

April 24, 2000

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, April 24, 2000
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Grossman, Montgomery and Ransom

ABSENT: Councilmembers Gustafson and Lee

1. **CALL TO ORDER**

The meeting was called to order at 7:35 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exceptions of Councilmembers Gustafson and Lee.

Upon motion by Councilmember Montgomery, seconded by Deputy Mayor Hansen and carried 5 - 0, Councilmembers Gustafson and Lee were excused.

3. **REPORT OF CITY MANAGER**

Robert Deis, City Manager, reported that the Washington Quality Initiative has selected Shoreline to receive a "Breaking the Mold" award for the Aurora Corridor Pre-Design Study. He said Planning Manager Kirk McKinley will receive the award May 23 on behalf of the City. He encouraged Councilmembers to attend the ceremony.

Mr. Deis noted the letter he received from King County Executive Ron Sims seeking City participation in a May 2 meeting to discuss a local-option gasoline tax. He identified the replacement of transit funding eliminated by passage of Initiative 695 as a primary County goal of such a tax. He proposed the development of a City position on a local-option gasoline tax.

4. **REPORTS OF BOARDS AND COMMISSIONS:** None

5. **PUBLIC COMMENT**

(a) Larry Luke, 15747 Greenwood Avenue N, urged the City to resurface the tennis courts at Shoreview Park. He said normal wear and tear necessitates resurfacing

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every six years; whereas, the courts at Shoreview Park have gone without resurfacing for over 13 years. He also advocated the enforcement in Shoreview Park of the City law requiring that dogs be leashed.

(b) Patty Crawford, 2326 N 155th Street, reviewed the 1997 letter of a fish biologist regarding Thornton Creek. The biologist noted the capture of a healthy cutthroat trout from a culvert at 155th Street, asserted that this reach of the creek is capable of supporting resident salmon and stated that the creek should be considered an environmentally-sensitive stream, not a ditch.

(c) Tim Crawford, 2326 N 155th Street, said he and his wife are suing the City. He opposed the construction of a house within 21 feet of the creek. He stated his intent to have the house removed and the property restored to its original condition.

(d) Janet Way, 940 NE 147th Street, expressed support for Thornton Creek. She said Development Services has allowed construction of a house 20 feet from the creek. She noted rainbow trout and cutthroat trout directly down stream from the property. She commented that many municipalities believe the recent listing of chinook salmon under the Endangered Species Act does not apply to them. She advocated bold action to save salmon.

(e) Harold Crawford, 2326 N 155th Street, expressed disfavor with City handling of the home construction near Thornton Creek. He questioned how often the City has permitted construction along this and other streams in Shoreline. He advocated habitat restoration.

Wendy Barry, Parks, Recreation and Cultural Services Director, said staff has inspected the tennis courts at Shoreview Park. She explained that the maintenance superintendent is assessing all Shoreline tennis courts and that he will prioritize needs, determine costs and make recommendations. She said the City may be able to resurface tennis courts this year within the current maintenance budget; otherwise, staff will include the services in the next budget cycle.

Mayor Jepsen noted numerous comments to Council regarding dogs off leash in Shoreview Park. Ms. Barry said the Parks, Recreation and Cultural Services Advisory Committee has reviewed and supported a program of enhanced education to achieve voluntary compliance with the City leash law, enhanced enforcement and research to evaluate the appropriateness of an off-leash area. She anticipated a report to Council early next year.

In response to Mayor Jepsen, City Attorney Ian Sievers said he is not aware of a lawsuit concerning Thornton Creek. He recommended against Council comments on the issue given Mr. Crawford's assertion of imminent legal action.

6. APPROVAL OF THE AGENDA

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Councilmember Montgomery requested Council consensus to move agenda item 8 (c) to the consent calendar. She then moved to approve the agenda, as amended. Deputy Mayor Hansen seconded the motion, which carried unanimously.

7. CONSENT CALENDAR

Councilmember Montgomery moved to approve the consent calendar. Councilmember Ransom seconded the motion, which carried 5-0, and the following items were approved:

Minutes of Joint Meeting with Woodway Town Council
Minutes of Dinner Meeting of April 10, 2000
Minutes of Regular Meeting of April 10, 2000

Approval of Expenses and Payroll as of April 7, 2000 in the amount of \$1,290,635.68

Motion to authorize the City Manager to execute an interlocal agreement with King County Office of Public Defense to provide indigency screening services

Motion to authorize the City Manager to execute a contract with Hansen Information Technologies in the amount of \$464,689 to purchase software and services for the City's Information Technology Program and to approve contingencies of up to ten percent

Mr. Deis introduced the new Information Services Manager, Tho Dao.

