



AGENDA

STAFF PRESENTATIONS

PUBLIC COMMENT

SHORELINE CITY COUNCIL VIRTUAL/ELECTRONIC REGULAR MEETING

Monday, February 22, 2021
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:



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



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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		
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<i>Members of the public may address the City Council on agenda items or any other topic for three minutes or less, depending on the number of people wishing to speak. The total public comment period will be no more than 30 minutes. If more than 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.</i>		
6. APPROVAL OF THE AGENDA		7:20

7. CONSENT CALENDAR

7:20

- (a) Approval of Minutes of Special Meeting of January 20, 2021 7a1-1
Approval of Minutes of Regular Meeting of February 1, 2021 7a2-1
Approval of Minutes of Special Meeting of February 11, 2021 7a3-1
Approval of Minutes of Special Meeting of February 11, 2021 7a4-1
- (b) Approval of Expenses and Payroll as of February 5, 2021 in the Amount of \$2,353,730.42 7b-1
- (c) Adoption of Ordinance No. 897 - Amending Shoreline Municipal Code Section 20.50.620, Aurora Square Community Renewal Sign Standards 7c-1
- (d) Approval of Property Tax Exemption Program Contract for the Trad Apartments Project Located at 17567 15th Avenue NE 7d-1

8. ACTION ITEMS

- (a) Action on Ordinance No. 919 - Amending Title 2 of the Shoreline Municipal Code to Create a New Chapter 2.70, Compensation and Salary Commission, to Establish a Salary Commission for Elected Officials 8a-1 7:20

9. STUDY ITEMS

- (a) Panel Presentation on Police Accountability: Legislative Activity in Olympia and the Uses and Limitation of Data 9a-1 7:30
- (b) Discussion of Ordinance No. 920 - Repealing and Replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees, and Resolution No. 471 - Adopting a Fee Schedule 9b-1 8:15

10. ADJOURNMENT

8:35

Any person requiring a disability accommodation should contact the City Clerk's Office at 206-801-2230 in advance for more information. For TTY service, call 206-546-0457. For up-to-date information on future agendas, call 206-801-2230 or visit the City's website at shorelinewa.gov/councilmeetings. Council meetings are shown on the City's website at the above link and on Comcast Cable Services Channel 21 and Ziply Fiber 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.

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

Wednesday, January 20, 2021
7:00 p.m.

Held Remotely via Zoom

PRESENT: Mayor Hall, Deputy Mayor Scully, Councilmembers Chang and Robertson

ABSENT: Councilmembers McGlashan, McConnell, and Roberts

STAFF: 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, Mei-Shiou Lin, Pam Sager

Parks, Recreation and Cultural Services/Tree Board Members: Chair John Hoey and Sara Raab McInerney

At 7:00 p.m. the workshop co-facilitators, Suni Tolton and DarNesha Weary, began the meeting and asked participants to share their homework from the last training session which was to do some independent learning on the topic of diversity, racial equity, and/or inclusion. Participants shared webinars, films, books, and conversations they engaged in to increase their understanding and comfort discussing the topic.

Ms. Weary gave a brief recap of the first session's content that was held on October 21st which included 1) race matters; 2) we aren't just talking about individual acts of bigotry; 3) institutions and systems maintain and perpetuate racism and inequities; 4) government has a responsibility for ending inequitable outcomes and advancing racial equity; and 5) early experiences with race impacts our interactions. Ms. Weary also gave a brief recap of the second session's content that was held on November 18th which included 1) diversity, inclusion, and equity are not single concepts; 2) racial equity is ending disproportionate outcomes by race; 3) we all have implicit bias; 4) racial bias is mostly unconscious; and 5) we must acknowledge and challenge biases with strategic interventions to change outcomes.

Ms. Tolton then talked about individual explicit bias, individual implicit bias, institutional explicit bias, and institutional implicit bias, and used examples from law enforcement to explain. She said a police officer calling someone an ethnic slur while arresting them is an example of individual explicit bias. A police officer calling for back-up more often when stopping a person of color is an example of individual implicit bias. A police department refusing to hire people of color is an example of institutional explicit bias. Police emphasis patrols targeting communities

of color and street-level drug arrests is an example of institutional implicit bias. Participants were asked to share any examples they could identify from their own work.

Ms. Weary explained the definitions and concepts of individual racism, institutional racism, and structural racism and shared a five-minute video called “5 Things You Should Know About Racism” (MTV Decoded – Franchesca Ramsey). She discussed how racism is often thought of as individual acts of bias, however, focusing on individual acts can obscure the institutional and structural realities that create and maintain racial inequity more broadly. She said, to have the greatest impact on achieving racial equity, it is important to understand and identify strategies that are systemic in nature, and we must also take responsibility and recognize where we have power and influence to change outcomes.

For the remainder of the training, Ms. Tolton asked participants to think about what they can do individually, and in their roles representing the City of Shoreline, to advance racial equity. Participant responses included: increasing their own knowledge and continue learning; purchasing from businesses owned by Black, Indigenous, and People of Color (BIPOC) communities; engaging in dialogue with family members; working on their own implicit biases; recruiting more diverse representation for City boards and commissions; working on law enforcement reform; advocating for housing policy that provides appropriate housing for all; using racial equity lens in evaluating policy; and involving more community representation in decision-making.

Ms. Tolton and Ms. Weary thanked all participants for their attendance and encouraged all to support one another to advance the work of racial equity in the City of Shoreline.

The meeting was adjourned at 8:40 p.m.

Suni Tolton, Diversity and Inclusion Coordinator

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, February 1, 2021
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) Proclamation of Black History Month

Mayor Hall proclaimed February as Black History Month in Shoreline and recognized the contributions and achievements of Black people in history and the present day.

3. REPORT OF CITY MANAGER

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

4. COUNCIL REPORTS

Deputy Mayor Scully reported that he and the City Manager met with Representative Jayapal, who shared updates on legislative actions in Washington, D.C., which are mostly centered around COVID-19 relief. He said Shoreline shared information on the financial impact of the coronavirus and how an investment in regional infrastructure could help.

5. PUBLIC COMMENT

Kathleen Russell, Shoreline resident, spoke on behalf of Save Shoreline Trees. She commented on the preferred design concept for the 175th Street Project and asked the City to take into consideration the mature trees in the project area and integrate them into the renovation design.

She asked the City to provide public notification of the significant trees that make be removed as part of public projects.

Theresa LaCroix, Shoreline resident and Director of Shoreline Lake Forest Park Senior Center, reviewed the benefits to seniors provided by the City's financial support in 2020 and expressed her gratitude.

Jackie Kurlle, Shoreline resident, said she supports helping the homeless and emphasized importance of ongoing monitoring and measuring successes and challenges that may result from the Enhanced Shelter.

Christiano Steele, Shoreline resident and grocery store employee, asked the Council to consider a Hazard Pay Initiative for essential workers.

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 McGlashan and unanimously carried, 7-0, the following Consent Calendar item was approved:

(a) Approval of Minutes of Regular Meeting of January 11, 2021

8. STUDY ITEMS

(a) Discussion on the Preferred Concept for the 175th Street (Stone Avenue N to I-5) Project

Tricia Juhnke, City Engineer; and Leif Johansen, Capital Projects Manager, delivered the staff presentation. Ms. Juhnke gave an overview of the project process and items for consideration. She displayed a map depicting the corridor and explained that the improvements would be constructed in phases.

Mr. Johansen shared the identified priorities gathered as result of community input. He described the two design concepts presented as Corridor Concept A: Shared-Use Path, which includes shared use paths on both sides of Meridian and a center turn median; and Concept B: Buffered Bike Lanes, which reduces the width of the shared use path and adds bike lanes on both sides of the corridor. He reported on the feedback received on both concepts and said community evaluation of the concepts resulted in 50% of the users reporting that the shared-use path was just right, and over 60% rated the buffered bike lanes as just right, and that the community feedback guided the staff work to create the hybrid Preferred Concept.

Mr. Johansen described the suggested features specific to separate segments of the corridor in the proposed Preferred Concept; highlighting plans to decrease construction costs, preserve mature

trees, protect bicyclists and adjust amenities along the school frontage. He described the benefits and impacts of the options of either signalization or a roundabout for the intersection at Meridian and North 175th Street and said staff selected a signalized intersection for the preferred concept, and he listed the reasons behind the decision.

Mr. Johansen said certain types of Capital Improvement Plan (CIP) projects, including this corridor, must include evaluation of the viability of utility undergrounding. He said that under the Franchise Agreement with Seattle City Light, the utility pays for the improvements, but passes the expense on to ratepayers. He shared preliminary cost estimates for undergrounding, displayed a chart outlining the projected impact to ratepayers for this project, and listed the current undergrounding charges for previous projects. He reviewed the utility undergrounding criteria determinations for the corridor and said staff recommends proceeding with undergrounding to 30 percent design, with a reevaluation at that point.

Mr. Johansen outlined the budget and funding for the project, listing the expenditures and forecasted revenue and total project cost. He summarized the project schedule moving forward, emphasizing that the phased construction start date is dependent on availability of funding. He concluded by summarizing that staff recommends a hybrid shared-use path and buffered bike lane from Stone Avenue to Meridian Avenue North, a signalized intersection at 175th and Meridian, a shared-use path along the Meridian Avenue N to I-5 Interchange portion of the project, and proceeding with utility undergrounding design to 30 percent.

Councilmember Robertson asked if it makes sense to keep bike lanes on the North 175th corridor versus on other streets and Ms. Juhnke replied that there is not a good off-corridor bike route between North 175th and North 185th, so staff wants to try to incorporate bicycle facilities in a safe way. Councilmember Chang supports the hybrid shared-use and bike lane plan and Deputy Mayor Scully said that while he does not generally like shared-use paths, he will support it here. Mayor Hall agrees with improving pedestrian and bicycle facilities and preserving trees while meeting safety objectives and asked if a compromise on lane width could be explored. Mr. Johansen replied that staff has already looked at lane width and has reduced them as much as possible, but Metro's needs constrain the adjustments. Ms. Juhnke added that staff can continue to look for additional tools for traffic calming measures. Deputy Mayor Scully emphasized that he would like to see tree preservation for mature trees along the corridor.

The Council considered the impacts of the potential speed reduction for this corridor and it was asked if the speed study results and potential speed reduction for this road were considered in the project design. Ms. Juhnke said the City's Traffic Engineer was involved in the design of this street and determined that reducing the speed limit would not change design of this project, and gave assurance that potential impacts would continue to be factored in. Mayor Hall asked whether the physical design of the current road supports the established speed limits, and if this design would change that. Mr. Johansen said there are no modifications planned that would affect the design speed of the road. Mayor Hall said he does not see anything in this proposal design that would encourage drivers to slow down, and that since reducing the speed limit under the corridor is under consideration, this conflict of interests may create enforcement challenges. He would prefer not to have to expand the right-of-way to make roadways safer. Councilmember

Roberts asked staff to research if any changes to the design would be made if it were to be designed to a 30 MPH, rather than 35 MPH, roadway.

Councilmember Chang asked about the plan for bus travel along the North 175th Street and voiced her concern about traffic backing up when buses stop in the roadway at the interchange. Mr. Johansen said that while route planning is not complete, buses will travel along this corridor and may include a new route on Meridian and Ms. Juhnke added that Metro prefers to keep bus stops in-lane but locate them to mitigate traffic backups.

In order to give perspective to the discussion of utility undergrounding, Ms. Juhnke listed future projects citywide that could be considered for undergrounding. Councilmember Roberts said it is unfair that in Seattle the utility pays for undergrounding, while in Shoreline the ratepayers bear the cost. Councilmember McConnell commented that undergrounding cleans up the look of an area, so she could go either way on it, and asked for more information on the financial impact, which Mr. Johansen provided. Mayor Hall said he said he could go either way with undergrounding, and observed that cost/benefit is not unreasonable, but said it would be interesting to gather public opinion. Deputy Mayor Scully expressed concern for the cost to ratepayers and said his top priority for undergrounding is for the upcoming 185th Street improvements. Deputy Mayor Scully and Councilmember Roberts both stated that they do not think this corridor needs underground utilities.

While considering the options of signalization versus a roundabout, Councilmember Chang asked if the City is reducing its potential to move more traffic through corridor by selecting a signalized intersection. Mr. Johansen responded that the two design options have similar capacities in this environment, since the signaled intersections at the interchange control the level of service and would not change. Mayor Hall asked if the morning commute peak was modeled. Mr. Johansen said it was, and the modeling numbers were significantly different, but did not have specifics on hand. Both Councilmember Chang and Mayor Hall commented on the value of minimizing impacts to Ronald Bog Park by selecting a signalized intersection, rather than a roundabout. Councilmember Roberts asked staff to provide information on which option scored best in moving towards Vision Zero; and if park acquisition is needed to expand the roadway between Meridian and I-5. Mr. Johansen responded that staff is coordinating with Washington State Department of Transportation (WSDOT) on this portion, but it will be hard to avoid not acquiring park property. Councilmember McConnell appreciated the public feedback gathered regarding the roundabout and was happy to see signalization as the more popular option.

Councilmember McGlashan asked if the project will extend from Meridian up to, or under, I-5; and if the funds allocated for right-of-way acquisition is for properties to be purchased outright, or just portions of properties. Mr. Johansen said the project does not go under I-5, but staff will continue to look for opportunities to improve the travel under I-5 and that based on early design, four parcels will potentially be full acquisitions and additional properties will be impacted.

Councilmember McGlashan suggested an elevated boardwalk style sidewalk along the east side of Ronald Bog behind the existing bus stop, and Mayor Hall and Councilmember Roberts agreed that this was an interesting idea. Mr. Johansen said the City will need to look at creative solutions for that section.

Mr. Johansen described the proposed pedestrian crossing upgrades and additions on North 175th at Ashworth and Wallingford and Councilmember McConnell emphasized the importance of safety features in this school zone.

Ms. Juhnke asked for clarity on what Council's preference is for moving forward with undergrounding up to the 30 percent design. The associated costs were discussed, and it was confirmed that there would be no impact to the project timeline. Ms. Juhnke explained that if undergrounding is eliminated from the design now, adding it back in later would not be possible. Councilmember Chang reflected that about the possibility of recouping costs through Latecomers' Agreements had been considered. After discussion of Councilmembers' prioritization preferences for areas to underground and the financial impacts of both design and costs to ratepayers, a majority of the Council supported proceeding to 30 percent design including undergrounding to allow for further study and additional public input.

(b) Discussion on Ordinance No. 897 - Amending Shoreline Municipal Code Section 20.50.620, Aurora Square Community Renewal Sign Standards

Nora Gierloff, Planning Manager, delivered the staff presentation. Ms. Gierloff displayed a map of the Community Renewal Area (CRA) and shared a rendering of what the redevelopment of the area may look like. She reviewed the history of the designation of the Community Renewal Area and Aurora Square CRA Planned Action, with the end goal being that of creating a town center for the community. Ms. Gierloff said as the vision for the area becomes a reality, staff would like to propose some changes to sign standards in the CRA, and outlined them as follows:

Proposed General Changes:

- Update language to be content neutral,
- Prohibit businesses from adding new freestanding signs until any old sign listing that business is removed or brought into compliance,
- Remove penalties for failure to install new signs, and to allow unique or sculptural signs with administrative design review.

Proposed Monument Sign Changes:

- Reduce the ratio of sign area advertising the brand identity of Shoreline Place versus tenants,
- Require a common design and color, with no logos,
- Allow retail leasing signs,
- Clarify that properties within the CRA, but outside of Shoreline Place, do not need to include advertising for Shoreline Place,
- Establish requirements for quantity and spacing of signs per parcel

Proposed Pylon Sign Changes:

- Deletion of changeable electronic message signs,
- Reduce the ratio of sign area advertising the brand identity of Shoreline Place versus tenants,
- Increase height for signs in the CRA so existing sign structures could be reused,

- Establish a number of signs for each parcel over five acres, retaining the same total number and adding flexibility of sign placement.

Proposed Wall Sign Changes:

- Additional sign allowances for ground floor storefronts,
- Larger signs allowed on walls with public entrances,
- Wall signs can use the tenants' fonts and colors rather than the Shoreline Place design,
- Ground floor walls without entrances can have signs if they add enhancing building design elements

Proposed Wayfinding Sign Changes:

- Require a 25 foot setback from the street to avoid competition with monument signs.

Proposed Temporary Sign Changes:

- Allow, but limit, banner signs per business.

Ms. Gierloff asked the Council to identify any proposed changes and said Ordinance No. 897 is scheduled to return for Action on February 22, 2021. She added that developing brand identity guidelines for the site would come later this year.

The majority of the Councilmembers expressed support for the recommendations.

Councilmember McGlashan particularly supports allowing signage and enhancements when building design elements are added and likes the idea of sculpture signage.

Councilmember Chang asked why perimeter lighting is mostly prohibited. Ms. Gierloff said it is prohibited in other areas and was carried over here. There was discussion of the ambiance it could offer, and Mayor Hall offered that perimeter lighting is not always visually appealing, so he supports the prohibition of it.

Councilmember Roberts pointed out portions of the Development Code that need to be checked for inconsistencies to correctly delineate Shoreline Place and the CRA areas and Ms. Gierloff shared information on how staff is approaching the review and revision. Mayor Hall agreed that the language describing the areas should be used consistently and asked if the City is giving up the vision of having the area become one Master Planned Center since two parcels within the CRA are excluded from redevelopment requirements.

It was agreed that Ordinance No. 897 would return as a Consent Item.

9. ADJOURNMENT

At 8:52 p.m., Mayor Hall declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Thursday, February 11, 2021
2:00 p.m.

Held remotely on Zoom

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

ABSENT: Councilmembers McConnell and Roberts

STAFF: Jim Hammond, Intergovernmental Relations Program Manager and Allison Taylor, Deputy City Clerk

GUESTS: 32nd District Washington State Representative Cindy Ryu
Debora Munguia, Capitol Consulting

At 2 p.m., Mayor Hall welcomed Representative Cindy Ryu and Deborah Munguia, who serves as a lobbyist for the City.

Mayor Hall described the importance of the 148th Street nonmotorized bridge for Shoreline and asked Representative Ryu to lend support in prioritizing its funding. There was general discussion of the revenue needs before the Legislature and concern was expressed over the lack of available funding. Mayor Hall said the City supports Tax Increment Financing and the possibility and impacts of it being implemented were discussed.

Councilmember Chang reviewed Shoreline's three capital budget asks and Representative Ryu stated that between her and Senator Salmon all the requests had been submitted.

Representative Ryu expressed continued commitment to the conceptualization and implementation of use for the Fircrest Campus and she stressed the importance of including a senior center, affordable housing, and supportive services on the Campus. Deputy Mayor Scully spoke to the community benefits a senior center would bring to the area. There was general conversation regarding development and growth in Shoreline.

Mayor Hall thanked Representative Ryu for her continued advocacy for Shoreline.

At 2:18 p.m. the meeting adjourned.

Allison Taylor, Deputy City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Thursday, February 11, 2021
4:45 p.m.

Held remotely on Zoom

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

ABSENT: Councilmembers Roberts

STAFF: Jim Hammond, Intergovernmental Relations Program Manager and Allison Taylor, Deputy City Clerk

GUESTS: 32nd District Washington State Representative Lauren Davis
Washington State Senator Jesse Salomon
John Elder, Senior Legislative Assistant
Debora Munguia, Capitol Consulting

At 4:45 p.m., Mayor Hall welcomed Representative Lauren Davis, Senator Jesse Salomon and Deborah Munguia, who serves as a lobbyist for the City.

Mayor Hall described the project and process to date on the 148th Street nonmotorized bridge and emphasized the importance of funding it for Shoreline, asking Senator Salomon and Representative Davis to make it their top priority. Councilmember Chang thanked representative Davis and Senator Salomon for supporting Shoreline's three capital budget asks.

Mayor Hall said the City supports Tax Increment Financing and the possibility and impacts of it being implemented were discussed. Mayor Hall said progressive generation of revenue is a City priority and conversation focused on the forms of taxation under consideration.

Senator Salomon and Representative Davis shared updates on their legislative activities and priorities.

Mayor Hall thanked Representative Davis and Senator Salomon for their time.

At 5:08 p.m. the meeting adjourned.

Allison Taylor, Deputy City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of February 5, 2021
DEPARTMENT: Administrative Services
PRESENTED BY: 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 \$2,353,730.42 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
01/10/21-01/23/21	1/29/2021	95258-95460	17209-17219	81745-81752	\$930,945.54
Q4 2020 L&I				81670	\$45,459.80
Q4 2020 ESD				81671	\$16,433.15
					<u>\$992,838.49</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
1/25/2021	1172	\$1,650.63
		<u>\$1,650.63</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
1/28/2021	81595	81610	\$181,791.52
1/28/2021	81611	81627	\$168,185.17
1/28/2021	81628	81634	\$41,064.77

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
1/28/2021	81635	81639	\$7,406.20
1/28/2021	81640	81646	\$11,317.96
1/28/2021	81647	81669	\$122,008.82
2/3/2021	81672	81686	\$427,508.65
2/3/2021	81687	81701	\$239,587.50
2/3/2021	81702	81712	\$26,437.27
2/3/2021	81713	81717	\$32,465.59
2/3/2021	81718	81726	\$39,658.48
2/4/2021	81727	81744	\$61,809.37
			<u>\$1,359,241.30</u>

Approved By: City Manager **DT**

City Attorney **MK**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 897 - Amending Shoreline Municipal Code Section 20.50.620, Aurora Square Community Renewal Sign Standards

DEPARTMENT: Planning & Community Development

PRESENTED BY: Nora Gierloff, AICP, Planning Manager

ACTION: ☒ Ordinance ☐ Resolution ☐ Motion
 ☐ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

Redevelopment of Shoreline Place would be better supported by a Sign Code that addresses the mixed-use development planned for the site and its multiple property ownerships while creating a consistent brand identity for the project as a whole. Staff is therefore proposing some updates to Shoreline Municipal Code (SMC) Section 20.50.620, which regards sign standards at Shoreline Place, to better serve the development types planned for the site. Proposed Ordinance No. 897 (Attachment A) would provide for these Development Code amendments. The Development Code amendments were reviewed by the Planning Commission at multiple meetings over the course of 2020 and approved by the Planning Commission on December 17, 2020.

The Council discussed proposed Ordinance No. 897 on February 1, 2021 and placed it on tonight's consent agenda for potential action. Staff recommends that Council adopt proposed Ordinance No. 897 tonight.

RESOURCE/FINANCIAL IMPACT:

There are no direct financial impacts to the City from adoption of these Code amendments. A well-crafted Sign Code that meets business advertising needs will contribute to the financial success of the redevelopment.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 897 amending SMC 20.50.620, Aurora Square CRA sign standards.

Approved By: City Manager **DT** City Attorney **JA-T**

BACKGROUND

The City designated a 70-acre area around the Sears, Central Market, and WSDOT complex as the Aurora Square Community Renewal Area (CRA) in September 2012. By designating the CRA, the City Council established that economic renewal would be in the public interest, and that City resources could be justifiably utilized to encourage redevelopment. A subset of the site devoted to retail and housing uses was designated as the CRA Lifestyle Center, which has been rebranded with the current name of Shoreline Place.

The City Council subsequently adopted the Aurora Square CRA Planned Action in August 2015. The Planned Action contains development regulations, design standards, signage standards, residential unit thresholds, commercial building thresholds and other goals and policies to shape future development in the CRA. The unique Sign Code for the CRA, which is codified in Shoreline Municipal Code (SMC) Section 20.50.620, supports the vision of a vibrant, mixed-use urban village. As redevelopment begins in Shoreline Place, staff is proposing some updates to better serve the development types planned for the site. With the adoption of the Development Agreement with Merlone Geier Partners for the Sears portion of the site on September 9, 2019, this vision is closer than ever to being realized.

Proposed Code Amendments and Planning Commission Review

As redevelopment of the CRA begins, questions have been raised about how to apply the regulations in SMC 20.50.620 to the proposed new development. Staff reviewed the regulations and proposed a series of changes to support the vision for Shoreline Place, address ground floor retail uses, meet new legal standards, and remove penalties for businesses who did not replace their signs by the September 2017 deadline that is included in the current Development Code.

These proposed changes were circulated to the property owners for comment and then reviewed by the Planning Commission in 2020. After careful consideration of the needs of the property owners, tenants, and the City's interests, the Planning Commission recommended the proposed changes shown in Attachment A, Exhibit A to proposed Ordinance No. 897. The Planning Commission's recommendation letter supporting these proposed amendments is attached this staff report as Attachment B.

The Planning Commission initially discussed these proposed amendments on June 4, 2020. The meeting materials and minutes for this meeting can be found at the following link:

<https://www.shorelinewa.gov/Home/Components/Calendar/Event/15494/182?toggle=allpast>.

The Planning Commission then held a Public Hearing on these proposed amendments on July 16, 2020. The meeting materials and minutes for this meeting can be found at the following link:

<https://www.shorelinewa.gov/Home/Components/Calendar/Event/15500/182?toggle=allpast>.

