 2001; Ord. 285 § 1, 2001. Formerly 3.01.040.]

**3.01.820 Annual Adjustments**

Increases of the fees contained in the fee schedules in this chapter shall be calculated on an annual basis by January 1st of each year by the average for the period that includes the last six months of the previous budget year and the first six months of the current budget year of the Seattle-Tacoma-Bellevue Consumer Price Index for all urban consumers (CPI-U), unless the Shoreline Municipal Code calls for the use of another index / other indices, the fee is set by another agency, or specific circumstances apply to the calculation of the fee. The appropriate adjustment shall be calculated each year and included in the city manager's proposed budget. The city manager may choose to not include the calculated adjustments in the city manager's proposed budget and the city council may choose to not include the calculated adjustments in the adopted budget for select user fees in any individual budget year without impacting the full force of this section for subsequent budget years. The annual adjustments to the fees in this chapter shall be rounded as appropriate to ensure efficient administration of fee collection.

[Ord. 872 § 3 (Exh. A), 2019; Ord. 841 § 3 (Exh. A), 2018; Ord. 806 § 3 (Exh. A), 2017; Ord. 779 § 1, 2017; Ord. 758 § 3 (Exh. A), 2016; Ord. 728 § 3 (Exh. A), 2015; Ord. 704 § 1, 2015; Ord. 678 § 1, 2013 (Exh. A); Ord. 650 § 3 (Exh. A), 2012; Ord. 451 § 15, 2006]

City of Shoreline 2019 - 2026 Capital Improvement Plan  
PROGRAM SUMMARY

	Current 2019-2020	Estimate 2019-2020	Proposed 2021	Proposed 2022	Proposed 2023	Proposed 2024	Proposed 2025	Proposed 2026	Total 2019-2026
<b>EXPENDITURES</b>									
<b>Fund</b>									
<i>Project Category</i>									
<b>General Capital</b>									
<i>Parks Maintenance Projects</i>									
King County, Trails And Open Space Replacement Levy	\$0	\$225,000	\$225,000	\$0	\$7,513	\$95,060	\$47,280	\$0	\$599,853
Kruckeberg Env Ed Center (Residence Stabilization)	265,000	0	0	265,000	0	0	0	0	\$265,000
Park Ecological Restoration Program (Sai 8)	80,000	220,735	264,206	301,303	247,487	159,940	207,720	255,000	\$1,656,391
Parks Repair And Replacement	533,582	533,583	275,000	275,000	275,000	275,000	275,000	275,000	\$2,183,583
Playground Replacement	1,000,000	1,000,000	500,000	0	0	0	400,000	400,000	\$2,300,000
Turf & Lighting Repair And Replacement	154,675	10,143	0	50,000	805,000	360,000	0	0	\$1,225,143
Echo Lake Park Improvements	195,793	191,511	0	0	0	0	0	0	\$191,511
Boeing Creek Shoreview Park Trail Repair	1,892,000	0	0	0	0	0	0	0	\$0
Parks Improvements-Sound Trans	113,000	0	0	0	0	0	0	0	\$0
<i>Facilities Projects</i>									
City Maintenance Facility	1,746,614	1,261,111	4,216,209	30,000	490,000	1,779,500	18,801,300	5,161,200	\$31,739,320
Civic Center/City Hall	190,000	32,168	157,832	0	0	0	0	0	\$190,000
Police Station At City Hall	135,919	74,061	0	0	0	0	0	0	\$74,061
<i>Parks Development Projects</i>									
PROS Plan Acquisitions (SAI7)	25,012,309	27,389,000	500,000	0	0	0	0	0	\$27,889,000
Parks Facilities Recreation Amenities (SAI3)	185,000	3,020	0	487,000	0	0	0	0	\$490,020
Outdoor Multi-Use Sports Court	75,000	0	0	0	0	0	0	0	\$0
Community & Aquatics Center	16,800	122,932	0	0	0	0	0	0	\$122,932
<i>Non-Project Specific</i>									
General Capital Engineering	176,528	115,081	60,000	60,000	60,000	60,000	60,000	60,000	\$475,081
Pros Plan Update	0	0	0	0	250,000	0	0	0	\$250,000
Cost Allocation Charges	62,956	62,956	15,268	15,268	30,000	30,000	30,000	30,000	\$213,492
City Hall Debt Service Payment	1,340,796	1,340,796	683,250	663,782	683,782	664,770	689,770	664,770	\$5,390,920
<b>General Capital Fund Total</b>	<b>\$33,175,972</b>	<b>\$32,582,097</b>	<b>\$6,896,765</b>	<b>\$2,147,353</b>	<b>\$2,848,782</b>	<b>\$3,424,270</b>	<b>\$20,511,070</b>	<b>\$6,845,970</b>	<b>\$75,256,307</b>
<b>City Facilities - Major Maintenance</b>									
<i>General Facilities Projects</i>									
City Hall Long-Term Maintenance	\$47,086	\$47,086	\$108,400	\$40,000	\$100,000	\$100,000	\$226,618	\$0	\$622,104
City Hall Garage Long-Term Maintenance	0	0	0	24,192	0	0	0	0	\$24,192
Duct Cleaning	17,350	0	10,000	13,350	10,000	0	0	0	\$33,350
<i>Parks Facilities Projects</i>									
Parks Restrooms Long-Term Maintenance	30,000	29,119	0	0	0	0	0	0	\$29,119
Shoreline Pool Long-Term Maintenance	40,000	35,905	0	0	0	0	0	0	\$35,905
Richmond Highlands Community Center Long-Term Maintenance	565,000	45,000	490,000	23,284	0	0	0	0	\$558,284
Spartan Recreation Center	4,500	0	0	0	0	0	0	0	\$0
<b>City Facilities - Major Maintenance Fund Total</b>	<b>\$703,936</b>	<b>\$157,110</b>	<b>\$608,400</b>	<b>\$100,826</b>	<b>\$110,000</b>	<b>\$100,000</b>	<b>\$226,618</b>	<b>\$0</b>	<b>\$1,302,954</b>

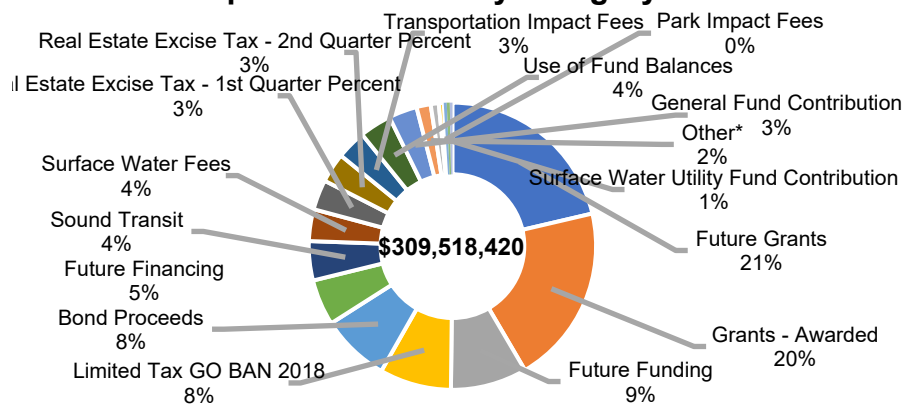
	Current 2019-2020	Estimate 2019-2020	Proposed 2021	Proposed 2022	Proposed 2023	Proposed 2024	Proposed 2025	Proposed 2026	Total 2019-2026
<b>EXPENDITURES</b>									
<b>Fund</b>									
<b>Project Category</b>									
<b>Roads Capital Fund</b>									
<b>Pedestrian / Non-Motorized Projects</b>									
Sidewalk Rehabilitation Program	\$1,757,534	\$377,547	\$400,000	\$314,000	\$0	\$0	\$0	\$0	\$1,091,547
New Sidewalks Program	4,245,000	213,154	1,200,000	3,500,000	2,800,000	4,000,000	4,500,000	4,500,000	\$20,713,154
147th/148th Non-Motorized Bridge	2,083,838	1,626,127	3,326,348	3,925,165	0	0	16,926,523	0	\$25,804,163
NSP 1st Ave Ne (N 192nd To N 195th)	0	240,000	691,792	650,000	0	0	0	0	\$1,581,792
1st Ave Ne (N 145th To N 155th)	2,540,000	1,000	300,000	399,000	1,300,000	0	0	0	\$2,000,000
NSP 5th Ave Ne (N 175th To N 182nd)	400,000	410,000	1,880,011	2,180,000	0	0	0	0	\$4,470,011
Ridgecrest Safe Routes To School	20,000	20,000	147,500	210,800	0	0	0	0	\$378,300
N 195th St Bridge Connector	50,000	50,000	437,500	12,500	0	0	0	0	\$500,000
Trail Along The Rail	329,117	1,500	327,618	0	0	0	0	0	\$329,118
WTSC School Zone Flashers	125,878	206,413	0	0	0	0	0	0	\$206,413
Complete Streets- Ped/Bike Gaps	5,000	3,100	0	0	0	0	0	0	\$3,100
Echo Lake Safe Routes To School	0	1,335	0	0	0	0	0	0	\$1,335
<b>System Preservation Projects</b>									
Annual Road Surface Maintenance Program	4,920,925	4,061,102	650,000	1,350,000	530,000	530,000	530,000	530,000	\$8,181,102
Traffic Signal Rehabilitation Program	321,638	318,606	140,711	147,747	152,180	156,745	156,745	156,745	\$1,229,479
Curb Ramp, Gutter And Sidewalk Maintenance Program	13,670	28,986	0	0	0	0	0	0	\$28,986
<b>Safety / Operations Projects</b>									
145th Corridor - 99th To I5	8,761,800	5,705,355	7,513,071	12,925,303	10,138,108	9,742,555	9,568,555	8,022,243	\$63,615,190
145th and I5 Interchange	1,700,000	1,700,000	4,161,905	638,095	18,500,000	0	0	0	\$25,000,000
160th and Greenwood/Innis Arden Intersection	101,548	131,939	0	100,000	270,000	1,710,000	0	0	\$2,211,939
N 175th St - Stone Ave N to I5	3,639,193	1,692,718	1,475,000	1,475,000	4,040,000	40,000	9,040,000	4,040,000	\$21,802,718
Meridian Ave Safe Impr	50,000	181,254	558,200	501,800	0	0	0	0	\$1,241,254
Westminster And 155th Improvements	5,259,284	4,288,785	11,311	0	0	0	0	0	\$4,300,096
Traffic Safety Improvements	391,387	339,226	175,355	184,123	193,330	199,130	199,130	199,130	\$1,489,424
Richmond Beach Mdblk Xing/Rect	217,700	217,830	1,166,600	20,264	0	0	0	0	\$1,404,694
Driveway Relocation Richmond Beach Rd	60,000	85,000	0	0	0	0	0	0	\$85,000
185th Corridor Study	390,691	359,765	0	0	0	0	0	0	\$359,765
Meridian Ave N & N 155Th St Signal Improv	481,085	952,374	0	0	0	0	0	0	\$952,374
<b>Non-Project Specific</b>									
General Fund Cost Allocation Overhead Charge	297,017	297,017	107,997	107,997	50,000	50,000	50,000	50,000	\$713,011
Transportation Master Plan Update	474,374	175,555	351,500	266,500	198,500	0	0	0	\$992,055
Roads Capital Engineering	871,027	1,062,833	539,617	642,037	642,037	661,298	681,137	683,180	\$4,912,139
<b>Roads Capital Fund Total</b>	<b>\$39,507,706</b>	<b>\$24,748,521</b>	<b>\$25,562,036</b>	<b>\$29,550,331</b>	<b>\$38,814,155</b>	<b>\$17,089,728</b>	<b>\$41,652,090</b>	<b>\$18,181,298</b>	<b>\$195,598,159</b>



	Current 2019-2020	Estimate 2019-2020	Proposed 2021	Proposed 2022	Proposed 2023	Proposed 2024	Proposed 2025	Proposed 2026	Total 2019-2026
<b>EXPENDITURES</b>									
<b>Fund</b>									
<b>Project Category</b>									
<b>Surface Water Capital</b>									
<b>Capacity</b>									
10th Ave NE Drainage Improvements	\$539,895	\$410,671	\$12,500	\$5,000	\$1,430,000	\$0	\$0	\$0	\$1,858,171
25th Ave NE Ditch Improv Between NE 177th And 178th Street	0	0	158,697	0	0	0	0	0	\$158,697
25th Ave. NE Flood Reduction Improvements	633,831	466,339	56,275	0	0	0	0	0	\$522,614
Heron Creek Culvert Crossing At Springdale Ct NW	0	0	0	446,900	460,307	1,703,990	958,311	0	\$3,569,508
NE 148th Infiltration Facilities	448,904	74,747	457,500	10,000	0	0	0	0	\$542,247
NW 195th Place And Richmond Beach Drive Flooding	0	0	0	432,989	445,978	0	0	0	\$878,967
<b>Repair and Replacement</b>									
Hidden Lake Dam Removal	1,979,204	1,051,792	242,548	2,252,452	50,000	1,925,000	1,925,000	0	\$7,446,792
Pump Station 26 Improvements	334,180	460,291	2,326,000	2,233	0	0	0	0	\$2,788,524
Pump Station 30 Upgrades	91,258	10,328	0	292,000	1,825,000	0	0	0	\$2,127,328
Pump Station Miscellaneous Improvements	786,357	40,915	0	76,000	393,000	0	0	0	\$509,915
Stormwater Pipe Replacement Program	805,230	784,583	925,351	1,078,451	1,459,774	500,000	50,000	1,500,000	\$6,298,159
Surface Water Small Projects	646,088	438,302	1,067,352	391,907	630,459	772,898	50,000	650,000	\$4,000,918
Westminster Way N Pipe Replacement	0	500,000	0	0	0	0	0	0	\$500,000
<b>Other</b>									
Boeing Creek Regional Stormwater Facility Study	60,704	21,495	0	0	0	0	0	0	\$21,495
Storm Creek Erosion Management Study	77,128	77,128	0	0	0	0	0	0	\$77,128
Climate Impacts And Resiliency Study	84,872	84,872	0	0	0	0	0	0	\$84,872
System Capacity Modeling Study	318,270	418,270	0	0	0	0	0	0	\$418,270
<b>Non-Project Specific</b>									
Surface Water Master Plan	0	0	0	289,819	298,513	0	0	0	\$588,332
General Fund Cost Allocation Overhead Charge	395,015	395,015	209,357	209,357	238,762	245,925	245,925	245,925	\$1,790,266
Transfers Out	242,571	212,893	997,066	0	20,000	0	0	0	\$1,229,959
Surface Water Capital Engineering	421,617	378,149	223,270	248,770	258,721	269,070	279,832	291,026	\$1,948,838
<b>Surface Water Capital Fund Total</b>	<b>\$7,865,124</b>	<b>\$5,825,790</b>	<b>\$6,675,916</b>	<b>\$5,735,878</b>	<b>\$7,510,514</b>	<b>\$5,416,883</b>	<b>\$3,509,068</b>	<b>\$2,686,951</b>	<b>\$37,361,000</b>
<b>TOTAL EXPENDITURES</b>	<b>\$81,252,738</b>	<b>\$63,313,518</b>	<b>\$39,743,117</b>	<b>\$37,534,388</b>	<b>\$49,283,451</b>	<b>\$26,030,880</b>	<b>\$65,898,846</b>	<b>\$27,714,219</b>	<b>\$309,518,420</b>

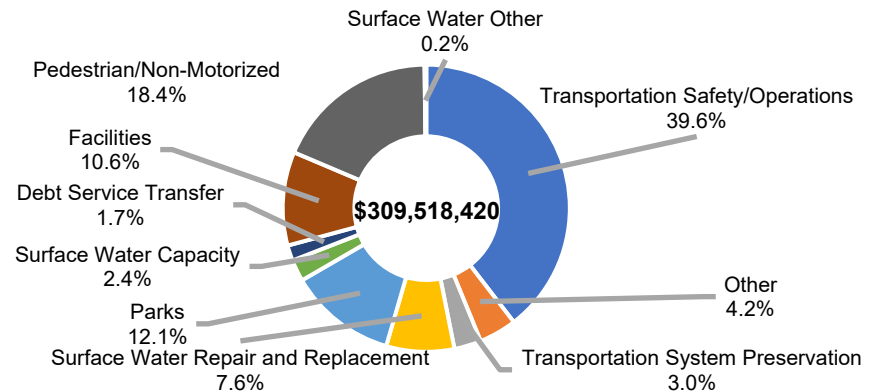
	Current 2019-2020	Estimate 2019-2020	Proposed 2021	Proposed 2022	Proposed 2023	Proposed 2024	Proposed 2025	Proposed 2026	Total 2019-2026
<b>RESOURCES</b>									
General Fund Contribution	\$5,473,413	\$4,362,352	\$3,545,384	\$498,496	\$649,869	\$287,251	\$291,439	\$295,753	\$9,930,544
Surface Water Utility Fund Contribution	242,571	712,893	997,066	0	20,000	0	0	0	\$1,729,959
Transportation Benefit District	1,452,500	2,240,554	323,741	237,741	0	0	0	0	\$2,802,036
Transportation Benefit District (*)	511,616	0	0	0	0	0	0	0	\$0
Transportation Impact Fees	486,000	227,391	199,125	668,576	4,040,000	40,000	4,040,000	1,040,000	\$10,255,092
Park Impact Fees	175,000	300,000	750,000	0	0	0	0	0	\$1,050,000
Bond Proceeds for New Sidewalks	4,245,000	453,154	2,181,803	5,530,000	2,800,000	4,000,000	4,500,000	4,500,000	\$23,964,957
Real Estate Excise Tax - 1st Quarter Percent	2,333,072	2,974,416	1,080,213	1,109,160	1,122,904	1,277,450	1,405,001	1,533,825	\$10,502,969
Real Estate Excise Tax - 2nd Quarter Percent	2,333,072	2,748,433	1,080,213	1,109,160	1,122,904	1,277,450	1,405,001	1,533,825	\$10,276,986
Limited Tax GO BAN 2018	25,000,000	25,000,000	0	0	0	0	0	0	\$25,000,000
Soccer Field Rental Contribution	260,000	260,000	130,000	130,000	130,000	130,000	130,000	130,000	\$1,040,000
Cable - Education/ Govt. Grant	0	20,775	0	0	0	0	0	0	\$20,775
Insurance Restitution	33,464	15,500	0	0	0	0	0	0	\$15,500
Surface Water Fees	3,240,327	2,293,706	2,729,957	(10,007,617)	5,970,284	3,172,419	3,215,039	3,687,451	\$11,061,239
Investment Interest Income	187,384	211,130	27,515	122,840	274,960	156,806	101,173	81,778	\$976,202
Sound Transit	0	0	989,491	2,710,509	10,000,000	0	0	0	\$13,700,000
King County Flood Zone District Opportunity Fund	221,796	221,796	110,898	110,898	110,898	110,898	110,898	110,898	\$887,184
KC - 4Culture Dev.Auth.	20,000	20,000	0	0	0	0	0	0	\$20,000
Conservation Futures Tax Grant	0	2,089,000	0	0	0	0	0	0	\$2,089,000
Grants - Awarded	17,957,102	16,085,338	18,550,682	9,563,758	9,796,411	204,000	30,000	30,000	\$54,260,189
Future Grants	5,660,000	0	0	6,481,975	10,051,448	9,568,555	29,371,734	10,622,243	\$66,095,955
Future Financing	0	200,000	3,900,000	11,850,000	0	0	0	0	\$15,950,000
Future Funding	1,907,000	0	490,000	265,000	103,316	1,779,500	18,801,300	5,161,200	\$26,600,316
King County Voter Approved Trail Funding	120,000	359,259	1,637,000	1,439,656	225,000	225,000	2,348,344	0	\$6,234,259
Private Donations	2,120,000	487,000	1,354,000	100,000	270,000	1,710,000	0	0	\$3,921,000
Use / (Gain) of Accumulated Fund Balance	7,273,421	2,030,821	(333,971)	5,614,236	2,595,457	2,091,551	148,918	(1,012,754)	\$11,134,257
<b>TOTAL RESOURCES</b>	<b>\$81,252,738</b>	<b>\$63,313,518</b>	<b>\$39,743,117</b>	<b>\$37,534,388</b>	<b>\$49,283,451</b>	<b>\$26,030,880</b>	<b>\$65,898,846</b>	<b>\$27,714,219</b>	<b>\$309,518,420</b>

**Capital Resources by Category**



\*Other includes Non-Project Specific and the General Fund Overhead Charge

**Capital Projects by Category**



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

<b>AGENDA TITLE:</b>	Public Hearing and Discussion of Ordinance No. 908 – Amending Shoreline Municipal Code Title 20 to Adopt Chapter 20.94, Point Wells – Planned Area 4
<b>DEPARTMENT:</b>	Planning and Community Development
<b>PRESENTED BY:</b>	Andrew Bauer, Senior Planner
<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:**

Point Wells, which is located in unincorporated Snohomish County, has been identified as a potential area for annexation by both the City of Shoreline and Town of Woodway. Each jurisdiction has an adopted subarea plan which details a vision and policies that would direct future redevelopment of the subarea.

A Settlement and Interlocal Agreement (ILA) between the City of Shoreline and Town of Woodway regarding Point Wells was signed in the fall of 2019 and amended earlier this year to extend some performance timelines due to the COVID-19 pandemic. As noted in the ILA, the City and the Town of Woodway have formed a joint work group with representatives from each jurisdiction to prepare a shared set of subarea plan policies and development regulations for the Point Wells Subarea intended to be implemented upon annexation by either Woodway or Shoreline.

Together with the Point Wells Subarea Plan update in the Comprehensive Plan Docket Amendments (proposed Ordinance No. 909), proposed Ordinance No. 908 (Attachment A) would establish a new zoning designation for the subarea that would become effective upon annexation. The proposed “Point Wells – Planned Area 4” development regulations would implement the subarea plan and zoning. Tonight, Council is scheduled to hold the first of two required public hearings to consider pre-annexation zoning and to discuss proposed Ordinance No. 908.

**RESOURCE/FINANCIAL IMPACT:**

Updates to the Point Wells Subarea Plan and adoption of zoning and development regulations for the subarea will provide some certainty to the adjacent community and the property owners in the subarea. If the subarea is annexed to Woodway, City staff would be involved in coordinating closely with the Town on any future development proposals. If the subarea is not annexed to Woodway then City staff time and resources could be used to pursue annexation. If annexed into Shoreline, the City would be the lead agency for future development proposals and environmental review.

## **RECOMMENDATION**

Tonight, in accordance with RCW 35A.14.340, Council is scheduled to hold the first of two required public hearings on the proposed pre-annexation zoning and development regulations in proposed Ordinance No. 908. The Planning Commission has recommended the City Council approve the proposed amendments, adding a new Chapter 20.94 entitled Point Wells – Planned Area 4. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation, as identified and discussed below. The second public hearing and potential action on proposed Ordinance No. 908 is tentatively scheduled for the December 14, 2020 Council meeting.

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

## **BACKGROUND**

Point Wells is an approximately 61-acre area of unincorporated Snohomish County. It is bound on the west by Puget Sound, on the north and east by the Town of Woodway, and on the south by the City of Shoreline. An active rail line, owned by Burlington Northern Santa Fe (BNSF), bisects a portion of the subarea on the east. There is also an existing portal structure near the southern portion of the subarea as part of the Brightwater sewage treatment pipeline, owned by King County. The only vehicle access to the subarea is through Shoreline via Richmond Beach Drive.

The majority of the subarea is owned by BSRE and is used as an asphalt plant. The subarea has been in industrial use for more than 50 years.



*Figure 1 – Point Wells Subarea*

The City of Shoreline’s first Comprehensive Plan was adopted in 1998 and designated the Point Wells Subarea as a Potential Annexation Area (PAA). The subarea’s designation was later revised to a Future Service and Annexation Area (FSAA) to recognize that even if the subarea is not annexed into the City, Shoreline may be the jurisdiction predominantly providing public services. The subarea has also been designated as a PAA for the Town of Woodway.

In 2019, the City and Town of Woodway entered into an ILA which identifies common areas of interest with respect to the Point Wells Subarea and its potential future annexation and redevelopment. As provided in the ILA, a joint work group consisting of staff from the two jurisdictions was formed.