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Resolution No. 167 approving the Preliminary Plat for Elena Lane creating 11 single-family homes on 12 lots (File No. 99-0845)

Rachael Markle, Senior Planner, reviewed the staff report. She noted the few changes in the remanded preliminary plat, including: the reduction of the number of lots; the resulting enlargement of the remaining lots; and the addition of an on-site detention pond.

Deputy Mayor Hansen moved adoption of Resolution No. 167. Councilmember Montgomery seconded the motion.

Councilmember Ransom recalled discussion during the February 14 appeal hearing of a regulation to impose a minimum lot size of 5,000 square feet in R-8 zones. Planning and Development Services Director Tim Stewart said the proposed regulation is in the Development Code Phase 2, which Council has yet to approve. Councilmember Ransom acknowledged that the regulation is not binding on the preliminary plat for Elena Lane. However, he said the rationale for the 5,000-square-foot minimum was to establish a

transition between R-6 zones and other zones of higher density. Mr. Stewart commented that the proposal meets the current zoning code.

Mr. Deis explained that because the application is consistent with the zoning code, the City does not have the option to deny it.

Dividing the 1.4-acre development by the 11 homes proposed for construction, Councilmember Grossman estimated the average lot size at almost 6,000 square feet. He said he would not oppose the proposal even if Council had the discretion to apply a 5,000-square-foot minimum lot size.

Mayor Jepsen noted that Council approved the reclassification of the property to R-8 and that the applicant revised the plat to comply with that zoning. He went on to say that he opposes detached, single-family dwelling units of this density.

Councilmember Ransom reiterated that Council has not yet adopted the regulation establishing a 5,000-square-foot minimum lot size in R-8 zones and that the preliminary plat for Elena Lane meets the current zoning code.

A vote was taken on the motion to adopt Resolution No. 167, approving the preliminary plat for Elena Lane, subject to the Planning Commission's findings and recommendation, which carried 5-0.

- (b) Appointments for Three Four-Year Terms to the Shoreline Planning Commission

Councilmember Grossman briefly discussed the deliberations of the ad hoc committee on which he, Mayor Jepsen and Councilmember Montgomery served.

Councilmember Grossman moved that Council fill the three remaining expiring positions on the Planning Commission with Marlin Gabbert, Brian Doennebrink and Carol Doering. Councilmember Montgomery seconded the motion, which carried unanimously.

- (d) Motion to authorize the City Manager to execute a design services contract with MacLeod Reckord for Phase One of the Paramount School Park improvements and Skate Park in the amount of \$156,305

Ms. Barry reviewed the staff report.

Mayor Jepsen invited public comment.

(1) Janet Way, 940 NE 147th Street, spoke as a member of the Parks, Recreation and Cultural Services Advisory Committee. She agreed that the committee approved the ball field and skate park. She stressed that all plans should include adequate storm water detention.

Councilmember Montgomery moved to authorize the City Manager to execute the design services contract with MacLeod Reckord for Phase One of the Paramount School Park improvements and Skate Park in the amount of \$153,305. Councilmember Ransom seconded the motion.

Mayor Jepsen concurred with Ms. Way's comment that the Paramount School Park improvements should include adequate storm water detention. He expressed his hope for prompt review and approval of the skate park by the School Board.

Ms. Barry identified a typographical error in the agenda title to the staff report (page 49 of the Council packet). She clarified the amount of the design services contract as \$156,305.

Councilmember Ransom asked about the type and location of the skate park. Ms. Barry said the City will identify the type of skate park through the public process. She explained that MacLeod Reckord will conduct an extensive public meeting process including skate park users and local residents. She mentioned design elements identified by the Parks, Recreation and Cultural Services Advisory Committee (page 52 of the Council packet). Mr. Deis said staff will discuss the location of the skate park within the Paramount School Park with Council once a location has been proposed.