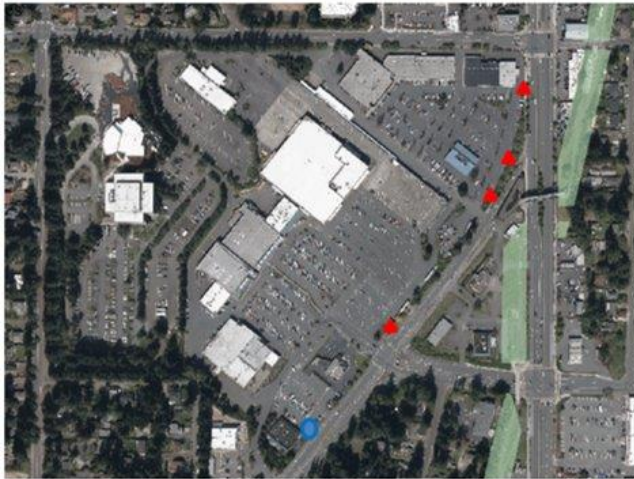
The Planning Commission held a follow up study session on this topic on November 19, 2020. All meeting materials for this meeting are available at the following link: <https://www.shorelinewa.gov/Home/Components/Calendar/Event/15516/182?toggle=all> past.

Finally, the Planning Commission held a second Public Hearing on these amendments on December 17, 2020. All meeting materials for this meeting are available at the following link: <https://www.shorelinewa.gov/Home/Components/Calendar/Event/15520/182?toggle=all> past.

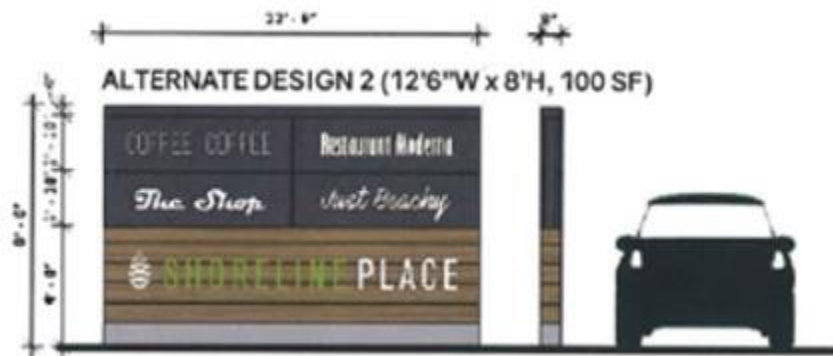
DISCUSSION

The most significant proposed amendments to the sign regulations in SMC 20.50.620 (Attachment A, Exhibit A) are as follows:

- For ease of use the new name Shoreline Place has replaced references to “CRA Lifestyle Center”. All of the sign and design standards discussed below apply to the Shoreline Place parcels.
- The few parcels within the Aurora Square CRA but outside of Shoreline Place (i.e., WSDOT property, NW School for Deaf Children) are exempted from the monument sign design standards (Shoreline Place name and logo etc.).
- Regulatory language has been changed to be content neutral in compliance with the Reed v. Town of Gilbert Supreme Court decision.
- Removal of ‘Electronic Message Center (EMC)’, also known as changeable electronic message signs, from the Code.
- Removal of the \$100 per day penalty for failure to install new signage by September 1, 2017.
- Requirement that no business may be listed on a new freestanding sign until any non-conforming freestanding sign listing that business is removed or brought into compliance with the Code.
- Clarification for how the sign copy area is calculated.
- Clarification that signage will be calculated for a binding site plan as a whole without regard to interior lot lines.
- Allowance for one to three monument signs per parcel based on length of street frontage and subject to spacing requirements, rather than two signs per driveway.
- Allowance for two pylon signs per parcel over five (5) acres, rather than one sign per street frontage This will maintain the current number of four pylon signs. Existing pylon sign locations are shown as red triangles on the photo below.



- Increase in allowed height for the CRA pylon signs from 25 to 35 feet to facilitate reuse of existing sign structures.
- Reduction in the amount of monument and pylon sign copy area that must be devoted to advertising Shoreline Place rather than the individual tenants.
- Allowance for monument and pylon signs to use individual tenant's fonts for the business listings while the signage design guidelines will specify overall design and colors.



- Allowance for ground floor storefronts in addition to the wall signs allowed for the upper residential floors of mixed-use buildings.



- Allowance for unique or sculptural signs with administrative design review.



- Clarification that wall signs can use the tenant's font and colors rather than the Shoreline Place design.
- Allowance for ground floor walls without entrances to have signs if the walls have landscaping, windows or architectural detailing.



- Allowance for retail leasing signs.
- Removal of duplicate language about exempt signs.

February 1, 2021 City Council Discussion

The City Council discussed proposed Ordinance No. 897 on February 1, 2021. Following a lengthy discussion, the Council was comfortable with the proposed ordinance and directed staff to bring back the proposed ordinance on tonight's consent agenda for potential action. The staff report for the February 1 Council discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport020121-8b.pdf>.

Next Steps

If proposed Ordinance No. 897 is adopted by Council, staff will work with the property owners and tenants to develop a set of sign design guidelines that will bring a common design theme to all of the freestanding signage on site. This will create a cohesive image and brand identity for Shoreline Place. These design guidelines would be presented to the City Council for final review and adoption.

STAKEHOLDER OUTREACH

A draft of the proposed Development Code amendments in strikeout/underline format, along with a cover letter explaining the reason for the amendments and the update process, was mailed and/or emailed to every property owner within the CRA in February 2020. Only Merlone Geier, the Sears-site property owners, provided comments on the material. The proposed Development Code amendments have also been posted on the City's Shoreline Place webpage. Notice of the SEPA determination and the Planning Commission discussion were provided to property owners in March.

Comment letters were received by the Planning Commission for their June 4, 2020 study session and one person provided oral comments at the meeting. Additionally, all tenants and property owners in the CRA were sent a postcard regarding the Planning Commission's July 16, 2020 Public Hearing in addition to Code-required hearing notice. All property owners and commenting parties were also emailed notice of the Planning Commission's November 19, 2020 study session and December 17, 2020 Public Hearing, in addition to the Code-required notice. All property owners and commenting parties were also emailed notice of the February 1, 2021 Council discussion.

COUNCIL GOAL(S) ADDRESSED

Proposed Ordinance No. 897 addresses Council Goal 1, Action Step 2:

Implement the Community Renewal Plan for Shoreline Place including the construction of the intersection improvements at N 155th Street and Westminster Way N, the adoption and implementation of revised signage requirements, and the processing of Phase 1 and 2 permits.

By better addressing the signage needs of businesses, these amendments will support the planned redevelopment of Shoreline Place into a vibrant, mixed-use town center.

RESOURCE/FINANCIAL IMPACT

There are no direct financial impacts to the City from adoption of these Code amendments. A well-crafted Sign Code that meets business advertising needs will contribute to the financial success of the redevelopment.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 897 amending SMC 20.50.620, Aurora Square CRA sign standards.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 897

Attachment A, Exhibit A: Amendments to SMC 20.50.620, Aurora Square Community
Renewal Area Sign Standards

Attachment B: Planning Commission Recommendation Letter

ORDINANCE NO. 897

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING SHORELINE MUNICIPAL CODE SECTION 20.50.620,
AURORA SQUARE COMMUNITY RENEWAL SIGN STANDARDS, TO
SUPPORT THE CITY'S VISION OF A VIBRANT, COHESIVE, MIXED-
USE URBAN VILLAGE.**

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 2012, the City Council designated an area of commercial property, known as Aurora Square, as a Community Renewal Area (CRA) so as to spur redevelopment; and

WHEREAS, in 2015, the City Council adopted the Aurora Square Community Renewal Area Planned Action Ordinance which included a variety of regulations and standards unique to this CRA, including a separate set of sign standards to provide unified development; and

WHEREAS, on June 4, 2020, the City of Shoreline Planning Commission held a study session to review the proposed CRA sign standards amendments and held a public hearing on July 16, 2020, ultimately returning the proposed amendments to Planning Staff for further development; and

WHEREAS, on November 19, 2020, the City of Shoreline Planning Commission held a study session to review Planning Staff's revisions to the proposed amendments and, on December 17, 2020, a second public hearing was held so as to allow public comment and testimony on the proposed amendments; 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 February 1, 2021, the City Council held a study session on the proposed CRA sign standards 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 proposed 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 March 24, 2020; and

WHEREAS, the City Council has determined that the CRA sign standards 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 the CRA as set forth in the Planned Action Ordinance;

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

Section 1. Amendment. Section 20.50.620 of the Shoreline Municipal Code, Aurora Square Community Renewal Area Sign Standards, is amended as set forth in Exhibit A 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 FEBRUARY 22, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor
Assistant City Attorney
on behalf of Margaret King, City Attorney

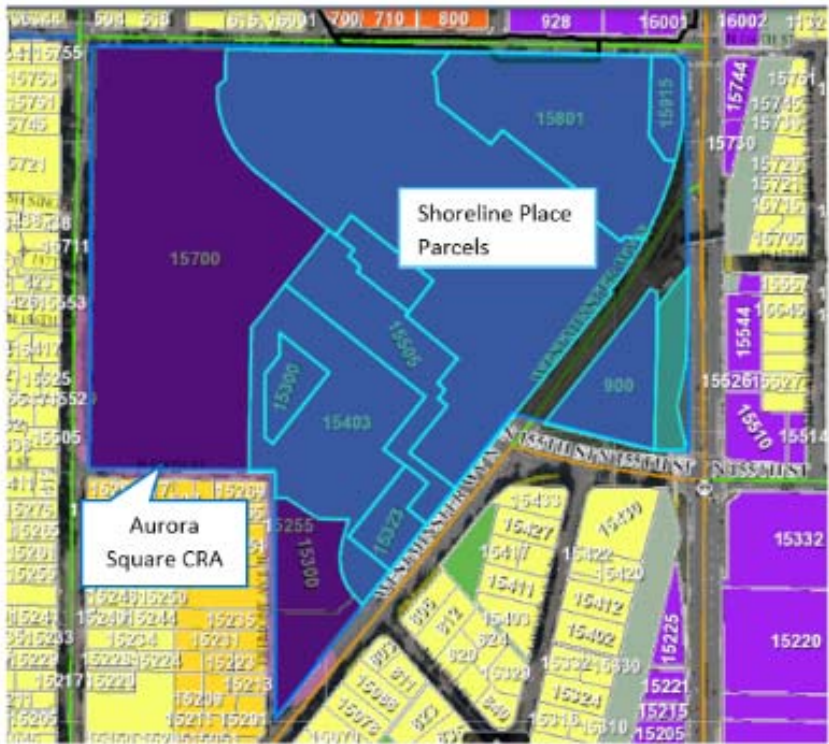
Date of Publication: , 2021
Effective Date: , 2021

20.50.620 Shoreline Place (Aurora Square Community Renewal Area) sSign sStandards.

A. Purpose. The purposes of this section are:

1. To provide standards for the effective use of signs as a means of business identification that enhances the aesthetics of business properties and economic viability.
2. To provide a cohesive and attractive public image of the Shoreline Place development~~Aurora Square Community Renewal Area lifestyle center~~.
3. To protect the public interest and safety by minimizing the possible adverse effects of signs.
4. To establish regulations for the type, number, location, size, and lighting of signs that are complementary with the building use and compatible with their surroundings.

B. Location Where Applicable. Map 20.50.620.B illustrates the Aurora Square CRA where the sign standards defined in this section apply.



C. Definitions. The following definitions apply to this section:

CRA Aurora Square Community Renewal Area, as defined by Resolution 333, the Aurora Square Community Renewal Area Plan, and Map 20.50.620.B.

CRA Building-Mounted Sign A sign permanently attached to a building, including flush-mounted, projecting, awning, canopy, or marquee signs. Under-awning or blade signs are regulated separately.

CRA Lifestyle Center Shoreline Place	That portion of the Aurora Square CRA envisioned in the CRA Renewal Plan as interrelated retail, service, and residential use.
CRA Lifestyle Frontage	Those sections of the streets that directly serve and abut the CRA lifestyle center. The three CRA lifestyle frontages are on portions of N 160th St, Westminster Way N, and Aurora Ave N.
CRA Monument Sign	A freestanding sign with a solid-appearing base under at least 75 percent of sign width from the ground to the base of the sign or the sign itself may start at grade. Monument signs may also consist of cabinet or channel letters mounted on a fence, freestanding wall, or retaining wall where the total height of the structure meets the limitations of this code.
CRA Pylon Sign	A freestanding sign with a visible support structure or with the support structure enclosed with a pole cover.
CRA Shoreline Place Signage Design Guidelines	The set of design standards adopted by the City that specifies the common name, logo, taglines, fonts, colors, and sign standards used on freestanding signs throughout the CRA lifestyle center <u>Shoreline Place</u> .
CRA Under-Awning Sign	A sign suspended below a canopy, awning or other overhanging feature of a building.
CRA Wayfinding Sign Post	A sign with multiple individual panels acting as directional pointers that are suspended from a freestanding post.
Electronic Message Center (EMC)	A sign with a programmable, changeable digital message.
Portable Sign	A sign that is readily capable of being moved or removed, whether attached or affixed to the ground or any structure that is typically intended for temporary display.
Temporary Sign	A sign that is only permitted to be displayed for a limited period of time, after which it must be removed.
Window Sign	A sign applied to a window or mounted or suspended directly behind a window.

D. Permit Required.

1. Except as provided in this section, no permanent sign may be constructed, installed, posted, displayed or modified without first obtaining a sign permit approving the proposed sign's size, design, location, display, and, where applicable, adherence to the ~~CRA~~ Shoreline Place signage design guidelines.
2. No permit is required for normal and ordinary maintenance and repair, and changes to the graphics, symbols, or copy of a sign, without affecting the size, structural design or height. Exempt changes to the graphics, symbols or copy of a sign must meet the standards defined herein.
3. All CRA-ptylon, CRA-monument, and CRA-wayfinding signs within Shoreline Place shall conform to the ~~CRA Shoreline Place~~ signage design guidelines. For all other types of unique,

sculptural or artistic signs, if an applicant seeks to depart from the standards of this section, the applicant must receive an administrative design review approval under SMC 20.30.297.

~~4. The City reserves the right to withhold sign permits and to assess the property owner up to \$100.00 per day for failure to install the signs indicated herein by September 1, 2017.~~

E. **Sign Design.**

1. **Sight Distance.** No sign shall be located or designed to interfere with visibility required by the City of Shoreline for the safe movement of pedestrians, bicycles, and vehicles.

2. **Private Signs on City Right-of-Way.** No portion of a private signs, above or below ground, shall be located ~~partially or completely~~ in a public right-of-way unless a right-of-way permit has been approved consistent with Chapter 12.15 SMC and is allowed under SMC 20.50.540 through 20.50.610.

3. **Sign Copy Area.** Calculation of sign area for channel letters or painted signs shall be the total area of all use rectangular areas (each drawn with a maximum of six right angles) that enclose each portion of the signage such as words, logos, graphics, and symbols other than nonilluminated background. Sign area for cabinet signs shall be the entire face of the cabinet. Sign area for signs that project out from a building or are perpendicular to street frontage are measured on one side even though both sides can have copy of equal size. Supporting structures such as sign bases and columns are not included in sign area provided that they contain no lettering or graphics except for addresses.

4. **Building Addresses.** Building addresses should be installed on all buildings consistent with SMC 20.70.250(C) and will not be counted as sign copy area.

5. **Materials and Design.** All signs, except temporary signs, must be constructed of durable, maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted for permanent signage. For example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted for permanent signage.

6. **CRA-Shoreline Place Signage Design Guidelines.** Design and content of the ~~CRA~~-pylon, ~~CRA~~ monument, and ~~CRA~~-wayfinding sign posts within Shoreline Place shall conform to the Shoreline Place CRA signage design guidelines. In addition, all other permanent or temporary signage or advertising displaying the common name, logo, colors, taglines, or fonts of the Shoreline Place center identity ~~CRA lifestyle center~~ shall comply with the ~~CRA~~Shoreline Place signage design guidelines.

7. **Illumination.** Where illumination is permitted per Table 20.50.620.E.8 the following standards must be met:

- a. Channel lettering or individual backlit letters mounted on a wall, or individual letters placed on a raceway, where light only shines through the copy.
- b. Opaque cabinet signs where light only shines through copy openings.
- c. Shadow lighting, where letters are backlit, but light only shines through the edges of the copy.

- d. Neon signs.
- e. All external light sources illuminating signs shall be less than six feet from the sign and shielded to prevent direct lighting from entering adjacent property.
- f. ~~EMC messages shall be monochromatic. EMCs shall be equipped with technology that automatically dims the EMC according to light conditions, ensuring that EMCs do not exceed 0.3 foot-candles over ambient lighting conditions when measured at the International Sign Association's recommended distance, based on the EMC size. EMC message hold time shall be 10 seconds with dissolve transitions. Ten percent of each hour shall advertise civic, community, educational, or cultural events.~~
- fg. Building perimeter/outline lighting is allowed for theaters only.



Individual backlit letters (left image), opaque signs where only the light shines through the copy (center image), and neon signs (right image).

8. Sign Specifications.

Table 20.50.620.E.8 Sign Dimensions

CRA MONUMENT SIGNS	
Maximum Sign Copy Area	One hundred square feet. The monument sign must be double-sided if the back of the sign is visible from the street.
Maximum Structure Height	Eight feet
Maximum Number Permitted <u>per Parcel per Public Street Frontage</u>	Two per driveway. 1 sign - up to 250 feet. of street frontage, 2 signs - parcels with more than 250 but less than 500 feet of street frontage 3 signs - 500 feet or more of street frontage
Sign Content Design	At least 50 15 percent of the sign copy area shall be used for center to identification of Shoreline Place the CRA lifestyle center. Individual business names listings , if

	shown, shall not include logos and shall be a single- common color scheme conforming to the Shoreline Place CRA signage design guidelines but may include any font.
Location <u>Spacing</u>	<ul style="list-style-type: none"> At any driveway to a CRA lifestyle- frontage. Signs must be separated by at least <u>100 feet from another monument or pylon sign on the same parcel or 50 feet from another monument or pylon sign on an adjacent parcel.</u>
Illumination	Permitted.
Mandatory Installation	At least one monument sign shall be installed at each of three vehicle entries to the CRA lifestyle center by September 1, 2017. An extension of up to one year can be granted by the City Manager to accommodate active or planned construction at or near the vehicle entrance.
<u>MONUMENT SIGNS OUTSIDE OF SHORELINE PLACE</u>	
<u>Maximum Sign Copy Area</u>	<u>Fifty square feet.</u>
<u>Maximum Structure Height</u>	<u>Six feet.</u>
<u>Maximum Number Permitted</u>	<u>One per parcel with up to 250 ft. of street frontage, two for parcels with 250 feet or more of frontage on the same street. Signs must be separated by at least 100 feet from any other monument or pylon sign.</u>
<u>Sign Design</u>	<u>Conformance to the Shoreline Place signage design guidelines is optional.</u>
<u>Illumination</u>	<u>Permitted.</u>
<u>CRA WAYFINDING SIGN POSTS</u>	
Maximum Sign Copy Area	Two square feet per business name <u>listing</u> ; no limit on number of businesses displayed.
Maximum Structure Height	Ten feet.
Maximum Number Permitted	No limit.
Sign Content <u>Design</u>	Individual business names <u>listings</u> shall not include logos and shall be in a single common color conforming to the CRA Shoreline Place signage design guidelines. <u>There is no restriction on font. Directional arrow background may be of a contrasting color.</u>
Location	<u>Throughout Shoreline Place</u> Anywhere in the CRA- lifestyle center. - <u>Must be set back at least 25 feet from the curb line of public streets.</u>
Illumination	Not permitted. <u>Permitted</u>
Mandatory Installation	At least 12 CRA wayfinding sign posts shall be installed in the CRA lifestyle center by September 1, 2017. An extension of up to one year can be granted by the City

	Manager to accommodate active or planned construction within the center.
<u>CRA PYLON SIGNS</u>	
Maximum Sign Copy Area	Three hundred square feet.
Maximum Structure Height	Thirty Twenty-five feet.
Maximum Number Permitted <u>per Parcel</u>	Two Three pylon signs are allowed <u>per parcel over five acres.</u>
Sign Content <u>Design</u>	At least 15 25 percent of the sign copy area shall be used for <u>center</u> identification of Shoreline Place the CRA lifestyle center. Up to 50 percent of the sign copy area may be used for a monochromatic electronic message center (EMC). Individual business names listings, if shown, shall not include logos and shall be a <u>common color scheme conforming to the Shoreline Place signage design guidelines</u> but may include any font <u>color</u> .
Location	One <u>Signs can</u> may be located on each of the CRA lifestyle public street frontages that are directly across from properties with Mixed Business (MB) zoning. <u>Signs must be separated by at least 100 feet from another monument or pylon sign on the same parcel or 50 feet from another monument or pylon sign on an adjacent parcel.</u>
Illumination	Permitted.
Mandatory Installation	Three CRA pylon signs shall be installed by July 1, 2017. An extension of up to one year can be granted by the City Manager to accommodate active or planned construction at or near the pylon locations.
<u>CRA BUILDING-MOUNTED SIGNS</u>	
Maximum Sign Copy Area	<p><u>Ground Floor Storefronts: 1.5 square feet of sign area per lineal foot of storefront that contains a public entrance.</u></p> <p><u>Ground Floor Side/Rear Walls without Public Entrances: 1 square feet of sign area per lineal foot of wall fronting a tenant space if the wall meets one of these standards:</u></p> <ol style="list-style-type: none"> <u>1) Transparent glazing between the heights of 3' and 8' along at least 50% of the tenant space;</u> <u>or</u> <u>2) A trellis with live, irrigated landscaping along at least 50% of the tenant space; or</u> <u>3) Architectural detailing consistent with the other building facades such as awnings, canopies, changes in building material, and modulation.</u> <p><u>Residential Buildings: Two elevations may have Maximum sign area equal to shall not exceed 2.515 percent of the building elevation fronting the residential</u></p>

	use of the tenant fascia or a maximum of 500 square feet, whichever is less.
Maximum Structure Height	Not limited. Projecting, awning, canopy, and marquee signs (above awnings) shall clear sidewalk by nine feet and not project beyond the awning extension or eight feet, whichever is less. These signs may project into public rights-of-way, subject to City approval.
Projecting Signs	<u>Maximum of one projecting sign per public entrance.</u> <u>Maximum size is 4' by 3' or 15% of the business's maximum sign copy area, whichever is smaller.</u>
Number Permitted	The <u>maximum sign copy area</u> per business may be distributed into multiple <u>wall, projecting, awning, canopy or marquee</u> signs; provided, that the aggregate sign area is equal to or less than the maximum allowed sign <u>copy area</u> . <u>Signs must be placed on the building elevation used to calculate their maximum sign copy area.</u> Maximum of one projecting sign per tenant, per fascia. Maximum sign area of projecting sign shall not exceed 10 percent of tenant's allotted wall sign area.
Sign Design	<u>Individual business building-mounted signs do not need to meet the Shoreline Place Design Guidelines for color or font.</u>
Illumination	Permitted.
CRA-UNDER-AWNING SIGNS	
Maximum Sign Copy Area	<u>Twelve square feet which does not count against the maximum sign copy area per business .</u>
Minimum Clearance from Grade	Eight feet.
Maximum Structure Height	Not to extend above or beyond awning, canopy, or other overhanging feature of a building under which the sign is suspended. Signs may project into the public right-of-way subject to City approval.
Number Permitted	One per public <u>business</u> entrance.
Sign Design	<u>Individual business under-awning signs do not need to meet the Shoreline Place Design Guidelines for color or font.</u>
Illumination	External only.

9. **Window Signs.** Window signs are permitted to occupy maximum 25 percent of the total window area. Window signs are exempt from permit if nonilluminated and do not require a permit under the building code.

10. **A-Frame Signs.** A-frame, or sandwich board, signs are exempt from permit but subject to the following standards:

- a. Maximum ~~two~~ one signs per ~~business~~ residential building;
- b. ~~Must contain the business's name and m~~ May not be located on the City right-of-way in ~~any of the CRA lifestyle frontages~~;
- c. Cannot be located within the required clearance for sidewalks and internal walkways as defined for the specific street classification or internal circulation requirements;
- d. Shall not be placed in landscaping, within two feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps;
- e. Maximum two feet wide and three feet tall, not to exceed six square feet in area;
- f. No lighting of signs is permitted;
- g. All signs shall be removed from display when the business closes each day; and
- h. A-frame/sandwich board signs are not considered structures.

11. Retail Leasing Signs. Signs are exempt from permit but subject to the following standards:

- a. Maximum one sign per public street frontage per parcel;
- b. May not be located on the City right-of-way;
- c. Cannot be located within the required clearance for sidewalks and internal walkways as defined for the specific street classification or internal circulation requirements;
- d. Shall not be placed within two feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps;
- e. Maximum sign area of eight feet wide and four feet tall plus support posts, total height not to exceed eight feet;
- f. No lighting of signs is permitted;

12. Binding Site Plans. Signage allowances shall be calculated for the Binding Site Plan as a whole without regard to interior lot lines as it is considered to function as one site.