The purpose of the work group was to develop a common set of policies and development regulations to be recommended for consideration to each respective Planning Commission and City Council. A common set of policies and regulations will create clarity for the subarea's vision, regardless of whether it is annexed to the Town of Woodway or the City of Shoreline. The draft Point Wells Subarea Plan and associated Planned Area 4 (PA 4) development regulations are the result of the joint work group's efforts.

While there are slight variations between Shoreline's and Woodway's draft regulations, the key elements are consistent. Like Shoreline, the Woodway Planning Commission and Town Council will be considering the subarea plan and regulations.

## **DISCUSSION**

### **Development Regulations: Point Wells – Planned Area 4**

The draft Point Wells – Planned Area 4 regulations would implement the subarea plan policies and provide development regulations that would apply to development within the Point Wells Subarea, if annexed to the City.

Consistent with the ILA, the regulations are structured such that any new development would require a development agreement – a City Council decision. A master plan for the subarea would be a required component of the development agreement. The master plan would set out the long-term phasing and future growth plan for the subarea and would identify proposed land uses, transportation network, open space, infrastructure, and phasing of development, among other components. Below is a summary of the primary elements of the draft development regulations:

#### ***Land Uses***

Allowable land uses in the PA 4 zone are intended to implement the subarea vision which calls for a: "pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation access." Auto-oriented uses such as drive-thrus and vehicle sales/service uses would be prohibited, along with other potentially undesirable uses. Consistent with the ILA, a provision is included which exempts from the requirement to enter into a development agreement for utility facilities in existence as of the date of an ordinance being adopted to enact the regulations (i.e. the Brightwater portal site).

#### ***Development Standards and Height***

Residential density would be limited to a maximum of 44 dwelling units per gross acre, with no buildings containing more than 60 dwelling units and building footprints no larger than 10,000 square feet as a way to minimize building bulk/scale. However, any development generating 250 or more average daily trips (ADT) would be required to provide a secondary vehicle access through Woodway.

Maximum building heights west of the BNSF rail line would be limited to 45 feet. The maximum height can be increased up to 75 feet if a view analysis demonstrates public views from Richmond Beach Drive to Admiralty Inlet are not impacted. Areas east of the BNSF rail line would be limited to a maximum building height of 35 feet and cannot

be increased as these areas are generally closer to existing development with similar heights.

### ***Parking***

The City and the Town of Woodway each have incorporated their existing parking standards into the draft regulations. While there are some differences between the two draft regulations as a result, the outcome is that each jurisdiction is able to rely on existing and accepted parking standards that have been adopted. In both instances, any land use which is not specifically identified with a parking ratio will need to provide a parking demand analysis that is subject to approval as part of a development agreement.

### ***Recreation and Open Space***

The ILA requires the regulations include mandatory public recreational facilities and public access to the Puget Sound shoreline with adequate public parking. The draft regulations require an integrated public open space network be planned and that it includes public open space, access to the shoreline, and parking.

### ***Transportation***

The PA 4 regulations incorporate the primary transportation-related elements of the ILA and subarea plan policies:

- Development would be required to prepare a transportation study, with the scope reviewed and approved by the City's Traffic Engineer;
- Development in the subarea shall not generate more than 4,000 average daily trips (ADT) onto Richmond Beach Drive, and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with a 0.9 volume-to-capacity (V/C) ratio;
- Any combination of uses that would generate 250 or more ADT requires a new public access road be constructed through Woodway to serve the subarea;
- Future development would need to plan for and develop a multimodal transportation network throughout the subarea and connecting to the surrounding network; and
- Two conceptual street cross sections (Primary and Secondary Street) are provided in the draft regulations. The street cross sections are intended to convey the minimum street standards that should be considered within the subarea. Alternative or additional street cross sections could be developed and approved as part of a development agreement, provided they meet the goals and policies of the subarea plan and support the anticipated land uses and anticipated traffic volumes.

### ***Outdoor Lighting***

Consistent with the ILA, some key principles of the 'dark skies' movement are incorporated into the draft regulations in addition to the City's existing lighting regulations.

### ***Use of Existing Development Regulations***

Like the parking ratios, the joint work group agreed that use of each jurisdiction's existing regulations was most efficient for landscaping, signs, and tree preservation and

management. The City is also utilizing existing development regulations related to design standards and sustainability. Meanwhile, Woodway's draft regulations include subarea-specific design standards and green development requirements as they do not have existing adopted regulations to draw upon. The joint work group discussed and agreed to this approach.

### ***Development Review Process***

As noted above, consistent with the ILA, the regulations would require any new development in the subarea be subject to a development agreement. The development agreement would be the primary land use entitlement and would require a master plan to set out the long term phasing and growth for the subarea and would identify proposed land uses, transportation network, open space, and phasing of development, among others. The City Council is the final decisionmaker for a development agreement.

Also, as part of the ILA, the regulations require the City to consult with Woodway on any land use permit application, and vice-a-versa. Staff from the outside jurisdiction would be invited to meetings and provided an opportunity to review and comment on permit applications, ensuring a base level of coordination.

Future amendments to the regulations also would require at least a 30-day notice to the Town of Woodway, and vice-a-versa. An opportunity for review and comment would be required prior to legislative action being taken to amend the development regulations.

### **Planning Commission Review**

Staff presented the proposed amendments to the Planning Commission at their September 17, 2020 meeting. The staff report for this Planning Commission discussion can be found at the following link:

<https://www.shorelinewa.gov/home/showdocument?id=49312>.

On October 15, 2020, the Planning Commission held a Public Hearing and subsequently made their recommendation to approve the proposed amendments. The staff report for the Planning Commission Public Hearing can be found at the following link: <https://www.shorelinewa.gov/home/showdocument?id=49556>.

The Planning Commission recommendation memo is attached to this staff report as Attachment B.

### **Staff Proposed Revisions**

Staff is recommending two revisions to the Planning Commission recommendation:

#### ***Staff Proposed Revision #1***

*20.94.025 Development standards.*

- A. Residential Density. Development shall not exceed a maximum density of 44 dwelling units per gross-net acre. For purposes of this section, net acre shall mean the acreage of a site, excluding roads, drainage detention/retention areas, biofiltration swales, areas required for public use, lands covered by high tides, and critical areas and their required buffers.*
- B. No building within the development shall exceed 60 dwelling units.*



- C. *No building within the development shall have a footprint that exceeds 10,000 square feet.*
- D. *Setbacks. Setbacks shall be consistent with applicable design standards and identified as part of an approved development agreement.*
- E. *Lot dimensions. There is no minimum lot size or width. Any subdivision of land or alteration of property lines is subject to Subchapter 7 of the Development Code, Subdivisions.*
- F. *Utilities. All utilities shall be underground. Location of utilities and mechanical areas shall comply with applicable design standards.*

Rationale: As discussed above, the Town of Woodway is considering similar policies and regulations pursuant to the ILA. The joint work group made up of staff from Woodway and Shoreline discussed revising the subarea plan policies and regulations to have residential density calculated using net acres instead of gross acres. This change is likely to result in a lower potential yield of dwelling units as it does not allow for areas such as roads, open space, critical areas, and areas below high tides be counted for purposes of calculating residential density. Amendments being considered by Woodway will also be proposing the use of net density. Staff is recommending Shoreline's amendments be revised to maintain alignment with Woodway as called for in the ILA.

### **Staff Proposed Revision #2**

#### *20.94.045 Transportation.*

*A transportation study shall be prepared and submitted with the application for a development agreement. The scope of the transportation study shall be established by the City Traffic Engineer and include at a minimum the following elements:*

- A. *Development within Point Wells shall comply with the following traffic restrictions:*
  - 1. ~~not generate more than to 4,000 average daily trips (ADT) onto Richmond Beach Drive shall be limited to 4,000 average daily trips (ADT) and; within the City of Shoreline and~~*
  - 2. ~~The remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.~~*
- B. *Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation network and provides a full second vehicular access point from Point Wells into Woodway.*
- C. *Connectivity. Development in the PA 4 zone shall provide a network of streets, sidewalks, and multipurpose pathways that are well connected and provide efficient circulation throughout the zone and connect to the surrounding transportation network.*
- D. *Public and private street cross sections. Street cross sections shall be developed to complement adjoining land uses and implement applicable design standards while also meeting engineering standards for safety and function, and the most recently adopted City of Shoreline Engineering Development Manual. Cross sections for each type of street within the development shall be reviewed and approved*

*concurrently with a development agreement. The table below describes the primary elements for types of streets anticipated within a development.*

**Rationale:** The staff recommended revision will clarify the vehicle trip limit, LOS, and V/C limit are all restrictions that generally apply, regardless of any future development in the Point Wells Subarea. As written, it could be understood that a Point Wells development could add up to 4,000 ADT to Richmond Beach Drive or other impacts up to the LOS and V/C limits. Instead, it is intended that these traffic limitations are effective, and the proposed policy and associated regulations are identifying them as they are likely to relate to any future use or development in the Point Wells Subarea.

### ***Staff Proposed Revision Process***

If Council is supportive of the proposed revisions to proposed Ordinance No. 908, staff will develop amendatory language for Council to use when proposed Ordinance No. 908 is brought back to Council for potential adoption on December 14, 2020.

### **Analysis**

#### ***Development Code Amendment Decision Criteria***

In accordance with SMC 20.30.350.A, an amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

The Planning Commission may recommend to the City Council to approve or approve with modifications an amendment to the Development Code if all of the following are satisfied:

#### ***1. The amendment is in accordance with the Comprehensive Plan***

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

- *Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*
- *LU 7: Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and “third places.”*
- *LU51: Pursue annexation of Point Wells pursuant to the Settlement and Interlocal Agreement between City of Shoreline and Town of Woodway. If annexed to the City of Shoreline implement the Planned Area 4 land use designation and the City of Shoreline Point Wells Subarea Plan (as proposed to be amended).*
- *CD18: Preserve, encourage, and enhance open space as a key element of the community’s character through parks, trails, water features, and other significant properties that provide public benefit.*

- *CD19: Preserve and enhance views from public places of water, mountains, or other unique landmarks as valuable civic assets.*
- *CD20: Provide public spaces of various sizes and types throughout the community.*
- *T15: Balance the necessity for motor vehicle access to and from new development with the need to minimize traffic impacts to existing neighborhoods.*

**2. The amendment will not adversely affect the public health, safety or general welfare**

The draft regulations would implement the Point Wells Subarea Plan which envisions a pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation. Provisions in the draft regulations and throughout the existing Development Code address the public health, safety, and general welfare. Necessary public facilities, infrastructure, services, and utilities are required to be in place prior to the approval of a development agreement within the subarea.

**3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.**

The draft regulations incorporate all of the elements of the ILA between the City of Shoreline and the Town of Woodway and would align the vision and implementation for the Point Wells Subarea, regardless of whether the area is ultimately annexed to the Town of Woodway or City of Shoreline. The alignment of these fundamental regulations is intended to provide clarity and certainty to each jurisdiction and their residents and reduce the likelihood of potential future cross-jurisdictional disagreements.

The draft regulations also ensure a certain level of coordination and cooperation by requiring consultation on land use permit applications and notice upon consideration of amendments to the development regulations.

***Pros to Approval of Amendments***

The draft subarea plan and development regulations are consistent with the ILA between the City and Woodway. If adopted, the PA 4 regulations would implement the Point Wells Subarea Plan and create certainty for the future use and development of the subarea. The City’s zoning would only take effect if the subarea is annexed to the City, however, the Town of Woodway is considering similar policies and regulations that would also become effective upon the Town’s annexation of the subarea. The regulations also ensure a certain level of coordination and notification between the City and Woodway.

***Cons to Approval of Amendments***

The development regulations are written specifically for Point Wells and would become effective only upon annexation of the Point Wells subarea to the City. The PA 4 zoning designation and regulations would not apply anywhere else.

### **STAKEHOLDER INPUT/OUTREACH**

The City issued a press release on September 10, 2020 to inform the public of the draft amendments being discussed by the Planning Commission. The property owners within the subarea, affected agencies, and the City's Point Wells E-notification list of more than 1,200 email subscribers were provided notification of the Planning Commission's Public Hearing on October 15, 2020.

Pursuant to RCW 35A.14.340, proposed development regulations within a potential annexation area require the legislative body hold at least two public hearings on the proposed regulations and they be at least 30 days apart. The first public hearing is scheduled for tonight, November 9, 2020, and the second public hearing is tentatively scheduled for December 14, 2020.

### **RESOURCE/FINANCIAL IMPACT**

Updates to the Point Wells Subarea Plan and adoption of zoning and development regulations for the subarea will provide some certainty to the adjacent community and the property owners in the subarea. If the subarea is annexed to Woodway, City staff would be involved in coordinating closely with the Town on any future development proposals. If the subarea is not annexed to Woodway then City staff time and resources could be used to pursue annexation. If annexed into Shoreline, the City would be the lead agency for future development proposals and environmental review.

### **RECOMMENDATION**

Tonight, in accordance with RCW 35A.14.340, Council is scheduled to hold the first of two required public hearings on the proposed pre-annexation zoning and development regulations in proposed Ordinance No. 908. The Planning Commission has recommended the City Council approve the proposed amendments, adding a new Chapter 20.94 entitled Point Wells – Planned Area 4. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation, as identified and discussed below. The second public hearing and potential action on proposed Ordinance No. 908 is tentatively scheduled for the December 14, 2020 Council meeting.

### **ATTACHMENTS**

Attachment A – Proposed Ordinance No. 908

Exhibit A – Proposed Chapter SMC 20.94, Point Wells – Planned Area 4

Attachment B – Planning Commission Recommendation Memo

**ORDINANCE NO. 908**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
ADOPTING PRE-ANNEXATION ZONING FOR THE POINT WELLS  
SUBAREA AND ADDING A NEW CHAPTER, CHAPTER 20.94 POINT  
WELLS – PLANNED AREA 4, TO TITLE 20 OF THE SHORELINE  
MUNICIPAL CODE.**

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, Title 36.70A RCW; and

WHEREAS, in 1998, the City designated Point Wells as a potential annexation area and since that time has set forth Comprehensive Plan policies and goals to annex the Point Wells area, adopting the Point Wells Subarea Plan in 2010; and

WHEREAS, RCW 35A.14.330 authorizes the City to propose zoning regulations that will become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, on September 17, 2020, the City of Shoreline Planning Commission reviewed the proposed Pre-Annexation Zoning; and

WHEREAS, on October 15, 2020, the City of Shoreline Planning Commission held a public hearing on the proposed Pre-Annexation Zoning virtually via Zoom so as to receive public testimony and, at the conclusion of the public hearing, the City of Shoreline Planning Commission voted that the proposed Pre-Annexation Zoning, as presented by Planning staff, be approved by the City Council; and

WHEREAS, RCW 35A.14.340 requires that the City Council hold two or more public hearings, at least thirty days apart, on the proposed Pre-Annexation Zoning; and

WHEREAS, on November 9, 2020 and December 14, 2020, the City Council held the required public hearings on the Pre-Annexation Zoning so as to receive public testimony; both hearings were conducted virtually via Zoom; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the proposed Pre-Annexation Zoning and the public hearings as provided in SMC 20.30.070 and RCW 35A.14.340; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the proposed Development Code amendments; and

WHEREAS, the environmental impacts of the proposed Pre-Annexation Zoning resulted in the issuance of a Determination of Non-Significance (DNS) on September 30, 2020; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan, specifically the Point Wells Subarea Plan; serve the purpose of the Unified Development Code as set forth in SMC 20.10.020; and are designed consistent with RCW 35A.14.330;

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

**Section 1. Amendment – New Chapter.** Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended to add a new chapter, Chapter 20.94 Point Wells – Planned Area 4, as set forth in Exhibit A to this Ordinance.

**Section 2. Transmittal of Amendment to Washington State Department of Commerce.**

A. As required by RCW 36.70A.106, the Director of Planning and Community Development or designee shall transmit a complete and accurate copy of this Ordinance and Exhibit A to the Washington State Department of Commerce within ten (10) calendar days of the date of passage.

B. The City Clerk shall denote the date of transmittal after the signature lines of this Ordinance as provided herein.

**Section 3. 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 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.

**PASSED BY THE CITY COUNCIL ON DECEMBER 14, 2020.**

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

ATTEST:

APPROVED AS TO FORM:

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

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

Date of Publication: , 2020  
Effective Date: , 2020

Transmittal Date to Commerce: , 2020

**Chapter 20.94**  
**Point Wells – Planned Area 4**

**20.94.010 Purpose and applicability.**

The purpose of the Point Wells – Planned Area 4 (“PA 4”) zone is to implement the goals and policies of the Point Wells Subarea Plan, which envisions a pedestrian-oriented mixed-use development consisting of primarily residential uses in a variety of housing types with limited commercial uses along with public recreation access.

**20.94.015 Relationship to other regulations.**

Development in the PA 4 zone is subject to SMC 20.80, Critical Areas; Division II of the Development Code, Shoreline Master Plan; and SMC 13.12, Floodplain Management. Where conflicts occur between provisions of this subchapter and other City regulations, the more restrictive provisions shall apply.

**20.94.020 Permitted uses.**

- A. Land uses listed in Table 20.94.020A are permitted, subject to an approved development agreement.
- B. Land uses not listed in Table 20.94.020A may be permitted as part of an approved development agreement, provided the development agreement includes written findings that the unlisted land use(s) is consistent with the Point Wells Subarea Plan and the purpose of this subchapter.

Table 20.94.020A

<b>NAICS #</b>	<b>SPECIFIC LAND USE</b>
	<u>Live/work units</u>
	<u>Assisted living facilities</u>
	<u>Apartment/Multifamily</u>
	<u>Single-Family Attached (Townhomes)</u>
	<u>Single-family Detached</u>
<u>722</u>	<u>Eating and Drinking Establishments (excluding Gambling Uses)<sup>1</sup></u>
<u>72111</u>	<u>Hotel/Motel</u>
	<u>General Retail Trade/Services<sup>2</sup></u>
	<u>Professional Office</u>
	<u>Parks and Trails</u>
	<u>Recreation/cultural</u>
	<u>Personal services</u>
	<u>Financial institutions</u>
	<u>Parking structures and surface parking lots, accessory to a primary use</u>
	<u>Health and fitness facilities</u>
<u>921</u>	<u>General government/public administration facilities</u>
<u>92216</u>	<u>Fire facility</u>
<u>92212</u>	<u>Police facility</u>
<u>221</u>	<u>Utilities<sup>3</sup></u>
	<u>Wireless Telecommunication Facility<sup>4</sup></u>
	<u>Home Occupation</u>
	<u>Accessory dwelling units</u>



Footnotes:

1. Drive-thrus are prohibited.
2. These general retail trade/services are prohibited in the PA 4 zone:
  - a. Adult use facilities;
  - b. Smoke/vape shop (a business that sells drug paraphernalia and smoking products);
  - c. Marijuana Operations
  - d. Firearm sales;
  - e. Pawnshops; and
  - f. Vehicle sales and service.
3. Utility facilities necessary to serve development in the PA 4 zone are permitted. Utility transmission and distribution shall be located underground. Utility facilities in existence as of [date of ord.] are not subject to a Development Agreement or Master Development Plan.
4. Subject to the provisions of SMC 20.40.600.

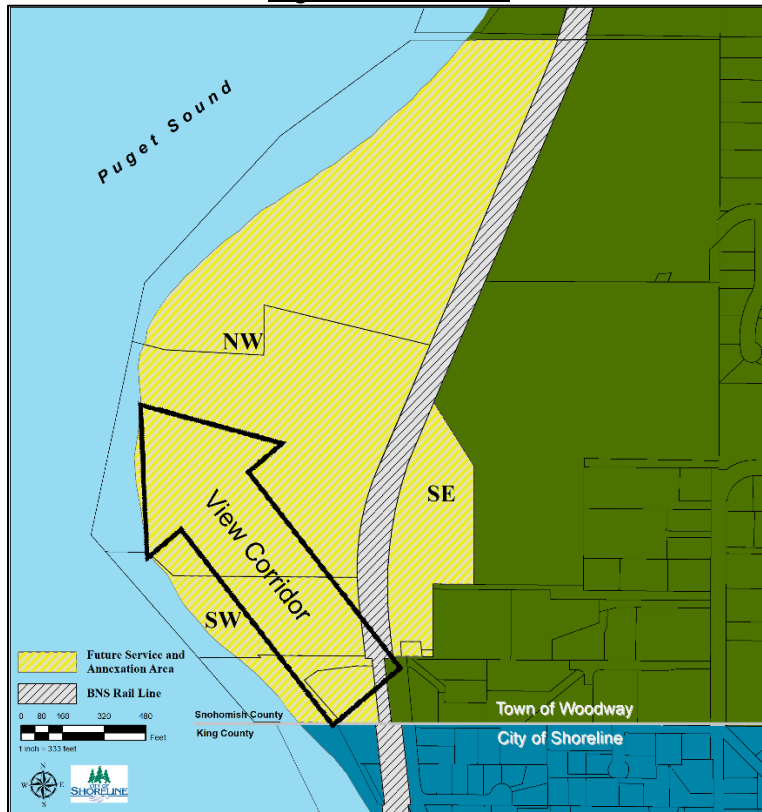
**20.94.025 Development standards.**

- A. Residential Density. Development shall not exceed a maximum density of 44 dwelling units per gross acre.
- B. No building within the development shall exceed 60 dwelling units.
- C. No building within the development shall have a footprint that exceeds 10,000 square feet.
- D. Setbacks. Setbacks shall be consistent with applicable design standards and identified as part of an approved development agreement.
- E. Lot dimensions. There is no minimum lot size or width. Any subdivision of land or alteration of property lines is subject to Subchapter 7 of the Development Code, Subdivisions.
- F. Utilities. All utilities shall be underground. Location of utilities and mechanical areas shall comply with applicable design standards.

**20.94.030 Building Height**

- A. The maximum building height shall be 45 feet, except areas east of the BNSF railroad right-of-way the maximum building height shall be 35 feet.
- B. The maximum building height may be increased to 75 feet west of the BNSF railroad right-of-way provided the applicant conducts a view analysis demonstrating public views from Richmond Beach Drive to Admiralty Inlet are not impacted (as depicted on Figure 20.94.030A). The view analysis and accompanying height limits shall be reviewed and approved concurrently with a development agreement.
- C. Building height shall be measured pursuant to SMC 20.50.050.

Figure 20.94.030A



**20.94.035 Parking.**

A. Development in the PA 4 zone shall comply with the following parking ratios:

Table 20.94.035A

<b>Use</b>	<b>Minimum Spaces Required</b>
<u>Single-family detached/attached/townhouse</u>	<u>2.0 per dwelling unit</u>
<u>Apartment/Multifamily:</u>	
<u>Studio and one bedroom units</u>	<u>0.75 per dwelling unit</u>
<u>Two bedroom or more units</u>	<u>1.5 per dwelling unit</u>
<u>Accessory dwelling units</u>	<u>1.0 per dwelling unit</u>
<u>Home occupation</u>	<u>In addition to required parking for the dwelling unit, 1 for any nonresident employed by the home occupation and 1 for patrons when services are rendered on site</u>
<u>Assisted Living Facilities</u>	<u>1 per 3 dwelling or sleeping units</u>
<u>Restaurants</u>	<u>1 per 75 square feet in dining or lounge area</u>
<u>Hotel/Motel</u>	<u>1 per unit</u>
<u>Conference center</u>	<u>1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces</u>
<u>Retail trade uses</u>	<u>1 per 400 square feet</u>
<u>Professional office uses</u>	<u>1 per 500 square feet</u>
<u>Recreation/culture</u>	<u>1 per 300 square feet</u>

<u>Use</u>	<u>Minimum Spaces Required</u>
<u>Parks and trails and public access to shorelines</u>	<u>Parking analysis</u>
<u>General services uses</u>	<u>1 per 300 square feet</u>
<u>Health and fitness facilities</u>	<u>1 per 300 square feet</u>
<u>Public facilities and utilities</u>	<u>Parking analysis</u>

Note: Square feet in the table above refers to net usable area and excludes walls, corridors, lobbies, bathrooms, etc.

- B. If the formula for determining the number of parking spaces results in a fraction, the number of parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.
- C. Uses not listed, or uses listed with a parking ratio referring to "Parking analysis" in Table 20.94.035A shall undergo a parking demand analysis prepared by a qualified professional with expertise in parking demand studies. The parking demand study shall be reviewed and approved concurrently with a development agreement.
- D. Public parking areas shall be distributed throughout the project and provided at a rate appropriate to serve publicly-accessible recreation and open space areas.
- E. An applicant may request a reduction of the minimum required parking spaces with the approval of a parking management plan. The parking management plan shall be reviewed and approved concurrently with a development agreement.
- F. Development in the PA 4 zone shall comply with SMC 20.50.410, Parking design standards; SMC 20.50.420, Vehicle access and circulation; and SMC 20.50.440, Bicycle facilities.