In response to Councilmember Grossman, Ms. Barry confirmed that the City is performing all of the improvements at Paramount School Park even though the School District owns the property. She explained that, under the use agreement, the School District will reimburse the City for the depreciated value of the improvements if it needs to use the property as a school site. She noted that School District staff has proposed a depreciation rate of ten percent per year.

In response to Mayor Jepsen, Ms. Barry said staff anticipates the solicitation of bids in September, after a three-to-four-month design process. She noted the staff goal to complete some of the improvements prior to the next rainy season.

A vote was taken on the motion to authorize the City Manager to execute the design services contract with MacLeod Reckord for Phase One of the Paramount School Park improvements and Skate Park in the amount of \$156,305. The motion carried 5-0.

9. CONTINUED PUBLIC COMMENT

(a) Janet Way, 940 NE 147th Street, said she suggested an amendment to the Development Code Phase 2 stating that "culverts should be required to be removed from a creek if at all possible." She noted the revision of this language in the draft presented to Council to read that "culverts may be required to be removed." She advocated the former language as a proactive step the City could take to protect salmon habitat.

(b) Walt Hagen, 711 N 193rd Street, advocated enforcement of the City leash law in Shoreview Park and in Paramount School Park. He questioned the decision by City staff to allow construction within 20 feet of Thornton Creek. He said Council behaved rudely when stating that it could not respond to earlier comments about Thornton Creek because of possible legal action.

Mayor Jepsen anticipated that Council will discuss the issue of removing culverts during its consideration of the amendments to the Development Code Phase 2. He said the City is in the process of addressing enforcement of the leash law. Regarding Thornton Creek, he noted that a number of Councilmembers have visited "the land in question," and he reiterated that Council cannot comment because of a possible lawsuit.

In response to Councilmember Ransom, Ms. Barry clarified that the City requires dogs to be on leash at all City parks. She said the City does not have any off-leash areas. She explained that the City has developed an educational brochure identifying the closest off-leash parks.

Councilmember Ransom requested clarification regarding the removal of culverts. Mr. Deis said staff will discuss this and other issues when it addresses the City response to the listing of Puget Sound salmon under the Endangered Species Act during an upcoming Council workshop.

10. EXECUTIVE SESSION

At 8:38 p.m., Mayor Jepsen announced that Council would recess into executive session for 30 minutes to discuss one item of litigation.

At 9:40 p.m., the executive session concluded, and the regular meeting reconvened.

11. ADJOURNMENT

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

Sharon Mattioli, CMC
City Clerk

May 1, 2000

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF WORKSHOP MEETING

Monday, May 1, 2000
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Deputy Mayor Hansen, Councilmembers Grossman, Gustafson, Lee
Montgomery and Ransom

ABSENT: Mayor Jepsen

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Deputy Mayor Hansen, who presided.

2. FLAG SALUTE/ROLL CALL

Deputy Mayor Hansen led the flag salute. Upon roll by the City Clerk, all Councilmembers were present, with the exceptions of Councilmembers Lee, Montgomery and Ransom, who arrived later in the meeting, and Mayor Jepsen.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Larry Bauman, Assistant City Manager, reported that the State budget includes funding for cities and counties to replace revenues eliminated by Initiative 695. He said Shoreline will receive an additional \$2,167,241 during the 2000-2001 biennium. He commented on the long-term instability of the replacement funding.

Councilmember Lee arrived at 6:39 p.m.

Mr. Bauman said staff will apply for funding for the Aurora Corridor project from the \$10 million designated for cities of the \$25 million the State budgeted for corridor congestion relief.

Mr. Bauman recognized State Representatives Carolyn Edmonds and Ruth Kagi for advocating funding for corridor congestion relief and State Senator Darlene Fairley for supporting funding to replace revenues that cities and counties lost due to I-695.

Deputy Mayor Hansen commented that the replacement funding the legislature approved is considerably less than it had previously considered.

Mr. Bauman noted the May 8 joint dinner meeting of Council with staff of the King County Transit Oriented Development Program to discuss plans for the park-and-ride at 192nd Street and Aurora Avenue. He mentioned the May 22 joint dinner meeting between Council and the Lake Forest Park City Council.

Mr. Bauman said staff will address the City response to the Endangered Species Act and a request for proposals for solid waste services during the May 15 Council workshop.

4. COUNCIL REPORTS

Councilmember Grossman mentioned Earth Day activities at Twin Ponds Park.