F. Prohibited Signs.

- 1. Spinning devices; flashing lights; searchlights; or reader board signs. Traditional barber pole signs allowed.
- 2. Portable signs, except A-frame signs as allowed by subsection (I) of this section.
- 3. Outdoor off-premises advertising signs (billboards).
- 4. Signs mounted on the roof or projecting above the parapet of the building wall on which it is mounted.

5. Inflatables.
6. Signs mounted on vehicles.

G. Nonconforming Signs.

1. No business may be listed on a pylon, monument, or wayfinding sign until any existing nonconforming freestanding sign listing that business is removed or brought into compliance with the requirements of this code. All pylon signs in the CRA lifestyle center Shoreline Place existing at on August 10, 2015 the time of adoption of this section are considered nonconforming and shall be removed by September 1, 2017. The City reserves the right to assess the property owner up to \$100.00 per day for failure to remove or bring into compliance such nonconforming signs ~~as indicated.~~
2. Nonconforming signs shall not be altered in size, shape, height, location, or structural components without being brought to compliance with the requirements of this code. Repair and maintenance are allowable, but may require a sign permit if structural components require repair or replacement.
3. ~~Electronic changing message (EMC) or reader boards may not be installed in existing, nonconforming signs without bringing the sign into compliance with the requirements of this code.~~

H. Temporary Signs.

1. **General Requirements.** Certain temporary signs not exempted by SMC 20.50.610 shall be allowable under the conditions listed below. All signs shall be nonilluminated. Any of the signs or objects included in this section are illegal if they are not securely attached, create a traffic hazard, or are not maintained in good condition. No temporary signs shall be posted or placed upon public property unless explicitly allowed or approved by the City through the applicable right-of-way permit. Except as otherwise described under this section, no permit is necessary for allowed temporary signs.
2. **Temporary On-Premises Business Signs.** ~~Temporary banners are permitted to announce sales or special events such as grand openings, or prior to the installation of permanent business signs. Such temporary business signs shall:~~
 - a. Be limited to one sign for businesses under 10,000 sf, and two signs for businesses larger than 10,000 sf ~~but smaller than 40,000 sf, and three signs for businesses larger than 40,000 sf;~~
 - b. Be limited to 32 100-square feet in area;
 - c. Not be displayed for a period to exceed a total of 60 calendar days effective from the date of installation and not more than ~~four~~ two such 60-day periods are allowed in any 12-month period; and
 - d. ~~Be removed immediately upon conclusion of the sale, event or installation of the permanent business signage.~~
3. **Construction Signs.** Banner or rigid signs (such as plywood or plastic) for buildings which are under construction. identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is

~~intended.~~ Total signage area for both new construction and remodeling shall be a maximum of 32 square feet. Signs shall be installed only upon City approval of the development permit, new construction or tenant improvement permit and shall be removed within seven days of final inspection or expiration of the building permit.

4. Feather flags and pennants displayed for no more than 14 days prior and 2 days after community events ~~when used to advertise City sponsored or CRA lifestyle center community events.~~

5. Pole banner signs that are changed semi-annually and mounted on privately owned light poles only ~~identify the CRA lifestyle center.~~

6. Temporary signs not allowed under this section and which are not explicitly prohibited may be considered for approval under a temporary use permit under SMC 20.30.295 or as part of administrative design review for a comprehensive signage plan for the site.

~~I. **Exempt Signs.** The following are exempt from the provisions of this chapter, except that all exempt signs must comply with SMC 20.50.540(A), Sight Distance, and SMC 20.50.540(B), Private Signs on City Right-of-Way:~~

~~1. Historic site markers or plaques and gravestones.~~

~~2. Signs required by law, including but not limited to:~~

~~a. Official or legal notices issued and posted by any public agency or court; or~~

~~b. Traffic directional or warning signs.~~

~~3. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, not illuminated, and do not exceed four square feet in surface area.~~

~~4. Incidental signs, which shall not exceed two square feet in surface area; provided, that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency.~~

~~5. State or Federal flags.~~

~~6. Religious symbols.~~

~~7. The flag of a commercial institution, provided no more than one flag is permitted per business; and further provided, the flag does not exceed 20 square feet in surface area.~~

~~8. Neighborhood identification signs with approved placement and design by the City.~~

~~9. Neighborhood and business block watch signs with approved placement of standardized signs acquired through the City of Shoreline Police Department.~~

~~10. Plaques, signs or markers for landmark tree designation with approved placement and design by the City.~~

~~11. Real estate signs not exceeding 24 square feet and seven feet in height, not on City right-of-way. A single fixed sign may be located on the property to be sold, rented or leased, and shall be removed within seven days from the completion of the sale, lease or rental transaction.~~

~~12. City-sponsored or community-wide event signs.~~

~~13. Parks signs constructed in compliance with the parks sign design guidelines and installation details as approved by the Parks Board and the Director. Departures from these approved guidelines may be reviewed as departures through the administrative design review process and may require a sign permit for installation.~~

~~14. Garage sale signs not exceeding four square feet per sign face and not advertising for a period longer than 48 hours.~~

~~15. City land use public notification signs.~~

~~16. Menu signs used only in conjunction with drive-through windows, and which contain a price list of items for sale at that drive-through establishment. Menu signs cannot be used to advertise the business to passersby; text and logos must be of a size that can only be read by drive-through customers. A building permit may be required for menu signs based on the size of the structure proposed.~~

~~17. Campaign signs that comply with size, location and duration limits provided in Shoreline Administrative Rules.~~



TO: Honorable Members of the Shoreline City Council

FROM: Laura Mork
Shoreline Planning Commission

DATE: December 23, 2020

RE: Shoreline Place Community Renewal Sign Code Update

The Shoreline Planning Commission has completed its review of the proposed amended regulating signage within the Shoreline Place Community Renewal Area..

The Planning Commission held two (2) study sessions on June 4, 2020 and July 16, 2020, with the later also being a public hearing. The Planning Commission did ask Planning Staff to revise the proposed amendments and presented those revisions on November 19, 2020, with a public hearing on December 17, 2020.

In 2012, the City Council designated Shoreline Place (formerly Aurora Square) as a Community Renewal Area so as to spur redevelopment of this commercial property. In 2015, the Aurora Square Community Renewal Area Planned Action was adopted and contained a variety of regulations and standards unique to the area, including a separate set of signage standards, intended to shape future development in that area. However, after a Development Agreement was entered into for partial development of the area, changes were necessary to better support the vision of a vibrant, mixed use urban village and to better serve the development types planned for the site. The Planning Commission's recommended amendment serve this purpose.

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 Shoreline Place Community Renewal Sign Code Update as attached to this recommendation.

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Property Tax Exemption Program Contract for the Trad Apartments Project Located at 17567 15th Avenue NE

DEPARTMENT: City Manager's Office

PRESENTED BY: Nathan Daum, Economic Development Manager

ACTION: ☐ Ordinance ☐ Resolution ☒ Motion
 ☐ Public Hearing ☐ Discussion

PROBLEM/ISSUE STATEMENT:

The City Manager has approved an application by Evergreen Point Redmond, LLC for a multifamily housing limited property tax exemption (MFTE) on a project known as Trad Apartments. The applicant has agreed to a contract with the City (Attachment A) stating that the residential improvements of their projects will be exempt from property taxation for 12 years in exchange for providing affordable housing and other conditions. Shoreline Municipal Code (SMC) Section 3.27.060 specifies that the City Manager's approval is subject to approval by the City Council. Tonight, staff is seeking Council approval of this MFTE program contract.

RESOURCE/FINANCIAL IMPACT:

When an MFTE project is built, the value of the residential improvements will not be added to the assessed value of the property until the 13th year; all taxing jurisdictions in Shoreline forgo property tax revenues from the project for the first 12 years. For the 2021 tax year, while improvements are taxable, the owner will pay approximately \$7,100 in City taxes (depending on the current tax rate; \$62,000 to all sources) for improvements the assessor estimates are 40% complete. From 2022 through 2033, assuming 1% annual increases but no other changes, the owner would save approximately \$225,000 in City taxes (\$1,960,000 total) from the tax exemption. In addition, staff and consultant time is required to process applications, file annual reports to the state and King County, and to monitor compliance with affordable housing requirements.

Trad Apartments is under construction on a property which staff estimates may have contributed between \$5,000 and \$30,000 per year in annual revenue to the City prior to redevelopment. By the time it is complete, staff estimates the project may have paid approximately \$1.1 million in one-time taxes and fees to the City, not including permitting fees. An estimated \$68,735 annually would be paid to the City in taxes and state-shared revenue during the twelve-year exemption period. After MFTE expiration, staff estimates this property could generate more than \$87,000 annually to the City based on current tax rates.

RECOMMENDATION

Staff recommends that the City Council approve the Multi-Family Housing Limited Property Tax Exemption Contract for the Trad Apartments.

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

BACKGROUND

The Multi-Family Tax Exemption (MFTE; also known as PTE for Property Tax Exemption) program was instituted by the state legislature to provide incentives to construct multifamily housing and later amended to help create affordable housing. According to the conclusions of the Growth Management Act and the legislature, multifamily housing and affordable housing are needed throughout the Puget Sound metropolitan area to help mitigate negative environmental impacts of population growth in the region.

The MFTE program provides the property owner an exemption from the *ad valorem* property taxes on new or rehabilitated housing improvements (including residential parking) for the duration of the exemption period.

Shoreline has offered an MFTE program in nine (9) designated Residential Targeted Areas for many years. Chapter 3.27 SMC was most recently updated in 2020 by the adoption of Ordinance No. 879. The current Shoreline MFTE program requires that at least 20% of the multi-family housing project be affordable and provides a qualified project 12 years of exemption from property taxation. Attachment B to this staff report provides a summary of the approved MFTE projects in Shoreline.

DISCUSSION

Trad Apartments complies with all applicable requirements of state law (RCW 84.14.060) and SMC 3.27.040 for MFTE. The next step in the MFTE process is for the City Council to approve or deny the contract that defines the terms under which the City will grant property tax exemptions, including binding the property to provide affordable housing for the period according to the RCW 84.14 and Chapter 3.27 SMC. Project details for the Trad Apartments include:

Location:	17567 15 th Avenue NE
Residential Targeted Area:	North City Business District
Units provided:	124
Affordable units provided:	25
Duration of tax exemption:	12 years
Affordability levels:	Studio and 1-bedroom units - 70% of area median income (AMI) 2-bedroom and larger units - 80% AMI
Duration of affordability:	12 years
Permit number:	PLN20-0038

Public Benefit Calculation

Current income and rent limits are attached to this staff report in Attachment C. Using the reported market rents of another new, nearby property, the City's consultant estimates the 12-year value of the affordable housing (the public benefit) to be approximately \$957,000. This "rent gap" could turn out to be higher or lower, depending on relative changes between market and affordable rents over time.

Limited Fiscal Analysis

Although the valuation of the project may not be fully on the City's tax rolls for 12 years, therefore lowering the amount of new property tax collected, there are other revenue streams that will be generated by the project and the occupants of the units to off-set the costs of providing services to the new residents. These include one-time revenues and on-going revenues, which are highlighted below.

Estimated One-time City Revenues

One-time revenues for this project include the following:

- Real Estate Excise Tax (REET): REET is collected when a property is sold. The REET collected by the City on the developer's purchase of this property is estimated at approximately \$8,365.
- Sales & Use Tax: Sales and use tax is collected by the City on construction when a project is developed in Shoreline. The City's share of sales taxes, which are collected on the total of a project's hard and soft costs, are estimated at \$163,800 for this project.
- Impact Fees: The City currently collects park and transportation impact fees for all new residential units (single-family and multi-family). In 2021, each new multi-family apartment unit is assessed a transportation impact fee of \$4,608 and a park impact fee of \$2,838. Therefore, an estimated \$923,335 in impact fees will be collected for the 124 units of this Project. While impact fees are designed to ensure concurrency with a level of service as a result of the growth in population, they also contribute to prioritized projects of benefit to the whole community.

In total, it is anticipated that the City will collect an estimated \$1,095,500 in one-time taxes and fees, not including permit fees, from this project. This is outlined in Table 1 below:

Table 1: Estimated One-time City Revenues (Trad Apartments)

REET on Land Sale	\$8,365
Sales Tax of 1.05% (Construction)	\$163,800
Impact Fees (124 Units x \$7,446)	\$923,335
Total	\$1,095,500

On-going Revenues

On-going revenues for the project include the following:

- Sales & Use Tax: As new residents occupy the multi-family units, they will buy goods in Shoreline that generate sales tax. On average, staff estimates that each resident of a multi-family unit generates approximately \$119.74 per year of sales taxes in Shoreline.
- Utility Taxes: All residents of multi-family housing use a variety of utilities which are subject to utility taxes and franchise fees. This includes water, wastewater, solid waste, electricity, natural gas, cable, telecommunications, and surface water. On average, staff estimates that each resident of a multi-family unit generates approximately \$114.77 per year of utility taxes.
- State Shared Revenues: Many of the state shared revenues distributed to the City are based on a per capita basis. Assuming that the average multi-family unit

occupancy is two people per unit, each resident of a unit generates approximately \$36.15 per year of state shared revenues.

Table 2 below provides a comparison of estimated on-going annual City revenues from the property prior to the development, the annual revenues during the 12-year property tax exemption period, and the annual revenues following the expiration of the 12-year tax exemption period. The Trad Apartment building is under construction on a former gas station property. Due to confidentiality laws, tax data pertaining to an individual taxpayer is not available for staff's analysis of the preexisting use. For a rough estimate, staff determined an equivalent range of 10-100 taxpayers residing on the property could be substituted. As such, the pre-redevelopment City revenues from the property and business located on it are estimated to have ranged from \$5,000 to \$30,000 per year. Despite the tax exemption on the improvements, this total would more than double during the 12-year tax exemption period to approximately \$68,735 per year. By staff's analysis, 98% of those on-going annual revenues could be attributed to the new residents, not the building developer or owner. Following the expiration of the tax exemption, the addition of the higher assessed value of the new improvements would bring this total to \$87,299 in revenues to the City, 79% of which could be attributed to the new residents.

Table 2: Estimated Annual Revenue - Trad Apartments

	Pre-Development	Development and MFTE Program Duration	Post MFTE Program
Assumptions	(Gas station)	(Years 1-12)	(Years 13+)
Total Units	0	124	124
MFTE Program-Enrolled Affordable Units	0	25	0
Population	0	248	248
Property Tax (Land)	\$1,611	\$1,611	\$1,611
Property Tax (Improvements)	\$380	\$0	\$18,564
Sales Tax	\$1,200--12,000	\$29,696	\$29,696
Utility Tax	\$1,100--11,000	\$28,463	\$28,463
State-Shared Revenue (restricted)	n/a	\$8,965	\$8,965
Total (Annual)	\$5,000--30,000 ¹	\$68,735	\$87,299

Next Steps

If the Council approves the proposed MFTE contract, the City Manager will issue Conditional Certificates of Property Tax Exemption to the applicant. The applicant has three years to complete the project and then may apply to the City for a Final Certificate. The City Manager may approve (or deny) the Final Certificate application without

¹ Due to confidentiality laws, specific tax information on prior use not available. A range of 10-100 residents was used for the purposes of this analysis.

Council action. If approved, the City will file the Final Certificate with the County Assessor and the residential improvements will be exempt beginning the following January 1st.

RESOURCE/FINANCIAL IMPACT

When an MFTE project is built, the value of the residential improvements will not be added to the assessed value of the property until the 13th year; all taxing jurisdictions in Shoreline forgo property tax revenues from the project for the first 12 years. For the 2021 tax year, while improvements are taxable, the owner will pay approximately \$7,100 in City taxes (depending on the current tax rate; \$62,000 to all sources) for improvements the assessor estimates are 40% complete. From 2022 through 2033, assuming 1% annual increases but no other changes, the owner would save approximately \$225,000 in City taxes (\$1,960,000 total) from the tax exemption. In addition, staff and consultant time is required to process applications, file annual reports to the state and King County, and to monitor compliance with affordable housing requirements.

Trad Apartments is under construction on a property which staff estimates may have contributed between \$5,000 and \$30,000 per year in annual revenue to the City prior to redevelopment. By the time it is complete, staff estimates the project may have paid approximately \$1.1 million in one-time taxes and fees to the City, not including permitting fees. An estimated \$68,735 annually would be paid to the City in taxes and state-shared revenue during the twelve-year exemption period. After MFTE expiration, staff estimates this property could generate more than \$87,000 annually to the City based on current tax rates.

RECOMMENDATION:

Staff recommends that the City Council approve the Multi-Family Housing Limited Property Tax Exemption Contract for the Trad Apartments.

ATTACHMENTS

- Attachment A: Proposed Multi-Family Housing Limited Property Tax Exemption Contract - Trad Apartments
- Attachment B: Summary of Approved MFTE Projects in Shoreline
- Attachment C: 2020 Income and Rent Limits

WHEN RECORDED, MAIL TO:

City of Shoreline
17500 Midvale Ave N
Shoreline, WA 98133

ATTN: City Clerk

WASHINGTON STATE COUNTY AUDITOR/RECORDER/S INDEXING FORM

<p>Document Title(s) <i>(or transactions contained therein):</i></p> <p>MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT-TRAD APARTMENTS</p>
<p>Reference Number(s) of Documents assigned or released:</p> <p><input type="checkbox"/> Additional reference numbers on page ____ of document.</p>
<p>Grantor(s) <i>(Last name first, then first name and initials):</i></p> <p>1. <u>EVERGREEN POINT REDMOND, LLC</u></p> <p><input type="checkbox"/> Additional names on page ____ of document.</p>
<p>Grantee(s) <i>(Last name first, then first name and initials):</i></p> <p>1. <u>CITY OF SHORELINE, WASHINGTON</u></p> <p><input type="checkbox"/> Additional names on page ____ of document.</p>
<p>Legal Description <i>(abbreviated form; i.e., lot, block, plat name, section-township-range):</i></p> <p><u>NORTHEND COUNTRY ESTATES ADD PCL "A" OF CITY OF SHORELINE DECLARATION OF LOT MERGER# PLN18-006 REC# 20180208000668 OF SD LOT MERGER BEING POR OF LOT 16 OF BLK 4 OF SD ADD.</u></p> <p><input type="checkbox"/> Additional legal on Exhibit "A" of document.</p>
<p>Assessor's Property Tax Parcel Account Number(s):</p> <p><u>616390-0761</u></p>

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document.

MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT

TRAD APARTMENTS

THIS MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT (the "Contract") is made and entered into as of this _____ day of _____, 20____, by and between the CITY OF SHORELINE, a Municipal Corporation of the State of Washington (the "City"); EVERGREEN POINT REDMOND LLC, a Washington limited liability company (the "Owner").

WHEREAS, the City has an interest in stimulating new construction or rehabilitation of multi-family housing in Residential Targeted Areas in order to reduce development pressure on single-family residential neighborhoods, increase and improve housing opportunities, provide affordable housing opportunities, and encourage development densities supportive of transit use; and

WHEREAS, the City has, pursuant to the authority granted to it by Revised Codes of Washington (RCW) Chapter 84.14, designated various areas of the City as Residential Targeted Areas for the provision of a limited property tax exemption for new or rehabilitation multi-family housing; and

WHEREAS, the City has, as set forth in Chapter 3.27 SMC, enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the King County Assessor that the owner is eligible to receive a limited property tax exemption; and

WHEREAS, the Owner is interested in receiving a limited property tax exemption for constructing 124 units of NEW multifamily housing ("Project") within the North City Business District Residential Targeted Area pursuant to SMC 3.27.030; and

WHEREAS, the Owner submitted to the City a complete application for Property Tax Exemption outlining the proposed Project to be constructed on property located at 17567 15th Ave NE in Shoreline, Washington ("Property") and legally described in **Exhibit A** of this Contract; and

WHEREAS, in consideration of the City's approval of Permit No. _____, the Owner accepts certain conditions affecting the use of the Property and the improvements authorized by Permit No. _____. It is the purpose of this Contract to set forth those conditions and to impose enforceable restrictions on the use and occupancy of the residential portion of the Property; and

WHEREAS, on _____ the city manager determined that the application met all the eligibility and procedural

requirements to qualify for a Conditional Certificate of Acceptance of Property Tax Exemption as provided in Chapter 3.27 SMC, with the exception of entering in to and recording this Contract; and

WHEREAS, on _____, the City Council authorized the city manager to execute this contract; and

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the City mutually agree as follows:

SECTION 1 – DEFINITIONS

Unless otherwise expressly provided herein, the following terms shall have the respective meanings set forth below. If a term is not defined herein, then it shall be defined as provided in Chapter 20.20 SMC or given its usual and customary meaning.

"Affordable Units" means the twenty-five (25) units in the Project designated by the Owner and approved by the City, as set forth in **Exhibit B**, and reserved for occupancy by Eligible Households with maximum rents pursuant to Section 3.

"City's Designee" mean that individual(s) authorized by the City to administer this Contract.

"Completion Date" means the date of the first certificate of occupancy issued by the City for the Project.

"Dwelling Unit" means a residential living facility, used, intended or designed to provide physically segregated complete independent living facilities for one or more persons, including living, sleeping, cooking and sanitation facilities.

"Eligible Household" means one or more adults and their dependents who meet the qualifications for eligibility set forth in Section 3.F. or Section 3.I.

"Household Income" means gross annual income from all household members over the age of 18 residing in the household. Gross annual income consists of all wages, benefits (e.g. military, unemployment, welfare), interest, and other such income. Income of dependents over the age of 18 who reside within a household for

less than three (3) months of the year will not be counted toward Household Income.

"Household Size" means all of the persons, related or unrelated, occupying an Affordable Unit. For the purpose of calculating maximum Housing Expenses, the following assumptions apply:

<u>UNIT TYPE</u>	<u>ASSUMED HOUSEHOLD SIZE</u>
Studio	1 Person
Open 1-Bedroom	1.5 Persons
1 Bedroom	1.5 Persons
2 Bedroom	3 Persons
3 Bedroom	4.5 Persons

"Housing Expense" means a tenant's costs for rent, parking for one motor vehicle, Utilities or an equivalent Utility Allowance, and any recurring expenses required by the Owner as a condition of tenancy. Expenses that the Owner makes optional, such as pet rent or extra storage space, are not considered Housing Expenses for the purpose of this Contract.

"Median Income" means the median family income for the *Seattle-Bellevue, WA HUD Metro FMR Area* as most recently published by the Secretary of Housing and Urban Development (HUD), as amended. In the event that HUD no longer publishes median family income figures, the City may estimate the Median Income applicable to the City in such manner as the City shall determine in its sole discretion.

"Property" means the real property, together with improvements, legally described in **Exhibit A**.

"Project" means the Owner's multi-family residential building containing 124 Dwelling Units also known as "Trad Apartments."

"Compliance Period" means twelve (12) years from the date of initial occupancy of the Affordable Units.

"SMC" means the Shoreline Municipal Code, as it now exists or hereinafter amended.

"Utility" or "Utilities" means water, electricity, natural gas, sewer, and garbage collection but not including phone, internet service, or cable or satellite television.

"Utility Allowance" means that portion of Housing Expenses that the City determines, from time to time, is adequate for the reasonable Utility costs of Affordable Units in the event the Owner makes tenants responsible for payment for their own Utilities.

SECTION 2 – THE PROJECT

A. General Description. The Owner will construct the Project for purposes of providing multi-family rental housing, and the Owner shall own, manage, and operate (or cause the management and operation of) the Project. The Owner agrees to construct the Project in compliance with all applicable land use regulations and as approved and permitted by the City. In no event shall such construction provide less than fifty percent (50%) of the space for permanent residential occupancy as required by SMC 3.27.040(A)(2).

B. The Owner agrees to complete construction of the agreed upon improvements within three (3) years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption, or within any extension thereof granted by the City.

C. Conversion from Renter-Occupied to Owner-Occupied. In the event the Property is proposed for conversion to a condominium, owner-occupied, or non-rental residential use during the Compliance Period, the Owner must submit to the City for its review a plan for preserving the Affordable Units. The City may consider options which would convert the Affordable Units to owner-occupancy by Eligible Households and are consistent with the provisions of Chapter 3.27 SMC and SMC 20.40.235. The Owner must receive authorization from the City prior to conversion to condominium, owner-occupied, or non-rental residential use. This section does not waive the Owner's obligations to comply with any other law or regulations pertaining to conversion to ownership use.

SECTION 3 – AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS

A. Number of Affordable Units. The Project shall include the number and types of Affordable Units as set forth in the table below.

Dwelling Units in the Project

Unit Type (Bedrooms)	Total Units	Affordable Units
Studio	74	15
1-bedroom	34	7
2-bedroom	16	3
Total	124	25

B. Similar Quality Construction. All of the Dwelling Units in the Project shall be constructed of similar quality. The

Affordable Units shall have substantially the same net square footage, equipment, and amenities as other Dwelling Units in the Project with a comparable number of rooms.