**20.94.040 Recreation and open space.**

- A. Development in the PA 4 zone shall provide an integrated public open space network that links together the various open spaces throughout the development and provides public access to shorelines, public open space areas, and publicly-accessible parking.
- B. All development shall provide public recreation and open space at a minimum rate of 10 percent of the gross site area. The minimum public recreation and open space area shall not include, and shall be in addition to, shoreline public access as required pursuant to the Shoreline Management Act, RCW 90.58.
- C. Public recreation and open space areas shall include a mix of active and passive uses.
- D. For developments with an approved phasing plan, each phase of a development shall include a minimum of 10 percent of the gross recreation and open space area required for the phase.

**20.94.045 Transportation.**

A transportation study shall be prepared and submitted with the application for a development agreement. The scope of the transportation study shall be established by the City Traffic Engineer and include at a minimum the following elements:

- A. Development within Point Wells shall not generate more than to 4,000 average daily trips (ADT) onto Richmond Beach Drive within the City of Shoreline and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.
- B. Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation

network and provides a full second vehicular access point from Point Wells into Woodway.

- C. Connectivity. Development in the PA 4 zone shall provide a network of streets, sidewalks, and multipurpose pathways that are well connected and provide efficient circulation throughout the zone and connect to the surrounding transportation network.
- D. Public and private street cross sections. Street cross sections shall be developed to complement adjoining land uses and implement applicable design standards while also meeting engineering standards for safety and function, and the most recently adopted City of Shoreline Engineering Development Manual. Cross sections for each type of street within the development shall be reviewed and approved concurrently with a development agreement. The table below describes the primary elements for types of streets anticipated within a development.

Table 20.94.045A

<b>Feature</b>	<b>Primary Street (both sides)</b>	<b>Secondary Street (both sides)</b>
Sidewalk	12'	7'
Amenity Zone	5'	5'
Landscaping	Street trees 30' on center	Street trees 30' on center
On Street Parking	Yes (both sides)	Yes (one side)
General Purpose Lane	11' max. lane width	10.5' max. lane width
Right-of-Way Minimum	60'-70'	52.5'

Figure 20.94.045A – Primary Street

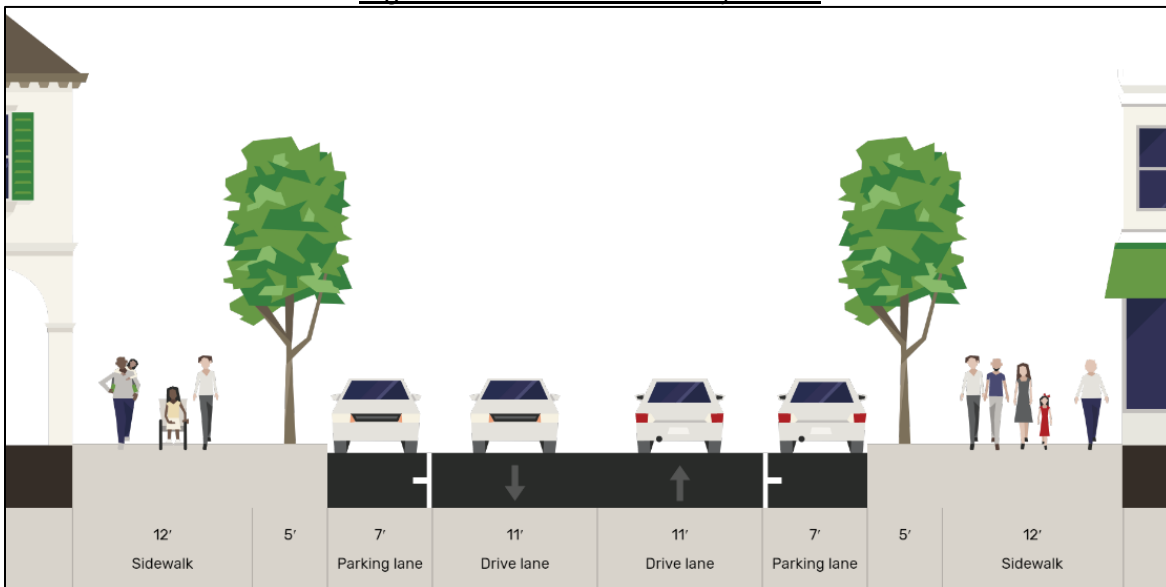
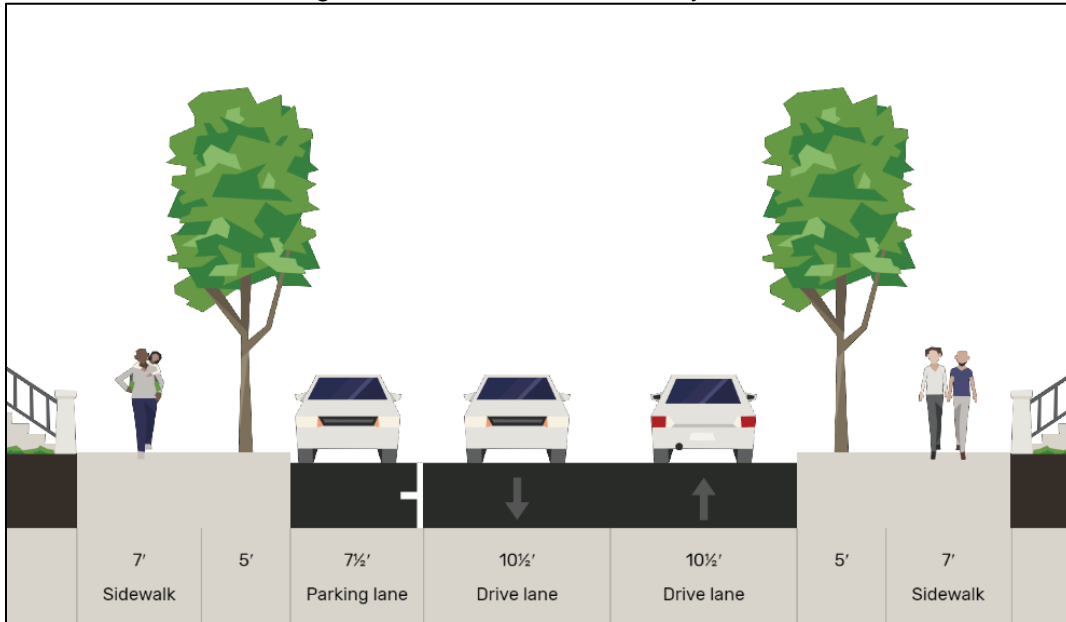


Figure 20.94.045B – Secondary Street



**20.94.050 Design standards.**

Development in the PA 4 zone other than single family detached homes is subject to SMC 20.50 Subchapter 3, Single-Family Attached Residential Design or SMC 20.50 Subchapter 4, Commercial and Multifamily Zone Design.

**20.94.055 Landscaping.**

Landscaping shall be provided throughout the site and integrated as part of the overall project design. Landscaping shall be provided on the perimeter of the site adjacent to existing development. A development-wide conceptual landscape plan identifying landscape locations, dimensions, and type shall be reviewed and approved with the development agreement.

**20.94.060 Signs.**

Signs within the PA 4 zone shall comply with SMC 20.50 Subchapter 8, Signs.

**20.94.065 Sustainability.**

Development in the PA 4 zone shall meet or exceed Tier 4 of the Deep Green development standards, as defined in SMC 20.50 Subchapter 9, Deep Green Incentive Program.

**20.94.070 Outdoor Lighting.**

- A. In addition to the lighting standards in SMC 20.50.115 and the lighting requirements in the design standards, outdoor lighting shall be located and designed to eliminate light pollution by meeting the following:
1. Fixtures shall contain shielding and/or direct cut-off lighting;
  2. Fixtures shall be no brighter than necessary to light the intended area;
  3. Color temperatures shall minimize blue light emissions to the extent feasible;
  4. Timers, dimmers, motion sensors or other adaptive control methods shall be utilized where feasible to turn off lighting when unnecessary; and
  5. Up-lighting shall be limited to accent features, landscaping, and state or federal flags.

### **20.94.075 Tree Preservation and Management**

Development in the PA 4 zone shall comply with SMC 20.50 Subchapter 5, Tree Conservation, Land Clearing and Site Grading Standards.

### **20.94.080 Neighborhood meeting.**

- A. The applicant shall conduct a neighborhood meeting to discuss the proposed development. The meeting must be held at least 30 days prior to submitting a development agreement application.
- B. The purpose of the neighborhood meeting is to:
  - 1. Ensure the applicant pursues early and effective public participation in conjunction with the proposal, giving the applicant an opportunity to understand and mitigate any real and perceived impacts the proposed development might have to the neighborhood or neighboring cities;
  - 2. Ensure that residents, property owners, business owners, and nearby cities have an opportunity at an early stage to learn about how the proposed development might affect them and to work with the applicant to resolve concerns prior to submittal of a development application.
- C. The neighborhood meeting shall meet the following requirements:
  - 1. Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time and location of the neighborhood meeting and a description of the project, zoning of the property, site and vicinity maps, the land use applications that may be required, and the name and contact information of the applicant or representative of the applicant to contact for additional information.
  - 2. The 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 500 feet of adjacent neighborhoods, those chairs shall also be notified), any city or town whose municipal boundaries are within one mile of the subject property, and to the Department.
  - 3. The notice shall be postmarked 10 to 14 days prior to the neighborhood meeting.
  - 4. The neighborhood meeting shall be held within the City limits of Shoreline.
  - 5. The neighborhood meeting shall be held anytime between the hours of 5:30 p.m. and 9:30 p.m. on weekdays or anytime between the hours of 9:00 a.m. and 9:00 p.m. on weekends.
- D. The neighborhood meeting agenda shall cover the following items:
  - 1. Introduction of neighborhood meeting organizer (i.e. developer, property owner, etc.);
  - 2. Description of proposed project that includes proposed mix of land uses including the number of dwelling units and amount of nonresidential square footage, number of parking spaces, and location and amount of open space;
  - 3. Listing of permits that are anticipated for the project;
  - 4. Description of how comments made at the neighborhood meeting will be used;
  - 5. Provide meeting attendees with the City's contact information;
  - 6. Provide a sign-up sheet for attendees.
- E. The applicant shall provide to the City a written summary of the neighborhood meeting to be included with the development application. The summary shall include the following:
  - 1. A copy of the mailed notice of the neighborhood meeting with a list to whom it was mailed;
  - 2. A list of persons who attended the meeting and their addresses;

3. A summary of concerns, issues, and problems expressed during the meeting.

**20.94.085 Review process.**

- A. A development agreement, pursuant to RCW 36.70B.170 is required for any new development in the PA 4 zone and shall set forth the development standards, conditions, and other provisions that shall apply to govern and vest the development, use, and mitigation of the development. For the purposes of this section, “development standards” includes, but is not limited to:
  1. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
  2. The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of State law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;
  3. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;
  4. Design standards such as building massing, architectural elements, maximum heights, setbacks, conceptual street and streetscapes, drainage and water quality requirements, palette of potential building materials, conceptual lighting, landscaping, and other development features;
  5. Affordable housing units;
  6. Park development and open space preservation;
  7. Phasing of development;
  8. Review procedures and standards for implementing decisions;
  9. A build-out or vesting period for applicable standards;
  10. Any other appropriate development requirement or procedure;
  11. Preservation of significant trees; and
  12. Connecting, establishing, and improving nonmotorized access.
- B. The City Council shall review the development agreement and may approve, or approve within conditions, the development agreement when all of the following are met:
  1. The proposed development is consistent with goals and policies of the Comprehensive Plan as well as the goals and policies of the Point Wells Subarea Plan.
  2. The proposed development is consistent with the goals, policies, and regulations of the City’s Shoreline Master Program.
  3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) that meet the City’s adopted level of service standards (as confirmed by the performance of a transportation impact analysis) 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 development agreement, the applicant must identify a plan for funding their proportionate share of the improvements.
  4. 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 development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

5. The development demonstrates high quality design elements consistent with the City's applicable design standards as referenced in SMC 20.50, Subchapters 2-4.
- C. Development agreement approval procedures. The City Council may approve development agreements through the following procedure:
1. A development agreement application incorporating the elements stated in subsection B of this section may be submitted by a property owner with any additional related information as determined by the Director. After staff review and SEPA compliance, the Planning Commission shall conduct a public hearing on the application. The Planning Commission shall then make a recommendation to the City Council pursuant to the criteria set forth in subsection B of this section and the applicable goals and policies of the Comprehensive Plan. The City Council shall approve, approve with additional conditions, or deny the development agreement by ordinance or resolution;
  2. Recorded Development Agreement. Upon City Council approval of a development agreement under the procedure set forth in this subsection C, the property owner shall execute and record the development agreement with the Snohomish County Auditor's Office to run with the land and bind and govern development of the property.
- D. Consultation on land use permit applications. The City shall provide the Town of Woodway written notice of all land use permit applications in the PA 4 zone within 30 days of permit application, consistent with chapter 36.70B RCW, Local Project Review. Staff from the Town of Woodway shall be invited to attend meetings between Shoreline staff and the applicant relating to such permit applications, pre-application meetings, and shall be provided an opportunity to review and comment.

**20.94.090 Amendments to regulations and standards.**

The City of Shoreline shall provide the Town of Woodway with at least 30 calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, before any legislative actions that may modify or amend the PA 4 development regulations, or that otherwise impacts the uses, development, or redevelopment of the Point Wells area. Notice shall include, but not be limited to, notice of all Planning Commission and City Council meetings and hearings related to such legislative considerations or actions.





TO: Honorable Members of the Shoreline City Council

FROM: Jack Malek, Vice Chair  
Shoreline Planning Commission

DATE: October 15, 2020

RE: Point Wells Pre-Annexation Zoning

The Shoreline Planning Commission has completed its review of the proposed Pre-Annexation Zoning for the Point Wells Area. While annexation of Point Wells has been a long-standing goal of the City, the adoption of Pre-Annexation Zoning at this time is the result of the Settlement and Interlocal Services Agreement between the City and the Town of Woodway addressing services, infrastructure, mitigation, impacts, and other issues related to development or redevelopment of Point Wells.

The Planning Commission held one (1) study session on September 17, 2020 on the proposed Pre-Annexation Zoning and a public hearing on October 15, 2020.

In consideration of the Planning Staff's recommendations, written and oral public testimony, and the decision criteria set forth in SMC 20.30.350, the Planning Commission respectfully recommends that the City Council adopt the proposed Pre-Annexation Zoning for Point Wells included in the City Council's packet for the November 9, 2020 regular meeting.

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

<b>AGENDA TITLE:</b>	Discussion of Ordinance No. 909 – 2020 Comprehensive Plan Annual Docket Amendments to the Shoreline Comprehensive Plan
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Steven Szafran, AICP, Senior Planner Rachael Markle, AICP, 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 State Growth Management Act, Chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to once a year with limited exceptions. Proposed amendments are collected throughout a given year with a deadline of December 1 for public submissions of suggested amendments to be considered in the following year. The “Docket” establishes the proposed amendments that will be reviewed and studied during the year by staff and the Planning Commission prior to the Planning Commission providing a recommendation to the City Council for final approval through the adoption of an ordinance amending the Comprehensive Plan. The Council established the final 2020 Docket on March 16, 2020.

The 2020 Docket consists of two (2) City-initiated amendments. Proposed Ordinance No. 909 (Attachment A) would amend the City’s Comprehensive Plan consistent with the Planning Commission’s recommendation on the 2020 Docket (Attachment B), which was provided on October 15, 2020 (Attachment C). Tonight, the City Council is scheduled to discuss proposed Ordinance No. 909. Proposed Ordinance No. 909 is currently scheduled for adoption on November 23, 2020.

**RESOURCE/FINANCIAL IMPACT:**

The proposed Comprehensive Plan Amendments are not anticipated to have a resource or financial impact.

**RECOMMENDATION**

No action is required tonight; this is an informational meeting in preparation for the November 23, 2020 meeting where the City Council is scheduled to adopt the 2020 Docket amendments through proposed Ordinance No. 909. The Planning Commission has recommended that the City Council adopt Comprehensive Plan Amendments No. 1 and 2. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation on Amendment No. 2.

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

## **BACKGROUND**

The State Growth Management Act, Chapter 36.70A RCW, limits review of proposed Comprehensive Plan Amendments (CPAs) to once a year with limited exceptions. To ensure that the public can view the proposals within a city-wide context, the Growth Management Act directs cities to create a docket that lists the CPAs to be considered in this “once a year” review process.

Comprehensive Plan amendments usually take two forms: Privately-initiated amendments and City-initiated amendments. Anyone can propose an amendment to the Comprehensive Plan. Comprehensive Plan amendments must be submitted by December 1 to be considered in the following year and there is no fee for general text amendments. The process for accepting and reviewing CPAs for the annual docket is prescribed in Shoreline Municipal Code (SMC) Section 20.30.340(C).

The Docket establishes the amendments that will be reviewed and studied by staff and the Planning Commission prior to their recommendation to the City Council for final approval to amend the Comprehensive Plan.

The City Council discussed the Preliminary 2020 Docket, as recommended by the Planning Commission, on March 2, 2020. This staff report for this Council discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport030220-9b.pdf>.

On March 16, 2020, the City Council once again discussed the Docket and specifically addressed amendment #3, which would have added language requiring commercial uses in mixed-use and commercial zones. Instead of adding the policy to the Comprehensive Plan, Council directed staff to work on adding requirements for ground-floor commercial uses in the North City and Ridgecrest Neighborhoods directly to the Development Code. At the conclusion of the discussion, the City Council established the Final 2020 Docket (Attachment B) to include two (2) proposed amendments as shown below:

1. Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.
2. Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway.

The staff report and attachments for the March 16, 2020 Council meeting can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport031620-8a.pdf>.

On September 17, the Planning Commission discussed the proposed Comprehensive Plan amendments. The staff report and attachments for the September 17, 2020 Planning Commission meeting can be found at the following link:

<https://www.shorelinewa.gov/home/showdocument?id=49310>.

On October 15, the Planning Commission held a Public Hearing on the proposed Comprehensive Plan amendments. The staff report and attachments for the October 15, 2020 Planning Commission meeting can be found at the following link: <https://www.shorelinewa.gov/home/showdocument?id=49560>.

A summary of the Planning Commission’s recommendation, which is also attached in Attachment C to this staff report, is provided in the table below.

<b>Comprehensive Plan Amendment</b>	<b>Planning Commission Recommendation</b>
1. Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.	<i>Approve</i>
2. Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway.	<i>Approve</i>

Proposed Ordinance No. 909 (Attachment A and Exhibits A and B) reflects the Planning Commission recommendation on the 2020 Comprehensive Plan Docket.

### **DISCUSSION**

The following provides an analysis of the 2020 Comprehensive Plan Amendment Docket:

#### **Amendment No. 1 - Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145<sup>th</sup> and 165<sup>th</sup> Streets**

##### ***Amendment Description***

This amendment amends Table 6.6 of the Parks, Recreation, and Open Space Plan (PROS) (Attachment A, Exhibit A). Table 6.6 is a list of general capital projects that are targeted for acquisition between 2024 and 2029. The amendment includes acquisition of park space and open space between Dayton Avenue to I-5 and between 145<sup>th</sup> Street to 165<sup>th</sup> Street instead of the more constrained area of Aurora Avenue to I-5 and 155<sup>th</sup> Street to 165<sup>th</sup> Street. This amendment will provide additional opportunities to meet the level of service targets for the Westminster Triangle, Highland Terrace, and Parkwood Neighborhoods.

##### ***Staff Analysis***

As stated in SMC 20.30.340, a Comprehensive Plan Amendment is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, to respond to changing circumstances or needs of the City.

The City is anticipating new mixed-use and multifamily buildings in and around Shoreline Place and the Aurora Corridor. The City Council recently approved the Development Agreement for Shoreline Place, which is expected to construct 1,300 new multifamily units to replace the former Sears building. Additionally, 330 multifamily units are under construction at the Alexan Apartments, which is directly adjacent to Shoreline Place. This increase of residents will necessitate more recreational opportunities and open space in the Westminster Triangle, Highland Terrace, and Parkwood Neighborhoods as shown in the PROS Plan.

### **Comprehensive Plan Amendment Criteria**

Pursuant to SMC 20.30.340(B), the Planning Commission may recommend, and the City Council may approve, or approve with modifications, an amendment to the Comprehensive Plan if:

*1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.*

### Growth Management Act

The proposal is consistent with the Growth Management Act by complying with Goals 1 and 9 of the GMA:

*(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

*(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

The proposed amendment will enhance recreational opportunities and develop more parks and recreation facilities in the City.

### King County Countywide Planning Policies

Staff found that the proposed amendment complies with the King County Countywide Planning Policies as follows:

*EN-4 Identify and preserve regionally significant open space networks in both Urban and Rural Areas. Develop strategies and funding to protect lands that provide the following valuable functions:*

- *Physical or visual separation delineating growth boundaries or providing buffers between incompatible uses;*
- *Active and passive outdoor recreation opportunities;*
- *Wildlife habitat and migration corridors that preserve and enhance ecosystem resiliency in the face of urbanization and climate change;*
- *Preservation of ecologically sensitive, scenic or cultural resources;*
- *Urban green space, habitats, and ecosystems;*
- *Forest resources; and*
- *Food production potential. [underline added]*

*DP-2 Promote a pattern of compact development within the Urban Growth Area that includes housing at a range of urban densities, commercial and industrial development, and other urban facilities, including medical, governmental, institutional, and educational uses and parks and open space.*

The proposed amendment will create more active and passive outdoor recreation opportunities and promotes additional parks and open space as stated in the above policies.

#### City of Shoreline Comprehensive Plan

The proposed PROS Plan change is consistent with the following Comprehensive Plan goal and policies:

*Goal LU1 Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

*Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.*

*Goal PRI: Preserve, enhance, maintain, and acquire built and natural facilities to ensure quality opportunities exist.*

*Parks Policy 1.2: Provide a variety of indoor and outdoor gathering places for recreational and cultural activities.*

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

The proposed amendment will encourage recreation areas that are accessible to neighborhoods, specifically the Westminster Triangle, Highland Terrace, and Parkwood Neighborhoods. The amendment also supports acquisition of natural facilities, outdoor gathering spaces, and additional park space for the City's growing population.

*2. The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.*

The amendment is seeking to provide additional recreational and open space for current and future residents of the City. The PROS Plan anticipated the additional need for recreational and open spaces and this amendment will allow the acquisition of those spaces.

*3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.*

The proposed amendment will benefit the community by providing additional recreational and open space opportunities and would not adversely affect community facilities, public health, safety or the general welfare of the community.

### ***Planning Commission Recommendation***

Based on the analysis of the Comprehensive Plan Amendment Criteria and the goals and policies of the Shoreline Comprehensive Plan, the Planning Commission recommended approval of Comprehensive Plan Amendment No. 1.

### **Amendment No. 2 - Amend the Point Wells Subarea Plan to be consistent with the Interlocal Agreement between the City of Shoreline and Town of Woodway**

#### ***Amendment Description***

This amendment proposes to amend the Point Wells Subarea Plan (Attachment A, Exhibit B) and associated Comprehensive Plan Policy LU51 and Comprehensive Plan Land Use Map related to Point Wells to implement the Interlocal Agreement (ILA) with the Town of Woodway approved by City Council on October 7, 2019. This agreement pertains to Shoreline's support for Woodway's future annexation of Point Wells and coordination of land use planning and development regulations for the area by the Town of Woodway and City of Shoreline. The following is a link to the approved ILA: <http://www.shorelinewa.gov/Home/ShowDocument?id=45834>.

The purpose of the ILA is to address services, infrastructure, mitigation, impacts, and other issues related to the development of the Point Wells site located in unincorporated Snohomish County. As part of the ILA, a joint planning working group comprised of staff from the Town of Woodway and the City of Shoreline was formed to develop and recommend mutually agreeable Comprehensive Plan Policies, development regulations, and design standards for Point Wells to be considered for adoption. Amendments to the Point Wells Subarea Plan will also be included to reflect the recommendations of the joint working group. The recommended goals, policies, and development regulations will be adopted by both the Town of Woodway and the City of Shoreline in order to have consistent development regulations under either jurisdiction.