Councilmember Ransom arrived at 6:47 p.m. He noted his attendance at the ground-breaking ceremony for the Richmond Beach Library April 29. He said he participated in a group that commissioned surveys 15 years ago to identify support for the new library.

Deputy Mayor Hansen said he attended meetings of the Operations Committee and Executive Committee of the Puget Sound Regional Council.

5. PUBLIC COMMENT

(a) Leia Montange, 426 NW 162nd Street, represented Creating A World of Difference, a club at Shorewood High School that supports diversity and opposes prejudice. She said the club is sponsoring a march to support diversity May 10. She asked Council to forgive the cost of the permit, and she invited Councilmembers to participate in the march.

Deputy Mayor Hansen read a proclamation in support of the march and designating May 10 as Celebrate Diversity, Stop the Hate Day in Shoreline.

(b) Patty Crawford, 2326 N 155th Street, distributed and discussed photocopies of: photographs of coho salmon that Washington Trout captured and released in Thornton Creek in the vicinity of N 155th Street earlier in the day; a letter to City staff requesting the cessation of construction at 2330 N 156th Place; and a "Stream Type Characterization" map of Thornton Creek. She requested Council assistance in protecting fish in Thornton Creek.

(c) Tim Crawford, 2326 N 155th Street, said Shoreline Fire Commissioner Jon Kennison visited his property four years ago and subsequently opposed the use of the property as the site of a new fire station in favor of protecting fish in Thornton Creek. Mr. Crawford requested a similar commitment from current elected officials to protect fish habitat. He opposed the construction at 2330 N 156th Place.

In response to Councilmember Lee, Mr. Bauman said the permit fee for the May 10 march is \$278. There was Council consensus to consider a motion to forgive the fee during its regular meeting on May 8.

Noting current demographics of students in Shoreline elementary schools, Council-member Grossman commented that Shoreline is changing. He advocated the waiver of the fee as a gesture of City support of diversity. Councilmember Lee agreed.

6. WORKSHOP ITEMS

(a) Development Code, Phase II

Tim Stewart, Director, Planning and Development Services, reviewed the process the City followed in preparing the Development Code and the Engineering Development Guide companion document.

Anna Kolousek, Assistant Director, Planning and Development Services, noted the following key improvements in the proposed Development Code:

- organized and consolidated standards (the development standards in the King County Code were fragmentary and dispersed throughout several documents);
- the use of graphics to make the proposed Development Code more accessible;
- the elimination of the extensive use of footnotes;
- support of the City's Comprehensive Plan (thereby bringing the City into compliance with the Growth Management Act [GMA]); and
- the inclusion of qualitative standards to address issues such as design, landscaping, parking and tree protection.

Ms. Kolousek went on to review each chapter of the proposed Development Code. She highlighted the following features:

- Chapter II, "Definitions:" staff consolidated multiple definitions into single, standard meanings;
- Chapter III, "Procedures and Administration:" staff added a section on code enforcement;
- Chapter IV, "Zoning and Use Provisions:" staff has broadened the variety of uses permitted in each zone—she explained the use of an "i" in the "Use Tables" to designate that additional criteria apply to a particular use in a particular zone; she noted the alphabetical listing of such criteria, by use, in the "Index of Supplemental Use Criteria";
- Chapter V, "General Development Standards:" staff has consolidated the development standards into eight basic sections, and it has included performance-oriented incentives (listed in italics as exceptions) to supplement the basic standards;
- Chapter VII, "Engineering/Utilities Development Standards:" staff has identified the types of development proposals that trigger the application of the "Engineering Development Code"; and
- Chapter VIII, "Special Overlay Districts:" staff has included only one special overlay district, "Critical Areas Overlay District"—she anticipated the future inclusion in this chapter of the North City Sub-Area Plan, of master plans for

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institutions such as Fircrest and of the Historic, Cultural and Environmental Resources Overlay District.

Next, Mr. Stewart referred to Attachment B, Table of Proposed Amendments, to identify issues that proved contentious in the preparation of the Development Code.

Finally, Mr. Stewart stressed that the Development Code will play a critical role in meeting the City's obligations under the Endangered Species Act. He commented that the Development Code is a dynamic document, open to amendment as changes become necessary. Noting that the proposed code does not include changes to the zoning map, he explained the need for a reconciliation of the zoning map with the Comprehensive Plan in the future.