C. Designation of Affordable Units. Affordable Units shall be generally distributed throughout the Project. The Owner agrees to designate the Dwelling Units identified in **Exhibit B** as Affordable Units. The Owner, from time to time, may propose to change the specific Dwelling Units designated as Affordable Units herein, in which case the Owner shall notify the City of the proposed change in writing for the City's approval. The City will review the proposed changes and shall approve or deny the proposed changes based upon the criteria that at all times at least 25 of all of the Dwelling Units in the Project are designated as Affordable Units, and provided that at all times the same unit mix and affordability mix is retained.

D. Maximum Rents for Affordable Units.

(1) The Housing Expense of an Affordable Unit shall not exceed thirty percent (30%) of the Income Level relevant for the Unit Type shown in the following table, with adjustments for assumed Household Size.

Maximum Affordable Rents

Unit Type	Income Level (Percent of Median Income)
Studio or 1 bedroom	70%
2 or more bedrooms	80%

(2) An Affordable Unit's contract rent shall not exceed the tenant's maximum Housing Expense less a Utility Allowance, if applicable, and any other recurring expenses required by the Owner as a condition of rental.

(3) No Affordable Unit's tenant shall have more than one rent increase for the same Unit in any twelve (12)-month period; provided, however, that in the event an Affordable Unit's lease expires and said tenant elects to continue leasing the Affordable Unit on a month-to-month tenancy, and the tenant remains an Eligible Household, the Owner may increase the rent for that Affordable Unit up to once every thirty (30) days but no higher than the maximum contract rent as set forth in this section.

E. Renting Affordable Units to Eligible Households. During the Compliance Period, the Owner shall lease or rent, or make available for lease or rental, to Eligible Households all of the Affordable Units in the Project. If at any time the Owner is

unable to rent or lease an Affordable Unit, then the Affordable Unit shall remain vacant pending rental or lease to Eligible Households.

F. Income Qualifications for Eligible Households.

(1) To qualify as an Eligible Household for initial occupancy of an Affordable Unit, a household's Household Income may not exceed the applicable Percent of Median Income set forth in the table below, adjusted for Household Size.

(2) At time of recertification, as provided in Section I below, a tenant will remain an Eligible Household as long as said tenant's Household Income does not exceed the Maximum Income for Recertification.

Maximum Income at Initial Occupancy Maximum

Bedrooms	Percent of Median Income
Studio or 1 bedroom	70%
2 or more bedrooms	80%

G. Occupancy Limits for Affordable Units. The Owner shall utilize the following occupancy standards for Affordable Units:

Unit Type	Minimum Occupants
Studio or 1 bedroom	1 person
2-bedroom	2 persons
3-bedroom	3 persons
4-bedroom	4 persons

H. Completion of Certificate of Household Eligibility. Prior to allowing any household to occupy any Affordable Unit, the Owner shall require the prospective tenant to complete a Certification of Household Eligibility ("COHE") that shall be substantially in the form set forth in **Exhibit C**. The Owner shall also undertake a good faith effort to verify the prospective tenant's Household Income, as reported on the completed COHE. The Owner's obligation to verify the reported Household Income shall be limited to requesting copies of and reviewing the prospective tenant's federal income tax returns, unless the Owner has actual knowledge, or reason to believe, that the information provided by the prospective tenant is materially inaccurate. In the event federal income tax returns are not available, the Owner shall verify Household Income using wage or salary statements, or other income records that the City may consider appropriate.

I. Household Eligibility Recertification. At each renewal of a lease for an Affordable Unit, the Owner shall require all tenants occupying Affordable Units to complete and return to the Owner an updated COHE. The Owner shall undertake a good faith effort to verify the reported Household Income as set forth in Section 3(H). If a tenant's Household Income exceeds the Maximum Income for Recertification set forth below when the tenant's lease expires, then within ninety (90) calendar days either (a) the Owner may charge said tenant the current, applicable market rent for the Dwelling Unit and the Owner must designate and rent the next available comparable market rate Dwelling Unit as an Affordable Unit, or (b) the tenant must vacate the Dwelling Unit, unless otherwise prohibited by law, so as to make it available for an Eligible Household.

Maximum Household Income for Recertification

Bedrooms	Percent of King County Median Income
Studio or 1 bedroom	90%
2 or more bedrooms	100%

J. Equal Access to Common Facilities. Tenants in the Affordable Units shall have equal access to all amenities and facilities of the Project, such as parking, fitness centers, community rooms, and swimming pools. If the Owner charges a fee for the use of an amenity or facility, then all tenants in the Project must be charged equally for such use.

SECTION 4 - MULTI-FAMILY LIMITED PROPERTY TAX EXEMPTION

A. The City agrees to issue the Owner a Conditional Certificate of Acceptance of Tax Exemption ("Conditional Certificate") once this Contract is approved by the City Council, fully executed, and recorded with the King County Recorder's Office. The Conditional Certificate shall expire three (3) years from the date the City Manager approved the Owner's application for tax exemption, unless extended by the City Manager as provided in SMC 3.27.060(B).

B. The Owner shall, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, file with the City Manager an application for Final Certificate of Tax Exemption ("Final Certificate") with the information and fees required by SMC 3.27.070. Required information includes:

(1) A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire Property;

(2) A description of the completed work and a statement of qualification for the exemption;

(3) A statement that the work was completed within the required three-year period or any authorized extension; and

(4) A statement that the Project meets affordable housing requirements of Chapter 3.27 SMC.

C. The City agrees, conditioned on the Owner's successful completion of the improvements in accordance with the terms of this Contract and on the Owner's filing of the materials described in Section B above, to file a Final Certificate with the King County Assessor within forty (40) days of application.

D. The Owner agrees, by December 15 of the year in which the City issued a Final Certificate for the Project, to provide the City information sufficient to complete the City's report to the Washington State Department of Commerce as set forth in SMC 3.27.090(D).

E. If the Owner converts any of the new or rehabilitated multi-family housing units constructed under this Contract into another use, the Owner shall notify the King County Assessor and the City Manager within sixty (60) days of such change in use.

F. Owner agrees that the Contract is subject to the Shoreline Multi-Family Housing Tax Exemption set forth in Chapter 3.27 SMC.

SECTION 5 – ENFORCEMENT

A. Enforcement Provisions. The Owner shall exercise reasonable diligence to comply with the requirements of this Contract and shall correct any such noncompliance within sixty (60) calendar days after such noncompliance is first discovered by the Owner, or would have been discovered by the exercise of reasonable diligence, or within 60 calendar days after the Owner receives notice of such noncompliance from the City, whichever is earliest; provided however, that such period for correction may be extended by the City if the Owner is exercising due diligence to correct the noncompliance. If such noncompliance remains uncured after such period, then the Owner shall be in default and the City on its own behalf may take any one or more of the following actions:

(1) By any suit, action or proceeding at law or in equity, require the Owner to perform its obligations under this Contract, or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder; it being recognized that the beneficiaries of the Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of the Owner's default;

(2) Have access to, and inspect, examine and make copies of, all of the books and records of the Owner pertaining to the Project. Provided, however, the City shall not divulge such information to any third party unless required by law or unless the same is necessary to enforce the City's rights hereunder; and

(3) Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions, and agreements of the Owner under this Contract.

SECTION 6 - CANCELLATION OF TAX EXEMPTION

A. The City reserves the right to cancel the Final Certificate should the Owner, its successors and assigns, fail to comply with any of the terms and conditions of this Contract, Chapter 3.27 SMC, or for any reason that the Project or that portion of the Property on which the Project is constructed no longer qualifies for the tax exemption.

B. Upon determining that a tax exemption is to be canceled, the City Manager shall notify the Owner by certified mail, return receipt request. The Owner may appeal the determination in accordance with SMC 3.27.100.

C. The Owner acknowledges that, in the event the City cancels the tax exemption, state law requires that an additional real property tax is to be imposed in the amount of (1) the difference between the tax paid and the tax that would have been paid if it had included the value of the non-qualifying improvements, dated back to the date that the improvements became non-qualifying; (2) a penalty of 20% of the difference calculated under (1) of this Paragraph C; and (3) interest at the statutory rate on delinquent property taxes and penalties, calculated from the date the tax would have been due without penalty if the improvements had been assessed without regard to the exemptions provided by Chapter 84.14 RCW and Chapter 3.27 SMC. The Owner acknowledges that, pursuant to RCW 84.14.110, any additional tax owed, together with interest and penalty, become a lien on that portion of the Property on which the Project is constructed and

attached at the time the portion of the Property is removed from multi-family use or the amenities no longer meet applicable requirements, and that the lien has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the Property may become charged or liable. The Owner further acknowledges that RCW 84.14.110 provides that any such lien may be foreclosed in the manner provided by law for foreclosure of liens for delinquent real property taxes.

SECTION 7 – REPORTING REQUIREMENTS

A. Notice of Occupancy Permit. The Owner shall notify the City's Designee of receipt of the first occupancy permit for the Project within thirty (30) calendar days of the permit's issuance.

B. Initial Project Certification. After the Completion Date and until ninety percent (90%) of all rental units in the Project are occupied, the Owner shall file with the City a Project Certification report, substantially in the form of **Exhibit D**, attached with copies of the COHE required under Section 3 of this Contract.

C. Annual Project Certification. The Owner shall file with the City Manager, within thirty (30) days following the first anniversary of the City's filing of the Final Certificate and each year thereafter for the duration of the property tax exemption, a report substantially in the form of **Exhibit D**, attached with copies of the COHE and which includes information required by SMC 3.27.090, including:

(1) A statement of occupancy and vacancy of the newly constructed or rehabilitated Project during the past twelve (12) months ending with the anniversary date;

(2) A certification by the Owner that the Project has not changed use since the date the City approved the Final Certificate and that Project conforms with affordable housing requirements of Chapter 3.27 SMC; and

(3) A description of any subsequent changes or improvements constructed after issuance of the Final Certificate.

D. Maintain Complete Records. The Owner shall maintain complete and accurate records pertaining to the Affordable Units and shall, during regular business hours, permit any duly authorized representative of the City, including, without limitation, the City's Designee, to inspect the books and records of the Owner pertaining to the Affordable Units, including the

Initial and Annual Project Certifications, and if applicable, income documentation of households residing in Affordable Units in the Project. The Owner's failure to maintain such records or failure to allow inspection by the City or any duly authorized representative shall constitute a material default hereunder. The Owner shall retain all records pertaining to the Affordable Units for at least six (6) years.

E. Form of Certification. Notwithstanding anything in this Section to the contrary, the Owner shall submit all documentation required by this Section on the forms designated herein, which may be modified by the City from time to time. Changes to forms by the City shall not increase the Owner's obligations hereunder.

SECTION 8 – SUBSIDIZED TENANTS

The Owner shall accept as tenants for Affordable Units, on the same basis as all other prospective households, households who receive state or federal rent subsidies, such as Housing Choice Vouchers under Section 8 of the United States Housing Act of 1937, or other rent subsidies. The Owner shall not apply, or permit the application of, management policies or lease provisions with respect to the Project which have the effect of precluding occupancy of any Dwelling Units by rent subsidy recipients.

SECTION 9 – LEASE PROVISIONS

A. It is the Owner's responsibility to screen and select tenants for desirability and credit worthiness. Except as restricted in this Contract and under state and federal law, such selection is within the Owner's discretion. If written management policies exist, or exist in the future, with respect to the Project, the City may review such written policies and may require changes in such policies, if necessary, so that the policies comply with the requirements of this Contract.

B. All leases for Eligible Households shall contain clauses wherein each individual lessee: (i) certifies the accuracy of the statements made in the COHE, (ii) agrees that the Household Income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, and (iii) agrees that misrepresentation in the COHE is a material breach of the lease, entitling the Owner to immediately terminate tenant's lease for the Affordable Unit.

SECTION 10 – SALE OR TRANSFER OF THE PROJECT

The Owner hereby covenants and agrees not to sell, transfer or otherwise dispose of the Project or any portion thereof without first providing a written statement executed by the purchaser that the purchaser understands the Owner's duties and obligations under this Contract and will enter into a contract with the City for the continuation of those obligations. Such notice must be received by the City at least ten (10) working days prior to the close of escrow.

SECTION 11 – TERM

This Contract shall become effective upon its execution and shall continue in full force and effect throughout the Compliance Period, unless sooner modified or terminated by the City or property owner consistent with SMC 3.27.100, as adopted on the date of execution of this Agreement.

SECTION 12 – NO DISCRIMINATION

The Owner shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, citizenship or immigration status, honorably discharged veteran or military status, or presence of any mental or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, in the lease, use, or occupancy of the Project or in connection with the employment or application for employment of persons for the operation and management of the Project.

SECTION 13 – COVENANTS RUN WITH LAND

A. The City and Owner hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit the land (i) by enhancing and increasing the enjoyment and use of the Project by certain Eligible Households, and (ii) by furthering the public purposes of providing housing for Eligible Households.

B. The City and the Owner hereby declare that the covenants and conditions contained herein shall bind the Owner and all subsequent owners of the Project or any interest therein, and benefits shall inure to the City, all for the Compliance Period. Except as provided in Section 12 of this Contract, each and every contract, deed or other instrument hereafter executed conveying

the Project or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants and conditions of this Contract, provided however, that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

C. Hold Harmless. The Owner shall defend, indemnify, and hold the City, its officers, officials, employees, volunteers and its Designee and any other party authorized hereunder to enforce the terms of this Contract, harmless from any and all claims, injuries, damages, losses, or suits, including attorney fees, arising out of or resulting from this Contract. This provision shall survive termination or expiration of this Contract.

D. No Third-Party Beneficiaries. The provisions of this Contract and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Owner and the City only and, are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Contract or of the documents to be executed and delivered in connection herewith.

E. The provisions, covenants, and conditions contained in this Contract are binding upon the parties hereto and their legal heirs, representatives, successors, assigns, and subsidiaries and are intended to run with the land.

SECTION 14 – FORECLOSURE

In the case of any foreclosure, the immediate successor in interest in the Property pursuant to the foreclosure shall assume such interest subject to the lease(s) between the prior Owner and the tenant(s) and to this Contract for Affordable Units. This provision does not affect any state or local law that provides longer time periods or other additional protections for tenants.

SECTION 15 – ESTOPPEL CERTIFICATE

The City agrees, upon the request of the Owner or its successor in interest, to promptly execute and deliver to the Owner or its successor in interest or to any potential or actual purchaser, mortgagor, or encumbrancer of the Project, a written certificate stating, if such is true, that the City has no

knowledge of any violation or default by the Owner of any of the covenants or conditions of this Contract, or if there are such violations or defaults, the nature of the same.

SECTION 16 – AGREEMENT TO RECORD

The Owner shall cause this Contract to be recorded in the real property records of King County, Washington. The Owner shall pay all fees and charges incurred in connection with such recording and shall provide the City with a copy of the recorded document.

SECTION 17 – RELIANCE

The City and the Owner hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Owner. In performing its duties and obligations hereunder, the City may rely upon statements and certificates of the Owner and Eligible Households, and upon audits of the books and records of the Owner pertaining to occupancy of the Project. In performing its duties hereunder, the Owner may rely on the Certificates of Household Eligibility unless the Owner has actual knowledge or reason to believe that such Certificates are inaccurate.

SECTION 18 – GOVERNING LAW

This Contract shall be governed by the laws of the State of Washington, except to the extent such laws conflict with the laws of the United States or the regulations of federally insured depository institutions or would restrict activities otherwise permitted in relation to the operation of federally insured depository institutions. Venue for any legal actions shall be in King County Superior Court or, if pertaining to federal laws, the U.S. District Court for Western Washington.

SECTION 19 – NO CONFLICT WITH OTHER DOCUMENTS

The Owner warrants that it has not executed and will not execute, any other agreement with provisions contradictory to, or in opposition to, the provisions hereof, and that in any event the requirements of this Contract are paramount and controlling as to the rights and obligations herein set forth and supersede any other requirements in conflict herewith.

SECTION 20 – AMENDMENTS

This Contract shall be amended only by a written instrument executed by the parties hereto or their respective successors in interest, and duly recorded in the real property records of King County, Washington. Amendments to **Exhibit B** shall be considered approved in writing when the **Revised Exhibit B** is signed by the Owner and the City without the need for a further written document attaching the revised exhibit and striking prior versions of the exhibit. In the event of conflict between versions of **Exhibits B**, the version maintained by the City as the then-current version, signed by Owner and City, shall prevail.

SECTION 21 – NOTICE

A. Any notice or communication hereunder, except legal notices, shall be in writing and may be given by registered or certified mail. The notice or communication shall be deemed to have been given and received when deposited in the United States Mail, properly addressed with postage prepaid. If given otherwise, it shall be deemed to be given when delivered to and received by the party to whom addressed. Such notices and communications shall be given to the Parties' representatives hereto at their following addresses:

If to the City: City of Shoreline
17500 Midvale Ave N
Shoreline, WA 98133
Attn: City Manager

With a copy to the City's Designee:
Mike Stanger
13626 92nd Place NE
Kirkland, WA 98034

If to the Owner: Evergreen Point Redmond LLC
PO Box 241
Medina, WA 98039
Attn: Adel Sefrioui

B. Any party may change its identified representative and address for notices upon ten (10) calendar days prior written notice to the other parties. Legal counsel for a party may deliver notices on behalf of the represented party and such notice shall be deemed delivered by such party.

SECTION 22 - SEVERABILITY

If any provision of this Contract shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

SECTION 23 - CONSTRUCTION

Unless the context clearly requires otherwise, words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. All the terms and provisions hereof shall be construed to effectuate the purposes set forth in this Contract and to sustain the validity hereof.

SECTION 24 - TITLES AND HEADINGS

The titles and headings of the sections of this Contract have been inserted for convenience of reference only, are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof or be considered or given any effect in the construing this document or any provision hereof or in ascertaining intent, if any question of intent shall arise.

SECTION 25 - COUNTERPART ORIGINALS

This Agreement may be executed in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute one agreement. The execution of one counterpart by a Party shall have the same force and effect as if that Party had signed all other counterparts.

SECTION 26 - AUTHORITY TO EXECUTE

Each person executing this Agreement on behalf of a Party represents and warrants that he or she is fully authorized to execute and deliver this Agreement on behalf of the Party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein and that this Agreement is enforceable in accordance with its terms.

IN WITNESS WHEREOF, the Owner and City have each executed the Multi-Family Housing Limited Property Tax Exemption Contract on the Date first above written.

Owners:

City:

Adel Sefrioui
Its: Vice-President

Debbie Tarry
Its: City Manager

Approved as to Form:

Julie Ainsworth-Taylor
Assistant City Attorney

STATE OF WASHINGTON }
 }
COUNTY OF KING } ss.

On this _____ day of _____, 20____, before me, a
Notary Public in and for the State of Washington, duly
commissioned and sworn, personally appeared _____,
known to me to be the _____ of the CITY OF
SHORELINE, who executed the foregoing document on behalf of said
City, and acknowledged the said document to be the free and
voluntary act and deed of said City, for the uses and purposes
therein mentioned, and on oath stated that he or she was
authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal
this ____ day of _____, 20____.

Notary Public in and for the State
of Washington.

Print Name _____
Residing at _____
My commission expires _____

STATE OF WASHINGTON }
 } ss.
COUNTY OF KING }

On this _____ day of _____, 20____, before me,
a Notary Public in and for the State of Washington, duly
commissioned and sworn, personally appeared
_____, to me known to be the
_____ of _____, a Washington
limited liability company, who executed the foregoing instrument
on behalf of the said corporation, and acknowledged the said
document to be the free and voluntary act and deed of said
corporation for the uses and purposes therein mentioned, and on
oath stated that he or she was authorized to execute said
document.

IN WITNESS WHEREOF I have given under my hand and official seal
this ____ day of _____, 20____.

Notary Public in and for the State
of Washington.

Print Name _____
Residing at _____
My commission expires _____

EXHIBIT A

LEGAL DESCRIPTION

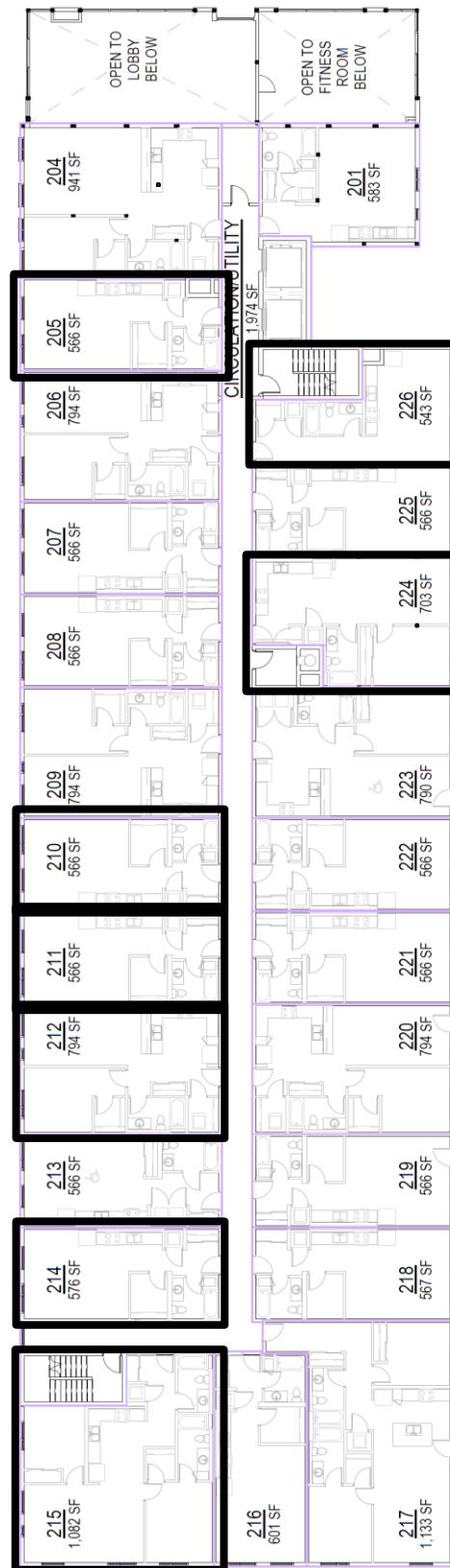
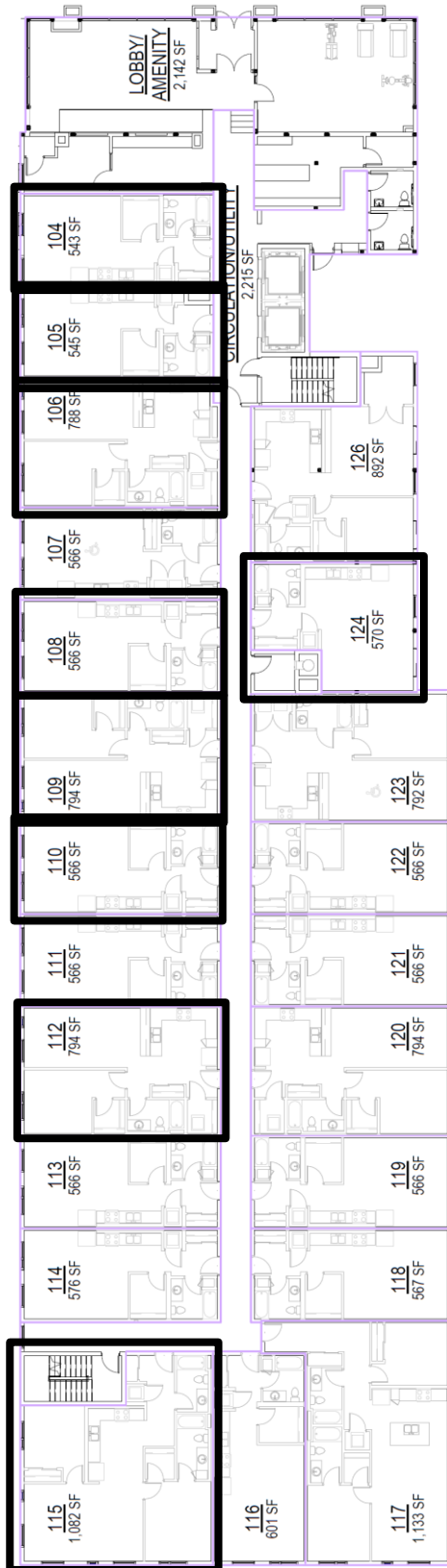
NORTHEND COUNTRY ESTATES ADD PCL "A" OF CITY OF SHORELINE
DECLARATION OF LOT MERGER# PLN18-006 REC# 20180208000668 OF SD
LOT MERGER BEING POR OF LOT 16 OF PLK 4 OF SD ADD.