As outlined in the ILA, development regulations must generally include:

- Primarily residential uses that are pedestrian oriented with limited commercial uses.
- A traffic study for any proposed development.
- Building height limited to 75 feet.
- Mandatory public recreational facilities and public access to Puget Sound.
- Development required to achieve the highest level of environmental sustainability.
- Development adhering to "dark skies" standards in an effort to reduce light pollution to adjacent neighborhoods.
- Development shall be approved under a Master Development Plan or Development Agreement with design review.
- In no case shall traffic exceed 4,000 average daily trips on Richmond Beach Drive.

The new development regulations for the Point Wells site are addressed in a separate staff report and adopting ordinance (propose Ordinance No. 908), which is also scheduled for Council discussion tonight.

**Land Use Policy 51**

In addition to adopting a new Subarea Plan for the Point Wells area, staff is also proposing to update Land Use Policy 51 which relates to the annexation of Point Wells. The current policy states:

*LU51: Pursue annexation of Point Wells and implement the City of Shoreline Subarea Plan for this area.*

Based on the recent Interlocal and Settlement Agreement with the Town of Woodway, staff is proposing to amend the language for Policy LU51:

*LU51: Pursue annexation of Point Wells pursuant to the Settlement and Interlocal Agreement between City of Shoreline and Town of Woodway. If annexed to the City of Shoreline and implement the Planned Area 4 land use designation and the City of Shoreline Point Wells Subarea Plan for this area.*

**Comprehensive Plan Land Use Map Change**

Point Wells is currently designated Mixed-Use 1 in the Comprehensive Plan Land Use Map. In order to have a consistent Subarea Plan and implementing Development Code regulations, staff is proposing to change the designation to Planned Area 4 which will match the proposed pre-annexation zoning regulations for the site.





**Staff Analysis**

Pursuant to SMC 20.30.340(B), the City Council may approve, or approve with modifications, an amendment to the Comprehensive Plan if:

*1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.*

Growth Management Act (GMA)

Proposed Amendment #2 is consistent with the goals of the Growth Management Act. Amendment #2 is directly aligned with the following GMA Planning Goals:

*(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

*(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

*(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

The proposed Point Wells Subarea Plan provides a vision, goals, and policies, to redevelop the site into a mixed-use predominately residential area with access to the shoreline, open spaces, and more compact development patterns. The Plan, through coordination with the Town of Woodway and the City, will result in the provision of required services in the future. Also, the process of completing the Plan was a dual effort between the Town of Woodway and the City to ensure future coordination of the development of the site and puts in place a process to reconcile any differences between the two jurisdictions.

King County Countywide Planning Policies

Proposed amendment #2 is consistent with the King County Countywide Planning Policies and specifically aligns with the following policies:

*DP-2 Promote a pattern of compact development within the Urban Growth Area that includes housing at a range of urban densities, commercial and industrial development, and other urban facilities, including medical, governmental, institutional, and educational uses and parks and open space. The Urban Growth Area will include a mix of uses that are convenient to and support public transportation in order to reduce reliance on single occupancy vehicle travel for most daily activities.*

*DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:*

- *Directing concentrations of housing and employment growth to designated centers;*
- *Encouraging compact development with a mix of compatible residential, commercial, and community activities;*
- *Maximizing the use of the existing capacity for housing and employment; and*
- *Coordinating plans for land use, transportation, capital facilities and services.*

*DP-22 Designate Potential Annexation Areas in city comprehensive plans and adopt them in the Countywide Planning Policies. Ensure that Potential Annexation Areas do not overlap or leave unincorporated urban islands between cities.*

*DP-23 Facilitate the annexation of unincorporated areas within the Urban Growth Area that are already urbanized and are within a city's Potential Annexation Area in order to provide urban services to those areas. Annexation is preferred over incorporation.*

*EC-20 Facilitate redevelopment of contaminated sites through local, county and state financing and other strategies that assist with funding environmental remediation.*

*T-20 Develop a transportation system that minimizes negative impacts to human health, including exposure to environmental toxins generated by vehicle emissions.*

The proposed Plan promotes compact urban development on a historically industrial site. The Plan, through adoption of implementing development regulations, will include housing at a range of urban densities, commercial development, other urban facilities, and parks and open space. Transportation policies in the Plan encourage a system that minimizes impacts to the surrounding neighborhood by including maximum vehicle trips coming to and from the site. The Point Wells area has been designated as a future service annexation area in the Comprehensive Plan since the incorporation of the City.

#### City of Shoreline Comprehensive Plan

Proposed amendment #2 is consistent with the City's Comprehensive Plan and specifically aligns with the following policies:

*Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

*Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.*

*LU15: Reduce impacts to single-family neighborhoods adjacent to mixed use and commercial land uses with regard to traffic, noise, and glare through design standards and other development criteria.*

*LU47: Support annexations that are in the best interest of the long-term general welfare of the residents of the annexation area, the existing Shoreline community, and the City because they:*

- *share a community identity;*
- *are logical additions, and contiguous with the city;*
- *complete the geographical areas of interest as indicated in pre-incorporation boundaries;*
- *offer benefits and opportunities consistent with the City's Vision 2029 and Framework Goals;*
- *would benefit from consistent regulations and coordinated land use and impact mitigation;*
- *balance the short-term costs of annexation with long-term gains to the fiscal health of the annexation areas and the City;*
- *could access public safety, emergency, and urban services at a level equal to or better than services in existence at the time of annexation, without affecting level of service for existing residents; and/or*
- *could provide improved local governance for the City and the annexation areas.*

*CD3. Encourage commercial, mixed-use, and multi-family development to incorporate public amenities, such as public and pedestrian access, pedestrian-oriented building design, mid-block connections, public spaces, activities, and solar access.*

*CD19. Preserve and enhance views from public places of water, mountains, or other unique landmarks as valuable civic assets.*

*Goal T V. Protect the livability and safety of neighborhoods from the adverse impacts of the automobile.*

*T15. Balance the necessity for motor vehicle access to and from new development with the need to minimize traffic impacts to existing neighborhoods.*

*Parks Goal PRI: Preserve, enhance, maintain, and acquire built and natural facilities to ensure quality opportunities exist.*

*Parks Policy 1.8: Improve accessibility and usability of existing facilities.*

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

Any new development at Point Wells will cause additional impacts to the surrounding neighborhood. The proposed goals and policies of the new Plan seek to minimize the impacts from new residential and commercial development on the site. The Plan encourages compact development that includes a mix of uses. Site design encourages buildings be grouped together to maximize views from Richmond Beach and Woodway. The Plan will increase opportunities for new recreational and open space for both future residents of Point Wells and the surrounding communities of Woodway and Shoreline. Traffic will be mitigated by including caps on vehicle trips using Richmond Beach Drive and requiring secondary access through the Town of Woodway.

*2. The amendment addresses changing circumstances, changing community values, incorporates a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.*

This Plan addresses changing circumstances between the City of Shoreline and the Town of Woodway. Through the Interlocal and Settlement Agreement, the City and Town worked together to find a consistent set of Comprehensive Plan Goals and Policies and implementing development regulations to encourage reasonable future development of the Point Wells area. The Plan is consistent with the City's Comprehensive Plan vision and the Town of Woodway's Comprehensive Plan.

*3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.*

The Point Wells Subarea Plan benefits the City as a whole by providing goals and policies that manage future development impacts while providing the City's residents access to increased open space and recreational opportunities. The Point Wells Subarea Plan includes goals and policies for traffic, site design, density, and other development standards adopted through the Development Code which will not adversely affect community facilities, the public health, safety or general welfare.

### ***Planning Commission Recommendation***

Based on the analysis of the Comprehensive Plan Amendment Criteria and the goals and policies of the Shoreline Comprehensive Plan, the Planning Commission recommended approval of Comprehensive Plan Amendment No. 2. The Commission also recommended to amend all comprehensive plan maps, as necessary, to reflect the new land use designation of Planned Area 4 for the Point Wells Future Service and Annexation Area.

### ***Staff Proposed Revisions***

Staff is recommending two revisions to the Planning Commission recommendation for amendment #2:

#### **Staff Proposed Revision #1**

LU Policy 1: Characteristics of the Planned Area 4 designation include a mix of land uses, integrated into a pedestrian-scaled pattern with sustainable site improvements, infrastructure, buildings, and open spaces. The predominant use is residential, with any medium density multi-family residential housing situated in multi-story buildings of varying heights, strategically sited to preserve and enhance public view corridors. The maximum allowable residential density is 44 units per ~~gross~~ net acre, with attendant uses including but not limited to retail, office, transit facilities, structured parking, and public spaces. Site design emphasizes defined building envelopes separated with open space corridors, pedestrian circulation throughout the site and public access to a restored shoreline.

Rationale: As discussed above, the Town of Woodway is considering similar policies and regulations pursuant to the ILA. The joint work group made up of staff from Woodway and Shoreline discussed revising the subarea plan policies and regulations to have residential density calculated using net acres instead of gross acres. This change is likely to result in a lower potential yield of dwelling units as it does not allow for areas such as roads, open space, critical areas, and areas below high tides be counted for purposes of calculating residential density. Amendments being considered by the Town of Woodway will also be proposing the use of net density. Staff is recommending

Shoreline's amendments be revised to maintain alignment with Woodway as called for in the ILA.

### **Staff Proposed Revision #2**

T/C Policy 3: Development within Point Wells shall comply with the following traffic restrictions: 1) not generate more than 4,000 average daily trips onto Richmond Beach Drive shall be limited to 4,000 average daily trips; and 2) within the City of Shoreline and ~~†The remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.~~

Rationale: The staff recommended revision will clarify the vehicle trip limit, LOS, and V/C limit are all restrictions that generally apply, regardless of any future development in the Point Wells Subarea. As written, it could be understood that a Point Wells development could add up to 4,000 ADT to Richmond Beach Drive or other impacts up to the LOS and V/C limits. Instead, it is intended that these traffic limitations are effective, and the proposed policy and associated regulations are identifying them as they are likely to relate to any future use or development in the Point Wells Subarea.

### **Staff Proposed Revision Process**

If Council is supportive of the proposed revisions to the Comprehensive Plan amendments, staff will develop amendatory language for Council to use when proposed Ordinance No. 909 is brought back to Council for potential adoption on November 23, 2020.

## **RESOURCE/FINANCIAL IMPACT**

The proposed Comprehensive Plan Amendments are not anticipated to have a resource or financial impact.

## **RECOMMENDATION**

No action is required tonight; this is an informational meeting in preparation for the November 23, 2020 meeting where the City Council is scheduled to adopt the 2020 Docket amendments through proposed Ordinance No. 909. The Planning Commission has recommended that the City Council adopt Comprehensive Plan Amendments No. 1 and 2. Staff is also seeking direction on the two proposed revisions to the Planning Commission recommendation on Amendment No. 2.

## **ATTACHMENTS**

Attachment A – Proposed Ordinance No. 909  
Attachment A, Exhibit A – Proposed Table 6.6 of the PROS Plan  
Attachment A, Exhibit B – Proposed Point Wells Subarea Plan  
Attachment B – 2020 Comprehensive Plan Docket  
Attachment C – Planning Commission Recommendation

**ORDINANCE NO. 909**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
ADOPTING THE 2020 COMPREHENSIVE PLAN ANNUAL DOCKET  
AMENDMENTS TO THE SHORELINE COMPREHENSIVE PLAN.**

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, in conformance with the Growth Management Act, the City has adopted a Comprehensive Land Use Plan; and

WHEREAS, the Growth Management Act provides for the opportunity to amend the Comprehensive Plan once a year and the City has developed an annual docketing review process for continuing review and evaluation of its Comprehensive Plan; and

WHEREAS, at its March 16, 2020, regular meeting, the City Council established the 2020 Comprehensive Plan Annual Docket containing two (2) proposed city-initiated amendments; and

WHEREAS, on September 17, 2020, the City of Shoreline Planning Commission held study sessions on the docketed amendments via Zoom; and

WHEREAS, the environmental impacts of the 2020 Comprehensive Plan Annual Docket resulted in the issuance of a Determination of Non-Significance (DNS) on September 30, 2020, pursuant to the State Environmental Policy Act (SEPA); and

WHEREAS, on October 15, 2020, the City of Shoreline Planning Commission held a properly noticed public hearing on the 2020 Comprehensive Plan Annual Docket via Zoom so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission recommended approval of both docketed amendments; and

WHEREAS, at its November 9, 2020, regular meeting via Zoom the City Council considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City Council has accepted the Planning Commission's recommendation; and

WHEREAS, the City Council has determined that the docketed amendments as recommended by the Planning Commission are consistent with the Growth Management Act and the other provisions of the Comprehensive Plan, and meet the criteria set forth in SMC 20.30.320 and SMC 20.30.340 and;

WHEREAS, the City provided public notice of the amendments and the public meetings and hearing as provided in SMC 20.30.070; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights when considering the 2020 Comprehensive Plan Annual Docket and concurrent rezone; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent pertaining to the 2020 Comprehensive Plan Annual Docket and concurrent rezone; and

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

**Section 1. Amendment to Comprehensive Plan.**

A. The City of Shoreline Comprehensive Plan, Element 7, Parks, Recreation, and Open Space Element, incorporating the PROS Plan, is amended as set forth in Exhibit A.

B. The City of Shoreline Comprehensive Plan, Appendix B Subarea Plans – Point Wells Subarea Plan is repealed in its entirety and replaced with the Point Wells Subarea Plan as set forth in Exhibit B.

C. The City of Shoreline Comprehensive Plan Land Use Map and all other maps contained in the Comprehensive Plan are amended, as necessary, to denote a land use designation of Planned Area 4 for Point Wells.

D. The City of Shoreline Comprehensive Plan, Element 1, Land Use Element, Policy 51 is amended as follows:

LU 51: Pursue annexation of Point Wells; pursuant to the Settlement and Interlocal Agreement between City of Shoreline and Town of Woodway. If annexed to the City of Shoreline, and implement the Planned Area 4 land use designation and the City of Shoreline Point Wells Subarea Plan for this area.

**Section 2. Transmittal of Amendment to Washington State Department of Commerce.**

A. Pursuant to RCW 36.70A.106, the Director of Planning and Community Development or designee shall transmit a complete and accurate copy of this Ordinance and attachments, if any, to the Washington State Department of Commerce within ten (10) calendar days of the date of passage.

B. The City Clerk shall denote the date of transmittal after the signature lines of this Ordinance as provided herein.

**Section 3. 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 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.

**PASSED BY THE CITY COUNCIL ON NOVEMBER 23, 2020.**

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Julie K. Ainsworth-Taylor  
Assistant City Attorney on behalf of  
Margaret King, City Attorney

Date of Publication:     , 2020  
Effective Date:         , 2020

Date of Transmittal to Commerce     , 2020



Table 6.6: Acquisition targeted for 2024-2029 (timing may be adjusted as appropriate if earlier funding opportunities arise)

	<b>INFLATOR =</b>	<b>24%</b>	<b>29%</b>	<b>33%</b>	<b>38%</b>	<b>43%</b>	<b>48%</b>	
	<b>2017 Project</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>6-YEAR</b>
	<b>Cost estimate</b>							<b>TOTAL</b>
<b>SHAPING OUR FUTURE: PARK ACQUISITION AND ASSOCIATED DEVELOPMENT PROJECTS</b>								
<b>Rotary Park Development</b>	\$1,093,000		\$1,406,000					\$1,406,000
<b>145th Station Area Acquisition</b>	\$4,803,000	\$1,494,000	\$1,545,000	\$1,598,000	\$1,654,000			\$6,291,000
<b>145th Station Area Development</b>	\$808,000				\$1,113,000			\$1,113,000
<b>185th &amp; Ashworth Acquisition</b>	\$967,000	\$1,203,000						\$1,203,000
<b>185th &amp; Ashworth Development</b>	\$404,000		\$520,000					\$520,000
<b>5th &amp; 165th Acquisition</b>	\$5,473,000		\$7,041,000					\$7,041,000
<b>5th &amp; 165th Development</b>	\$3,348,000			\$4,456,000				\$4,456,000
<b>Paramount Open Space Acquisition</b>	\$2,755,000		\$886,000	\$917,000	\$949,000	\$982,000		\$3,734,000
<b>Paramount Open Space Improvements</b>	\$200,000		\$257,000					\$257,000
<b>CEDARBROOK PLAYGROUND</b>	\$404,000	\$503,000						\$503,000
<b>AuroraDayton-I-5 145th-165th Acquisition</b>	\$7,210,000				\$9,931,000			\$9,931,000

	<b>INFLATOR =</b>	<b>24%</b>	<b>29%</b>	<b>33%</b>	<b>38%</b>	<b>43%</b>	<b>48%</b>	
	<b>2017 Project Cost estimate</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>6-YEAR TOTAL</b>
<b>AuroraDayton-I-5 145th-165th Development</b>	\$1,093,000						\$1,615,000	\$1,615,000
<b>DNR Open Space Access Acquisition</b>	\$1,576,000		\$2,027,000					\$2,027,000
<b>DNR OPEN SPACE Development</b>	\$432,000					\$616,000		\$616,000
<b>RONALD BOG PARK TO JAMES KEOUGH PK TRAIL</b>	\$65,000		\$84,000					\$84,000
<b>Total Acquisition Costs</b>	\$29,006,000	\$2,697,000	\$15,491,000	\$2,515,000	\$15,313,000	\$982,000	\$0	\$36,998,000
<b>Total Acquisition Development Costs</b>	\$7,847,000	\$503,000	\$2,267,000	\$4,456,000	\$1,113,000	\$616,000	\$1,615,000	\$10,570,000
<b>TOTAL Costs</b>	\$36,853,000	\$3,200,000	\$17,758,000	\$6,971,000	\$16,426,000	\$1,598,000	\$1,615,000	\$47,568,000
<b>REVENUES Specific to Acquisition and NEW development</b>								
<b>KC CONSERVATION INITIATIVE</b>	\$1,000,000		\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000
<b>KING COUNTY CONSERVATION FUTURES TRUST</b>	\$1,050,000	\$50,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,050,000
<b>PARK IMPACT FEE</b>	\$1,650,000	\$150,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,650,000
<b>Total</b>	\$3,700,000	\$200,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$3,700,000

DRAFT – Revised October 15, 2020

## Point Wells Subarea Plan

### Geographic Context

The Point Wells Subarea is an unincorporated area of approximately 61 acres in the southwestern most corner of Snohomish County. It is bordered on the west by Puget Sound, on the east by the Town of Woodway, and on the south by the Town of Woodway and the City of Shoreline (see Figure 1). Point Wells is not contiguous with any other portion of unincorporated Snohomish County.



Figure 1. Point Wells Subarea

The only vehicular access to Point Wells is via Richmond Beach Drive and Richmond Beach Road and the regional road network via the City of Shoreline. However, there is potential for easterly access through the Town of Woodway connecting to 116<sup>th</sup> Avenue West.

### **County and Regional Context**

In order to meet the provisions of the Growth Management Act that ensure that plans are consistent and coordinated, the Snohomish and King County Countywide Planning Policies and the Puget Sound Regional Council's adopted growth strategy (Vision 2040) are used to guide the development of plans and development regulations for the subarea. The Snohomish County Comprehensive Plan designates the subarea as the Woodway Municipal Urban Growth Area (Woodway MUGA).

The Snohomish Countywide Planning Policies provide for the planning, development and annexation of unincorporated land situated in a municipality's MUGA. Specifically, Countywide Planning Policy DP-5 establishes the factors to be included in comprehensive plans for UGAs, and enables cities to prepare and adopt plans and development regulations for Municipal UGAs to which the city or town has determined it is capable of providing urban services at some point in the future via annexation. Further, policy DP-17 states that "*city comprehensive plans should have policies on annexing the areas in their unincorporated Urban Growth Area/Municipal Urban Growth Area*".

King County Countywide Planning Policy DP-21 goes on to state: "Coordinate the preparation of comprehensive plans among adjacent and other affected jurisdictions as a means to avoid or mitigate the potential cross-border impacts of urban development."

The Puget Sound Regional Council's adopted regional growth strategy, Vision 2040, directs unincorporated lands to annex to affiliated cities with services provided by the adjacent municipality. The Vision 2040 goal for unincorporated urban growth areas states that "all unincorporated lands within the urban growth area will either annex into existing cities or incorporate as new cities." Multicounty policies provide for unincorporated lands adjacent to cities to be affiliated with such cities and that annexation is preferred over incorporation. Additional policies support the provision of urban services to unincorporated urban areas by the adjacent city.

Thus, the Woodway Municipal Urban Growth Area Subarea Plan draws on the adopted goals and policies of both the County and Region in creating the plan's stated vision, goals, and policies.

### **Woodway Municipal Urban Growth Area Subarea Plan**

Point Wells is situated within Woodway's Municipal Urban Growth Area (MUGA). A subarea plan for the Woodway MUGA was adopted in April 2013 by the Woodway Town Council and incorporated into the Snohomish County General Policy Plan in 2015. The Point Wells Subarea Plan for Shoreline was adopted by the Shoreline City Council in 2011.

The Woodway MUGA subarea contains two distinct geographic areas; Point Wells and the land area located east of the BNSF railroad right of way commonly referred to as the Woodway

Upper Bluff. The Upper Bluff was annexed into the Town in June 2015 and is planned and zoned for low density residential development. The Point Wells portion of the subarea is unincorporated in Snohomish County and is mostly situated west of the BNSF right of way and extends westward to Puget Sound. The southernmost portion of Point Wells is adjacent to the City of Shoreline in King County.

### **Shoreline Future Service and Annexation Area**

In 1998, the City identified Point Wells as a Potential Annexation Area, signifying its desire to annex Point Wells to the City. In 2012, the City amended this identifier to Future Service and Annexation Area (FSAA). The intent of the FSAA identification is not only to recognize Shoreline's intent that this area of unincorporated Snohomish County is appropriate for annexation to Shoreline at some point in the future but, that even if annexation did not occur, Shoreline would be the jurisdiction predominately providing public services to the area.

Although there is potential easterly access to Point Wells through the Town of Woodway connecting to 116th Avenue West, presently Point Wells is connected to the regional road network only via Richmond Beach Drive and Richmond Beach Road in the City of Shoreline. Therefore, services and infrastructure for future re-development of Point Wells would be most efficiently, effectively, and equitably provided by the City of Shoreline and its public safety partners. These would include police from the Shoreline police department and emergency medical services and fire protection from the Shoreline Fire Department. In addition, the City would be responsible for development permit processing, code enforcement, parks, recreation and cultural services, and public works roads maintenance.

Future residents of Point Wells would become a part of the Richmond Beach community by virtue of the shared parks, schools, libraries, shopping districts and road grid. As citizens of the City of Shoreline, they would be able to participate in the civic life of this "community of shared interests," including the City's Parks Board, Library Board, Planning Commission, or other advisory committees, and City Council.

### **Planning Background**

#### **Town of Woodway**

The Town has been engaged in planning for the subarea for many years. In 1999, the Point Wells Advisory Committee was created to work with property owners, residents, and surrounding jurisdictions to prepare for the eventual conversion of the industrial asphalt use to an urban non-industrial use. The Advisory Committee prepared several alternatives for consideration by the Town Planning Commission and Council. The alternatives prepared by the Planning Commission focused on residential uses or passive open space for the upper bluff and a variation of three mixed-use land patterns with varying urban uses and densities for Point Wells. The separate alternative desired by the Point Wells landowner (Chevron-Texaco in 2000) was to maintain the current Industrial land use designation as set forth in the Snohomish County comprehensive plan. The Advisory Committee recommended that the Planning Commission select the residential alternative for the upper bluff and maintain the industrial alternative for

Point Wells. The Town Council adopted the Planning Commission's recommendation with a specific policy in the 2000 Comprehensive Plan that stated the industrial designation would be used for the near-term but may be amended with a more intensive use when geo-political conditions warrant.

In 2009, Snohomish County received an application to amend its comprehensive plan for Point Wells from Industrial to Urban Center. As part of the Urban Center comp plan designation, the County received an application for the development of a mixed-use urban center. Following a ruling by the Central Puget Sound Growth Hearings Board that the Point Wells urban center designation did not meet the County's criteria for an Urban Center, the County re-designated Point Wells in 2012 to the Urban Village future land use designation. Pursuant to the County's General Policy Plan, Urban Villages are typically smaller and less intensive than an Urban Center.