Turning to a housekeeping item, **Councilmember Gustafson moved to excuse Mayor Jepsen from the workshop. Councilmember Ransom seconded the motion, which carried 6-0.**

Councilmember Grossman asked if Council could adopt most of the proposed Development Code but delay adoption of certain portions for additional study and consideration. Mr. Stewart commented that Council has full authority over how the City proceeds. He and Ian Sievers, City Attorney, stressed the need to coordinate any delayed adoption of parts of the proposed code with the delayed repeals of the related interim ordinances that the City adopted from King County.

As an alternative, Councilmember Grossman proposed that Council could adopt the proposed code but identify specific issues for further consideration and possible future changes. Mr. Stewart said the Planning Commission accepted elements of the proposed code with the intent to test their application.

In response to Councilmember Ransom, Mr. Stewart said staff is developing an annual process for identifying amendments to the Comprehensive Plan. Referring to Chapter III, Section 7 (g), "AMENDMENT TO THE DEVELOPMENT CODE" (page 63), he noted that Council is not limited to annual amendments to the Development Code. He pointed out the proposed process for legislative decisions in Chapter III, Section 3 (d) and Table 4 (pages 47 and 48).

Councilmember Ransom questioned the administration of condition III.7(g)(B)(3)—"The amendment is not contrary to the best interest of the citizens and property owner of the City of Shoreline." Mr. Stewart confirmed that Council makes that determination. He noted that this determination can always be appealed to Superior Court.

Councilmember Grossman questioned the level of involvement in the preparation of the Development Code of parties the City hopes to attract to Shoreline (e.g., developers of mixed-use projects). Mr. Stewart noted involvement of commercial development interests in the Planning Academy and in testimony to the Planning Commission.

Councilmember Lee expressed concern that requirements for a mixed-use, commercial and other non-residential development to locate parking away from the street, behind the building (e.g., V.4[B-2.4], page 169) could make the development susceptible to vandalism. She noted vandalism at the Shoreline Library, which is located on the street with parking behind the building. Ms. Kolousek said she was unaware of vandalism at the Shoreline Library. She acknowledged the concern. She mentioned that a representative of the Shoreline Police Department will participate in the design workshop for the North City Sub-Area Plan to provide a public safety perspective. She noted the value of good lighting in minimizing vandalism. Mr. Stewart discussed the design concept of "defensible space" which stresses well-lit and observable public places.

Councilmember Ransom questioned the need to locate parking behind buildings and to locate buildings along streets. Ms. Kolousek clarified that the City is not requiring the location of buildings along streets. She discussed development that creates dynamic environments along streets and is, thereby, more attractive to pedestrians. With regard to V.4(B-2.4), she explained that a building is a more welcoming element on a corner facing an intersection than a parking lot.

Councilmember Ransom went on to discuss kennels. He noted the limitation of cats and dogs to three per household (IV.3[B] "Animals"). He commented that many animal breeders reside in Shoreline. He mentioned that King County regulations provide for a "hobby kennel" classification. He advocated language accommodating such animal breeders in the proposed code.

Next, Councilmember Ransom noted a discrepancy between the 2,500-square-foot-minimum lot size for R-8 zones specified on page 84a and the 5,000-square-foot minimum on page 128. He said Ms. Kolousek has identified 5,000 square feet as the new standard.

In response to Councilmember Ransom, Mr. Stewart clarified that the 10,000-square-foot minimum lot size for accessory dwelling units (page 103) applies only to detached structures. Ms. Kolousek confirmed that the proposed code provides for the rental of accessory dwelling units.

Councilmember Ransom expressed concern that residents who wish to remove a tree from their property must comply with complicated procedures under the proposed code. Ms. Kolousek said the proposed code allows the removal of up to six significant trees from any property. Mr. Stewart referred to C-2(a) on page 180.

In response to Councilmember Ransom, Ms. Kolousek explained that Janet Way proposed amendment number 280 to change the language of D-3 on page 309 to read that "The City shall require that a culvert be removed from a stream. . . ." She said the City does not have fish inventory maps of streams in Shoreline. Mr. Stewart noted the importance of a biological inventory and of mapping and designating streams. Noting that fish will not swim in a dark tunnel, Deputy Mayor Hansen said the purpose of "daylighting" (i.e., removing culverts) is to make more of a stream accessible to fish.