EXHIBIT B

DESIGNATION OF AFFORDABLE UNITS

Unit Number	Unit Type	Unit Size (sq ft)
104	Studio	543
105	Studio	545
108	Studio	566
110	Studio	566
124	Studio	570
205	Studio	566
210	Studio	566
211	Studio	566
214	Studio	576
226	Studio	543
310	Studio	566
313	Studio	566
314	Studio	576
321	Studio	534
326	Studio	535
106	1-bedroom	788
109	1-bedroom	794
112	1-bedroom	794
212	1-bedroom	794
224	1-bedroom	703
312	1-bedroom	794
324	1-bedroom	703
115	2-bedroom	1,082
215	2-bedroom	1,082
315	2-bedroom	1,082

See attached diagram(s).



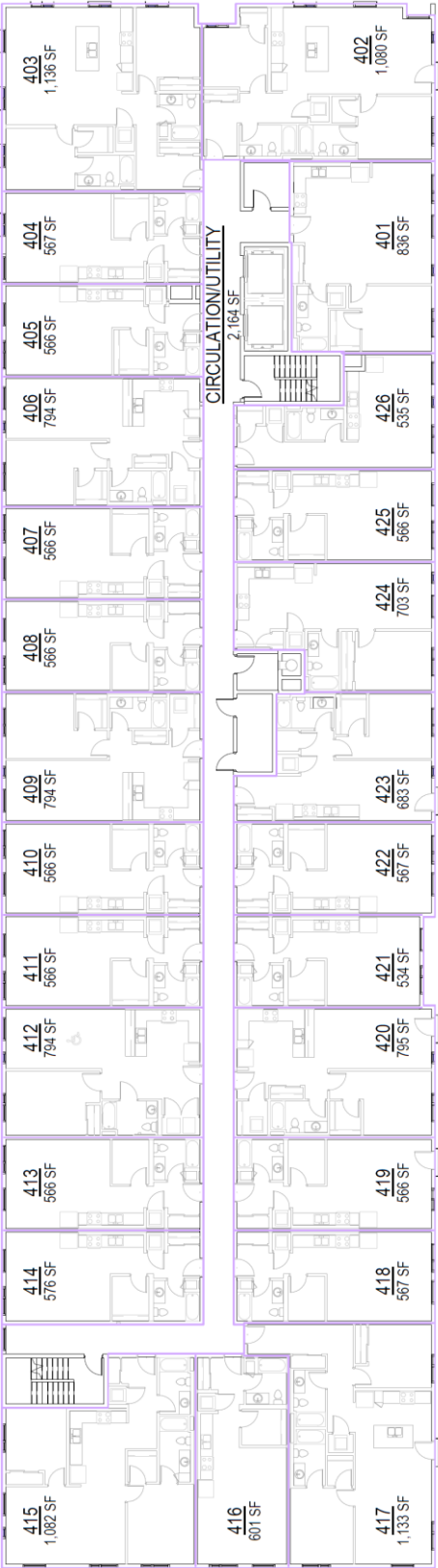
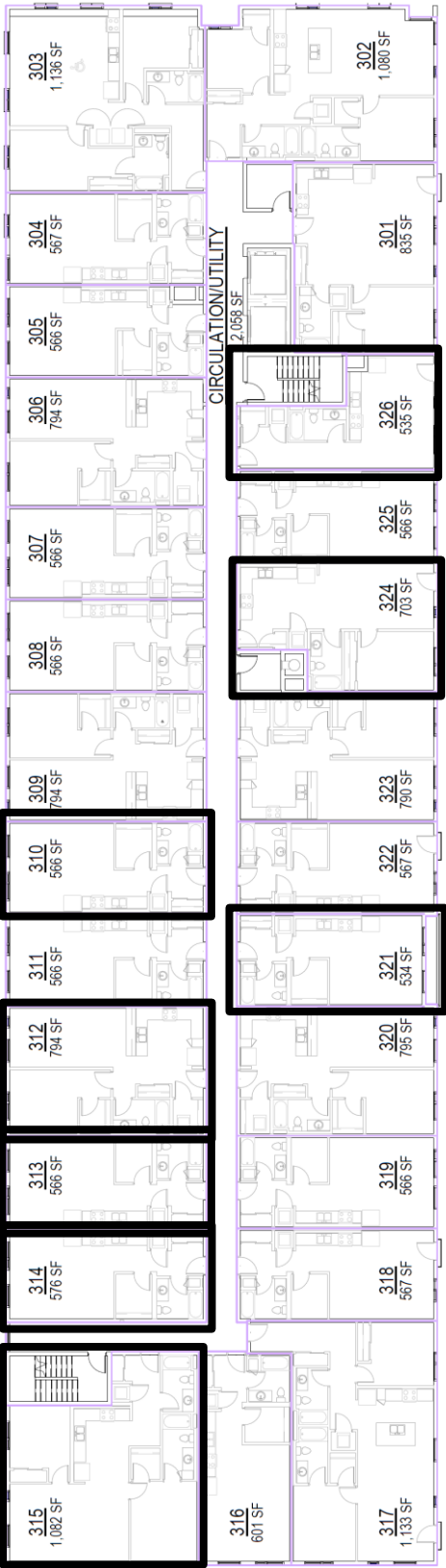


EXHIBIT C

FORM OF CERTIFICATE OF HOUSEHOLD ELIGIBILITY

CERTIFICATION OF HOUSEHOLD ELIGIBILITY

City of Shoreline Affordable Housing

I, _____, and I, _____, as applicants for rental of the following Affordable Unit, do hereby represent and warrant that my/our adjusted annual income is \$ _____.

Property: _____ Property Address: _____

Unit # _____ No. of Bedrooms: _____ Household size:¹ _____ Disabled: Yes / No

The attached computation includes all income I/we received for the date I/we execute a rental agreement for an affordable unit, or the date on which I/we will initially occupy such unit, whichever is earlier.

This affidavit is made with the knowledge that it will be relied upon by the City to determine maximum income for eligibility. I/We warrant that all information set forth in this Certification of Household Eligibility is true, correct and complete based upon information I/We deem reliable, and that the estimate contained in the preceding paragraph is reasonable and based upon such investigation as the undersigned deemed necessary. I/we will assist the Owner in obtaining any information or documents required to verify the statements made in this Certification.

I/We acknowledge that I/we have been advised that the making of any misrepresentation or misstatement in this affidavit will constitute a material breach of my/our agreement with the Owner to lease the unit and will entitle the Owner to prevent or terminate my/our occupancy of this unit by institution of an action for eviction or other appropriate proceedings.

I/We do hereby swear under penalty of perjury that the foregoing statements are true and correct.

Signature _____	Signature _____
Date _____	Date _____
Mailing _____	Mailing _____
Address _____	Address _____

1 The number of people who will reside with you at least four (4) months of the year.

EXHIBIT C TO MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT

E-mail	_____	E-mail	_____
Address	_____	Address	_____
Phone	_____	Phone	_____

HOUSEHOLD MEMBERS

Name	Age	Name	Age
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

INCOME COMPUTATION

"Household income" includes all items listed below, from all household members over the age of 18. Income of dependents over 18, who reside in the unit for less than four (4) months of the year will not be counted toward household income.

For the previous 12-month period, indicate income received from the following sources:

- a) The full amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips, bonuses and other compensation for personal services, and payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay and any earned income tax credit to the extent that it exceeds tax liability. \$_____
- b) Net income from operations of a business or profession or net income of any kind from real or personal property. \$_____
- c) Interest and dividends; \$_____
- d) The full amount of periodic payments received from Social Security, pensions, retirement funds, annuities, insurance policies, disability or death benefits, alimony, child support, or any similar type of periodical payments, and any regular contributions or gifts from persons not residing in the unit. \$_____
- e) Public assistance payments. \$_____
- f) Regular and special allowances and pay of a member of the Armed Forces who is a spouse or head of the family. \$_____

EXHIBIT C TO MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION
CONTRACT

TOTAL \$_____

(NOTE: The following are not considered income: occasional, infrequent gifts of money; one-time payments from insurance policies or an inheritance settlement; scholarships or student loans for tuition, fees or books; foster child care payments; the value of Food Stamp coupons; hazardous duty pay to a member of the Armed Forces; relocation payments; assistance received under the Low-Income Home Energy Assistance Program or any similar program).

EXHIBIT D

FORM OF ANNUAL PROJECT CERTIFICATION

ANNUAL PROJECT CERTIFICATION FORM

City of Shoreline Affordable Housing

Project: _____

Address: _____

The undersigned hereby certifies that during the past 12 months the Affordable Units required in the Declaration of Affordable Housing Covenants were utilized in the following manner:

- a) _____ Affordable Units in the Project were rented to new tenants (eligible households).
- b) _____ Affordable Units in the Project were re-rented (leases renewed) to tenants whose income for remained qualified under the limit for initial occupancy.
- c) _____ Affordable Units in the Project were re-rented to tenants who exceeded the qualifying income for initial occupancy but remained qualified under the income limit for recertification.
- d) _____ Affordable Units in the Project were rented to tenants who, at time of recertification, exceeded the qualifying income and either moved to a market-rate unit in the Project or moved out of the Project.
- e) _____ Affordable Units in the Project were rented to tenants who, at time of recertification, exceeded the qualifying income and remained in the unit, causing the affordability to be re-designated to a different unit in the Project.

The above information and that on the attached sheet(s) has been verified as required by the Declaration of Affordable Housing Covenants between the City of Shoreline and:

Owner (Company) Name: _____

_____	_____
Name of Owner or Owner’s Representative (Print)	Signature

Date: _____, 20____

EXHIBIT D TO MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION
CONTRACT

PROJECT NAME_____

REPORTING PERIOD: _____ through _____.

Contract rent included the following (please answer “yes” or “no”):

Electricity and gas? _____

Water and sewer? _____

Garbage and recycling? _____

Other expenses tenants are required to pay in addition to contract rent:

Renter’s insurance? _____

King County Sewer Capacity Charge? _____

Other (specify)? _____

Other (specify)? _____

Please attach a copy of the property’s standard residential lease agreement.

EXHIBIT D TO MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT

PROJECT NAME _____

Complete the following table for all households occupying Affordable Units in the Project during the period:

Unit #	Tenant's Family Name	Household Size	Move-in Date	Current Lease Begin Date	Current Household Income	Unit Type (BRs)	Affordability Level	Contract Rent

Be sure to include all affordable units. Enter "vacant" under Tenant's Family Name for unoccupied units.

Please attach copies of the current Certificate of Household Eligibility for each Affordable Housing tenant.

2021 Property Tax Exemption Program Report - City of Shoreline

Updated 1/11/2021

Currently in PTE Program								
Units	Project	Type	Affordable	Start	End	Improvements Valuation (2021)	City Tax Rate (2021)	City Property Tax Abatement
81	Arabella II	12-year affordable	17	1/1/2020	12/31/2031	\$ 21,285,800		
164	Geo Apartments	12-year affordable	34	1/1/2021	12/31/2032	\$ 50,139,000		
80	Interurban Lofts	12-year affordable	16	1/1/2018	12/31/2029	\$ 3,720,800		
129	Malmö	12-year affordable	26	1/1/2015	12/31/2026	\$ 34,355,000		
5	North City Development	12-year affordable	1	1/1/2015	12/31/2026	\$ 595,700		
221	Paceline	12-year affordable	44	1/1/2019	12/31/2030	\$ 65,930,600		
60	Sunrise Eleven	12-year affordable	12	1/1/2018	12/31/2029	\$ 14,551,900		
72	The 205 Apartments	12-year affordable	14	1/1/2019	12/31/2030	\$ 18,847,000		
243	The Postmark	12-year affordable	49	1/1/2021	12/31/2032	\$ 64,101,500		
	3108 Apartments	12-year affordable		1/1/2021	12/31/2032	\$ 3,483,900		
165	Polaris*	12-year affordable	165	1/1/2015	12/31/2026	see note		
1,220			378			\$ 277,011,200		\$ -
Graduates of PTE Program								
Units	Project	Type		Start	End	Improvements Valuation (2021)	City Tax Rate (2021)	2020 Revenue
88	Arabella	10-year market	n/a	1/1/2007	12/31/2016	\$ 24,738,100		\$ -
88						\$ 24,738,100		\$ -
Conditional Certificates of PTE								
Units	Project	Type	Affordable	Cert. Date	Expiration	Status	Est. Completion	Final App
330	Alexan at Shoreline Place	12-year affordable	66	5/11/2020	5/11/2023	Construction	Jul-21	no
315	18815 Aurora Ave N	12-year affordable	63	Pending	Pending	Construction	Mid 2020	no
124	Trad Apartments	12-year affordable	25	Pending	Pending	Construction	Early 2021	no
227	Quinn by Vintage	12-year affordable	227	Pending	Pending		Oct-22	no
3,261			129					
4,569	Total homes		507	Affordable homes				

*NOTE: Polaris and Quinn by Vintage qualify for an alternative state incentive program offering full property tax exemption; the City's PTE program acts as backup.

The income and rent limits published here are effective now for properties in the City of Shoreline's affordable housing program receiving initial certificates of occupancy on or after April 1, 2020.

The Governor of Washington issued Proclamation 20-19.1, an order which prohibits landlords, property owners, and property managers "from increasing or threatening to increase the rate of rent or the amount of any deposit for any dwelling or parcel of land occupied as a dwelling" anywhere in the state through June 4, 2020. Therefore, **2019 income and rent limits remain in effect until the Governor lifts the order.**

2020 Income and Rent Limits

City of Shoreline

The rent and income limits shown below apply to all MFTE projects except those with height bonuses in the MUR-70 zone. Projects in MUR-70 that don't use the height bonus do follow these rent and income limits.

Based on the King County (Seattle-Bellevue HFMA) Median Income:

\$113,300 for a family of 4.

Rent Limits						Household Income Limits		
70% AMI	BEDROOMS	Maximum Monthly Housing Costs	Maximum Rent if No Other Expenses	Maximum Rent if Tenant Pays Own Utilities, and No Other	Maximum Rent if Tenant Pays Own Utilities, Renters Insurance, and No Other Expenses	AMI: Household Size	70% Initial Occupancy	90% Recertification
						1	\$55,550	\$71,400
	Studio	\$1,388	\$1,388	\$1,280	\$1,268	2	\$63,450	\$81,600
	"Open 1"	\$1,586	\$1,586	\$1,478	\$1,466	3	\$71,400	\$91,800
	One	\$1,586	\$1,586	\$1,478	\$1,466	4	\$79,350	\$102,000
						5	\$85,700	\$110,150
80% AMI	BEDROOMS	Maximum Monthly Housing Costs	Maximum Rent if No Other Expenses	Maximum Rent if Tenant Pays Own Utilities, and No Other	Maximum Rent if Tenant Pays Own Utilities, Renters Insurance, and No Other Expenses	AMI: Household Size	80% Initial Occupancy	100% Recertification
						1	\$63,450	\$79,350
	Two	\$2,039	\$2,039	\$1,905	\$1,893	2	\$72,550	\$90,650
	Three	\$2,266	\$2,266	\$2,096	\$2,084	3	\$81,600	\$102,000
	Four	\$2,447	\$2,447	\$2,236	\$2,223	4	\$90,650	\$113,300
						5	\$97,900	\$122,400

Maximum monthly housing costs are 30% of the maximum household income, and include basic utilities, one parking space, and any costs required by the property owner (e.g., renter's insurance).

Income and housing cost limits are adjusted from the 4-person basis according to the table below, left.

Maximum contract rents are calculated by deducting charges borne by the tenant: basic utilities or utility allowance, first parking space, and monthly costs required for tenancy (e.g., renters insurance). Instead of deducting actual expenses, the owner may deduct allowances according to the table below, right.

Other Expense Allowances			
	Electricity & Gas	Water, Sewer, Garbage	Renter's Insurance
Bedrooms			
Studio	\$38	\$70	\$12
"Open 1"	\$38	\$70	\$12
One	\$38	\$70	\$12
Two	\$53	\$81	\$12
Three	\$70	\$100	\$12
Four	\$93	\$118	\$13

Example: The maximum rent of an 80% AMI studio with all utilities included, and no other required expenses, would be: **\$1,388**

The maximum rent for the same studio with no utilities included and renters insurance required would be: **\$1,268**

The maximum rent for the same studio with water, sewer, and garbage included (i.e., no W/S/G allowance) but not electricity and gas, and renter's insurance required would be: **\$1,338**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Action on Ordinance No. 919 – Amending Title 2 of the Shoreline Municipal Code to Create a New Chapter 2.70, Compensation and Salary Commission, to Establish a Salary Commission for Elected Officials
DEPARTMENT:	Human Resources
PRESENTED BY:	Don Moritz, Human Resources Director
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Since the City's incorporation, salaries for Councilmembers have been set by Council action through enactment of an ordinance. State law also allows municipalities to establish a Salary Commission for the purpose of reviewing and determining elected officials' compensation. At the 2020 Council Strategic Planning Workshop, staff were directed to amend the Shoreline Municipal Code to establish a process and structure for creating a Salary Commission. In response to this request, staff developed proposed Ordinance No. 919.

Council discussed proposed Ordinance No. 919 (Attachment A) on January 25, 2021. At this meeting, Council was supportive of amending the Shoreline Municipal Code to create a Salary Commission and directed staff to bring back proposed Ordinance No. 919 for adoption tonight. Councilmembers have also proposed amendments to proposed Ordinance No. 919 (Attachment B), which is included in this staff report for Council's review and consideration. Staff is supportive of these proposed amendments and recommends that Council adopt this alternative version of the proposed Ordinance.

RESOURCES/FINANCIAL IMPACT:

There are no direct financial costs associated with establishing a Salary Commission. If Council authorizes the creation of a Salary Commission, the City Manager will assign an existing staff member to support the work of the Commission. This assignment would require the reallocation of resources and adjustment to the assigned person(s) regular workload to accommodate the support needs of the Commission.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 919 as set forth Attachment B.

Approved By: City Manager **DT** City Attorney **JA-T**

BACKGROUND

Since the City's incorporation, salaries for Councilmembers have been set by Council action through enactment of an ordinance. Under this system, any salary change enacted by the Council does not take effect until the expiration of the term being served by the incumbent(s) at the time that the ordinance is adopted. This delayed implementation has the effect of Councilmembers being paid different amounts depending upon when their term of office begins and ends.

City Council salaries were originally set in 1995 by Ordinance No. 7, which established Council salaries at \$400 per month, with \$500 per month for the Mayor. In 1997, Ordinance No. 122 was adopted, which changed Councilmembers' salaries to \$700 per month, with \$875 for the Mayor. And in 2001, Ordinance No. 287 was adopted, which provided a health benefit plan for the Council, and provided an option for the Council to receive retirement benefits in lieu of health insurance. Council salaries were most recently adjusted in October 2013 by Ordinance No. 673, which set Councilmember salaries at \$1,000 per month, the Deputy Mayor's salary at \$1,100 per month, and the Mayor's salary at \$1,250 per month.

State law ([RCW 35.21.015](#)) also allows municipalities to establish a Salary Commission for the purpose of reviewing and determining elected officials' compensation. These commissions are composed of appointed citizens who serve a designated term to perform this work. At the 2020 Council Strategic Planning Workshop, staff were directed to amend the Shoreline Municipal Code to establish a process and structure for creating a Salary Commission to set salaries and benefits for members of the Shoreline City Council in accordance with state law. In response to this request, staff reviewed other jurisdictions' Salary Commission structures and developed proposed Ordinance No. 919 (Attachment A).

Staff began by reviewing the comparable jurisdictions in the City's labor market for this purpose. Staff found that nine of these 13 cities employ a Salary Commission for determining Councilmember compensation. Given the direction from Council at last year's Strategic Planning Workshop and this subsequent jurisdictional review, staff recommends that Council move forward with the establishment of a Commission. Commissions also provide for the regular review of Council compensation, which has not happened historically in Shoreline.

At the January 25, 2021 Council meeting, Councilmembers discussed proposed Ordinance No. 919. The staff report for this Council discussion can be found at the following link:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2021/staffreport012521-9b.pdf>.

If proposed Ordinance No. 919 is approved, the Salary Commission, which would begin their work in 2022, would review Councilmember compensation using defined criteria, including comparative market data that examines Councilmember duties,

responsibilities, time commitment and other relevant factors. This information would be used to determine what, if any, changes would be made to the salaries of the Mayor, Deputy Mayor and Councilmembers.

DISCUSSION

As defined in RCW 35.21.015, Council may authorize the creation of and define the structure and process by which a Salary Commission will operate. This authority includes determining the number of members who are appointed to the Commission, the length of their term, the frequency and duration that the Commission will meet, and when the Commission will conduct their initial review. Proposed Ordinance No. 919 provides for the following elements of a Salary Commission for Shoreline:

- **Salary Commission Composition, Size, Term:** Salary Commission would have three (3) members; be appointed by the Mayor and confirmed by the City Council; and eligible members must be residents of the City and could serve for a maximum of two (2) terms.
- **Frequency of Council Salary Commission Review and Initial Start Year:** Salary Commission would be established every four years; the first Salary Commission would convene and conduct their work in 2022.
- **Duration Term of a Salary Commission and Public Meetings:** Once the Salary Commission has been established, the Commission would be in place or active for “up to one year”, with the reasonable expectation that the work of the Commission be completed within a few months after establishing. All Commission meetings would be open to the public and a record of the proceedings kept.
- **Implementing Salary Commission Recommendations:** The Salary Commission would be required to file their compensation determination with the City Clerk no later than October 1st of the year that the Commission is active. No action of the Council is required to approve or reject the Salary Commission’s determination, as the determination is not a recommendation to the Council, but a final determination that sets the salaries of the Councilmembers.

At the January 25th Council meeting where proposed Ordinance No. 919 was discussed, Council was in general support of the proposed Ordinance, although there were some concerns by some Councilmembers regarding the possibility of Council salaries being increased during the current economic downturn. Staff reminded Council that the initial Commission, if proposed Ordinance No. 919 is adopted, would not begin their work until 2022. Following the Council discussion, Council directed staff to bring back proposed Ordinance No. 919 for potential action tonight.

Council Proposed Amendments

After the January 25th Council discussion, Deputy Mayor Scully and Councilmember Roberts worked with staff to develop amendments to proposed Ordinance No. 919. The amendments are shown in legislative (strikethrough/underline) format in Attachment B which is an alternative version of Ordinance No. 919.

These amendments add to and amend multiple recitals (Whereas statements) in the proposed Ordinance and speak to the time, effort and expenses incurred by Councilmembers in serving on Council, and that the compensation provided to members of the Council should reflect this effort and expense. The amendments also speak to compensation considering and reflecting the City's commitment to diversity and equity, in that the Council's compensation should not be a barrier that could hinder, deter or create inequities to residents desiring to serve on the Council.

In response to the interests expressed by Deputy Mayor Scully and Councilmember Roberts, an amendment is provided to Section 2.70.040 Salary Commission - Duties. This amendment seeks to incorporate the amendments from the recitals section and direct how the Commission would study the relationship of Councilmember salaries to various market factors, in addition to their relationship with surrounding municipalities. This proposed amendment reads as follows:

2.70.040(B)

To study the relationship of Shoreline City Council salaries and insurance benefits and compensation in lieu of insurance benefits to those of Councilmembers in surrounding City jurisdictions and other current market conditions, including consideration of factors that would encourage an economically and socially diverse City Council, which could include changes to the CPI-U in the Puget Sound region, changes to the statewide minimum wage, and other current market conditions.

Original and Alternative Proposed Ordinance No. 919

As noted above, based on the above requested amendments, staff has prepared two versions of Ordinance No. 919:

- Attachment A sets forth the same language that was before the Council at the January 25, 2021 discussion.
- Attachment B sets forth an alternative version that incorporates the amendments proposed by Deputy Mayor Scully and Councilmember Roberts.

A Councilmember may move either for adoption.

I move to adopt Ordinance No. 919 as set forth in Attachment A to the February 22, 2021 Staff Report.

or

I move to adopt Ordinance No. 919 as set forth in Attachment B to the February 22, 2021 Staff Report.