With the re-designation of Point Wells by Snohomish County and the change in geo-political conditions, the Town embarked on a planning process to reconsider the previous Industrial designation of Point Wells. The Woodway Planning Commission prepared a new plan for the Point Wells portion of the MUGA subarea that was adopted by the Town Council in April 2013. That plan designates and zones the entire 60 acres of Point Wells as Urban Village. The Urban Village designation is implemented with the Town's Urban Village zone district upon annexation. The district substantially replicates Snohomish County's zoning, providing for mixed use land uses with a residential density range from 12 to 44 units per gross acre.

### **City of Shoreline**

The City of Shoreline also prepared a subarea plan for Point Wells in 2010 (see Ord. No. 571), given that the primary access to Point Wells is via Richmond Beach Drive and that the majority of future transportation trips to and from Point Wells will impact Shoreline. The City's subarea plan recognizes the Snohomish County development application of an intensive mixed-use proposal and seeks to mitigate land use, environmental, aesthetic, servicing and transportation impacts through the preparation of a transportation corridor study. The Shoreline subarea plan also proposes to provide urban services to the area following a future cross-county annexation.

In 2017 Shoreline began the process to enable a future annexation of Point Wells. The City proposed an amendment to the Snohomish County Planning Policies that, if approved, would allow the eventual cross-county annexation of Point Wells to Shoreline. The Snohomish County Tomorrow countywide planning group reviewed the proposal and recommended that Shoreline's proposal be denied. The Snohomish County Council subsequently agreed and passed a motion rejecting the request in May 2018.

### **Woodway/Shoreline Settlement Agreement**

As previously stated, Point Wells has been identified as a future annexation area for both the City of Shoreline and Town of Woodway in each jurisdiction's Comprehensive Plan. Both plans include vision statements and policies regarding the planning, servicing and development of Point Wells. Given that both jurisdictions have had disagreements in the past concerning the

governance of Point Wells that have resulted in litigation and attendant expenditure of valuable municipal resources, it is prudent for both jurisdictions to move forward with a cooperative approach to plan for the desired future land uses, services, environmental considerations and annexation of Point Wells.

Toward this end, Woodway and Shoreline both agree that it is of mutual benefit to provide a framework on how both jurisdictions will work together to plan for future land uses, servicing and redevelopment of Point Wells. The mayors of both cities signed a Settlement and Interlocal Agreement in October 2019 to address issues regarding annexation, development standards, individual city responsibilities, servicing, and resolution of outstanding litigation between the two cities.

### **Framework**

Given that both jurisdictions have individual subarea plans for Point Wells, and Shoreline and the Town desire to coordinate their planning for the site, the policies and implementing development regulations (that would become effective upon annexation) presented below are intended to be largely identical in both jurisdictions' subarea plans.

### **Vision for Point Wells**

The current planning horizon for the Woodway and Shoreline Comprehensive Plans extends to 2035. The vision listed below is intended to guide land use decision-making throughout the planning period and provide the basis for a series of land use, servicing, governance and environmental policies that will be implemented with the application of practical development regulations and design standards.

The vision for Point Wells is:

To create a unique, primarily residential, Puget Sound shoreline community compatible with surrounding neighborhoods. Appropriately scaled mixed-use buildings will be pedestrian-oriented and incorporate exceptional architecture, sustainable design and building heights that preserve public view corridors. The community will be designed and developed with low-impact, environmentally sustainable development practices and infrastructure, and include a restored natural environment, well-designed public gathering spaces and a waterfront that emphasizes habitat restoration and extensive public access to the Puget Sound.

### **Point Wells Subarea Goals and Policies**

A set of goals and policies are listed below to enable the communities to move forward with land use decisions and actions to implement the vision for Point Wells.

**Land Use Goal 1:** Point Wells is designated as Planned Area 4 by the City of Shoreline and an Urban Village by the Town of Woodway. Both designations are based on a coordinated planning effort and incorporated into the comprehensive plan for the Town of Woodway and City of Shoreline. Development of Point Wells occurs pursuant to a master plan approved through a development agreement enabled by the City's Development Code and implementing Planned Area 4 regulations. The master plan is prepared by an applicant and includes a primarily

residential community that is compatible with surrounding neighborhoods. Mixed-use buildings will be appropriately scaled and pedestrian-oriented and designed consistent with the City's design standards. The development will be supported by a full range of urban services.

### **Land Use Policies**

LU Policy 1: Characteristics of the Planned Area 4 designation include a mix of land uses, integrated into a pedestrian-scaled pattern with sustainable site improvements, infrastructure, buildings, and open spaces. The predominant use is residential, with any medium density multi-family residential housing situated in multi-story buildings of varying heights, strategically sited to preserve and enhance public view corridors. The maximum allowable residential density is 44 units per gross acre, with attendant uses including but not limited to retail, office, transit facilities, structured parking, and public spaces. Site design emphasizes defined building envelopes separated with open space corridors, pedestrian circulation throughout the site and public access to a restored shoreline.

LU Policy 2: Implementation of the Planned Area 4 designation will occur through the adoption of a Planned Area 4 zone district that will best implement the vision, goals, and policies for the Point Wells Subarea. The implementing zone district should address at a minimum: permitted land uses, building height, open space requirements, bulk standards, parking, and master plan requirements. The maximum building height is 75 feet. A development agreement enabled by RCW 36.70B will serve as the entitlement for development approval of the master plan. The City's development regulations, including but not limited to zoning, subdivision standards, critical area regulations (e.g. geologic hazard areas), stormwater regulations, and shoreline master programs, will be applicable upon annexation.

LU Policy 3: Urban design standards will be prepared to serve as a guide for the planning, design and construction of buildings, street network, parking, pedestrian spaces, signage, open space, utility placement, landscaping and servicing. Administration of the design standards will occur through administrative review and approval.

***Capital Facilities/Utilities Goal 2:*** Point Wells is served with a full range of urban services, including sewer and water, stormwater facilities, fire protection, law enforcement, energy and telecommunication facilities provided through the City, special purpose districts, and regional providers. Alternative energy sources such as solar, wind and co-generation facilities should be incorporated into the master plan to reduce its carbon footprint.

CF/U Policy 1: The provision of urban services provided by special purpose districts, regional providers or other local governments will be reviewed by the City for adequacy to serve intended development(s) within the subarea.

CF/U Policy 2: Each jurisdiction may negotiate with development proponents to determine which, if any, of required new capital facilities will be dedicated to the City and which, if any, will remain private. All planned capital facilities for Point Wells should be coordinated with the City and service providers.



CF/U Policy 3: All proposed electric and communication line extensions to Point Wells should be installed underground in public rights-of-way or utility easements. All underground utility installations outside of public rights of way should be improved with appropriate landscaping.

***Transportation/Circulation Goal 3:*** Vehicular access to and from Point Wells is of paramount concern. Transportation impacts are identified and fully mitigated in all development proposal applications. Richmond Beach Drive remains as a local access street to adjacent properties and the Richmond Beach Neighborhood, with multimodal street improvements. Secondary access through Woodway is designed and constructed to address environmental constraints and impacts to neighbors, to accommodate multimodal uses, including pedestrian, emergency services and vehicular access.

T/C Policy 1: A transportation corridor study and mitigation plan shall be prepared and funded by development applicants under the direction of the City, with input, participation, and leadership, as appropriate, from Woodway, Snohomish County, WSDOT, and other stakeholders. The scope of the study and mitigation plan should be prepared with input from each jurisdiction with an emphasis on identification of impacts and mitigating measures, design improvements and associated costs, needed services, including design and financing for multimodal solutions to improve mobility within the surrounding neighborhoods and communities.

T/C Policy 2: The needed improvements identified in the corridor study and mitigation plan should be built and operational concurrent with the occupancy of any approved phasing of the development.

T/C Policy 3: Development within Point Wells shall not generate more than 4,000 average daily trips onto Richmond Beach Drive within the City of Shoreline and the remaining Richmond Beach Road Corridor shall not exceed a level of service (LOS) D with 0.9 volume-to-capacity (V/C) ratio.

T/C Policy 4: Any combination of residential or commercial development or redevelopment that would generate 250 or more average daily trips shall provide a general-purpose public access road wholly within the Town of Woodway that connects into Woodway's transportation network and provides a full second vehicular access point from Point Wells into Woodway.

T/C Policy 5: A network of well-connected streets, sidewalks, and multipurpose pathways should be developed as part of a master plan and constructed and phased concurrently with redevelopment of the subarea.

***Environmental Preservation/Protection Goal 4:*** Point Wells is a unique landform on Puget Sound with sensitive environmental features that are identified and protected through federal, state, and local legislative edicts. The current site conditions and contamination is remediated and monitored to provide for a clean and safe environment for residents, visitors, flora, and fauna. Low impact development techniques are incorporated into site development and the near shore environment is enhanced and preserved consistent with the goals, policies and regulations of the City's Shoreline Master Program.

EP/P Policy 1: Site restoration and clean-up will be managed by the State Department of Ecology, with participation and input by Snohomish County, the Town of Woodway, the City, and other stakeholders.

EP/P Policy 2: Extensive environmental review, documentation and analysis will be managed by the City and funded by the applicants seeking entitlements for development. The scope of the environmental review will be determined by all jurisdictions and agencies affected by the proposal within the context of the State Environmental Policy Act (SEPA), including the impacts of sea level rise and climate change on the development proposal through anticipated buildout.

EP/P Policy 3: The proposed location of buildings, streets, infrastructure, and other physical site improvements set out in the master plan should avoid impacts to the sensitive environmental constraints and features in the subarea. The development agreement will include provisions for monitoring of environmental features including but not limited to soil, groundwater, and sea level rise.

EP/P Policy 4: Consistent with the goals, policies and regulations of the City's Shoreline Master Program, the near-shore environment will be restored and enhanced to predevelopment conditions and incorporate extensive public access and passive open space improvements.

EP/P Policy 5: The master plan should incorporate sustainable site and building design that serves as a leader in current practices that implement sustainability.

**Governance Goal 5:** Planning for future development of Point Wells has been and will continue to be of interest to all three affected local jurisdictions - Snohomish County, Shoreline and Woodway as well as other key stakeholders. Pursuant to the Growth Management Act, PSRC Vision 2040, and Countywide Planning Policies, Point Wells is annexed to Woodway and provided with urban services. Woodway has coordinated all aspects of the proposed development with affected jurisdictions and agencies to assure each jurisdiction's respective interests are appropriately addressed. If Woodway, by resolution or formal action of its Town Council, notifies Shoreline of Woodway's election to not annex Point Wells, Shoreline may seek annexation of Point Wells pursuant to applicable statutes.

G Policy 1: The City's institutional processes related to the planning, servicing and administration of entitlements should be participatory, accountable, transparent, efficient, inclusive and respect the rule of law.

G Policy 2: The City shall provide the Town of Woodway with at least 30 calendar days written notice (unless otherwise agreed to or waived in writing), and a review and comment opportunity, before any legislative actions that may modify or amend the Point Wells Subarea Plan or implementing development regulations, or that otherwise impacts the uses, development, or redevelopment of the subarea. Notice shall include, but not be limited to, notice of all Planning Commission and City Council meetings and hearings related to such legislative considerations or actions.

Subarea Land Use Plan Designation



Figure 2 – Land Use Designation

Subarea Zoning



Figure 3 – Zoning



*City of Shoreline*

## **2020 COMPREHENSIVE PLAN AMENDMENT DOCKET**

The State Growth Management Act generally limits the City to amending its Comprehensive Plan once a year and requires that it create a Docket (or list) of the amendments to be reviewed.

### **2020 Comprehensive Plan Amendments**

1. Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.
2. Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway.



TO: Honorable Members of the Shoreline City Council

FROM: Jack Malek, Vice Chair  
Shoreline Planning Commission

DATE: October 15, 2020

RE: 2020 Comprehensive Plan Amendments

The Shoreline Planning Commission has completed its review of the 2020 Comprehensive Plan Amendments that the City Council placed on the Final Docket in March 2020. After the Final Docket was established, the Planning Commission held one (1) study session on September 17, 2020 on the proposed amendments and a public hearing on October 15, 2020.

In consideration of the Planning Staff's recommendations, written and oral public testimony, and the decision criteria set forth in SMC 20.30.340 for comprehensive plan amendments and SMC 20.30.320 for the concurrent rezone, the Planning Commission respectfully recommends:

- Proposed Amendment No. 1 - APPROVE

*Amend Table 6.6 of the Parks, Recreation, and Open Space Plan to acquire park and open space between Dayton Avenue and Interstate 5 and between 145th and 165th Streets.*

- Proposed Amendment No. 2 – APPROVE

*Amend the Point Wells Subarea Plan to be consistent with Interlocal Agreement between City of Shoreline and Town of Woodway..*

In addition, as part of Proposed Amendment No. 2, the Planning Commission recommends that all maps contained in the Comprehensive Plan be amended, as necessary, to reflect the recommended land use designation of "Planned Area 4" for the Point Wells Subarea.

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

<b>AGENDA TITLE:</b>	Discussing Ordinance No. 907 - Amending Development Code Sections 20.20, 20.30, 20.40, 20.50, and 20.80 for Administrative and Clarifying Amendments
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Steven Szafran, AICP, Senior Planner Nora Gierloff, Planning Manager
<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:**

Amendments to the Development Code (Shoreline Municipal Code Title 20) are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for these legislative decisions and is responsible for holding a public hearing on proposed Development Code amendments and making a recommendation to the City Council on each amendment.

The Planning Commission held study sessions to discuss the proposed amendments and give staff direction on the amendments on July 2 and August 20, 2020. The Commission then held the required public hearing on October 1, 2020. The Planning Commission recommended that the City Council adopt the proposed amendments as detailed in proposed Ordinance No. 907 (**Attachment A**).

Although most of the proposed Development Code amendments in this group of amendments are aimed at “cleaning up” the code and are more administrative in nature, other amendments are more substantive and have the possibility of changing policy direction for the City. The amendments included in this staff report address the administrative and clarifying amendments in Exhibit A and B to proposed Ordinance No. 907. The Council is scheduled to discuss the policy amendments (forthcoming Exhibit C) on November 9, 2020. Adoption of proposed Ordinance No. 907 is currently scheduled for November 23, 2020.

**RESOURCE/FINANCIAL IMPACT:**

The proposed amendments have no direct financial impact to the City.

**RECOMMENDATION**

No formal action is required by Council at this time. The Planning Commission has recommended adoption of the proposed amendments in Ordinance No. 907. Staff recommends adoption of Ordinance No. 907 as recommended by the Planning

Commission, with the exception of the proposed amendment to clarifying amendment #8, when this ordinance is brought back for potential adoption on November 23, 2020.

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



## **BACKGROUND**

The City's Development Code is codified in Title 20 of the Shoreline Municipal Code (SMC). Amendments to Title 20 are used to ensure consistency between the City's development regulations and the City's Comprehensive Plan, to reflect amendments to state rules and regulations, or to respond to changing conditions or needs of the City.

Pursuant to SMC 20.30.070, amendments to the Development Code are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for these types of decisions and is responsible for holding an open record Public Hearing on any proposed amendments and making a recommendation to the City Council on each amendment.

The 2020 'batch' of Development Code amendments is comprised of 53 amendments. The proposed Development Code amendments include administrative changes (reorganization and minor corrections), clarifying amendments, and policy amendments.

The Planning Commission held two study sessions on July 2 and August 20, 2020, and a Public Hearing on October 1, 2020, on the batch Development Code Amendments. Staff reports for these Planning Commission agenda items can be found at the following links:

- July 2<sup>nd</sup>: <https://www.shorelinewa.gov/home/showdocument?id=47576>.
- August 20<sup>th</sup>: <https://www.shorelinewa.gov/home/showdocument?id=49118>.
- October 1<sup>st</sup>: <https://www.shorelinewa.gov/home/showdocument?id=49401>.

At the conclusion of the Public Hearing, the Planning Commission recommended approval of 53 amendments (one amendment is recommended for inclusion into the Housing Action Plan for additional study). A memo to the City Council from the Planning Commission regarding their recommendation is included as **Attachment B**.

The Planning Commission recommended Development Code amendments are included in proposed Ordinance No. 907. Although most of the proposed Development Code amendments in this group of amendments are aimed at "cleaning up" the code and are more administrative in nature, other amendments are more substantive and have the possibility of changing policy direction for the City. The amendments included in this staff report address the administrative and clarifying amendments in Exhibit A and B to proposed Ordinance No. 907. The Council is scheduled to discuss the policy amendments (forthcoming Exhibit C) on November 9, 2020. Adoption of proposed Ordinance No. 907 is currently scheduled for November 23, 2020.

## **DISCUSSION**

All the proposed administrative (Exhibit A) and clarifying (Exhibit B) Development Code amendments are listed below. There are nine (9) administrative amendments and 23 clarifying amendments. Each amendment includes a description of the amendment, justification for the amendment and staff/Planning Commission recommendations.

## Administrative Amendments

### **Amendment #1**

20.20.010 – A definitions

**Affordable Housing** Housing reserved for occupancy to households whose annual income does not exceed a given percent of the King County median income, adjusted for household size, and has housing expenses no greater than 30 percent of the same percentage of median income. ~~For the purposes of this title, the percent of King County median income that is affordable is specified in SMC 20.40.235~~

**Justification** – This amendment updates the definition of Affordable Housing by removing an unnecessary reference to another code section.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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### **Amendment #2**

20.30.315 – Site Development Permit

A. Purpose. The purpose of a site development permit is to provide a mechanism to review activities that propose to develop or redevelop a site, not including structures, to ensure conformance to applicable codes and standards.

B. General Requirements. A site development permit is required for the following activities or as determined by the Director of Planning and Community Development:

1. The construction of two or more detached single-family dwelling units on a single parcel;
2. Site improvements associated with short and formal subdivisions; or
3. The construction of two or more nonresidential or multifamily structures on a single parcel; or
4. Site improvements that require Minimum Requirements Nos. 1 to 5, as set forth in the Stormwater Manual, as modified by the Engineering Development Manual.

**Justification** – The amendment to this section codifies stormwater requirements laid out in the Engineering Development Manual. In order to follow the City's NPDES permit, the City must do stormwater review for all projects triggering Minimum Retention requirements 1-5. Some of these projects do not currently require permits so these reviews are not always being done. This amendment will cover that missing gap.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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**Amendment #3**

20.40.160 – Station Area Uses

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
RESIDENTIAL				
<b>Tent City</b>		<b>P-i</b>	<b>P-i</b>	<b>P-i</b>

**Justification** – Tent City is an outdated term, used before the city enacted development regulations for Transitional Encampments. Currently, Transitional Encampments are allowed in all zones through the approval of a Temporary Use Permit and additional criteria for transitional encampments is in SMC 20.30.295 Temporary Use. This use is being deleted from the use table because the use of “P” denotes a permitted use so a Temporary Use Permit would not be required in the MUR zones, while such a permit is required in all other zones.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #4**

20.50.020 Dimensional requirements.

A. Table 20.50.020(1) – Densities and Dimensions in Residential Zones.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>Residential Zones</b>								
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>	<b>TC-4</b>
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (7)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac	Based on bldg. bulk limits
Min. Density	4 du/ac	4 du/ac	4 du/ac	6 du/ac	8 du/ac	10 du/ac	12 du/ac	Based on bldg. bulk limits
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft	N/A

<b>Residential Zones</b>								
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>	<b>TC-4</b>
Min. Lot Area (2) <del>(13)</del> (14)	7,200 sq ft	7,200 sq ft	5,000 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	N/A
Min. Front Yard Setback (2) (3) <del>(14)</del> (15)	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min.	5 ft min.	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height (9)	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof) (16)	35 ft (40 ft with pitched roof) (8) (16)	35 ft (16)
Max. Building Coverage (2) (6)	35%	35%	45%	55%	60%	70%	70%	N/A
Max. Hardscape (2) (6)	45%	50%	65%	75%	85%	85%	90%	90%

**Table 20.50.020(2) – Densities and Dimensions in Mixed Use Residential Zones.**

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>STANDARDS</b>	<b>MUR-35'</b>	<b>MUR-45'</b>	<b>MUR-70' (10)</b>
Base Density: Dwelling Units/Acre	N/A	N/A	N/A
Min. Density	12 du/ac (17)	18 du/ac	48 du/ac
Min. Lot Width (2)	N/A	N/A	N/A
Min. Lot Area (2)	N/A	N/A	N/A
Min. Front Yard Setback (2) (3)	0 ft if located on an arterial street 10 ft on nonarterial street	15 ft if located on 185th Street (15) 0 ft if located on an arterial street	15 ft if located on 185th Street (15) 22 ft if located on 145th Street (15)

<b>STANDARDS</b>	<b>MUR-35'</b>	<b>MUR-45'</b>	<b>MUR-70' (10)</b>
	22 ft if located on 145th Street (15)	10 ft on nonarterial street 22 ft if located on 145th Street (15)	0 ft if located on an arterial street 10 ft on nonarterial street (18)
Min. Rear Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Base Height (9) (16)	35 ft	45 ft	70 ft (11) (12) (13)
Max. Building Coverage (2) (6)	N/A	N/A	N/A
Max. Hardscape (2) (6)	85%	90%	90%

*Exceptions to Table 20.50.020(1) and Table 20.50.020(2):*

- (1) Repealed by Ord. 462.
- (2) These standards may be modified to allow zero lot line and unit lot developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.
- (3) For single-family detached development exceptions to front yard setback requirements, please see SMC 20.50.070.
- (4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC 20.50.080.
- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.
- (6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.
- (7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.
- (8) For development on R-48 lots abutting R-12, R-18, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots, the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.

(9) Base height for public and private K through 12 schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.

(10) Dimensional standards in the MUR-70' zone may be modified with an approved development agreement.

(11) The maximum allowable height in the MUR-70' zone is 140 feet with an approved development agreement.

(12) Base height in the MUR-70' zone may be increased up to 80 feet when at least 10 percent of the significant trees on site are retained and up to 90 feet when at least 20 percent of the significant trees on site are retained.

(13) All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45 feet in height. Alternatively, a building in the MUR-70' zone may be set back 10 feet at ground level instead of providing a 10-foot step-back at 45 feet in height. MUR-70' fronting on 185th Street shall be set back an additional 10 feet to use this alternative because the current 15-foot setback is planned for street dedication and widening of 185th Street.

(14) The minimum lot area may be reduced proportional to the amount of land needed for dedication of facilities to the City as defined in Chapter 20.70 SMC.

(15) The exact setback along 145th Street (Lake City Way to Fremont Avenue) and 185th Street (Fremont Avenue to 10th Avenue NE), up to the maximum described in Table 20.50.020(2), will be determined by the Public Works Department through a development application.

(16) Base height may be exceeded by 15 feet for rooftop structures such as elevators, arbors, shelters, barbeque enclosures and other structures that provide open space amenities.

(17) Single-family detached dwellings that do not meet the minimum density are permitted in the MUR-35' zone subject to the R-6 development standards.

(18) The minimum front yard setback in the MUR-70' zone may be reduced to five feet on a nonarterial street if 20 percent of the significant trees on site are retained.

**Justification** – This amendment is an administrative correction of two footnotes in Table 20.50.020(1). Two of the numbers in the table do not match the footnotes of the table.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## Amendment #5

20.50.080(B) and Figure 20.50.080(B)

B. The side yard setback requirements are specified in Subchapter 1 of this chapter, Dimensional and Density Standards for Residential Development, except that on irregular lots with more than two side yards, the sum of the two longest side yards must be minimum 15 feet, but none of the remaining side yard setbacks shall be less than five feet. If an irregular lot, such as a triangle lot, which contains only one designated side yard, it shall be a minimum of five feet.

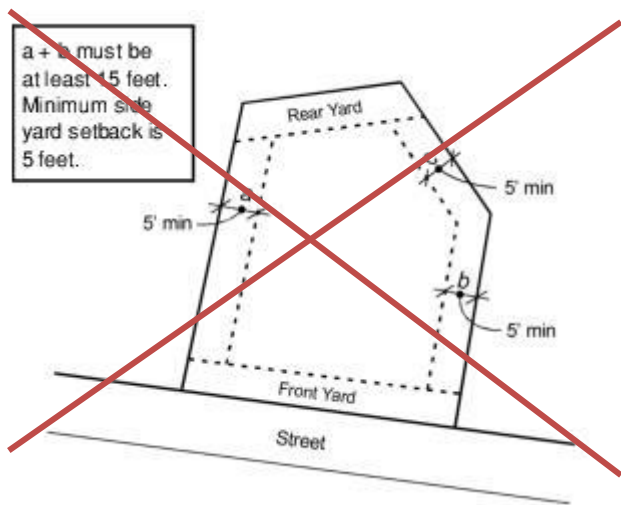


Figure 20.50.080(B): Side yard requirements for irregular lots.