Councilmember Grossman expressed two concerns about “daylighting:” 1) the public should support the private property owner to provide the public benefit of “daylighting” a stream; and 2) the City should show flexibility toward the approaches that private property owners propose to meet requirements for protecting water quality and fish habitat. Mr. Stewart stressed the need to address water quality and fish habitat on a basin-by-basin basis, not a lot-by-lot basis. He said staff will discuss such issues when it addresses the Endangered Species Act with Council.

Councilmember Grossman asked if the proposed code acknowledges and accommodates the agreement established for the reserves in Innis Arden. Ms. Kolousek said she participated in the finalization of the agreement. She noted that Al Wagar, University of Washington Professor of Forestry, created the agreement for Innis Arden and that he participated in the Planning Academy. She acknowledged potential issues, but she said the standards do not contradict the agreement established for the reserves.

Deputy Mayor Hansen supported incentives for underground parking.

In response to Deputy Mayor Hansen, Ms. Kolousek said the requirement to step back the bonus floor of a mixed-use development in a neighborhood business or office zone at least eight feet from the street wall is meant to make the building appear from the street as three stories. She pointed out that the Comprehensive Plan and the existing code do not allow buildings of more than three stories in these zones.

In response to Deputy Mayor Hansen, Ms. Kolousek stated the base height in community business zones as 60 feet. Deputy Mayor Hansen advocated a bonus floor in this zone as well.

Deputy Mayor Hansen noted that the proposed code does not require the retail or commercial use of the first floor of a mixed-use development. Mr. Stewart acknowledged that some communities require that every mixed-use development contain a mixture of uses (e.g., the commercial use of the first floor and the residential use of upper floors). He said the City seeks to allow the market to drive redevelopment, assuming that multi-family developments will provide a market base to attract other types of uses to an area and that the area, as a whole, will achieve a mixed-use configuration. Deputy Mayor Hansen supported this approach.

Councilmember Gustafson anticipated that the Endangered Species Act will have a significant impact on the City and necessitate changes in the Development Code. He stressed the dynamic nature of the code. He supported the preservation of neighborhood character.

Councilmember Grossman suggested that the City make the Development Code available in electronic form with hot links and a thorough index to ease accessibility.

Deputy Mayor Hansen identified Council consensus in favor of a public hearing on the proposed code on May 22.

RECESS

At 8:52 p.m., Deputy Mayor Hansen declared a five-minute recess. The workshop reconvened at 8:57 p.m.

(b) Washington Traffic Safety Committee Pedestrian Safety Program

Public Works Director Bill Conner introduced Julie Mercer-Matlick of the Washington State Department of Transportation (WSDOT) and Mandi Roberts of OTAK Incorporated.

Ms. Mercer-Matlick reviewed the history of the Washington Traffic Safety Committee Pedestrian Safety Program. She said approximately one third of the vehicle-pedestrian accidents on Washington State highways occur on State Route (SR) 99. She noted 42 pedestrian accidents on Aurora Avenue in Shoreline over a five-year period. She stressed the need to change the behavior of pedestrians and motorists.

Ms. Roberts discussed the three emphases of the program: education, enforcement and engineering. She mentioned recent and ongoing activities. She noted the focus on N 165th Street and N 170th Street crossings of Aurora Avenue for engineering improvements.

Deputy Mayor Hansen invited public comment.

(1) Richard Johnsen, 16730 Meridian Avenue N, identified the area of Aurora Avenue between N 180th Street and N 183rd Street as a high pedestrian traffic location.

Mr. Conner commented that the City intends to install a crosswalk on Aurora Avenue in the area between N 180th Street and N 183rd Street.

(2) Walt Hagen, 711 N 193rd Street, stated that most vehicle-pedestrian accidents are caused by pedestrians and that 80 percent of them involve pedestrians intoxicated with alcohol. He advocated attention to these statistics through consideration of businesses along Aurora Avenue and public education on the problems and penalties of public drunkenness. He said the majority of the people who attended the public meetings were City and State staff.

(3) George Mauer, 1430 NW 191st Street, asserted his understanding of a lack of legal penalties for jaywalking across Aurora Avenue in Shoreline. He mentioned that Sun Valley, Idaho provides signs for pedestrians to carry when crossing streets.