RESOURCES/FINANCIAL IMPACT

There are no direct financial costs associated with establishing a Salary Commission. If Council authorizes the creation of a Salary Commission, the City Manager will assign an existing staff member to support the work of the Commission. This assignment would

require the reallocation of resources and adjustment to the assigned person(s) regular workload to accommodate the support needs of the Commission.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 919 as set forth in Attachment B.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 919

Attachment B: Alternative Proposed Ordinance No. 919

ORDINANCE NO. 919

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING TITLE 2, ADMINISTRATION, OF THE SHORELINE MUNICIPAL CODE TO CREATE A NEW CHAPTER 2.70 RELATED TO SALARIES AND BENEFITS; ESTABLISHING A SALARY COMMISSION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, following its incorporation, the Shoreline City Council adopted Ordinance No. 7 in 1995 that established Council salaries at the level authorized by RCW 35A.13.040, \$400 per month, with \$500 per month paid to the Mayor; and

WHEREAS, Ordinance No. 122, which was adopted in 1997, amended Councilmembers' salaries to \$700 per month, with the Councilmember serving as Mayor paid a salary of \$875 per month, all in accordance with RCW 35A.12.070; and

WHEREAS, Ordinance No. 287, which was adopted in 2001, provided a benefit plan for the Mayor, Deputy Mayor and City Council that provides either health insurance or in lieu retirement benefits in the form of a cash contribution to a 457-retirement account; and

WHEREAS, Ordinance No. 673, which was adopted in 2013, amended Councilmembers' salaries to \$1,000 per month, with Councilmembers serving as the Deputy Mayor and Mayor receiving an additional \$100 and \$250 per month respectively, with said salaries paid twice monthly on regular City paydays, all in accordance with RCW 35A.12.070; and

WHEREAS, as an alternative to a city council adopting its own salary rates from time to time, both Article XXX of the Washington Constitution and RCW 35.21.015 authorize a city council to establish an independent salary commission, by ordinance, which salary commission may be authorized to set the salary, benefits, and the 457 deferred compensation contribution; and

WHEREAS the City Council desires to have a comparative compensation study conducted and recommendations for future adjustments provided by a commission composed of citizens from the community; and

WHEREAS, the City Council desires to amend the Shoreline Municipal Code (SMC) to add a new Chapter 2.70 in order to establish an independent salary commission to periodically review and increase or decrease the salary and benefits of the Mayor, Deputy Mayor and members of the City Council;

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

Section 1. A new Chapter 2.70 entitled "Salary Commission" is added to the Shoreline Municipal Code to read as follows:

**CHAPTER 2.70
COMPENSATION AND SALARY COMMISSION**

Sections:

2.70.010	Salary Commission Established
2.70.020	Salary Commission – Qualification and Conditions
2.70.030	Salary Commission – Membership and Term
2.70.040	Salary Commission – Duties
2.70.050	Salary Commission – Meetings
2.70.060	Salary Schedule Effective Date

2.70.010 Salary Commission Established.

A. A Salary Commission is hereby established, to review, establish, and adjust the salaries and benefits for the elected and appointed officials of the City (Mayor, Deputy Mayor and City Councilmembers), and exercise powers and perform the duties established by RCW 35.21.015 as it now exists or is hereafter amended. The Salary Commission shall not be a standing commission. Commission members shall be appointed as provided in Section 2.70.030 once every four years commencing in 2022. The Commission may be filled at any time in the interim years as directed by the City Council by resolution.

2.70.020 Salary Commission - Qualifications and Conditions.

- A. Members must be a resident of the City and a registered voter of King County.
- B. No officer, official, or employee of the City or any of their immediate family members may serve on the Commission. "Immediate family member" as used in this subsection means the parents, spouse, siblings, children, or dependent relatives of the officer, official or employee, whether or not living in the household of the officer, official or employee.

2.70.30 Salary Commission – Membership and Term.

- A. Number of Members. The Commission shall consist of three (3) members.
- B. Appointment. Members shall be appointed by the Mayor subject to confirmation by the City Council, in conformance with RCW 35.21.015 as it now exists or is hereafter amended.
- C. Terms. Members of the Commission shall serve for a term of no more than one year, which shall commence when the last of the three Commission members has been appointed and confirmed and cease when the review of salaries, insurance benefits and compensation in lieu of insurance benefits is complete and a Salary Schedule has been filed with the City Clerk or until any determination is made that no salary or benefit adjustment is appropriate. No member may be appointed to more than two (2) terms on the Commission, whether or not those terms are held consecutively.

- D. Quorum. Three members shall constitute a quorum.
- E. Removal. Commission members may only be removed by the Mayor during their term of office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence, revocation, or other loss of voter registration.
- F. Vacancies. Vacancies occurring shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired term.

2.70.040 Salary Commission – Duties.

The Commission shall have the following responsibilities:

- A. To study the relationship of salaries to the duties of the Mayor, Deputy Mayor and Councilmembers and to study the costs personally incurred by Councilmembers in performing such duties;
- B. To study the relationship of Shoreline City Council salaries and insurance benefits and compensation in lieu of insurance benefits to those of Councilmembers in surrounding City jurisdictions and other current market conditions;
- C. To establish salaries, insurance benefits and/or compensation in lieu of insurance benefits (Salary Schedule), by either maintaining, increasing, or decreasing each by an affirmative vote of a majority of the members;
- D. To review and potentially file a Salary Schedule with the City Clerk no later than by the deadline set out in 2.70.050(C).

2.70.050 Salary Commission - Meetings.

- A. The City Manager will appoint appropriate staff to assist the Salary Commission.
- B. The Commission shall keep a written record of its proceedings, which shall be a public record in accordance with State law, and shall actively solicit public comment at all meetings which shall be subject to the Open Public Meetings Act, pursuant to Chapter 42.30 RCW.
- C. The Commission shall meet as often as necessary in order to file a Salary Schedule with the City Clerk or to make a determination that no salary adjustment is appropriate, on or before October 1st in the year in which the Salary Commission performs their work.

2.70.060 Salary Schedule Effective Date.

- A. The Salary Commission shall file any increase or decrease in the Salary Schedule with the City Clerk, and the same will be incorporated into the City budget without further action of the City Council or the Commission, provided that the increase or decrease shall become effective as further provided in subsections (B) and (C) below.

B. A salary increase established by the Commission shall be effective upon its adoption as to all incumbent City elected officials, regardless of their terms of office.

C. A salary decrease established by the Commission shall not be effective as to incumbent City elected officials until the commencement of their next terms of office.

D. Any adjustment of salary by the Commission shall supersede any City ordinance related to the budget or fixing of salaries, but only to the extent there is a conflict.

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 (5) days after publication.

PASSED BY THE CITY COUNCIL ON FEBRUARY 22, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor
Assistant City Attorney on behalf of
Margaret King, City Attorney

Date of Publication: _____, 2021
Effective Date: _____, 2021

ORDINANCE NO. 919

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING TITLE 2, ADMINISTRATION, OF THE SHORELINE MUNICIPAL CODE TO CREATE A NEW CHAPTER 2.70 RELATED TO SALARIES AND BENEFITS; ESTABLISHING A SALARY COMMISSION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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WHEREAS, Ordinance No. 122, which was adopted in 1997, amended Councilmembers' salaries to \$700 per month, with the Councilmember serving as Mayor paid a salary of \$875 per month, all in accordance with RCW 35A.12.070; and

WHEREAS, Ordinance No. 287, which was adopted in 2001, provided a benefit plan for the Mayor, Deputy Mayor and City Council that provides either health insurance or in lieu retirement benefits in the form of a cash contribution to a 457-retirement account; and

WHEREAS, Ordinance No. 673, which was adopted in 2013, amended Councilmembers' salaries to \$1,000 per month, with Councilmembers serving as the Deputy Mayor and Mayor receiving an additional \$100 and \$250 per month respectively, with said salaries paid twice monthly on regular City paydays, all in accordance with RCW 35A.12.070; and

WHEREAS, as an alternative to a city council adopting its own salary rates from time to time, both Article XXX of the Washington Constitution and RCW 35.21.015 authorize a city council to establish an independent salary commission, by ordinance, which salary commission may be authorized to set the salary, benefits, and the 457 deferred compensation contribution; and

WHEREAS, the compensation provided to the Mayor, Deputy Mayor and Councilmembers should reflect a reasonable and fair remuneration for the time, effort and expenses incurred in the performance of their duties; and

WHEREAS, setting the level of compensation should include an evaluation of the requirements and duties of the Councilmembers, which include representing the needs and interests of all members of the Shoreline community at regular and special meetings, as well as duties that often extend beyond the weekly Council meetings, such as serving on regional or national committees, representing the City on cross-jurisdictional commissions, participating in state and national conferences, and attending additional regular meetings with City staff and community members; and

WHEREAS, the compensation should also consider and reflect the City of Shoreline's affirmative commitment to continue to build a community that embraces diversity, encourages participation, promotes equity, and strives to remove any and all barriers that may hinder, deter, or create inequities to those desiring to directly participate in the governing process; and

WHEREAS the City Council desires to have a comparative compensation study conducted and recommendations for future adjustments provided by a an independent commission composed of citizens from the community determine its salaries and benefits based on comparative market data along with the above listed considerations; and

WHEREAS, the City Council desires to amend the Shoreline Municipal Code (SMC) to add a new Chapter 2.70 in order to establish an independent salary commission to periodically review and increase or decrease the salary and benefits of the Mayor, Deputy Mayor and members of the City Council;

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

Section 1. A new Chapter 2.70 entitled "Salary Commission" is added to the Shoreline Municipal Code to read as follows:

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COMPENSATION AND SALARY COMMISSION**

Sections:

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2.70.030	Salary Commission – Membership and Term
2.70.040	Salary Commission – Duties
2.70.050	Salary Commission – Meetings
2.70.060	Salary Schedule Effective Date

2.70.010 Salary Commission Established.

A. A Salary Commission is hereby established, to review, establish, and adjust the salaries and benefits for the elected and appointed officials of the City (Mayor, Deputy Mayor and City Councilmembers), and exercise powers and perform the duties established by RCW 35.21.015 as it now exists or is hereafter amended. The Salary Commission shall not be a standing commission. Commission members shall be appointed as provided in Section 2.70.030 once every four years commencing in 2022. The Commission may be filled at any time in the interim years as directed by the City Council by resolution.

2.70.020 Salary Commission - Qualifications and Conditions.

- A. Members must be a resident of the City and a registered voter of King County.
- B. No officer, official, or employee of the City or any of their immediate family members may

serve on the Commission. “Immediate family member” as used in this subsection means the parents, spouse, siblings, children, or dependent relatives of the officer, official or employee, whether or not living in the household of the officer, official or employee.

2.70.30 Salary Commission – Membership and Term.

- A. Number of Members. The Commission shall consist of three (3) members.
- B. Appointment. Members shall be appointed by the Mayor subject to confirmation by the City Council, in conformance with RCW 35.21.015 as it now exists or is hereafter amended.
- C. Terms. Members of the Commission shall serve for a term of no more than one year, which shall commence when the last of the three Commission members has been appointed and confirmed and cease when the review of salaries, insurance benefits and compensation in lieu of insurance benefits is complete and a Salary Schedule has been filed with the City Clerk or until any determination is made that no salary or benefit adjustment is appropriate. No member may be appointed to more than two (2) terms on the Commission, whether or not those terms are held consecutively.
- D. Quorum. Three members shall constitute a quorum.
- E. Removal. Commission members may only be removed by the Mayor during their term of office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence, revocation, or other loss of voter registration.
- F. Vacancies. Vacancies occurring shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired term.

2.70.040 Salary Commission – Duties.

The Commission shall have the following responsibilities:

- A. To study the relationship of salaries to the duties of the Mayor, Deputy Mayor and Councilmembers and to study the costs personally incurred by Councilmembers in performing such duties;
- B. To study the relationship of Shoreline City Council salaries and insurance benefits and compensation in lieu of insurance benefits to those of Councilmembers in surrounding City jurisdictions and other current market conditions, including consideration of factors that would encourage an economically and socially diverse City Council, which could include changes to the CPI-U in the Puget Sound region, changes to the statewide minimum wage, and other current market conditions;
- C. To establish salaries, insurance benefits and/or compensation in lieu of insurance benefits (Salary Schedule), by either maintaining, increasing, or decreasing each by an affirmative vote of a majority of the members;

D. To review and potentially file a Salary Schedule with the City Clerk no later than by the deadline set out in 2.70.050(C).

2.70.050 Salary Commission - Meetings.

A. The City Manager will appoint appropriate staff to assist the Salary Commission.

B. The Commission shall keep a written record of its proceedings, which shall be a public record in accordance with State law, and shall actively solicit public comment at all meetings which shall be subject to the Open Public Meetings Act, pursuant to Chapter 42.30 RCW.

C. The Commission shall meet as often as necessary in order to file a Salary Schedule with the City Clerk or to make a determination that no salary adjustment is appropriate, on or before October 1st in the year in which the Salary Commission performs their work.

2.70.060 Salary Schedule Effective Date.

A. The Salary Commission shall file any increase or decrease in the Salary Schedule with the City Clerk, and the same will be incorporated into the City budget without further action of the City Council or the Commission, provided that the increase or decrease shall become effective as further provided in subsections (B) and (C) below.

B. A salary increase established by the Commission shall be effective upon its adoption as to all incumbent City elected officials, regardless of their terms of office.

C. A salary decrease established by the Commission shall not be effective as to incumbent City elected officials until the commencement of their next terms of office.

D. Any adjustment of salary by the Commission shall supersede any City ordinance related to the budget or fixing of salaries, but only to the extent there is a conflict.

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 (5) days after publication.

PASSED BY THE CITY COUNCIL ON FEBRUARY 22, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor
Assistant City Attorney on behalf of
Margaret King, City Attorney

Date of Publication: _____, 2021
Effective Date: _____, 2021

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Panel Presentation on Police Accountability: Legislative Activity in Olympia and the Uses and Limitation of Data		
DEPARTMENT:	City Manager's Office		
PRESENTED BY:	Jim Hammond, City Manager's Office		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

The City of Shoreline ("City") contracts with the King County Sheriff's Office (KCSO) for policing services. Recent events, both locally and nationally, have prompted a significant degree of public interest in policy issues, as well as proposals for change, related to law enforcement.

Tonight's panel presentation consists of two separate discussions: (1) a conversation about police accountability measures being considered this session in the Washington State Legislature; and (2) a discussion with a criminal justice researcher about both the value and the challenges of using data when looking at topics related to law enforcement.

Tonight's guests are:

1. *Devitta Briscoe*, a community advocate who is part of Not This Time and the Washington Coalition for Police Accountability, and is active in the current state legislative session;
2. *Sharon Swanson*, an Association of Washington Cities (AWC) staff member who is tracking police accountability legislative proposals in Olympia; and
3. *Jaqueline Helfgott*, a Professor at Seattle University, and Director of the school's Crime & Justice Research Center.

RESOURCE/FINANCIAL IMPACT:

Tonight's discussions are intended to provide information to Council on key topics related to police accountability in advance of its Strategic Planning Workshop in early March. There is no direct financial impact.

RECOMMENDATION

No action is required by the City Council. Staff recommends City Council discuss issues related to proposed police accountability legislative measures and the uses and challenges of data. This information is intended to provide Council with information that could be used in deciding local policing accountability policies.

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

BACKGROUND

The City of Shoreline (“City”) contracts with the King County Sheriff’s Office (KCSO) for policing services. Recent events, both locally and nationally, have prompted a significant degree of public interest in policy issues related to policing.

Tonight’s panel presentation consists of two separate discussions: (1) a conversation about police accountability measures being considered this session in the Washington State Legislature; and (2) a discussion with a criminal justice researcher about both the value and the challenges of using data when looking at topics related to law enforcement.

Tonight’s guests are:

1. *Devitta Briscoe*, a community advocate who is part of Not This Time and the Washington Coalition for Police Accountability, and is active in the current legislative session;
2. *Sharon Swanson*, an AWC staff member who is tracking police accountability in Olympia; and
3. *Jaqueline Helfgott*, a Professor at Seattle University, and Director of the school’s Crime & Justice Research Center.

DISCUSSION

Some background on tonight’s panelists:

Devitta Briscoe works on behalf of [Not This Time](#) and the [Washington Coalition for Police Accountability](#) to advocate for what would change current processes for police accountability. She will share her experience as a community advocate in Olympia and outline key priorities.

Sharon Swanson is a Government Relations Advocate for the Association of Washington Cities, and police accountability legislation is a major part of her portfolio. Attachment A to this staff report provides a table that outlines the many pieces of legislation related to this issue that she is tracking (as of February 11, 2021). By the time of this presentation, it is expected that there will be greater clarity regarding progress on the many legislative proposals, and Ms. Swanson will provide that update.

The large number of proposals and the wide range of interests weighing in on these bills mean that there are still differences of opinion between key stakeholders (e.g., cities and sheriffs) on aspects of many of these measures. The Washington Association of Sheriffs and Police Chiefs (WASPC), has articulated its own legislative agenda regarding law enforcement reform recommendations, which is included in this report as Attachment B. The broad range of positions and perspectives are being actively discussed on a daily basis. Ms. Swanson will be able to help Council understand where those differences exist and the possible path forward to resolution.

For the second presentation of the evening, [Jaqueline Helfgott](#) will talk about both the value and the challenges of using data in the realm of criminal justice. She will have looked at the public safety questions asked by the City in its biannual survey of

Shoreline residents, and will share thoughts on what those questions do and do not reveal about public safety. In order to provide Council with some sense of her work, Prof. Helfgott's shared links to some of her recent research, which includes:

- [Research Network on Misdemeanor Justice](#) – This is a study of misdemeanor case processing undertaken through a grant at John Jay College of Criminal Justice. It is noteworthy for its interactive data dashboard, which includes reports from all of the eight different research sites, of which Seattle is one.
- [SPD Micro-Community Policing Plans](#) – The Seattle Police Department (SPD) MCPP is the research in its 6th year involving a community perceptions survey of public safety and quality of life in Seattle neighborhoods. In 2021 the research will include qualitative police-community dialogues in addition to the survey. The website includes the reports from every year 2015-2019, an interactive dashboard to compare year to year, and a link to the report on the MCPP implementation evaluation.

RESOURCE/FINANCIAL IMPACT

Tonight's discussions are intended to provide information to Council on key topics related to police accountability in advance of its Strategic Planning Workshop in early March. There is no direct financial impact.

RECOMMENDATION

No action is required by the City Council. Staff recommends City Council discuss issues related to proposed police accountability legislative measures and the uses and challenges of data. This information is intended to provide Council with information that could be used in deciding local policing accountability policies.

ATTACHMENTS

Attachment A: Table of Current Law Enforcement Related Legislation
Attachment B: Law Enforcement Reform Recommendations 2020-2021

Attachment A: Table of Current Law Enforcement Related Legislation

Subject	Bill (HB = House SB = Senate)	Sponsor	Companion Bill (opposite chamber)	Purpose
Use of force (Tactics)	HB 1054	Rep. Johnson		Bill proposes to prohibit many law enforcement (LE) tactics currently allowed.
Duty to intervene	SB 5066	Sen. Dhingra		Requires LE officer to intervene if they witness misconduct or illegal activity by fellow officer.
Investigation audits	SB 5069	Sen. Dhingra	HB 1089	Establishes audits to make sure I-940 is being followed when investigations of lethal use of force.
Brady standards	SB 5067	Sen. Dhingra	HB 1088	Requires the WA Assoc. of Prosecuting Attorneys (PA) to update policy and training regarding potential impeachment disclosures.
Decertification bill;	SB 5051	Sen. Pedersen	HB 1082	Calls out use of force as grounds to decertify; database to track officers who have separated from service; investigations must be completed once started.
Independent Investigations	HB 1267	Rep. Entenman		Applies when lethal use of force is used. Stand-alone agency created.
Independent prosecutions	HB 1507	Rep. Entenman		Creates process if the county PA has a conflict with prosecuting LE officers.
Mental health supports for police	HB 1000	Rep. Maycumber		Additional supports to LE, with focus on suicide prevention.
Grants to diversify LE	HB 1001	Rep. Maycumber		Grants to encourage a broader diversity of candidates in LE.
Felony Bar Removal	SB 5263	Sen. Frockt		Currently, personal injury or wrongful death claims against LE have a defense if the person was committing a felony. Bill removes the bar, creating greater liability for LE and cities.
Qualified immunity repeal	HB 1202	Rep. Thai		Allows cities to be held independently liable for actions of LE. Holds cities liable for training, hiring, firing, discipline.

Attachment A: Table of Current Law Enforcement Related Legislation

Subject	Bill (HB = House SB = Senate)	Sponsor	Companion Bill (opposite chamber)	Purpose
Data collection	HB 1092	Rep. Lovick	SB 5259	Data shared with WSU to track use of force incidents.
Deadly Force Std	HB 1310	Rep. Johnson		Establishes a standard for use of physical force by LE and modifies criminal liability protections.
Community Oversight	HB 1203	Rep. Johnson		Requires departments with 15 or more officers to have a community oversight board.
Law Enforcement Bargaining	SB 5055	Sen. Nguyen		Requires the PERC to appoint a roster of 9 to 18 arbitrators who hear disciplinary grievances for law enforcement personnel on a rotating basis.
Vascular Neck Restraint	SB 5094	Sen. Padden		Training focus: CJTC develop model policy. Allows VNR; 50% of LE need to be trained on proper use.
Data, deadly force	SB 5261	Sen. Padden		Data through WASPC, not as much data collected as 1092.
Background checks	HB 1262	Rep. Klippert		Use of polygraph or rapid eye.
Hiring of peace officers	SB 5089	Sen. Kuderer		Age and education requirements to be hired as LE.



SHERIFFS & POLICE CHIEFS

Law Enforcement Reform Recommendations 2020-2021

Washington's law enforcement leaders acknowledge the hurt, trauma, and anger caused by a history in which our profession has often failed to live up to our own ethical ideals, particularly in our relationships with communities of color, and we recognize our responsibility to address racial inequality.

We are committed to work with policy makers, community groups, and other stakeholders to improve the public service of law enforcement in our state. Change is necessary and we support meaningful reform and a conversation about law enforcement that focuses on transparency and accountability, reduces barriers to discipline and termination, and ensures a fair and more equitable criminal justice system. We do not present these recommendations as the only credible options for reform, rather as our contribution to the larger conversation.*

Use of Force:

- Standardize the use of force policies and training centered on the cornerstone principle of the sanctity of human life.
- Require all law enforcement officers to intervene and report to their agency whenever another law enforcement officer uses excessive force.

Transparency and Accountability:

- Expand wellness, resiliency and mental health support for law enforcement and corrections officers.
- Support accreditation (best practice audits) for law enforcement and corrections agencies.
- Support civil service reforms to increase diversity and flexibility to hire and promote deputies and officers.
- Establish interventions for troubling patterns and behaviors among law enforcement officers.
- Explore models for an independent statewide deadly force investigative agency.
- Facilitate the implementation and use of body cameras.
- Provide greater authority for Chiefs and Sheriffs to dismiss officers who betray the public's trust.
- Enable de-certification of officers who use excessive force and other serious breaches of the public's trust.
- Require all Washington law enforcement agencies to submit data on the use of deadly force.

Defining the role of law enforcement:

- Establish state and local programs to build relationships and trust between law enforcement and the community.
- Establish clear expectations for state investment in programs to address mental illness, substance use, and other adverse events that are shown to increase the likelihood of future criminal justice involvement.

* These recommendations are abbreviated summaries of the official recommendations adopted by WASPC. The full text of each recommendation, along with recommended legislation to accomplish each, are available at www.waspc.org/reforms

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussing Ordinance No. 920 - Repealing and Replacing Shoreline Municipal Code Chapter 3.01 – Fee Schedule, Ordinance No. 921 - Establishing a Fee Schedule for Impact Fees, and Resolution No. 471 - Adopting a Fee Schedule		
DEPARTMENT:	City Attorney's Office Administrative Services		
PRESENTED BY:	Margaret King, City Attorney Rick Kirkwood, Budget & Tax Manager		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

The City's Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which establishes various rates, fees, costs, and charges for City services and related items, has historically been reviewed and updated for the upcoming fiscal year through the City's budget process. As such, it has also been included with the ordinance adopting the City's budget. This has provided some challenges as various indices used to calculate changes in rates, such as much of the solid waste rate schedule in SMC 3.01.500, are not available until late in the budget process, thereby making it impossible to include such a schedule in the proposed budget book. Another challenge is the ability to amend the Fee Schedule in a timely manner, as it also requires the budget ordinance be amended, thereby making for an unnecessary and cumbersome process. Lastly, there are various provisions throughout the SMC that reference specific sections of SMC Chapter 3.01 that have not been amended to reflect the evolution of the Fee Schedule.

Amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule (except for impact fees) by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed. To accomplish this, three actions would be required by the City Council:

- Proposed Ordinance No. 920 (Attachment A) would repeal and replace SMC Chapter 3.01 to provide for adoption of a Fee Schedule by resolution for general rates, fees, and costs and the adoption of a Fee Schedule by ordinance for impact fees as required by Revised Code of Washington (RCW) Chapter 82.02. This proposed Ordinance also provides for amendments to sections of the SMC necessary to ensure the correct citation is referenced.

- Proposed Ordinance No. 921 (Attachment B) would establish the rates and costs for all of the City's impact fees – parks, transportation, and fire. As noted above, this is required to be adopted by ordinance by state law.
- Proposed Resolution No. 471 (Attachment C) would establish the Fee Schedule for rates, fees, costs, and charges for City services and related items that were previously adopted through the budget ordinance process (last established by Ordinance No. 903).

Adoption of the above three pieces of legislation are proposed to occur concurrently. Tonight, staff is interested in hearing feedback from Council on these three pieces of proposed legislation to update SMC Chapter 3.01 and adopt the Fee Schedule by resolution. Council action on this legislation is currently scheduled for March 15, 2021.

RESOURCE/FINANCIAL IMPACT:

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

RECOMMENDATION

No action is required tonight as this is a discussion item. Staff recommends that Council discuss proposed Ordinance Nos. 920 and 921 and Resolution No. 471 and provide staff input on this proposed legislation. Staff also recommends that Council adopt proposed Ordinance Nos. 920 and 921 and Resolution No. 471 when they are scheduled to return to Council on March 15, 2021 for potential action.