**Justification** – The City updated the side-yard setback requirement for R-4 and R-6 from 15-foot cumulative to 5-foot minimum in 2017 and the following section was never deleted to reflect that change.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## Amendment #6

SMC 20.50.310(B) – Exemptions from permit

B. **Partial Exemptions.** With the exception of the general requirements listed in SMC 20.50.300, the following are exempt from the provisions of this subchapter, provided the development activity does not occur in a critical area or critical area buffer. For those exemptions that refer to size or number, the thresholds are cumulative during a 36-month period for any given parcel:

1. The removal of three significant trees on lots up to 7,200 square feet and one additional significant tree for every additional 7,200 square feet of lot area.

2. The removal of any tree greater than 30 inches DBH ~~or exceeding the numbers of trees specified in the table above~~, shall require a clearing and grading permit (SMC 20.50.320 through 20.50.370).
3. Landscape maintenance and alterations on any property that involve the clearing of less than 3,000 square feet, ~~or less than 1,500 square feet if located in a special drainage area~~, provided the tree removal threshold listed above is not exceeded.

**Justification** – Ordinance No. 850 deleted Table 20.50.310(B)(1) from the code, leaving just the text for (B)(1). However, Section (B)(2) still references what is now the non-existent table that was deleted by Ordinance No. 850. This reference has been deleted in the Planning Commission recommendation.

In addition, the amendment in (B)(3) strikes the reference to “special drainage area” (also in SMC 20.50.320) because the updated 2020 Engineering Development Manual (EDM) has deleted the section on Special Drainage Areas. The City has never actually designated any areas as special drainage areas going back to at least the 2014 EDM. In the 2014 EDM, there were a couple mentions that activities in Special Drainage Areas shall meet additional drainage requirements as designated by the Director. Those references were removed in the 2016 EDM, and then the Special Drainage Area section was removed all together in the 2019 EDM.

The EDM never had specific requirements for special drainage areas but did include a definition:

*An area which has been formally determined by the City to require more restrictive regulation than Citywide standards afford in order to mitigate severe flooding, drainage, erosion or sedimentation problems which result from the cumulative impacts of development.*

Based on the EDM definition, designating something as a special drainage area would not give the City any more authority than we already have if we are aware of the issues noted in the definition such as areas of severe flooding. The special drainage area designation is an outdated tool that Public Works/the Surface Water Utility does not utilize, and it may warrant a conversation about removing the term in SMC 13.10.230 with a future batch amendment.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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**Amendment #7**

20.50.390(D) – Special Nonresidential Standards

**Table 20.50.390D – Special Nonresidential Standards**

NONRESIDENTIAL USE	MINIMUM SPACES REQUIRED
Nursing and personal care facilities:	1 per 4 beds

**Justification** – Personal Care was deleted as a use as part of Ordinance No. 824 and the below reference in Table 20.50.390D was not concurrently deleted.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #8**

20.50.450 - Purpose

The purposes of this subchapter are:

1. To enhance the visual continuity within and between neighborhoods;
2. To establish at least an urban tree canopy through landscaping and street trees;
3. To screen areas of low visual interests and buffer potentially incompatible developments;  
and
4. To complement the site and building design with landscaping.

**Justification** – This amendment corrects a wrong word choice. The correct word is “complement” not “compliment.”

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #9**

20.70.240(F) – Private streets

Local access streets may be private, subject to the approval of the City. If the conditions for approval of a private street cannot be met, then a public street will be required. Private streets may be allowed when all of the following conditions are present:

- A. The private street is located within a tract or easement; and

- B. A covenant, tract, or easement which provides for maintenance and repair of the private street by property owners has been approved by the City and recorded with King County; and
- C. The covenant or easement includes a condition that the private street will remain open at all times for emergency and public service vehicles; and
- D. The private street would not hinder public street circulation; and
- E. The proposed private street would be adequate for transportation and fire access needs; and
- F. At least one of the following conditions exists:
  - 1. The street would ultimately serve ~~four~~ five or ~~fewer~~ more single-family detached dwelling units or lots; or
  - 2. ~~The private street would ultimately serve more than four lots, and the Director determines that no other access is available; or~~
  - 3. The private street would serve developments where no circulation continuity is necessary.

**Justification** – 20.70.240(F)(1) specifies four (4) or fewer single-family lots as a condition for allowing a private street, while the recently created table in 20.70.450 specifies that an access is only considered a private street when 5 or more single-family detached units are developed. These two provisions are in conflict so this is a clarification so 20.70.240 will match the language in the recently amended 20.70.450 (Ordinance No. 850, 2019).

**Recommendation** – Planning Commission recommends that this amendment be approved.

### Clarifying Amendments

**Amendment #1**

20.20.010 – A definitions

**Assisted Living Facilities** Any home or other institution that provides housing, housekeeping services, meals, laundry, activities, and assumes general responsibility for the safety and well-being of the residents, and may also provide domiciliary care, consistent with chapter 18.20 RCW, chapter 74.39A, RCW, and chapter 388-78A WAC, as amended, to seven or more residents. "Assisted living facility" does not include facilities certified as group training homes under RCW 71A.22.040, nor any home, institution, or section that is otherwise licensed and regulated under state law that provides specifically for the licensing and regulation of that home, institution, or section. "Assisted living facility" also does not include senior independent housing, independent living units in continuing care retirement

communities, or other similar living situations including those subsidized by the U.S. Department of Housing and Urban Development.

**Justification** – This amendment adds a definition for Assisted Living Facilities, replacing the definition for Senior Citizen Assisted Housing. This use is distinct from an adult family home which can accommodate up to six (6) residents and must be regulated as a single-family home under local zoning and building codes. Licensing and regulations are given in Chapter 388-76 WAC.

An assisted living facility is different and can accommodate seven or more residents with extensive licensing, operational and building requirements under Chapter 388-78A WAC/18/20 RCW.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## **Amendment #2**

20.20.028 – J definitions

- Junk Vehicle    A vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:
- A.    Is three years old or older;
  - B.    Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor or transmission;
  - C.    Is apparently inoperable including a condition which makes the vehicle incapable of being operated legally on a public highway;
  - D.    Has an approximate fair market value equal only to the approximate value of the scrap in it.

**Justification** – The proposed amendment to the definition of junk vehicle will allow the City's Code Enforcement and Customer Response Team and the Police Department to determine when a vehicle qualifies as a junk vehicle. Junk vehicles are regulated in SMC 20.30.750 and the section outlines the process of abating the nuisance.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## **Amendment #3**

20.20.034 – Manufactured and Mobile homes

Definition from SMC 20.20.034:

**Manufactured Home** A factory assembled structure intended solely for human habitation installed on a permanent foundation with running gear removed and connected to utilities on an individual building lot.

**13.12.105 Definitions.**

*“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”*

*New Manufactured Home definition –*

**Manufactured Home** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”  
~~factory assembled structure intended solely for human habitation installed on a permanent foundation with running gear removed and connected to utilities on an individual building lot.~~

**Justification** – While researching the two different Recreational Vehicle definitions in – SMC 13.12 Floodplain Management and Title 20 – Development Code, staff noticed that Manufactured Homes are defined in both Titles and the definitions are different. This amendment to SMC 20.20.034 makes both definitions consistent.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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**Amendment #4**

20.20.040 – P definitions

- Party of Record
- A. A person who testifies at a hearing;
  - B. The applicant;
  - C. For Type B and C actions, pPersons submitting written testimony about a matter pending before the decision-making authority; or
  - D. The appellant(s) and respondent(s) in an administrative appeal.

**Justification** – The definition of Party of Record is proposed to be amended to match language in SMC 20.30.150, Notice of decision which states, “For Type B and C actions, the Director shall issue and mail a notice of decision to the parties of record and to any person who, prior to the rendering of the decision, requested notice of the decision.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #5**

20.20.046 – S definitions

Senior Citizen Assisted Housing     ~~Housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 55 years of age or older per unit, and must include at least two of the following support services:~~

- ~~A. Common dining facilities or food preparation service;~~
- ~~B. Group activity areas separate from dining facilities;~~
- ~~C. A vehicle exclusively dedicated to providing transportation services to housing occupants;~~
- ~~D. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.~~

**Justification** – Staff proposes to replace this definition with a new and more accurate definition of Assisted Living Facility in Amendment #1.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #6**

20.30.60 – Quasi-judicial decisions – Type C

**Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions**

Action	Notice Requirements for Application and Decision <sup>(3), (4)</sup>	Review Authority, Open Record Public Hearing	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
<b>Type C:</b>					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>	City Council	120 days	20.30.410
2. Rezone of Property and Zoning Map Change	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.330

Action	Notice Requirements for Application and Decision <sup>(3), (4)</sup>	Review Authority, Open Record Public Hearing	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.336
<del>6. Final Formal Plat</del>	<del>None</del>	<del>Review by Director</del>	<del>City Council</del>	<del>30 days</del>	<del>20.30.450</del>
<del>7. SCTF – Special Use Permit</del>	<del>Mail, Post Site, Newspaper</del>	<del>HE <sup>(1), (2)</sup></del>		<del>120 days</del>	<del>20.40.502</del>
78. Master Development Plan	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.353
<del>89. Plat Alteration with Public Hearing <sup>(5)</sup></del>	<del>Mail</del>	<del>HE <sup>(1), (2)</sup></del>		<del>120 days</del>	<del>20.30.425</del>

<sup>(1)</sup> Including consolidated SEPA threshold determination appeal.

<sup>(2)</sup> HE = Hearing Examiner.

<sup>(3)</sup> Notice of application requirements are specified in SMC 20.30.120.

<sup>(4)</sup> Notice of decision requirements are specified in SMC 20.30.150.

<sup>(5)</sup> A plat alteration does not require a neighborhood meeting.

**Justification** – This amendment removes Final Formal Plats from the Type C actions Table. This amendment streamlines the process for approving Final Formal Plats from a quasi-judicial Type C action to an administrative approval by the Director in accordance with RCW 58.17.100 because the preliminary formal plat was reviewed by Hearing Examiner and approved by the City Council.

**Recommendation** – Planning Commission recommends that this amendment be approved.

## **Amendment #7**

### 20.30.315 – Site Development Permit

A. Purpose. The purpose of a site development permit is to provide a mechanism to review activities that propose to develop or redevelop a site, not including structures, to ensure conformance to applicable codes and standards.

B. General Requirements. A site development permit is required for the following activities or as determined by the Director of Planning and Community Development:

1. The construction of two or more detached single-family dwelling units on a single parcel;
2. Site improvements associated with short and formal subdivisions; or
3. The construction of two or more nonresidential or multifamily structures on a single parcel; or
4. Site improvements that require Minimum Requirements Nos. 1 to 5, as set forth in the Stormwater Manual, as modified by Division 3 the Engineering Development Manual.

**Justification** – The amendment to this section codifies stormwater requirements laid out in the Engineering Development Manual. In order to follow the City’s NPDES permit, the City must do stormwater review for all projects triggering Minimum Retention requirements 1-5. Some of these projects do not currently require permits so these reviews are not always being done. This amendment will cover that missing gap.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## **Amendment #8**

### 20.30.355(D) – Development Agreement Contents for Property Zoned MUR-70' in Order to Increase Height Above 70 Feet.

Each development agreement approved by the City Council for property zoned MUR-70' for increased development potential above the provision of the MUR-70' zone shall contain the following:

1. Twenty percent of the housing units constructed on site shall be affordable to those earning less than 60 percent of the median income for King County adjusted for household size. The units shall remain affordable for a period of no less than 99 years. The number of affordable housing units may be decreased to 10 percent if the level of affordability is increased to 50 percent of the median income for King County adjusted for household size. A fee in lieu of constructing any fractional portion of mandatory units is available upon the City Council's establishment of a fee in lieu formula. Full units are not eligible for fee in lieu option and must be built on site. ~~constructing the units may be paid upon authorization of the City's affordable housing program instead of constructing affordable housing units on site.~~ The fee will be specified in SMC Title 3.

3.01.025 Affordable housing fee in lieu.

2019 Fee Schedule		
A. Rate Table		
Zoning district	Fee per unit if providing 10% of total units as affordable	Fee per unit if providing 20% of total units as affordable
MUR-45	\$206,152	\$158,448
MUR-70	\$206,152	\$158,448
MUR-70 with development agreement	\$253,855	\$206,152

Note: The fee in lieu is calculated by multiplying the fee shown in the table by the fractional mandated unit. For example, a 0.40 fractional unit multiplied by \$206,152 would result in a fee in lieu of \$82,460.80.

**Justification** – This amendment seeks to strike the last sentence under #1 which refers to a fee in lieu for constructing affordable housing units. This was not the intention of the fee in lieu program. The fee in lieu was authorized for partial units, or the units that are fractional when performing affordable unit calculations. The fee in lieu program is not intended to replace full affordable units for a fee.

**Staff-Recommended Amendment to Clarifying Amendment #8** - The Planning Commission proposed language includes a statement that a fee in lieu of constructing any fractional portion of mandatory units is available upon the City Council’s establishment of a fee in lieu formula. When this Development Code amendment was submitted, the City did not have a fee-in-lieu formula for affordable housing units. Staff recommends amending the Planning Commission’s recommended language to strike this part of the code and replace it with a reference to the adopted fee schedule in Chapter 3.01 of the SMC.

**Staff-Recommended Amendatory Motion** – If Council would like to amend the Clarifying amendment #8, a Council member would need to move to modify the Planning Commission’s recommendation as follows:

***I move to modify the Planning Commission’s recommendation by amending SMC 20.30.355 (D)(1) to read, “A fee in lieu of constructing any fractional portion of mandatory units is based on the adopted fee schedule (Chapter 3.01 SMC). Full units are not eligible for fee in lieu option and must be built on site”.***

**Recommendation** – Staff recommends Council amend the Planning Commission recommendation with language provided in the amendatory motion.



**Amendment #9**

20.30.425 – Alteration of recorded plats.

E. Recording of Alteration. No later than 30 calendar days after approval of the alteration, the applicant shall produce a revised drawing or text of the approved alteration to the plat, conforming to the recording requirements of Chapter 58.17 RCW and processed for signature in the same manner as set forth for final plats in this chapter. ~~No later than 60 calendar days after the City has signed the altered plat, the applicant shall file, at their sole cost and expense, the revision approved by the alteration to the altered plat with the King County Recorder to become the lawful plat of the property. The Director may approve a 30-day extension of the recording deadline if requested by the applicant for prior to expiration of the approval.~~

**Justification** – This amendment sets a deadline for recording the alteration of 60 days after approval.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #10**

20.40.120 – Residential Uses

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>RESIDENTIAL GENERAL</b>									
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
-	Apartment	-	C	P	P	P	P	P	P
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i	P-i				
	Mobile Home Park	P-i	P-i	P-i	P-i				
	Multifamily		C	P	P	P	P-i	P	P
	Single-Family Attached	P-i	P	P	P	P			
	Single-Family Detached	P	P	P	P				
<b>GROUP RESIDENCES</b>									
	Adult Family Home	P	P	P	P				

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	<b><u>Assisted Living Facility</u></b>		<b><u>C</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i	P-i	P-i
	Residential Care Facility	C-i	C-i	P-i	P-i				
721310	Dormitory		C-i	P-i	P-i	P-i	P-i	P-i	P-i
<b>TEMPORARY LODGING</b>									
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Homeless Shelter						P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
<b>MISCELLANEOUS</b>									
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use

S = Special Use

C = Conditional Use

-i = Indexed Supplemental Criteria

**Justification** – This amendment deletes Apartment (it is considered Multifamily) as a use listed on the Table and adds the new defined Assisted Living Facility to the residential use table.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #11**

20.40.140 – Other Uses

Table 20.40.140 Other Uses

NAICS #	SPECIFIC USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>HEALTH</b>									
622	Hospital			C-i	C-i	C-i	P-i	P-i	P-i
6215	Medical Lab						P	P	P
6211	Medical Office/Outpatient Clinic			C-i	C-i	P	P	P	P
623	Nursing Facility			C	C	P	P	P	P
	<b>Residential Treatment Facility</b>			<b>C-i</b>	<b>C-i</b>	<b>C-i</b>	<b>P-i</b>	<b>P-i</b>	<b>P-i</b>
P = Permitted Use					S = Special Use				
C = Conditional Use					-i = Indexed Supplemental Criteria				

**Justification** – This amendment will delete the “i” in the table since Residential Treatment Facilities (RTFs) do not have indexed criteria associated with the use. SMC 20.20.044 currently has a definition of RTFs and refers to the RCW and WAC that regulated such uses. The definition of RTFs is, “A facility licensed by the State pursuant to Chapter 71.12 RCW and Chapter 246-337 WAC that provides 24-hour on-site care for the evaluation, stabilization, or treatment of residents for substance abuse, mental health, or co-occurring disorders. The facility includes rooms for social, educational, and recreational activities, sleeping, treatment, visitation, dining, toileting, and bathing. Because the RCW and WAC have specific regulations for RTFs, the City does not have to rely on additional indexed criteria for this use.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #12**

20.40.150 – Campus Uses

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
513	Broadcasting and Telecommunications	P-m			P-m
	Bus Base	P-m			P-m
	Child and Adult Care Services	P-m	P-m		P-m

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
	Churches, Synagogue, Temple	P-m	P-m		
6113	College and University				P-m
	Conference Center	P-m			P-m
	<u>Dormitory</u>	<u>P-m</u>	<u>P-m</u>		<u>P-m</u>
6111	Elementary School, Middle/Junior, High School	P-m			

**Justification** – Shoreline Community College has recently completed a student housing building and more dormitories may be necessary in the future. Other campuses such as CRISTA and Fircrest may also need this use in the future. The only way new uses can be added to the Campus zones is through the Master Development Plan Permit (MDP). The Shoreline Community College Master Development Plan Permit was adopted in 2013 and included Dormitories as a permitted use. This amendment is adding dormitories based on the approved Shoreline Community College MDP.

**Recommendation** – Planning Commission recommends that this amendment be approved.

### Amendment #13

20.40.320 – Daycare facilities

#### 20.40.320 Daycare facilities.

A. Daycare I facilities are permitted in R-4 through R-12 zoning designations as an accessory to residential use, house of worship, or a school facility, provided:

1. Outdoor play areas shall be completely enclosed, with no openings except for gates, and have a minimum height of 42 inches; and
2. Hours of operation may be restricted to assure compatibility with surrounding development.

B. Daycare II facilities are permitted in R-8 and R-12 zoning designations through an approved conditional use permit. Daycare II facilities are permitted or as a reuse of an existing house of worship or school facility without expansion in the R-4 and R-6 zones, provided:

1. Outdoor play areas shall be completely enclosed, with no openings except for gates, and have a minimum height of six feet.
2. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
3. Hours of operation may be restricted to assure compatibility with surrounding development.

**Justification** – SMC 20.40.130 lists Daycare II as a permitted use in the R-4 and R-6 zones with indexed criteria. The indexed criteria are unclear when a Daycare II is permitted. This amendment makes it clear that Daycare II facilities are only allowed in the R-4 and R-6 zones when they are a reuse of an existing house of worship or school without expansion.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #14**

Exceptions to Table 20.50.020(3) – Transition Areas

**Table 20.50.020(3) – Dimensions for Development in Commercial Zones**

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>Commercial Zones</b>				
<b>STANDARDS</b>	<b>Neighborhood Business (NB)</b>	<b>Community Business (CB)</b>	<b>Mixed Business (MB)</b>	<b>Town Center (TC-1, 2 &amp; 3)</b>
Min. Front Yard Setback (Street) (1) (2) (5) (see Transition Area Setback, SMC 20.50.021)	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from Commercial Zones and the MUR-70' zone	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area Setback, SMC 20.50.021)	20 ft	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones, MUR-35' and MUR-45' Zones	15 ft	15 ft	15 ft	15 ft
Base Height (3)	50 ft	60 ft	70 ft	70 ft
Hardscape (4)	85%	85%	95%	95%

*Exceptions to Table 20.50.020(3):*

- (1) Front yards may be used for outdoor display of vehicles to be sold or leased.

(2) Front yard setbacks, when in transition areas (SMC 20.50.021(A)) ~~and across rights-of-way~~, shall be a minimum of 15 feet except on rights-of-way that are classified as principal arterials or when R-4, R-6, or R-8 zones have the Comprehensive Plan designation of Public Open Space.

**Justification** – As currently written, Exception #2 says that front yard setbacks across rights of way shall be a minimum of 15 feet. The intent of Exception #2 is to require the 15-foot minimum in transition areas, not all areas across right of way.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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### **Amendment #15**

#### 20.50.040(F) Setbacks – Designation and measurement

F. Allowance for Optional Aggregate Setback. For lots with unusual geometry, flag lots with undesignated setbacks, or site conditions, such as critical areas, an existing cluster of significant trees, or other unique natural or historic features that should be preserved without disturbance, the City may reduce the individual required setbacks; however, the total of setbacks shall be no less than the sum of the minimum front yard, rear yard, and side yards setbacks. In order to exercise this option, the City must determine that a public benefit is gained by relaxing any setback standard. The following criteria shall apply:

1. No rear or side yard setback shall be less than five feet.
2. The front yard setback adjacent to the street shall be no less than 15 feet in R-4 and R-6 ~~and 10 feet in all other zones~~. (See Exception 20.50.070(1).)

**Justification** – This amendment is a minor correction. The City has adopted alternative setback standards for zones such as MUR-35' and MUR-45' where setbacks can be 0-feet if the necessary frontage improvements are in place. The existing language states that the setback must 10-feet in all other zones. This proposed amendment seeks to allow this.

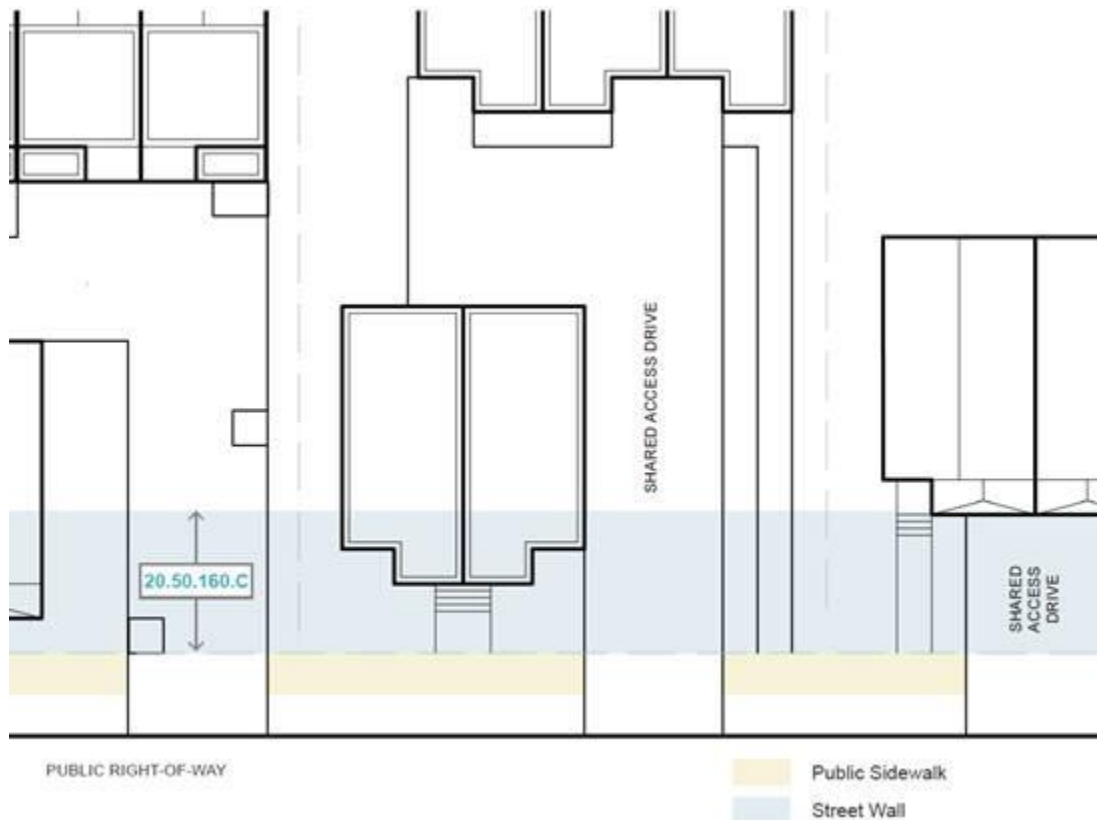
**Recommendation** – Planning Commission recommends that this amendment be approved.

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### **Amendment #16**

#### 20.50.160(C) – Site Configuration

C. **Site Configuration.** At least 40 percent of units within a site shall be located between the front property line and a 25-foot distance from the front property line, with the front façade of the unit(s) oriented towards the public right-of-way, to create a “street wall” which enhances the streetscape and overall pedestrian experience.



**Justification** – The language contained in this section needs to be amended to clarify the intent of the townhome design standards and match the illustration included with this code requirement. The intent of the section is for the units within 25-feet of the front property line to be oriented, or facing, the street.

**Recommendation** – Planning Commission recommends that this amendment be approved.

## Amendment #17

### 20.50.240(E) – Internal site walkways

#### E. Internal Site Walkways.

1. Developments shall include internal walkways or pathways that connect building entries, public places, and parking areas with other nonmotorized facilities including adjacent public sidewalks and the Interurban Trail, where adjacent, (except in the MUR-35' zone).

a. All development shall provide clear and illuminated pathways between the main building entrance and a public sidewalk. Pathways shall be separated from motor vehicle traffic or raised six inches and be at least eight feet wide. Separated from motor vehicle traffic means (1) there is at least three (3) linear feet of landscaping between the closest edge of the vehicular circulation area and closest edge of the pedestrian access or (2) separation by a building;

**Justification** – This section does not currently clarify what “separated” means. The proposed language creates a minimum standard to be considered separated.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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### **Amendment #18**

#### 20.50.370 – Tree protection standards

The following protection measures shall be imposed for all trees to be retained on site or on adjoining property, to the extent off-site trees are subject to the tree protection provisions of this chapter, during the construction process:

- A. All required tree protection measures shall be shown on the tree protection and replacement plan, clearing and grading plan, or other plan submitted to meet the requirements of this subchapter.
- B. Tree dripline areas or critical root zones (tree protection zone) as defined by the International Society of Arboriculture shall be protected. No development, fill, excavation, construction materials, equipment staging, or traffic shall be allowed in the dripline areas of trees that are to be retained.
- C. Prior to any land disturbance, temporary construction fences must be placed around the ~~dripline of trees~~ tree protection zone to be preserved. If a cluster of trees is proposed for retention, the barrier shall be placed around the edge formed by the drip lines of the trees to be retained. Tree protection shall remain in place for the duration of the permit unless earlier removal is addressed through construction sequencing on approved plans.
- D. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Director. “Tree Protection Area” signs shall be posted visibly on all sides of the fenced areas. On large or multiple-project sites, the Director may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.
- E. Where tree protection ~~areas~~zones are remote from areas of land disturbance, and where approved by the Director, alternative forms of tree protection may be used in lieu of tree protection barriers; provided, that protected trees are completely surrounded with continuous rope or flagging and are accompanied by “Tree Leave Area – Keep Out” signs.
- F. Rock walls shall be constructed around the tree, equal to the dripline, when existing grade levels are lowered or raised by the proposed grading.
- G. Retain small trees, bushes, and understory plants within the tree protection zone, unless the plant is identified as a regulated noxious weed, a non-regulated noxious weed, or a weed of concern by the King County Noxious Weed Control Board ~~to the maximum extent practicable.~~

**Justification** – These amendments strengthen tree protection measures for sites under construction. It seeks to avoid the situation where a permit is approved based on retention of existing trees but during construction occurring within the dripline, a tree is so damaged that it will not survive after construction or becomes hazardous.



**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #19**

20.50.390(A) – General residential parking standards

**Table 20.50.390A – General Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
<u>Single-Family detached/townhouse:</u>	<del>2.0 per dwelling unit. 4.0 per dwelling unit in the MUR zones for single-family attached/townhouse dwellings.</del>
<u>Single-Family attached:</u>	<u>2.0 per dwelling unit. 1.0 per dwelling unit in the MUR zones.</u>
<u>Multifamily Dwelling Apartment:</u>	<del>Ten percent of required spaces in multifamily and residential portions of mixed use development must be equipped with electric vehicle infrastructure for units where an individual garage is not provided.<sup>4</sup></del>
Studio units:	0.75 per dwelling unit
One-bedroom units:	0.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

<sup>4</sup>~~Electric vehicle infrastructure requires that the site design must provide conduit for wiring and data, and associated ventilation to support the additional potential future electric vehicle charging stations pursuant to the most current edition of the National Electrical Code Article 625.~~

~~If the formula for determining the number of electric vehicle parking spaces results in a fraction, the number of required electric vehicle parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.~~

**Justification** – There are two changes to the section:

1. Changing the term “Apartment” to “Multifamily” to be consistent with the rest of the Development Code.
2. Delete the provisions for EV parking facilities. Staff has proposed a new table with EV parking standards below.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #20**

20.50.390(B) – Special residential parking standards

**Table 20.50.390B – Special Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
Bed and breakfast guesthouse:	1 per guest room, plus 2 per facility
Residential care facilities:	1 per 3 patients, plus 1 per FTE employee on duty
Dormitory, including religious:	1 per 2 units
Hotel/motel, including organizational hotel/lodging:	1 per unit
<del>Senior citizen</del> <u>Assisted living facilities:</u>	1 per 3 dwelling or sleeping units

**Justification** – Amendment for consistency with new definition for Assisted Living facilities.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**Amendment #21**

20.50.400 – Reductions to minimum parking requirements

20.50.400 Reductions to minimum parking requirements.

A. Reductions of up to 25 percent may be approved by the Director when criterion 1 is met, or when using a combination of the following two or more of criteria 2-9 are met:

1. On-street parking along the parcel’s street frontage. A high-capacity transit service stop is within one-quarter mile of the development’s property line with a complete pedestrian route from the development to the transit stop that includes City-approved curbs, sidewalks, and street crossings.

2. Shared parking agreement with nearby parcels within reasonable proximity where land uses do not have conflicting parking demands. ~~The number of on-site parking stalls requested to be reduced must match the number provided in the agreement.~~ A record on title with King County is required.
3. Parking management plan according to criteria established by the Director.
4. A City-approved residential parking zone (RPZ) for the surrounding neighborhood within one-quarter mile radius of the subject development's property line. The management cost for the RPZ must be paid by the applicant and/or developer property owner on an annual basis.
- ~~5. A high-capacity transit service stop within one-quarter mile of the development property line with complete City approved curbs, sidewalks, and street crossings.~~
- ~~65. A pedestrian public access easement that is a minimum of eight feet wide, safely lit, and connects through a parcel between minimally at least two different rights-of-way. The access easement shall be developed with a sidewalk or shared use path that complies with the Engineering Design Manual. This easement may include other pedestrian facilities such as walkways and plazas and bike facilities.~~
- ~~76. City-approved traffic calming or traffic diverting facilities to protect the surrounding single-family neighborhoods within a one-quarter mile radius of the development's property line.~~
- ~~87. Retention of at least 20 percent of the significant trees on a site zoned MUR-70'.~~
- ~~98. Replacement of all significant trees removed on a site zoned MUR-70' as follows:~~
  - a. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one new tree.
  - b. Each additional three inches in diameter at breast height equals one additional new tree, up to three trees per significant tree removed.
  - c. ~~Minimum Size Requirements for Replacement Trees under This Provision~~ this subsection. Deciduous trees shall be at least one and one-half inches in caliper and evergreens at least six feet in height.
- ~~9. A On-site dedicated parking spaces for a car-sharing service with an agreement with the provider(s) is available and parking spaces are dedicated to that service.~~
- ~~B. A project applying for Parking reductions for under the Deep Green Incentive Program projects are set forth in SMC 20.50.630. may be eligible based on the intended certification. Parking reductions are not available in R-4 and R-6 zones. Reductions will be based on the following tiers:~~
  - ~~1. Tier 1 — Living Building or Living Community Challenge Certification: up to 50 percent reduction in parking required under SMC 20.50.390 for projects meeting the full International Living Future Institute (ILFI) program criteria;~~
  - ~~2. Tier 2 — Living Building Petal or Emerald Star Certification: up to 35 percent reduction in parking required under SMC 20.50.390 for projects meeting the respective ILFI or Built Green program criteria;~~

~~3. Tier 3 — LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or Zero Energy/Salmon Safe Certification: up to 20 percent reduction in parking required under SMC 20.50.390 for projects meeting the respective US Green Building Council, Built Green, PHIUS, ILFI and/or Salmon Safe program criteria.~~

~~4. Tier 4 — PHIUS+ or 4-Star: up to five percent reduction in parking required under SMC 20.50.390 for projects meeting the PHIUS or Built Green program criteria.~~

~~C. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing. A request for a parking reduction shall be processed as an Interpretation of the Development Code.~~

D. When granting a parking reduction, The Director may impose performance standards and conditions of approval on a project, including a financial guarantee.

E. Reductions of up to 50 percent may be approved by the Director for the portion of housing providing low-income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development. This parking reduction may not be combined with parking reductions identified in subsection A of this section.

F. A parking reduction of 25 percent may be approved by the Director for multifamily development within one-quarter mile of the light rail stations. ~~These~~ This parking reductions may not be combined with parking reductions identified in subsections A and E of this section.

G. Parking reductions for affordable housing or the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.

**Justification** – Staff recommends updating this section of the Development Code containing the criteria for parking reductions to clarify the requirements and how the different incentives interact. Providing a dedicated car-sharing space is an example of an action that reduces demand for parking spaces:

<https://urbanland.uli.org/development-business/developers-reduce-parking-via-car-sharing/>.

**Recommendation** – Planning Commission recommends that this amendment be approved.

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## **Amendment #22**

### 20.50.410 – Parking design standards

A. All vehicle parking and storage for single-family detached dwellings and duplexes must be in a garage, carport or on an approved impervious surface or pervious concrete or pavers. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

B. All vehicle parking and storage for multifamily and commercial uses must be on a paved surface, pervious concrete or pavers. All vehicle parking shall be located on the same parcel or same development area that parking is required to serve.

C. Parking for residential units must be included in the rental or sale price of the unit. Parking spaces cannot be rented, leased, sold, or otherwise be separate from the rental or sales price of a residential unit.

I. ~~Required~~ Parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

**Justification** – This amendment clarifies that all parking shall be located outside of required setbacks, not just required parking. This also clarifies that driveways with parking within the setback are allowed, whether it is required or additional onsite parking. This better accommodates ADUs and other small single-family additions and garage conversions by clarifying that required *parking can be located within the driveway that is within a required setback*.

**Recommendation** – Planning Commission recommends that this amendment be approved.

### **Amendment #23**

#### 20.80.280(C) – Required Buffer Areas

C. **Standard Required Stream Buffer Widths.** Buffer widths shall reflect the sensitivity of the stream type, the risks associated with development and, in those circumstances permitted by these regulations, the type and intensity of human activity and site design proposed to be conducted on or near the stream area. Stream buffers shall be located on both sides of the stream and measured from the ordinary high-water mark (OHWM) or the top of the bank, if the OHWM cannot be determined. Buffers shall be measured with rounded ends where streams enter or exit piped segments.

1. The following buffers are established for streams based upon the Washington State Department of Natural Resources water typing system and further classification based on anadromous or nonanadromous fish presence for the Type F streams:

**Table 20.80.280(1)**

<b>Stream Type</b>	<b>Standard Buffer Width (ft) <u>Required on both sides of the stream</u></b>
Type S	150
Type F-anadromous	115
Type F-nonanadromous	75

**Table 20.80.280(1)**

<b>Stream Type</b>	<b>Standard Buffer Width (ft) <u>Required on both sides of the stream</u></b>
Type Np	65
Type Ns	45
Piped Stream Segments	10

**Justification** –This amendment would add clarity to the regulation that the standard buffer applies to both sides of a stream.

**Recommendation** – Planning Commission recommends that this amendment be approved.

**RESOURCE/FINANCIAL IMPACT**

The proposed amendments have no direct financial impact to the City.

**RECOMMENDATION**

No formal action is required by Council at this time. The Planning Commission has recommended adoption of the proposed amendments in Ordinance No. 907. Staff recommends adoption of Ordinance No. 907 as recommended by the Planning Commission, with the exception of the proposed amendment to clarifying amendment #8, when this ordinance is brought back for potential adoption on November 23, 2020.

**ATTACHMENTS**

- Attachment A – Proposed Ordinance No. 907
- Attachment A, Exhibit A – Proposed Administrative Amendments
- Attachment A, Exhibit B – Proposed Clarifying Amendments
- Attachment B – October 2, 2020 Memorandum to the City Council from the Shoreline Planning Commission

**ORDINANCE NO. 907**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
AMENDING CERTAIN SECTIONS OF THE SHORELINE MUNICIPAL  
CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, TO PROVIDE  
CLARITY FOR EXISTING REGULATIONS AND FOR BETTER  
ADMINISTRATION OF THE REGULATIONS.**

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, Title 36.70A RCW; and

WHEREAS, Shoreline Municipal Code (SMC) Title 20 is the Unified Development Code setting forth the zoning and development regulations for the City; and

WHEREAS, on July 2, 2020 and August 20, 2020, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on October 1, 2020, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments so as to receive public testimony; and

WHEREAS, at the conclusion of the public hearing, the City of Shoreline Planning Commission voted that the proposed amendments recommended by Planning Staff, as amended by the Planning Commission, be approved by the City Council; and

WHEREAS, on November 9, 2020 and November 23, 2020, the City Council held study sessions on the proposed Development Code amendments as recommended by the Planning Commission; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the amendments and the public hearing as provided in SMC 20.30.070; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment(s) to its Unified Development Code; and

WHEREAS, the environmental impacts of the amendments to the Unified Development Code resulted in the issuance of a Determination of Non-Significance (DNS) on September 3, 2020, and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serve the purpose of the Unified Development Code as set forth in SMC 20.10.020; and

WHEREAS, the City Council concurs with the Shoreline Planning Commission’s recommendation;

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

**Section 1. Amendment.** Title 20 of the Shoreline Municipal Code, Unified Development Code is amended as set forth in Exhibit A, Exhibit B, and Exhibit C to this Ordinance.

**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 DECEMBER 7, 2020.**

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jessica Simulcik-Smith  
City Clerk  
Date of Publication: , 2020  
Effective Date: , 2020

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



**DEVELOPMENT CODE AMENDMENTS BATCH 2020 – Administrative Amendments**

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**20.20 Amendments**

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**Amendment #1**

**20.20.010 – A definitions**

**Affordable Housing** Housing reserved for occupancy to households whose annual income does not exceed a given percent of the King County median income, adjusted for household size, and has housing expenses no greater than 30 percent of the same percentage of median income. ~~For the purposes of this title, the percent of King County median income that is affordable is specified in SMC 20.40.235~~

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**20.30 Amendments**

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**Amendment #2**

**20.30.315 – Site Development Permit**

A. Purpose. The purpose of a site development permit is to provide a mechanism to review activities that propose to develop or redevelop a site, not including structures, to ensure conformance to applicable codes and standards.

B. General Requirements. A site development permit is required for the following activities or as determined by the Director of Planning and Community Development:

1. The construction of two or more detached single-family dwelling units on a single parcel;
2. Site improvements associated with short and formal subdivisions; or
3. The construction of two or more nonresidential or multifamily structures on a single parcel; or
4. Site improvements that require Minimum Requirements Nos. 1 to 5, as set forth in the Stormwater Manual, as modified by the Engineering Development Manual.

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### 20.40 Amendments

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**Amendment #3****20.40.160 – Station Area Uses**

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
RESIDENTIAL				
<del>Tent City</del>		<del>P-i</del>	<del>P-i</del>	<del>P-i</del>

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### 20.50 Amendments

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**Amendment #4****20.50.020 Dimensional requirements.**

A. Table 20.50.020(1) – Densities and Dimensions in Residential Zones.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>Residential Zones</b>								
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>	<b>TC-4</b>
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (7)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac	Based on bldg. bulk limits
Min. Density	4 du/ac	4 du/ac	4 du/ac	6 du/ac	8 du/ac	10 du/ac	12 du/ac	Based on bldg. bulk limits
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft	N/A

<b>Residential Zones</b>								
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>	<b>TC-4</b>
Min. Lot Area (2) <b>(13) (14)</b>	7,200 sq ft	7,200 sq ft	5,000 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	N/A
Min. Front Yard Setback (2) (3) <b>(14) (15)</b>	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min.	5 ft min.	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height (9)	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof) (16)	35 ft (40 ft with pitched roof) (8) (16)	35 ft (16)
Max. Building Coverage (2) (6)	35%	35%	45%	55%	60%	70%	70%	N/A
Max. Hardscape (2) (6)	45%	50%	65%	75%	85%	85%	90%	90%

**Table 20.50.020(2) – Densities and Dimensions in Mixed Use Residential Zones.**

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>STANDARDS</b>	<b>MUR-35'</b>	<b>MUR-45'</b>	<b>MUR-70' (10)</b>
Base Density: Dwelling Units/Acre	N/A	N/A	N/A
Min. Density	12 du/ac (17)	18 du/ac	48 du/ac
Min. Lot Width (2)	N/A	N/A	N/A
Min. Lot Area (2)	N/A	N/A	N/A
Min. Front Yard Setback (2) (3)	0 ft if located on an arterial street	15 ft if located on 185th Street (15)	15 ft if located on 185th Street (15)

STANDARDS	MUR-35'	MUR-45'	MUR-70' (10)
	10 ft on nonarterial street 22 ft if located on 145th Street (15)	0 ft if located on an arterial street 10 ft on nonarterial street 22 ft if located on 145th Street (15)	22 ft if located on 145th Street (15) 0 ft if located on an arterial street 10 ft on nonarterial street (18)
Min. Rear Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Base Height (9) (16)	35 ft	45 ft	70 ft (11) (12) (13)
Max. Building Coverage (2) (6)	N/A	N/A	N/A
Max. Hardscape (2) (6)	85%	90%	90%

*Exceptions to Table 20.50.020(1) and Table 20.50.020(2):*

- (1) Repealed by Ord. 462.
- (2) These standards may be modified to allow zero lot line and unit lot developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.
- (3) For single-family detached development exceptions to front yard setback requirements, please see SMC 20.50.070.
- (4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC 20.50.080.
- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.
- (6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.
- (7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.

- (8) For development on R-48 lots abutting R-12, R-18, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots, the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.
- (9) Base height for public and private K through 12 schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.
- (10) Dimensional standards in the MUR-70' zone may be modified with an approved development agreement.
- (11) The maximum allowable height in the MUR-70' zone is 140 feet with an approved development agreement.
- (12) Base height in the MUR-70' zone may be increased up to 80 feet when at least 10 percent of the significant trees on site are retained and up to 90 feet when at least 20 percent of the significant trees on site are retained.
- (13) All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45 feet in height. Alternatively, a building in the MUR-70' zone may be set back 10 feet at ground level instead of providing a 10-foot step-back at 45 feet in height. MUR-70' fronting on 185th Street shall be set back an additional 10 feet to use this alternative because the current 15-foot setback is planned for street dedication and widening of 185th Street.
- (14) The minimum lot area may be reduced proportional to the amount of land needed for dedication of facilities to the City as defined in Chapter 20.70 SMC.
- (15) The exact setback along 145th Street (Lake City Way to Fremont Avenue) and 185th Street (Fremont Avenue to 10th Avenue NE), up to the maximum described in Table 20.50.020(2), will be determined by the Public Works Department through a development application.
- (16) Base height may be exceeded by 15 feet for rooftop structures such as elevators, arbors, shelters, barbeque enclosures and other structures that provide open space amenities.
- (17) Single-family detached dwellings that do not meet the minimum density are permitted in the MUR-35' zone subject to the R-6 development standards.
- (18) The minimum front yard setback in the MUR-70' zone may be reduced to five feet on a nonarterial street if 20 percent of the significant trees on site are retained.

**Amendment #5**  
**20.50.080(B) and Figure 20.50.080(B)**

B. The side yard setback requirements are specified in Subchapter 1 of this chapter, Dimensional and Density Standards for Residential Development, except that on irregular lots with more than two side yards, the sum of the two longest side yards must be minimum 15 feet, but none of the remaining side yard setbacks shall be less than five feet. If an irregular lot, such as a triangle lot, which contains only one designated side yard, it shall be a minimum of five feet.

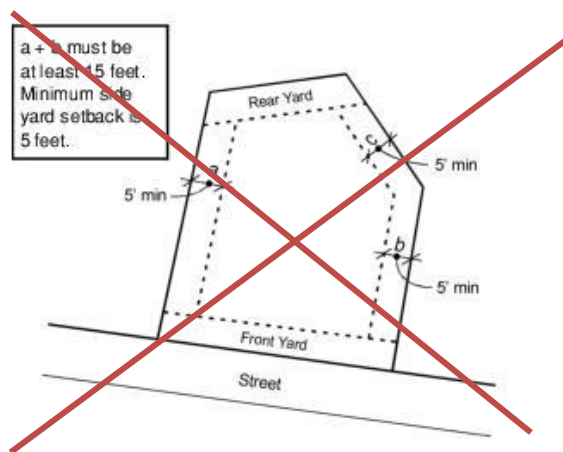


Figure 20.50.080(B): Side yard requirements for irregular lots.

**Amendment #6**  
**SMC 20.50.310(B) – Exemptions from permit**

B. **Partial Exemptions.** With the exception of the general requirements listed in SMC 20.50.300, the following are exempt from the provisions of this subchapter, provided the development activity does not occur in a critical area or critical area buffer. For those exemptions that refer to size or number, the thresholds are cumulative during a 36-month period for any given parcel:

1. The removal of three significant trees on lots up to 7,200 square feet and one additional significant tree for every additional 7,200 square feet of lot area.
2. The removal of any tree greater than 30 inches DBH or exceeding the numbers of trees specified in the table above, shall require a clearing and grading permit (SMC 20.50.320 through 20.50.370).

3. Landscape maintenance and alterations on any property that involve the clearing of less than 3,000 square feet, ~~or less than 1,500 square feet if located in a special drainage area~~, provided the tree removal threshold listed above is not exceeded.

**Amendment #7**

**20.50.390(D) – Special Nonresidential Standards**

**Table 20.50.390D – Special Nonresidential Standards**

NONRESIDENTIAL USE	MINIMUM SPACES REQUIRED
Nursing and personal care facilities:	1 per 4 beds

**Amendment #8**

**20.50.450 - Purpose**

The purposes of this subchapter are:

1. To enhance the visual continuity within and between neighborhoods;
2. To establish at least an urban tree canopy through landscaping and street trees;
3. To screen areas of low visual interests and buffer potentially incompatible developments; and
4. **To complement the site and building design with landscaping.**

**20.70 Amendments**

**Amendment #9**

**20.70.240(F) – Private streets**

Local access streets may be private, subject to the approval of the City. If the conditions for approval of a private street cannot be met, then a public street will be required. Private streets may be allowed when all of the following conditions are present:

- A. The private street is located within a tract or easement; and
- B. A covenant, tract, or easement which provides for maintenance and repair of the private street by property owners has been approved by the City and recorded with King County; and

- C. The covenant or easement includes a condition that the private street will remain open at all times for emergency and public service vehicles; and
- D. The private street would not hinder public street circulation; and
- E. The proposed private street would be adequate for transportation and fire access needs; and
- F. At least one of the following conditions exists:
  - 1. The street would ultimately serve ~~four~~ five or ~~fewer~~ more single-family detached dwelling units or lots; or
  - ~~2. The private street would ultimately serve more than four lots, and the Director determines that no other access is available; or~~
  - 3. The private street would serve developments where no circulation continuity is necessary.



## DEVELOPMENT CODE AMENDMENT BATCH 2020 – Clarifying Amendments

### 20.20 Amendments

#### Amendment #1

##### **20.20.010 – A definitions**

**Assisted Living Facilities**     Any home or other institution that provides housing, housekeeping services, meals, laundry, activities, and assumes general responsibility for the safety and well-being of the residents, and may also provide domiciliary care, consistent with chapter 18.20 RCW, chapter 74.39A, RCW, and chapter 388-78A WAC, as amended, to seven or more residents. "Assisted living facility" does not include facilities certified as group training homes under RCW 71A.22.040, nor any home, institution, or section that is otherwise licensed and regulated under state law that provides specifically for the licensing and regulation of that home, institution, or section. "Assisted living facility" also does not include senior independent housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the U.S. Department of Housing and Urban Development.