ATTACHMENTS:

Attachment A: Proposed Ordinance No. 920, including Exhibit A and Exhibit B

Attachment B: Proposed Ordinance No. 921, including Exhibit A

Attachment C: Proposed Resolution No. 471, including Exhibit A

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

ORDINANCE NO. 920

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING CHAPTER 3.01 FEE SCHEDULE OF THE SHORELINE
MUNICIPAL CODE AND REPLACING WITH A NEW CHAPTER 3.01
FEE SCHEDULE; AND AMENDING VARIOUS SECTIONS OF THE
SHORELINE MUNICIPAL CODE TO AMENDED REFERENCING
CITATIONS.**

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

WHEREAS, included in the ordinance adopting the City's Budget ("Budget Ordinance"), the City Council has adopted a Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, establishing various rates, fees, costs, and charges for City services and related items; and

WHEREAS, subsequent amendments to the Fee Schedule requires amending the Budget Ordinance solely because the Fee Schedule is adopted as part of the Budget Ordinance, making for an unnecessary and cumbersome process; and

WHEREAS, by amending SMC Chapter 3.01 to allow for the adoption of the Fee Schedule, except for impact fees, by resolution of the City Council would allow for a more timely and efficient process that would not impact the Budget Ordinance when amendments are needed; and

WHEREAS, to accomplish this, SMC Chapter 3.01 as it currently exists should be repealed and replaced with a new SMC Chapter 3.01 that provides for the adoption of the Fee Schedule by resolution and adoption of the Fee Schedule for Parks, Fire, and Transportation Impact Fees by ordinance as required by RCW Chapter 82.02; and

WHEREAS, various provisions in the SMC reference specific sections of SMC Chapter 3.01 that, upon repeal and replacement, will no longer exist; amendment to these sections is necessary to ensure the correct citation is referenced; and

WHEREAS, concurrent with the adoption of this Ordinance is Ordinance No. 921, establishing the Fee Schedule for Parks, Fire, and Transportation Impact Fees and Resolution No. 471, establishing the Fee Schedule for rates, fees, costs, and charges for City services and related items;

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

Section 1. Repeal and Replace. SMC Chapter 3.01 Fee Schedule is repealed in its entirety and replaced with a new SMC Chapter 3.01 Fee Schedule as set forth in Exhibit A to this Ordinance.

Section 2. Amendment of Shoreline Municipal Code. The Shoreline Municipal Code, as set forth in Exhibit B to this Ordinance, is adopted. This amendment pertains to SMC Chapters 2.35, 3.70, 3.80, 3.85, 5.07, 5.10, 5.15, 6.05, 6.10, 6.15, 6.20, and 13.14.

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

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor
Assistant City Attorney
on behalf Margaret King
City Attorney

Date of Publication:
Effective Date:

Chapter 3.01 Fee Schedules

The following sections of Chapter 3.01 are repealed in their entirety and replaced as provided.

REPEAL:

- 3.01.010 Planning and community development.**
- 3.01.015 Transportation impact fees.**
- 3.01.016 Park impact fees.**
- 3.01.017 Fire impact fees.**
- 3.01.020 Fire – Operational.**
- 3.01.025 Affordable housing fee in lieu.**
- 3.01.100 Animal licensing and service fees.**
- 3.01.200 Business license fees.**
- 3.01.205 Filmmaking permit fees.**
- 3.01.210 Hearing examiner fees.**
- 3.01.220 Public records.**
- 3.01.300 Parks, recreation and cultural services.**
- 3.01.400 Surface water management rate table.**
- 3.01.500 Solid waste rate schedule.**
- 3.01.800 Fee waiver.**
- 3.01.810 Collection fees (financial).**
- 3.01.820 Annual adjustments.**

REPLACE WITH:

3.01.010 Fee Schedule

A. Fees, charges, costs, and rates for services provided by the City shall be established by the City Council pursuant to such periodic resolutions as the city council, from time to time, updates and approves. Such fees, changes, costs, and rates include, but are not limited to, building and planning permits, right-of-way use permits, wastewater permits, licensing of businesses and animals, use of park and recreation facilities, solid waste collection, surface water management, and in-lieu of fees.

B. Impact Fees for Transportation, Parks, and Fire shall be established by ordinance adopted from time to time by the City Council consistent with SMC Chapters 3.70, 3.75, and 3.80.

3.01.020 Fee waiver.

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

A. Right-of-way permits issued pursuant to SMC Chapter 12.15

B. Facility use permits issued pursuant to SMC 8.12.040

C. Concessionaire permits issued pursuant to SMC 8.12.130

D. The city manager is authorized to designate collection points in the City Hall lobby 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.

3.01.030 Annual adjustments.

Increases of the fees contained in the Fee Schedule adopted pursuant to 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 fees in any individual budget year without impacting the full force of this section for subsequent budget years. The annual adjustments to the fees established by this chapter shall be rounded as appropriate to ensure efficient administration of fee collection.

CHAPTER 2.35 PUBLIC RECORDS

2.35.060 Reimbursement for copying costs.

A. A requestor may obtain paper copies or electronic scans of public records under RCW 42.56.120; the city will charge for these according to the public records fee schedule ~~adopted in SMC 3.01.220~~ established by resolution of the City Council pursuant to SMC 3.01.

CHAPTER 3.70 IMPACT FEES FOR PARKS, OPEN SPACE, AND RECREATION FACILITIES

3.70.020 Definitions.

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a parks, open space, and recreation impact fee other than by the use of the rates ~~published in SMC 3.01.016(A),~~ set forth in the Fee Schedule or the calculations prepared by the director where none of the fee categories or fee amounts ~~in SMC 3.01.016~~ the Fee Schedule accurately describe or capture the impacts on park facilities of the development authorized by the building permit.

3.70.040 Impact fees methodology and applicability.

The parks, open space, and recreation impact fees ~~in SMC 3.01.016~~ set forth in the Fee Schedule are generated from the formulae for calculating parks, open space, and recreation impact fees set forth in the rate study. Except as otherwise provided for independent fee calculations in SMC 3.70.060, exemptions in SMC 3.70.070, and credits in SMC 3.70.080, all building permits issued by the city will be charged impact fees applicable to the type of development listed in the ~~schedule adopted pursuant to SMC 3.01.016~~ Fee Schedule.

3.70.050 Collection of impact fees.

A. The city shall collect impact fees for parks, open space, and recreation, based on the rates ~~in SMC 3.01.016~~, set forth in the Fee Schedule from any applicant seeking a building permit from the city unless specifically exempted in SMC 3.70.070.

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category provided in the rate study that best captures the broader use or development activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., "industrial park," or "specialty retail"), or the previous use, shall not be considered a change of use that is subject to an impact fee.

2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates ~~in SMC 3.01.016~~ set forth in the Fee Schedule.

D. Impact fees shall be determined at the time the complete application for a building permit is submitted using the impact fees then in effect. Except as provided in subsection F of this section, impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits prior to the submittal of the complete building permit application shall submit, along with the complete application, a copy of the letter prepared by the director setting forth the dollar amount of the credit allowed.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees are considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.
2. For the purposes of this deferral program, the following definitions apply:
 - a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.
 - b. "Single-family residence" means a permit for a single-family dwelling unit, attached or detached, as defined in SMC 20.20.016.
3. To receive a deferral, an applicant must:
 - a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;
 - b. Pay the applicable administrative fee;
 - c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:

- i. Includes the legal description, tax account number, and address of the property;
 - ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;
 - iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;
 - iv. Binds all successors in title after the recordation; and
 - v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.
4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.
5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.
6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.
7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.
8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential building permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as ~~provided in SMC 3.01.016(B)~~ set forth in the Fee Schedule.

3.70.060 Independent fee calculations.

A. If, in the judgment of the director, none of the fee categories set forth in ~~SMC 3.01.016~~ the Fee Schedule accurately describes or captures the impacts of a new development on park facilities, the director may conduct independent fee calculations and the director may impose alternative fees on a specific development based on those calculations. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.016~~ in the Fee Schedule, in which case the applicant shall prepare and submit to the director an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.016~~ in the Fee Schedule.

C. There is a rebuttable presumption that the calculations set forth in the rate study are valid. The director shall consider the documentation submitted by the applicant, but is not required to accept such documentation or analysis which the director reasonably deems to be inapplicable, inaccurate, incomplete, or unreliable. The director may require the applicant to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative

fees and the calculations therefor shall be set forth in writing and shall be mailed to the applicant.

3.70.090 Adjustments for future tax payments and other revenue sources.

Pursuant to and consistent with the requirements of RCW 82.02.060, the rate study has provided adjustments for future taxes to be paid by the development authorized by the building permit which are earmarked or proratable to the same new park facilities which will serve the new development. The impact fees ~~in SMC 3.01.016~~ set forth in the Fee Schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund parks, open space, and recreation improvements.

3.70.130 Review and adjustment of rates.

A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.

B. Consistent with SMC 3.01.030 ~~3.01.820~~, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Record (ENR) for the Seattle area.

Chapter 3.75 IMPACT FEES FOR FIRE PROTECTION FACILITIES

3.75.040 Definitions.

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a fire impact fee other than by the use of the rates ~~published in SMC 3.01.017(A),~~ set forth in the Fee Schedule, or the calculations prepared by the fire chief where none of the fee categories or fee amounts in ~~SMC 3.01.017(A)~~ the Fee Schedule accurately describe or capture the impacts on fire protection facilities of the development authorized by the building permit.

3.75.060 Collection of impact fees.

A. The city shall collect impact fees for fire protection facilities, based on the rates provided by the fire department and ~~adopted in SMC 3.01.017~~ set forth in the Fee Schedule, from any applicant seeking a building permit unless specifically exempted in SMC 3.75.070. The city shall also collect an administrative fee from the applicant as ~~provided in SMC 3.01.017(B),~~ set forth in the Fee Schedule

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category that best captures the broader use or development activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., “industrial park,” or “specialty retail”), or the previous use, shall not be considered a change of use that is subject to an impact fee.

Ordinance 920 Attachment A, Exhibit B

2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates in ~~SMC 3.01.017(A)~~ the Fee Schedule.

D. Impact fees shall be estimated at the time the complete application for a building permit is submitted using the impact fee rates then in effect. Except as provided in subsection F of this section, impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits pursuant to SMC 3.75.080 shall submit documentation from the fire department setting forth the credits allowed prior to building permit issuance. Credits shall be applied at the time of impact fee collection unless otherwise authorized by the fire department.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees are considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.

2. For the purposes of this deferral program, the following definitions apply:

a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.

Ordinance 920 Attachment A, Exhibit B

b. "Single-family residence" means a permit for a single-family dwelling unit, attached or detached, as defined in SMC 20.20.016.

3. To receive a deferral, an applicant must:

a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;

b. Pay the applicable administrative fee;

c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:

i. Includes the legal description, tax account number, and address of the property;

ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;

iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;

iv. Binds all successors in title after the recordation; and

v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.

5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.

Ordinance 920 Attachment A, Exhibit B

6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.

7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.

8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential building permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as provided in ~~SMC 3.01.017(B)~~. the Fee Schedule.

3.75.065 Independent fee calculations.

A. If, in the judgment of the fire chief, none of the fee categories set forth in ~~SMC 3.01.017(A)~~ the Fee Schedule accurately describes or captures the impacts of a new development on fire protection facilities, the fire chief may conduct an independent fee calculation and the fire chief may impose alternative fees on a specific development based on those calculations. The alternative fees and the calculations shall be set forth in writing and shall be provided to the applicant and to the city prior to building permit issuance.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.017~~ in the Fee Schedule, in which case the applicant shall prepare and submit to

Ordinance 920 Attachment A, Exhibit B

the fire chief an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.017~~ in the Fee Schedule.

The fire chief shall consider the documentation and any other additional documentation requested in order to analyze the independent fee calculation. The fire chief is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations therefor shall be set forth in writing and shall be provided to the applicant and to the city prior to building permit issuance. The city shall collect an administrative fee from the applicant seeking to an independent fee calculation under this section as provided in ~~SMC 3.01.017(B)~~ the Fee Schedule.

Chapter 3.80 IMPACT FEES FOR TRANSPORTATION

“Fee Schedule” means the impact fee rates and changes established by ordinance of the City Council pursuant to SMC 3.01.

“Independent fee calculation” means the impact fee calculation, studies and data submitted by an applicant to support the assessment of a transportation impact fee other than by the use of the rates ~~published in SMC 3.01.015(A)~~ established pursuant to the Fee Schedule, or the calculations prepared by the director where none of the fee categories or fee amounts in ~~SMC 3.01.015~~ the Fee Schedule accurately describe or capture the impacts on transportation facilities of the development authorized by the building permit.

3.80.040 Impact fees methodology and applicability.

The transportation impact fees in ~~SMC 3.01.015~~ the Fee Schedule are generated from the formulae for calculating transportation impact fees set forth in the rate study. Except as otherwise provided for independent fee calculations in SMC 3.80.060, exemptions in SMC 3.80.070, and credits in SMC 3.80.080, all building permits issued by the city will be charged impact fees applicable to the type of development listed in the Fee Schedule ~~fee schedule adopted pursuant to SMC 3.01.015~~. [Ord. 792 § 2 (Exh. A), 2017]

3.80.050 Collection of impact fees.

A. The city shall collect impact fees for transportation, based on the rates in ~~SMC 3.01.015~~ the Fee Schedule, from any applicant seeking a building permit from the city unless specifically exempted in SMC 3.80.070.

B. When an impact fee applies to a building permit for a change of use of an existing building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee paid for the immediately preceding use. The preceding use shall be determined by the most recent legally established use based on a locally owned business license and development permit documents.

1. For purposes of this provision, a change of use should be reviewed based on the land use category provided in the rate study that best captures the broader use or development

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activity of the property under development or being changed. Changes of use and minor changes in tenancies that are consistent with the general character of the building or building aggregations (i.e., “industrial park,” or “specialty retail”), or the previous use, shall not be considered a change of use that is subject to an impact fee.

2. If no impact fee was paid for the immediately preceding use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the immediately preceding use.

3. If the calculated impact fee is a negative amount, the applicant will not be required to pay impact fees nor will the applicant be compensated by the city for a negative impact fee.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use, based on the applicable measurement in the impact fee rates in ~~SMC 3.01.015~~ the Fee Schedule.

D. Impact fees shall be determined at the time the complete application for a building permit is submitted using the impact fees then in effect. Impact fees shall be due and payable before the building permit is issued by the city.

E. Applicants allowed credits prior to the submittal of the complete building permit application shall submit, along with the complete application, a copy of the letter prepared by the director setting forth the dollar amount of the credit allowed.

F. Single-Family Residential Deferral Program. An applicant for a building permit for a single-family detached or attached residence may request a deferral of the full impact fee payment until final inspection or 18 months from the date of original building permit issuance, whichever occurs first. Deferral of impact fees is considered under the following conditions:

1. An applicant for deferral must request the deferral no later than the time of application for a building permit. Any request not so made shall be deemed waived.
2. For the purposes of this deferral program, the following definitions apply:

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- a. "Applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.
- b. "Single-family residence" means a permit for a single-family house as set forth in ~~SMC 3.01.015(A)~~ the Fee Schedule, ITE Code 210.

3. To receive a deferral, an applicant must:

- a. Submit a deferred impact fee application and acknowledgment form for each single-family attached or detached residence for which the applicant wishes to defer payment of the impact fees;
- b. Pay the applicable administrative fee;
- c. Grant and record at the applicant's expense a deferred impact fee lien in a form approved by the city against the property in favor of the city in the amount of the deferred impact fee that:
 - i. Includes the legal description, tax account number, and address of the property;
 - ii. Requires payment of the impact fees to the city prior to final inspection or 18 months from the date of original building permit issuance, whichever occurs first;
 - iii. Is signed by all owners of the property, with all signatures acknowledged as required for a deed and recorded in King County;
 - iv. Binds all successors in title after the recordation; and
 - v. Is junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

4. The amount of impact fees deferred shall be determined by the fees in effect at the time the applicant applies for a deferral.

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5. Prior to final inspection or 18 months from the date of original building permit issuance, the applicant may pay the deferred amount in installments, with no penalty for early payment.

6. The city shall withhold final inspection until the impact fees have been paid in full. Upon receipt of final payment of impact fees deferred under this subsection, the city shall execute a release of deferred impact fee lien for each single-family attached or detached residence for which the impact fees have been received. The applicant, or property owner at the time of release, shall be responsible for recording the lien release at their expense.

7. The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection.

8. If impact fees are not paid in accordance with the deferral and in accordance with the term provisions established herein, the city may institute foreclosure proceedings in accordance with Chapter 61.12 RCW.

9. Each applicant for a single-family attached or detached residential construction permit, in accordance with their contractor registration number or other unique identification number, is entitled to annually receive deferrals under this section for the first 21 single-family residential construction building permits.

10. The city shall collect an administrative fee from the applicant seeking to defer the payment of impact fees under this section as provided in ~~SMC 3.01.015(B)~~ the Fee Schedule.

3.80.060 Independent fee calculations.

A. If, in the judgment of the director, none of the fee categories set forth in ~~SMC 3.01.015~~ the Fee Schedule accurately describes or captures the impacts of a new development on transportation facilities, the director may conduct independent fee calculations and the director may impose alternative fees on a specific development based on those calculations.

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The alternative fees and the calculations shall be set forth in writing and shall be mailed to the applicant.

B. An applicant may opt not to have the impact fees determined according to the fee structure in ~~SMC 3.01.015~~ the Fee Schedule, in which case the applicant shall prepare and submit to the director an independent fee calculation for the development for which a building permit is being sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. An independent fee calculation shall use the same methodology used to establish impact fees ~~adopted pursuant to SMC 3.01.015~~ in the Fee Schedule, and shall be limited to adjustments in trip generation rates and lengths for transportation impact fees.

C. There is a rebuttable presumption that the calculations set forth in the rate study are valid. The director shall consider the documentation submitted by the applicant, but is not required to accept such documentation or analysis which the director reasonably deems to be inapplicable, inaccurate, incomplete, or unreliable. The director may require the applicant to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations therefor shall be set forth in writing and shall be mailed to the applicant.

3.80.090 Adjustments for future tax payments and other revenue sources.

Pursuant to and consistent with the requirements of RCW 82.02.060, the rate study has provided adjustments for future taxes to be paid by the development authorized by the building permit which are earmarked or proratable to the same new transportation facilities which will serve the new development. The impact fees ~~in SMC 3.01.015~~ set forth in the Fee Schedule have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund transportation improvements.

3.80.130 Review and adjustment of rates.

A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that

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adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.

B. Consistent with SMC 3.01.030 ~~3.01.820~~, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Records (ENR) for the Seattle area.

Chapter 5.07 Regulatory Business Licenses

5.07.020 Definitions – General

E. “Fee Schedule” means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

~~E.~~ F. “License” is legal permission to operate or own a specified thing, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

~~F.~~ G. “Person” includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or corporations, or any officer, agent, employee, or any kind of personal representative of any officer, agent, employee thereof, in any capacity, acting either for themselves, or any other person, under either personal appointment or pursuant to the law.

~~G.~~ H. “Premises” includes all lands, structures and places, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises

5.07.080 License renewal – Late fee.

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A late penalty shall be charged on all applications for renewal of a license received later than 10 working days after the expiration date of such license as set forth in the Fee Schedule SMC 3.01.035.

Chapter 5.10 Adult Cabarets

5.10.010 Definitions

H. "Fee Schedule" means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

H. I. "Liquor" means all beverages defined in RCW 66.04.010(20).

I. "Manager" means any person who manages, directs, administers or is in charge of the business affairs and/or conduct of any portion of any activity involving adult entertainment occurring at any adult cabaret, and includes assistant managers working with or under the direction of a manager to carry out such purposes.

K. "Member of the public" means any customer, patron, club member, or person, other than an employee as defined in this section, who is invited or admitted to a cabaret.

J. "Operator" means any person, licensed under this chapter, operating, conducting or maintaining an adult cabaret.

K. "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

~~L. "Member of the public" means any customer, patron, club member, or person, other than an employee as defined in this section, who is invited or admitted to a cabaret.~~

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~~M~~. N. “Sexual conduct” means any act or acts of:

1. Sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight; or
2. Any penetration of the vagina or anus, however slight, by an object; or
3. Any contact between persons involving the sex organs, whether clothed or unclothed, of one person and the mouth or anus, whether clothed or unclothed, of another; or
4. Masturbation, manual or instrumental, of oneself or of one person by another; or
5. Touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one person by another.

5.10.040 Adult cabaret licenses.

A. Adult Cabaret Operator’s License.

1. All applications for an adult cabaret operator’s license shall be submitted to the clerk in the name of the person or entity proposing to conduct an adult cabaret on the business premises and shall be signed by such person and certified as true under penalty of perjury. All applications shall be submitted on a form supplied by the city, and shall be complete when the following information and submittals are provided:

- a. For each applicant: names; any aliases or previous names; driver’s license number, if any; Social Security number, if any; business, mailing, and residential address; and business and residential telephone number.
- b. If a corporation, date and place of incorporation, evidence that it is in good standing under the laws of Washington, and name and address of any registered agent for service of process.
- c. Whether the applicant holds any other licenses under this chapter or any license for similar adult entertainment or sexually oriented business, including motion picture theaters and panorams, from the city or another city, county or state, and if so, the names and addresses of each other licensed business.

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- d. A summary of the business history of each applicant owning or operating the adult entertainment or other sexually oriented businesses, providing names, addresses and dates of operation for such businesses, and whether any business license or adult entertainment license has been revoked or suspended, and the reason therefor.
- e. For each applicant, any and all criminal convictions or forfeitures within two years immediately preceding the date of the application, other than parking offenses or minor traffic infractions, including the dates of conviction, nature of the crime, name and location of court and disposition.
- f. For each applicant, a description of business, occupation or employment history for the three years immediately preceding the date of the application.
- g. The location and doing-business-as name of the proposed adult cabaret, including a legal description of the property, street address, and telephone number, together with the name and address of each owner and lessee of the property.
- h. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
- i. Documentation that the applicant has attained requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
 - i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;
 - iii. An official passport or military ID issued by the United States of America;
 - iv. An immigration card issued by the United States of America.
- j. A scale drawing or diagram showing the proposed configuration of the premises for the adult cabaret, including a statement of the total floor space occupied by the business, and marked dimensions of the interior of the premises. Performance areas, seating areas, manager's office and stations, restrooms and service areas shall be clearly marked on the drawing. An application for a license for an adult cabaret shall include building plans which demonstrate conformance with SMC 5.10.070(C).

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- k. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule must be paid at the time of filing an application in order to defray the costs of processing the application.
2. Notification of the acquisition of new general partners, managing members, officers or directors, subsequent to the issuance of an adult cabaret license, shall be provided in writing to the city clerk no later than 21 days following such acquisition. The notice required shall include the information required for the original adult cabaret license application.
3. The adult cabaret license, if granted, shall state on its face the name of the person or persons to whom it is issued, the expiration date, the doing-business-as name and the address of the licensed adult cabaret. The permit shall be posted in a conspicuous place at or near the entrance to the adult cabaret so that it can be easily read at any time the business is open.
4. No person granted an adult cabaret license pursuant to this chapter shall operate the adult cabaret business under a name not specified on the license, nor shall any person operate an adult cabaret under any designation or at any location not specified on the license.
5. Upon receipt of any complete application and fee, the clerk shall provide copies to the police department, and to other appropriate city departments or contractors, for a full investigation and review to determine compliance of the proposed adult cabaret with this chapter and other applicable laws. Each adult cabaret operator's license shall be issued with a notification that it shall be subject to revocation for noncompliance of the premises with building and zoning codes and this chapter.
6. In the event the premises are not yet constructed, the departments shall base their recommendation as to premises compliance on their review of the drawings submitted with the application. Any adult cabaret license approved prior to premises construction shall contain a condition that the premises must be inspected prior to occupancy, and determined to be in substantial conformance with the drawings submitted with the application and other applicable building and development regulations.
7. An adult cabaret operator's license shall be issued or the application denied by the clerk within 14 days of the date of filing a complete license application and fee, unless the clerk determines that the applicant has failed to meet any of the requirements of this chapter or

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provide any information required under this subsection, or that the applicant has made a false, misleading or fraudulent statement of material fact on the application for a license. Upon request of the applicant, the clerk shall grant an extension of time, up to but not to exceed 20 additional days, in which to provide all information required for license application. The time period for granting or denying a permit shall be stayed during the period in which the applicant is allowed an opportunity to properly complete the application. If the clerk finds that the applicant has failed to meet any of the requirements for issuance of an adult cabaret operator's license, the clerk shall issue a notice of nonissuance in writing, and shall cite the specific reasons therefor.

8. No person granted a license pursuant to this chapter shall operate the adult cabaret under a name not specified in the license, nor shall they conduct business under any designation or location not specified in the license.

B. Adult Cabaret Manager's License.

1. No person shall work as a manager at an adult cabaret without an applicable manager's license issued by the city. Each applicant for a manager's license shall complete an application on forms provided by the city containing the information identified below. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ the Fee Schedule shall accompany the application. A copy of the application shall be provided to the police department for its review, investigation and recommendation. All applications for a manager's license shall be signed by the applicant and certified to be true under penalty of perjury. The manager's license application shall require the following information:

- a. The applicant's name, home address, home telephone number, date and place of birth, Social Security number, and any stage names or nicknames used in entertaining.
- b. The name and address of each business at which the applicant intends to work as a manager.
- c. Documentation that the applicant has attained the requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
 - i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;

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- iii. An official passport or military ID issued by the United States of America; or
 - iv. An immigration card issued by the United States of America.
 - d. A complete statement of all convictions of the applicant for any misdemeanor or felony violations in this or any other city, county, or state within two years immediately preceding the date of the application, except parking violations or minor traffic infractions.
 - e. A description of the applicant's principal activities or services to be rendered.
 - f. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
2. The clerk may request additional information or clarification when necessary to determine compliance with this chapter.
 3. Upon receipt of the complete application and fee, the clerk shall provide copies to the police department for its investigation and review for compliance with this chapter.
 4. A manager's license shall be issued by the clerk by the end of the next business day following receipt of a complete application and fee, unless the clerk determines that the applicant has failed to provide any information required to be supplied according to this chapter, or that the applicant is a person of a class specified in SMC 5.10.030. Upon request of the applicant, the clerk shall grant an extension of time not to exceed 20 additional days in which to provide all information required for license application. If the clerk determines that the applicant has failed to meet any of the requirements for issuance of a manager's license, the clerk shall deny the application in writing and shall cite the specific reasons therefor, including applicable laws. If the clerk fails to approve or deny the application by the end of the next business day, the applicant may, subject to all other applicable laws, commence work as an adult cabaret manager in a duly licensed adult cabaret until notified, in writing, by the clerk that the application has been denied or the final disposition of the appeal if the applicant appeals the clerk's decision.

C. Entertainer's License.

1. No person shall work as an entertainer at an adult cabaret without an applicable entertainer's license issued by the city. Each applicant for an entertainer's license shall complete an application on forms provided by the city containing the information identified

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below. A nonrefundable application fee as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule shall accompany the application. A copy of the application shall be provided to the police department for its review, investigation and recommendation. All applications for an entertainer's license shall be signed by the applicant and certified to be true under penalty of perjury. The entertainer's license application shall require the following information:

- a. The applicant's name, home address, home telephone number, date and place of birth, Social Security number, and any stage names or nicknames used in entertaining.
 - b. The name and address of each business at which the applicant intends to work as an entertainer.
 - c. Documentation that the applicant has attained requisite age as stated in SMC 5.10.030(A). Any one of the following shall be accepted as documentation of age:
 - i. A motor vehicle operator's license issued by any state bearing the applicant's photograph and date of birth;
 - ii. A state-issued identification card bearing the applicant's photograph and date of birth;
 - iii. An official passport or military ID issued by the United States of America; or
 - iv. An immigration card issued by the United States of America.
 - d. A complete statement of all convictions of the applicant for any misdemeanor or felony violations in this or any other city, county, or state within two years immediately preceding the date of the application, except parking violations or minor traffic infractions.
 - e. A description of the applicant's principal activities or services to be rendered.
 - f. Two two-inch by two-inch color passport-quality photographs of the applicant, taken within six months of the date of application showing only the full face.
2. The clerk may request additional information or clarification when necessary to determine compliance with this chapter.
 3. Upon receipt of the complete application and fee, the clerk shall provide copies to the police department for its investigation and review for compliance with this chapter. An entertainer's license shall be issued by the clerk by the end of the next business day following receipt of a complete application and fee, unless the clerk determines that the applicant has failed to

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provide any information required to be supplied according to this chapter, or that the applicant is a person of a class specified in SMC 5.10.030. Upon request of the applicant, the clerk shall grant an extension of time not to exceed 20 additional days in which to provide all information required for license application. If the clerk determines that the applicant has failed to meet any of the requirements for issuance of an entertainer's license, the clerk shall deny the application in writing and shall cite the specific reasons therefor, including applicable laws. If the clerk fails to approve or deny the application by the end of the next business day, the applicant may, subject to all other applicable laws, commence work as an entertainer in a duly licensed adult cabaret until notified, in writing, by the clerk that the application has been denied or the final disposition of the appeal if the applicant appeals the clerk's decision.

4. Name, address, phone numbers and other identifying information shall be redacted from

5.10.080 License term – Assignment – Renewals.

A. Licenses shall expire one year from the date of issue.

B. Application for renewal of licenses issued hereunder shall be made to the clerk no later than 30 days prior to the expiration of adult cabaret licenses. The renewal license shall be issued in the same manner and on payment of the same fees as for an original application under this chapter. There shall be assessed and collected by the clerk an additional charge, computed as a percentage of the license fee, on applications not made on or before said date, as set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule.

C. The clerk shall renew a license upon receipt of a complete application and fee, and subject to compliance with the provisions of SMC 5.10.040 regarding original licenses.

applications disclosed in response to a public records request.

Chapter 5.15 Panoram Devices

5.15.050 License fee – Terms – Assignment – Renewals.

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A. The license year for licenses under this chapter shall be one year from the date of issue. Except as hereinafter provided, all license fees under this chapter shall be payable on an annual basis. Annual license fees are set forth in the ~~business license fee schedule in SMC 3.01.035~~ Fee Schedule.

B. License fees under subsection A of this section shall not be prorated, except that if the original application of a license is made subsequent to June 30th in any year, the license fee for the remainder of that year shall be one-half of the annual license fee. Licenses issued under this chapter may not be assigned or transferred to other premises, operators or devices.

C. On or before December 31st of each year, a licensee under this chapter shall file an application for renewal of each license they wish to use in the next license year. An application for renewal of a license shall be filed in the same manner as an original application for such a license, and shall be accompanied by a renewal fee in an amount equal to the license fee applicable to an original application for such a license under this section. On renewal applications filed after December 31st, the clerk shall assess and collect an additional charge as set forth in the ~~business license fee schedule in Chapter 3.01~~ SMC Fee Schedule.

TITLE 6 Animal Control Regulations

Chapter 6.05 General Regulations

6.05.020 Definitions

“Fee Schedule” means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

→ **Realign all others.**

Chapter 6.10 Dog and Cat Regulations

6.10.010 Licenses – Required – Issuance – Penalty – Fee use – Improper checks – Exceptions.

A. All dogs and cats eight weeks old and older that are harbored, kept or maintained in the city of Shoreline shall be licensed and registered with the animal care and control authority.

Licenses shall be renewed on or before the date of expiration.

B. Upon application and the payment of a license fee made payable to the animal care and control authority as provided in the Fee Schedule ~~city's official fee schedule, SMC 3.01.012~~, pet licenses shall be issued by the animal care and control authority and may be issued by animal shelters, veterinarians, pet shops, catteries and kennels and other approved locations, under contract with the animal care and control authority.

1. Pet licenses for dogs and cats shall be valid for a term of one year from issuance, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses shall retain the original expiration period whether renewed before, on or after their respective renewal months.
2. Juvenile licenses may be obtained in lieu of an unaltered pet license for pets from eight weeks to six months old.
3. City of Shoreline residents 65 years old or older may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address. Residents 65 years old or older who have previously obtained a special permanent license for their cats or dogs shall not be required to purchase a new license for the permanently licensed animals.
4. Residents with disabilities that meet the eligibility requirements of the animal care and control authority may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address.
5. Applications for a pet license shall be on forms provided by the animal care and control authority.

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6. License tags shall be worn by dogs at all times. As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal care and control authority.

7. Owners of dogs or cats who hold valid licenses from other jurisdictions and who move into the city of Shoreline may transfer the license by paying a transfer fee to the animal care and control authority. The license shall maintain the original license's expiration date.

8. It is a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The animal care and control authority shall be notified of the name, address and telephone number of the new owner by the person who sold or transferred the pet.

9. An applicant may be denied the issuance or renewal of a pet license if the applicant was previously found in violation of the [animal cruelty provisions of SMC 6.30.020](#) or convicted of [animal cruelty under RCW 16.52.205 or 16.52.207 or SMC 9.10.170](#).

a. An applicant may be denied the issuance or renewal of a pet license for up to:

i. Four years, if found in violation of the animal cruelty provisions of SMC [6.30.020](#) or convicted of a misdemeanor under RCW [16.52.207](#) or SMC [9.10.170](#); or

ii. Indefinitely, if convicted of a felony under RCW [16.52.205](#).

b. Any applicant who is either the subject of a notice and order under SMC [6.40.030](#) or charged with animal cruelty under RCW [16.52.205](#) or [16.52.207](#) may have the issuance or renewal of their pet license denied pending the final result of either the notice and order or charge.

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10. The denial of the issuance or renewal of a pet license is subject to appeal, in accordance with SMC 6.40.070.

11. Cat or dog owners are subject to a penalty according to the schedule provided in SMC 6.40.060 for failure to comply with the licensing requirement in this section.

C. A late fee shall be charged on all pet license applications, according to the Fee Schedule ~~schedule provided in the city's official fee schedule, SMC 3.01.012.~~

D. Any license or penalty paid for with checks for which funds are insufficient or with checks for which payment is stopped is, in the case of the license, invalid; and in the case of the penalty, still outstanding.

E. This section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the city of Shoreline for a period not exceeding 30 days.

Chapter 6.15 Guard Dog Regulations

6.15.010 Guard dog purveyor – License – Fee.

A. It is unlawful for any person, firm or corporation to supply guard dogs to the public without a valid license to do so issued to the person, firm or corporation by the animal care and control authority. Only a person who complies with this chapter and such rules and regulations of the animal care and control authority as may be adopted in accordance with this chapter shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person and place for which issued. The licenses shall be valid for one year from issue.

B. The cost of the license shall be as provided in Fee Schedule ~~the city's official fee schedule, SMC 3.01.012.~~ However, if the guard dog purveyor is in possession of a valid animal shelter,

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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

6.15.030 Guard dog trainer – License required – Fee.

It is unlawful for anyone to engage in the training of dogs as guard dogs without a valid license to do so issued to the person by the animal care and control authority. Only a person who complies with this chapter and the rules and regulations of the animal care and control authority shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person for which they were issued. The cost of the license shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. Licenses shall be valid for one year from issue

6.15.050 Guard dog – Registration – Fee.

All persons using dogs as guard dogs shall register the dogs with the animal care and control authority. The cost of the registration shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. The registration shall be valid for one year from date of issue. All registrations shall be affixed on the guard dog in such a manner so as to be readily identifiable.

Chapter 6.20 Animal Shelter, Kennel, Cattery, Grooming Service, Pet Shop, Hobby Kennel and Hobby Cattery Regulations

6.20.080 Hobby kennel or hobby cattery licenses – Required – Limitations – Requirements – Issuance and maintenance.

A. All hobby kennels and hobby catteries must be licensed by the animal care and control authority. Licenses shall be valid for one year from the date of application. The fee for the license shall be as provided in the Fee Schedule, ~~city's official fee schedule, SMC 3.01.012~~. There is no proration of the license fee. Renewal licenses shall retain the original expiration date whether renewed on or after their respective renewal month. Issuance of a license under this section shall not excuse any requirement to obtain a private animal placement permit. In

Ordinance 920 Attachment A, Exhibit B

addition, each animal that is maintained at a hobby kennel or hobby cattery shall be licensed individually under SMC 6.10.010. Under no circumstances shall the number of dogs or cats in a hobby kennel or hobby cattery exceed 20.

B. Any hobby kennel or hobby cattery license shall limit the total number of adult dogs and cats kept by the hobby kennel or hobby cattery based on:

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area, though the maximum number shall not exceed:
 - a. Five where the lot area is less than 20,000 square feet;
 - b. Seven where the lot area is between 20,000 square feet and 35,000 square feet;
and
 - c. For lots over 35,000 square feet, seven plus an additional three per acre of site area, not to exceed 20;
4. The facility specifications and dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

C. The following are requirements for hobby kennels and hobby catteries:

1. All open run areas shall be completely surrounded by a six-foot fence set back at least 20 feet from all property lines, though this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section, "open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be

Ordinance 920 Attachment A, Exhibit B

maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the 20-foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby kennel or hobby cattery are permitted on the property except for the sale of the allowable offspring set forth in this section;

3. The director of the animal care and control authority may require setback, additional setback, fencing, screening or soundproofing as the director deems necessary to ensure the compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining the compatibility are:

- a. Statements regarding approval or disapproval of surrounding neighbors relative to maintenance of a hobby kennel or hobby cattery at the address applied for;
- b. History of verified animal care and control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel or hobby cattery is applied for;
- c. Facility specifications or dimensions in which the dogs and cats are to be maintained;
- d. Animal size, type and characteristics of breed; and
- e. The zoning classification of the premises on which the hobby kennel or hobby cattery is maintained;

4. The hobby kennel or hobby cattery shall limit dog and cat reproduction to no more than one litter per license year per female dog and two litters per license year per female cat; and

Ordinance 920 Attachment A, Exhibit B

5. Each dog and cat in the hobby kennel or hobby cattery shall have current and proper immunization from disease according to the dog's and cat's species and age. The immunizations shall consist of distemper, hepatitis, leptospirosis, parainfluenza and parvo virus (DHLPP) inoculation for dogs over three months old and feline herpesvirus 1, calicivirus and panleukopenia virus (FVRCP) inoculation for cats over two months old and rabies inoculations for all dogs and cats over four months old.

D. A hobby kennel or hobby cattery license may be issued only when the director of the animal care and control authority is satisfied that the requirements of subsections (C)(1) through (C)(5) of this section have been met. The license may be terminated if the number of dogs and cats exceeds the number allowed by the animal care and control authority or if the facility fails to comply with any of the requirements of subsections (C)(1) through (C)(5) of this section.

Chapter 13.14 Solid Waste

13.14.010 Definitions

"Fee Schedule" means the impact fee rates and changes established by resolution of the City Council pursuant to SMC 3.01.

→ **Realign all subsequent.**

13.14.035 Mandatory collection – Residential property.

Every person in possession, charge, or control of residential property shall be charged for a least the minimum level of solid waste collection service by the authorized collection company at the rates set forth in the Fee Schedule, specified in the solid waste rate schedule set forth in SMC 3.01.500 established whether such person uses such service or not unless an exception applies as provided for in this chapter. Exceptions are as follows:

Ordinance 920 Attachment A, Exhibit B

A. A residential property customer may temporarily suspend solid waste collection service due to vacations or other reasons. Suspensions may be in one-week increments for an indefinite period of time. During the time of suspension, the customer may be charged a standby fee as set forth in the Fee Schedule ~~SMC 3.01.500~~ but only if the suspension period is greater than two weeks.

ORDINANCE NO. 921

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
ESTABLISHING A FEE SCHEDULE FOR THE CITY'S PARKS, FIRE,
AND TRANSPORTATION IMPACT FEES.**

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

WHEREAS, included in the ordinance adopting the City's Budget ("Budget Ordinance"), the City Council has adopted a Fee Schedule, codified at Shoreline Municipal Code (SMC) Chapter 3.01, which, among other things, established impact fee rates as directed by Chapters SMC 3.70 Impact Fees for Parks, Open Space, and Recreation Facilities, SMC 3.75 Impact Fees for Fire Protection Facilities, and SMC 3.80 Impact Fees for Transportation; and

WHEREAS, subsequent amendment to the Fee Schedule requires amending the Budget Ordinance solely because the Fee Schedule is adopted as part of the Budget Ordinance, making for an unnecessary and cumbersome process; and

WHEREAS, RCW Chapter 82.02, the impact fee statute, requires that when imposing impact fees that act needs to be by local ordinance; and

WHEREAS, concurrent with the adoption of this Ordinance is Ordinance 920, repealing and replacing Chapter SMC 3.01 Fee Schedule to denote that adoption of impact fees is to be by ordinance of the City Council;

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

Section 1. Adoption of the Fee Schedule for Parks, Fire, and Transportation Impact Fees. The 2021 Fee Schedule for Parks, Fire, and Transportation Impact Fees as forth in Exhibit A to this Ordinance is adopted.

Section 2. 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 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. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper and shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Julie Ainsworth-Taylor
Assistant City Attorney
on behalf Margaret King
City Attorney

Date of Publication:

Effective Date:

**City of Shoreline
Fee Schedules**

1. Transportation Impact Fees

ITE Code	Land Use Category/Description	2021 Rate	
		Impact Fee Per Unit @	
		\$7,675.28 per Trip	
A. Rate Table			
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

**City of Shoreline
Fee Schedules**

2. Park Impact Fees

		2021 Fee
A. Rate Table		
Use Category	Impact Fee	
Single Family Residential	4,327	per dwelling unit
Multi-Family Residential	2,838	per dwelling unit

**City of Shoreline
Fee Schedules**

3. Fire Impact Fees

		2021 Fee	
A. Rate Table			
Use Category		Impact Fee	
Residential			
Single-Family Residential		2,311.00	per dwelling unit
Multi-Family Residential		2,002.00	per dwelling unit
Commercial			
Commercial 1		2.84	per square foot
Commercial 2		1.83	per square foot
Commercial 3		5.73	per square foot

4. Impact Fee Administrative Fees - Applicable to all types of Impact Fees

A. Type of Administrative Fee

2021 Rate

- | | |
|--|-----------------------------------|
| 1. All applicable projects per building permit application | \$206.00 per hour, 1-hour minimum |
| 2. Impact fee estimate/preliminary determination | \$206.00 per hour, 1-hour minimum |
| 3. Independent fee calculation per impact fee type | \$206.00 per hour, 1-hour minimum |
| 4. Deferral program | \$206.00 per hour, 1-hour minimum |

B. Rules for Administrative Fee

1. All administrative fees are nonrefundable.
2. Administrative fees shall not be credited against the impact fee
3. Administrative fees applicable to all projects shall be paid at the time of building permit issuance.
4. Administrative fees for impact fee estimates or preliminary determination shall be paid at the time the request is submitted to the City.
5. 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.

RESOLUTION NO. 471

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON ESTABLISHING THE 2021 FEE SCHEDULE FOR FEES, RATES, COSTS, AND CHARGES PURSUANT TO CHAPTER 3.01 FEE SCHEDULE 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 is authorized by state law to impose fees to recoup the costs of processing and/or providing services to the public, including but not limited to RCW 35A.11.020 and 82.02.020; and

WHEREAS, various sections of the Shoreline Municipal Code (SMC) impose fees, rates, costs, and charges for services provided by the City and/or its contract service providers; and

WHEREAS, SMC Section 3.01.010 provides that the City Council is to establish a Fee Schedule for fees, rates, costs, and charges for services provided by the City from time to time by Resolution; and

WHEREAS, the Fee Schedule was considered during the City Council's adoption of the 2021-2022 Biennial Budget Amendment, Ordinance No. 903; and

WHEREAS, the Fee Schedule does not exceed the actual cost of providing the services for which such fees are charged, as required by state law; and

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

Section 1. Adoption of Fee Schedule. The Fee Schedule for Fees, Rates, Costs, and Charges as set forth in Exhibit A to this Resolution is adopted as the 2021 Fee Schedule.

Section 2. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL ON MARCH 15, 2021.

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith, City Clerk

**City of Shoreline
Fee Schedules**

Resolution 471 - Exhibit A

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
A. BUILDING	
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. ELECTRICAL	
1. Electrical Permit	Permit fee described in WAC 296-46B-905, plus a 20% administrative fee
C. FIRE - CONSTRUCTION	
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	\$824.00
c. 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	\$824.00
3 Fire Pumps:	
a. Commercial Systems	\$824.00
4. Commercial Flammable/Combustible Liquids:	
a. Aboveground Tank Installations	
First tank	\$412.00
Additional	\$206.00

City of Shoreline Fee Schedules

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
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
D. MECHANICAL	
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

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
3. All Other Mechanical Plan Review (Residential and Commercial)	Hourly rate, 1-hour minimum
E. PLUMBING	
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
F. ENVIRONMENTAL REVIEW	
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
G. LAND USE	
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)
H. CRITICAL AREAS FEES	
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)
I. MISCELLANEOUS FEES	
1. Permit Fee for Work Commenced Without a Permit	Twice the Applicable Permit Fee

City of Shoreline Fee Schedules

Planning and Community Development

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
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
J. RIGHT-OF-WAY	
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
K. SHORELINE SUBSTANTIAL DEVELOPMENT	
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
L. SITE DEVELOPMENT	
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
M. SUBDIVISIONS	
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)

Planning and Community Development

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City of Shoreline Fee Schedules

Fire - Operational

Type of Permit Application	2021 Fees, Rates, Costs, and Charges
A. FIRE - OPERATIONAL	
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

City of Shoreline Fee Schedules

Affordable Housing Fee In-Lieu

		2021 Fees In-Lieu
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	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.		

City of Shoreline Fee Schedules

Animal Licensing and Service Fees

Annual License		2021 Fees, Rates, and Charges
A. PET - DOG OR CAT		
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. GUARD DOG		
1. Guard dog registration		\$100.00
C. ANIMAL RELATED BUSINESS		
1. Hobby kennel and hobby cattery		\$50.00
2. Guard dog trainer		\$50.00
3. Guard dog purveyor		\$250.00
D. GUARD DOG PURVEYOR		
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.		
E. FEE WAIVER		
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.		

City of Shoreline

Business License Fees Schedule

License Type	2021 Fees, Rates, and Charges
A. BUSINESS LICENSE FEES - GENERAL	
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. REGULATORY LICENSE FEES	
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
14. Duplicate Regulatory License	\$6.00

City of Shoreline Fee Schedules

Filmmaking Permit Fees

2021 Fees, Rates, and Charges	
A. PERMIT FEES	
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. FEE WAIVER	
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.	
C. ADDITIONAL COSTS	
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.	

Hearing Examiner Fees

	2021 FEES
A. HEARING EXAMINER APPEAL HEARING FEE	\$550.00

Public Records

2021 FEES and COSTS	
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

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)

City of Shoreline Fee Schedules

Parks, Recreation and Community Services

Fee	2021	
	Resident Rate	Non-Resident Rate
A. OUTDOOR RENTAL FEES		
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. INDOOR RENTAL FEES		
	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

Parks, Recreation and Community Services

Fee		2021 Resident Rate	2021 Non-Resident Rate
3. Spartan Recreation Center Fees for All Other Organizations/Groups			
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)			
4. City Hall Rental Fees			
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
5. Other Indoor Rental Fees:			
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
C. CONCESSIONAIRE PERMIT FEES			
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.			
D. INDOOR DROP-IN FEES			
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			
E. GENERAL RECREATION PROGRAM FEES			
General Recreation Program Fees are based upon Recreation and Community Services' Cost Recovery/Fee Setting Framework.			
F. FEE IN LIEU OF STREET TREE REPLACEMENT		\$2,634	N/A
G. FEE REFUNDS			
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.			
H. RECREATION SCHOLARSHIPS			
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.			

City of Shoreline Fee Schedules

Surface Water Management Rate Table

Rate Category	Percent Hard Surface	2021 SWM Annual Fee			
		2021 SWM Annual Fee	Effective Utility Tax	Per Unit	Fee + Utility Tax
A. Rate Table					
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
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.					
B. CREDITS					
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.				
C. RATE ADJUSTMENTS					
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.					
D. REBATE					
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**

Solid Waste Rate Schedule from Recology Effective 1/1/2021				
Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Total Service Fee
A. MONTHLY				
1 One 32-gallon Garbage Cart	4.43	\$1.35	\$10.34	\$11.69
B. WEEKLY RESIDENTIAL CURBSIDE SERVICE				
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
C. ON-CALL BULKY WASTE COLLECTION				
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
D. WEEKLY COMMERCIAL & MULTIFAMILY CAN AND CART				
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
Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Total Service Fee
E. WEEKLY COMMERCIAL DETACHABLE CONTAINER (COMPACTED)				
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
F. COMMERCIAL DETACHABLE CONTAINER (LOOSE)				
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**

Solid Waste Rate Schedule from Recology 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
Service Level (based on pick ups)	Daily Rent	Monthly Rent	Delivery Charge	Haul Charge
G. COMMERCIAL & MULTIFAMILY DROP-BOX COLLECTION				
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				Per Event
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**

Solid Waste Rate Schedule from Recology Effective 1/1/2021

Service Level	Pounds Per Unit	Disposal Fee	Collection Fee	Haul Charge
H. TEMPORARY COLLECTION HAULING				
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
I. TEMPORARY COLLECTION CONTAINER RENTAL AND DELIVERY				
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
J. EVENT SERVICES				Per Day
1. Delivery, provision, collection of a set of 3 carts (G, R &C)				\$33.74
K. HOURLY RATES				Per Hour
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

**City of Shoreline
Fee Schedules**

Damage Restitution Administrative Fee

	2021 Fee
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]

Collection Fees (Financial)

	2021 Fee
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.]