#### Amendment #2

##### **20.20.028 – J definitions**

Junk Vehicle     A vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:

- A. Is three years old or older;
- B. Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor or transmission;
- C. Is apparently inoperable including a condition which makes the vehicle incapable of being operated legally on a public highway;
- D. Has an approximate fair market value equal only to the approximate value of the scrap in it.

**Amendment #3**

**20.20.034 – Manufactured and Mobile homes**

**Manufactured Home**     *A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”*  
~~factory assembled structure intended solely for human habitation installed on a permanent foundation with running gear removed and connected to utilities on an individual building lot.~~

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**Amendment #4**

**20.20.040 – P definitions**

Party of Record     A. A person who testifies at a hearing;  
                              B. The applicant;  
                              C. For Type B and C actions, pPersons submitting written testimony about a matter pending before the decision-making authority; or  
                              D. The appellant(s) and respondent(s) in an administrative appeal.

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**Amendment #5**

**20.20.046 – S definitions**

Senior Citizen Assisted Housing     ~~Housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 55 years of age or older per unit, and must include at least two of the following support services:~~  
  A. ~~Common dining facilities or food preparation service;~~  
  B. ~~Group activity areas separate from dining facilities;~~  
  C. ~~A vehicle exclusively dedicated to providing transportation services to housing occupants;~~  
  D. ~~Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.~~

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**20.30 Amendments**

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**Amendment #6****20.30.60 – Quasi-judicial decisions – Type C**

**Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions**

<b>Action</b>	<b>Notice Requirements for Application and Decision <sup>(3), (4)</sup></b>	<b>Review Authority, Open Record Public Hearing</b>	<b>Decision Making Authority (Public Meeting)</b>	<b>Target Time Limits for Decisions</b>	<b>Section</b>
<b>Type C:</b>					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>	City Council	120 days	20.30.410
2. Rezone of Property and Zoning Map Change	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.330
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.336
6. Final Formal Plat	None	Review by Director	City Council	30 days	20.30.450
67. SCTF – Special Use Permit	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.40.502
78. Master Development Plan	Mail, Post Site, Newspaper	HE <sup>(1), (2)</sup>		120 days	20.30.353

Action	Notice Requirements for Application and Decision <sup>(3), (4)</sup>	Review Authority, Open Record Public Hearing	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
89. Plat Alteration with Public Hearing <sup>(5)</sup>	Mail	HE <sup>(1), (2)</sup>		120 days	20.30.425

(1) Including consolidated SEPA threshold determination appeal.

(2) HE = Hearing Examiner.

(3) Notice of application requirements are specified in SMC 20.30.120.

(4) Notice of decision requirements are specified in SMC 20.30.150.

(5) A plat alteration does not require a neighborhood meeting.

**Amendment #7**

**20.30.315 – Site Development Permit**

A. Purpose. The purpose of a site development permit is to provide a mechanism to review activities that propose to develop or redevelop a site, not including structures, to ensure conformance to applicable codes and standards.

B. General Requirements. A site development permit is required for the following activities or as determined by the Director of Planning and Community Development:

1. The construction of two or more detached single-family dwelling units on a single parcel;
2. Site improvements associated with short and formal subdivisions; or
3. The construction of two or more nonresidential or multifamily structures on a single parcel; or
4. Site improvements that require Minimum Requirements Nos. 1 to 5, as set forth in the Stormwater Manual, as modified by Division 3 the Engineering Development Manual.

**Amendment #8**

**20.30.355(D) – Development Agreement Contents for Property Zoned MUR-70' in Order to Increase Height Above 70 Feet.**

Each development agreement approved by the City Council for property zoned MUR-70' for increased development potential above the provision of the MUR-70' zone shall contain the following:

1. Twenty percent of the housing units constructed on site shall be affordable to those earning less than 60 percent of the median income for King County adjusted for household size. The units shall remain affordable for a period of no less than 99 years. The number of affordable housing units may be decreased to 10 percent if the level of affordability is increased to 50 percent of the median income for King County adjusted for household size. A fee in lieu of constructing any fractional portion of mandatory units is available upon the City Council's establishment of a fee in lieu formula. Full units are not eligible for fee in lieu option and must be built on site. ~~constructing the units may be paid upon authorization of the City's affordable housing program instead of constructing affordable housing units on site.~~ The fee will be specified in SMC Title 3.

3.01.025 Affordable housing fee in lieu.

2019 Fee Schedule		
A. Rate Table		
Zoning district	Fee per unit if providing 10% of total units as affordable	Fee per unit if providing 20% of total units as affordable
MUR-45	\$206,152	\$158,448
MUR-70	\$206,152	\$158,448
MUR-70 with development agreement	\$253,855	\$206,152

Note: The fee in lieu is calculated by multiplying the fee shown in the table by the fractional mandated unit. For example, a 0.40 fractional unit multiplied by \$206,152 would result in a fee in lieu of \$82,460.80.

**Amendment #9**

**20.30.425 – Alteration of recorded plats.**

E. Recording of Alteration. No later than 30 calendar days after approval of the alteration, the applicant shall produce a revised drawing or text of the approved alteration to the plat, conforming to the recording requirements of Chapter 58.17 RCW and processed for signature in the same manner as set forth for final plats in this chapter. ~~No later than 60 calendar days after the City has signed the altered plat, T~~ the applicant shall file, at their sole cost and expense, ~~the revision approved by the alteration to the altered plat with the King County Recorder to become the lawful plat of the property. The Director may approve a 30-day extension of the recording deadline if requested by the applicant for prior to expiration of the approval.~~

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## 20.40 Amendments

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### Amendment #10 20.40.120 – Residential Uses

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>RESIDENTIAL GENERAL</b>									
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
-	<del>Apartment</del>	-	<del>C</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i	P-i				
	Mobile Home Park	P-i	P-i	P-i	P-i				
	Multifamily		C	P	P	P	P-i	P	P
	Single-Family Attached	P-i	P	P	P	P			
	Single-Family Detached	P	P	P	P				
<b>GROUP RESIDENCES</b>									
	Adult Family Home	P	P	P	P				
	<b><u>Assisted Living Facility</u></b>		<b><u>C</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i	P-i	P-i
	Residential Care Facility	C-i	C-i	P-i	P-i				
721310	Dormitory		C-i	P-i	P-i	P-i	P-i	P-i	P-i
<b>TEMPORARY LODGING</b>									
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	Homeless Shelter						P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
<b>MISCELLANEOUS</b>									
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use	S = Special Use
C = Conditional Use	-i = Indexed Supplemental Criteria

**Amendment #11**  
**20.40.140 – Other Uses**

Table 20.40.140 Other Uses

NAICS #	SPECIFIC USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>HEALTH</b>									
622	Hospital			C-i	C-i	C-i	P-i	P-i	P-i
6215	Medical Lab						P	P	P
6211	Medical Office/Outpatient Clinic			C-i	C-i	P	P	P	P
623	Nursing Facility			C	C	P	P	P	P
	<b>Residential Treatment Facility</b>			<b>C-i</b>	<b>C-i</b>	<b>C-i</b>	<b>P-i</b>	<b>P-i</b>	<b>P-i</b>
P = Permitted Use					S = Special Use				
C = Conditional Use					-i = Indexed Supplemental Criteria				

**Amendment #12****20.40.150 – Campus Uses**

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
513	Broadcasting and Telecommunications	P-m			P-m
	Bus Base	P-m			P-m
	Child and Adult Care Services	P-m	P-m		P-m
	Churches, Synagogue, Temple	P-m	P-m		
6113	College and University				P-m
	Conference Center	P-m			P-m
	<b><u>Dormitory</u></b>	<b><u>P-m</u></b>	<b><u>P-m</u></b>		<b><u>P-m</u></b>
6111	Elementary School, Middle/Junior, High School	P-m			

**Amendment #13****20.40.320 Daycare facilities.**

A. Daycare I facilities are permitted in R-4 through R-12 zoning designations as an accessory to residential use, house of worship, or a school facility, provided:

1. Outdoor play areas shall be completely enclosed, with no openings except for gates, and have a minimum height of 42 inches; and
2. Hours of operation may be restricted to assure compatibility with surrounding development.

B. Daycare II facilities are permitted in R-8 and R-12 zoning designations through an approved conditional use permit. Daycare II facilities are permitted ~~or~~ as a reuse of an existing house of worship or school facility without expansion in the R-4 and R-6 zones, provided:

1. Outdoor play areas shall be completely enclosed, with no openings except for gates, and have a minimum height of six feet.
2. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
3. Hours of operation may be restricted to assure compatibility with surrounding development.



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## 20.50 Amendments

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**Amendment #14****Exceptions to Table 20.50.020(3) – Transition Areas****Table 20.50.020(3) – Dimensions for Development in Commercial Zones**

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<b>Commercial Zones</b>				
<b>STANDARDS</b>	<b>Neighborhood Business (NB)</b>	<b>Community Business (CB)</b>	<b>Mixed Business (MB)</b>	<b>Town Center (TC-1, 2 &amp; 3)</b>
Min. Front Yard Setback (Street) (1) (2) (5) (see Transition Area Setback, SMC 20.50.021)	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from Commercial Zones and the MUR-70' zone	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area Setback, SMC 20.50.021)	20 ft	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones, MUR-35' and MUR-45' Zones	15 ft	15 ft	15 ft	15 ft
Base Height (3)	50 ft	60 ft	70 ft	70 ft
Hardscape (4)	85%	85%	95%	95%

*Exceptions to Table 20.50.020(3):*

- (1) Front yards may be used for outdoor display of vehicles to be sold or leased.
- (2) Front yard setbacks, when in transition areas (SMC 20.50.021(A)) ~~and across rights-of-way~~, shall be a minimum of 15 feet except on rights-of-way that are classified as principal

arterials or when R-4, R-6, or R-8 zones have the Comprehensive Plan designation of Public Open Space.

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### **Amendment #15**

#### **20.50.040(F) Setbacks – Designation and measurement**

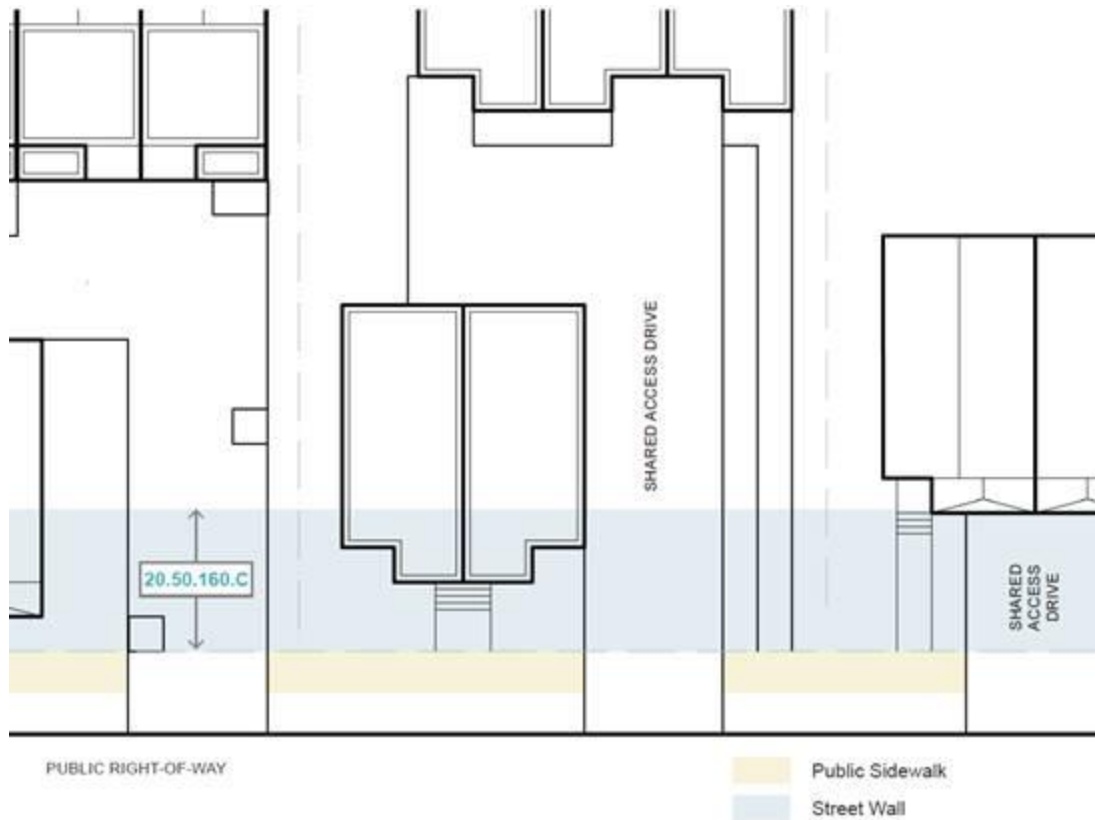
F. Allowance for Optional Aggregate Setback. For lots with unusual geometry, flag lots with undesignated setbacks, or site conditions, such as critical areas, an existing cluster of significant trees, or other unique natural or historic features that should be preserved without disturbance, the City may reduce the individual required setbacks; however, the total of setbacks shall be no less than the sum of the minimum front yard, rear yard, and side yards setbacks. In order to exercise this option, the City must determine that a public benefit is gained by relaxing any setback standard. The following criteria shall apply:

1. No rear or side yard setback shall be less than five feet.
  2. The front yard setback adjacent to the street shall be no less than 15 feet in R-4 and R-6 ~~and 10 feet in all other zones.~~ (See Exception 20.50.070(1).)
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### **Amendment #16**

#### **20.50.160(C) – Site Configuration**

C. **Site Configuration.** At least 40 percent of units within a site shall be located between the front property line and a 25-foot distance from the front property line, with the front façade of the unit(s) oriented towards the public right-of-way, to create a “street wall” which enhances the streetscape and overall pedestrian experience.



**Amendment #17**  
**20.50.240(E) – Internal site walkways**

E. Internal Site Walkways.

1. Developments shall include internal walkways or pathways that connect building entries, public places, and parking areas with other nonmotorized facilities including adjacent public sidewalks and the Interurban Trail, where adjacent, (except in the MUR-35' zone).

- a. All development shall provide clear and illuminated pathways between the main building entrance and a public sidewalk. Pathways shall be separated from motor vehicle traffic or raised six inches and be at least eight feet wide. Separated from motor vehicle traffic means (1) there is at least three (3) linear feet of landscaping between the closest edge of the vehicular circulation area and closest edge of the pedestrian access or (2) separation by a building;

**Amendment #18**  
**20.50.370 – Tree protection standards**

The following protection measures shall be imposed for all trees to be retained on site or on adjoining property, to the extent off-site trees are subject to the tree protection provisions of this chapter, during the construction process:

A. All required tree protection measures shall be shown on the tree protection and replacement plan, clearing and grading plan, or other plan submitted to meet the requirements of this subchapter.

B. Tree dripline areas or critical root zones (tree protection zone) as defined by the International Society of Arboriculture shall be protected. No development, fill, excavation, construction materials, ~~or~~equipment staging, or traffic shall be allowed in the dripline areas of trees that are to be retained.

C. Prior to any land disturbance, temporary construction fences must be placed around the ~~dripline of trees~~ tree protection zone to be preserved. If a cluster of trees is proposed for retention, the barrier shall be placed around the edge formed by the drip lines of the trees to be retained. Tree protection shall remain in place for the duration of the permit unless earlier removal is addressed through construction sequencing on approved plans.

D. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Director. “Tree Protection Area” signs shall be posted visibly on all sides of the fenced areas. On large or multiple-project sites, the Director may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.

E. Where tree protection ~~areas~~zones are remote from areas of land disturbance, and where approved by the Director, alternative forms of tree protection may be used in lieu of tree protection barriers; provided, that protected trees are completely surrounded with continuous rope or flagging and are accompanied by “Tree Leave Area – Keep Out” signs.

F. Rock walls shall be constructed around the tree, equal to the dripline, when existing grade levels are lowered or raised by the proposed grading.

G. Retain small trees, bushes, and understory plants within the tree protection zone, unless the plant is identified as a regulated noxious weed, a non-regulated noxious weed, or a weed of concern by the King County Noxious Weed Control Board ~~to the maximum extent practicable.~~

**Amendment #19**

**20.50.390(A) – General residential parking standards**

**Table 20.50.390A – General Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
Single-Family detached/townhouse:	2.0 per dwelling unit. <del>4.0 per dwelling unit in the MUR zones for single-family attached/townhouse dwellings.</del>
Single-Family attached:	<u>2.0 per dwelling unit. 1.0 per dwelling unit in the MUR zones.</u>

**Table 20.50.390A – General Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
<u>Multifamily Dwelling</u> Apartment:	<del>Ten percent of required spaces in multifamily and residential portions of mixed use development must be equipped with electric vehicle infrastructure for units where an individual garage is not provided.</del> <sup>4</sup>
Studio units:	0.75 per dwelling unit
One-bedroom units:	0.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

<sup>4</sup>~~Electric vehicle infrastructure requires that the site design must provide conduit for wiring and data, and associated ventilation to support the additional potential future electric vehicle charging stations pursuant to the most current edition of the National Electrical Code Article 625.~~

~~If the formula for determining the number of electric vehicle parking spaces results in a fraction, the number of required electric vehicle parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.~~

**Amendment #20**  
**20.50.390(B) – Special residential parking standards**

**Table 20.50.390B – Special Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
Bed and breakfast guesthouse:	1 per guest room, plus 2 per facility
Residential care facilities:	1 per 3 patients, plus 1 per FTE employee on duty

Table 20.50.390B – Special Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
Dormitory, including religious:	1 per 2 units
Hotel/motel, including organizational hotel/lodging:	1 per unit
<del>Senior citizen</del> <u>Assisted living facilities:</u>	1 per 3 dwelling or sleeping units

**Amendment #21****20.50.400 – Reductions to minimum parking requirements**

20.50.400 Reductions to minimum parking requirements.

A. Reductions of up to 25 percent may be approved by the Director when criterion 1 is met, or when using a combination of the following two or more of criteria 2-9 are met:

1. ~~On-street parking along the parcel's street frontage.~~ A high-capacity transit service stop is within one-quarter mile of the development's property line with a complete pedestrian route from the development to the transit stop that includes City-approved curbs, sidewalks, and street crossings.

2. Shared parking agreement with nearby parcels within reasonable proximity where land uses do not have conflicting parking demands. ~~The number of on-site parking stalls requested to be reduced must match the number provided in the agreement.~~ A record on title with King County is required.

3. Parking management plan according to criteria established by the Director.

4. A City-approved residential parking zone (RPZ) for the surrounding neighborhood within one-quarter mile radius of the ~~subject~~ development's property line. The management cost for the RPZ must be paid by the applicant and/or developer property owner on an annual basis.

5. ~~A high-capacity transit service stop within one-quarter mile of the development property line with complete City approved curbs, sidewalks, and street crossings.~~

65. A ~~pedestrian~~ public access easement that is a minimum of eight feet wide, safely lit, and connects through a parcel between minimally at least two different rights-of-way. The access easement shall be developed with a sidewalk or shared use path that complies with the Engineering Design Manual. This easement may include other pedestrian facilities such as walkways and plazas and bike facilities.

76. City-approved traffic calming or traffic diverting facilities to protect the surrounding single-family neighborhoods within a one-quarter mile radius of the development's property line.

87. Retention of at least 20 percent of the significant trees on a site zoned MUR-70'.

98. Replacement of all significant trees removed on a site zoned MUR-70' as follows:

- a. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one new tree.
- b. Each additional three inches in diameter at breast height equals one additional new tree, up to three trees per significant tree removed.
- c. Minimum Size Requirements for Replacement Trees under This Provision this subsection. Deciduous trees shall be at least one and one-half inches in caliper and evergreens at least six feet in height.

9. AOn-site dedicated parking spaces for a car-sharing service with an agreement with the provider(s) is available and parking spaces are dedicated to that service.

~~B. A project applying for Pparking reductions for under the Deep Green Incentive Program projects are set forth in SMC 20.50.630. may be eligible based on the intended certification. Parking reductions are not available in R-4 and R-6 zones. Reductions will be based on the following tiers:~~

~~1. Tier 1 — Living Building or Living Community Challenge Certification: up to 50 percent reduction in parking required under SMC 20.50.390 for projects meeting the full International Living Future Institute (ILFI) program criteria;~~

~~2. Tier 2 — Living Building Petal or Emerald Star Certification: up to 35 percent reduction in parking required under SMC 20.50.390 for projects meeting the respective ILFI or Built Green program criteria;~~

~~3. Tier 3 — LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or Zero Energy/Salmon Safe Certification: up to 20 percent reduction in parking required under SMC 20.50.390 for projects meeting the respective US Green Building Council, Built Green, PHIUS, ILFI and/or Salmon Safe program criteria.~~

~~4. Tier 4 — PHIUS+ or 4-Star: up to five percent reduction in parking required under SMC 20.50.390 for projects meeting the PHIUS or Built Green program criteria.~~

~~C. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing. A request for a parking reduction shall be processed as an Interpretation of the Development Code.~~

~~D. When granting a parking reduction, tThe Director may impose performance standards and conditions of approval on a project, including a financial guarantee.~~

E. Reductions of up to 50 percent may be approved by the Director for the portion of housing providing low-income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development. This parking reduction may not be combined with parking reductions identified in subsection A of this section.

F. A parking reduction of 25 percent may be approved by the Director for multifamily development within one-quarter mile of the light rail stations. ~~These~~This parking reductions may not be combined with parking reductions identified in subsections A and E of this section.

G. Parking reductions for affordable housing or the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.

### **Amendment #22**

#### **20.50.410 – Parking design standards**

A. All vehicle parking and storage for single-family detached dwellings and duplexes must be in a garage, carport or on an approved impervious surface or pervious concrete or pavers. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

B. All vehicle parking and storage for multifamily and commercial uses must be on a paved surface, pervious concrete or pavers. All vehicle parking shall be located on the same parcel or same development area that parking is required to serve.

C. Parking for residential units must be included in the rental or sale price of the unit. Parking spaces cannot be rented, leased, sold, or otherwise be separate from the rental or sales price of a residential unit.

I. ~~Required p~~ Parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

## **20.80 Amendments**

### **Amendment #23**

#### **20.80.280(C) – Required Buffer Areas**

C. **Standard Required Stream Buffer Widths.** Buffer widths shall reflect the sensitivity of the stream type, the risks associated with development and, in those circumstances permitted by these regulations, the type and intensity of human activity and site design proposed to be conducted on or near the stream area. Stream buffers shall be located on both sides of the stream and measured from the ordinary high-water mark (OHWM) or the top of the bank, if the OHWM cannot be determined. Buffers shall be measured with rounded ends where streams enter or exit piped segments.



1. The following buffers are established for streams based upon the Washington State Department of Natural Resources water typing system and further classification based on anadromous or nonanadromous fish presence for the Type F streams:

**Table 20.80.280(1)**

<b>Stream Type</b>	<b>Standard Buffer Width (ft) <u>Required on both sides of the stream</u></b>
Type S	150
Type F-anadromous	115
Type F-nonanadromous	75
Type Np	65
Type Ns	45
Piped Stream Segments	10



TO: Honorable Members of the Shoreline City Council

FROM: Jack Malek, Vice Chair  
Shoreline Planning Commission

DATE: October 2, 2020

RE: 2020 Development Code “Batch” Amendments

The Shoreline Planning Commission has completed its review of the proposed “Batch” amendments to the City’s development regulations set forth in SMC Title 20. The Planning Commission held two (2) study sessions on the proposed amendments and a public hearing on October 1, 2020.

The proposed amendments include administrative housekeeping modifications, clarifications to existing regulations, and policy amendments that have the potential to substantially change development patterns throughout the City. For ease of analysis, Planning Staff divided these proposed amendments into three separate exhibits. Amendments that raised some questions and concerns for the Planning Commission, which have been addressed in the recommendation, included the addition of a provision to assist in the resolution of code enforcement actions by prohibiting permit application when there is an outstanding code violation on the property; establishing emergency temporary shelters as a temporary use; setting a maximum hardscape for school properties; and addressing tree replacement standards when non-significant trees were to be retained but subsequently removed.

In consideration of the Planning Staff’s recommendations and written and oral public testimony, the Planning Commission respectfully recommends that the City Council adopt the proposed amendments, as recommended by the Planning Staff and amended by the Planning Commission, as set forth in the attachments to this recommendation.