Shoreline Police Captain Clem Rusk advised that vehicles must yield the right-of-way to pedestrians crossing at intersections. He commented that most vehicles on Aurora Avenue do not yield the right-of-way.

Paul Cornish, Capital Projects Manager, noted staff intent to include information on crosswalk laws in the pedestrian safety materials produced as part of the pedestrian safety program.

Councilmember Lee pointed out the WSDOT statistic on page 31 of the Council packet that nine percent of the automobile collisions along SR 99 in King County involved alcohol. She went on to ask about the effectiveness of the proposed pedestrian crossing improvements at Aurora Avenue and N 165th Street and N 170th Street. She asked if the City will have to remove the improvements when it constructs the Aurora Corridor Project. And she asked about a crossing on Aurora between 145th Street and 165th Street.

Mr. Conner said the first construction phase of the Aurora Corridor Project will include a crosswalk on Aurora Avenue between N 145th Street and N 165th Street. He anticipated that the Aurora Corridor Project will incorporate the pedestrian refuge islands included in this project; whereas, final alignment of the right-of-way may require removal of the sidewalks in the areas surrounding the crossings.

Ms. Mercer-Matlick said a study of pedestrian safety improvements in Sea-Tac confirmed that they reduced vehicle-pedestrian accidents.

Councilmember Lee asked if crosswalks on Aurora Avenue will increase pass-through traffic in the neighborhoods bordering Aurora Avenue. Ms. Mercer-Matlick cited research showing that improvements to a corridor decrease pass-through traffic on neighboring side streets because drivers perceive their travel time to be less within the corridor. Also, she mentioned that five of the 42 pedestrian accidents on Aurora Avenue over a five-year period involved alcohol.

In response to Councilmember Ransom, Mr. Conner clarified that the City will fund crosswalks on Aurora at N 152nd Street and in the vicinity of N 180th Street; whereas, the State will fund these crosswalks at N 165th Street and N 170th Street.

Councilmember Ransom noted the comment of a Richmond Highlands resident that installation of the crosswalk at N 170th Street south of the intersection will reduce the number of vehicles northbound on Aurora Avenue turning onto N 170th Street. Mr. Conner agreed. He reiterated that staff anticipates the project to reduce the commute time and improve pedestrian safety along the corridor.

Councilmember Ransom encouraged staff to consider the potential development of a hotel on Aurora Avenue at N 170th Street in determining the location of the crosswalk.

Councilmember Gustafson advocated the compatibility of this project with the Aurora Corridor Project. He acknowledged the pedestrian crossing system in Sun Valley, Idaho.

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He expressed particular concern about Shorewood High School students crossing Aurora Avenue at N 170th Street. Ms. Roberts noted the effectiveness of a program in the City of Kirkland that provides flags for pedestrians to carry when they cross streets.

In response to Councilmember Montgomery, Ms. Mercer-Matlick clarified that 2,000 people board and disembark Metro buses on Aurora Avenue in Shoreline each day.

Councilmember Montgomery advocated a crosswalk on Aurora Avenue in the vicinity of N 180th Street. Mr. Conner said staff has included a crosswalk in that area in the 2000-2001 work plan.

In response to Deputy Mayor Hansen, Mr. Conner confirmed that the Washington Traffic Safety Committee Pedestrian Safety Program is separate from the City's Neighborhood Traffic Safety Program.

In response to Councilmember Lee, Ms. Roberts explained that the design team is working with WSDOT and City staff to determine specific solutions for crosswalks at N 165th Street and N 170th Street. She said research has shown the importance of lighting and of advance-warning and overhead signs to improve the safety of pedestrian crossings.

Councilmembers Lee and Montgomery highlighted their concern about the need for a crosswalk on Aurora Avenue at N 180th Street. Ms. Mercer-Matlick said the project team received similar input from Metro and from residents. She explained that a crosswalk at N 180th Street poses challenges that WSDOT did not feel it could take on as part of a pilot project.

In response to Deputy Mayor Hansen, Ms. Roberts said the crosswalks will not include curb extensions into Aurora Avenue.

In response to Councilmember Gustafson, Ms. Roberts confirmed the participation of Shorewood High School students in the pedestrian safety design charrette.

Deputy Mayor Hansen confirmed Council consensus in favor of proceeding with the Washington Traffic Safety Committee Pedestrian Safety Program.

(c) Status Update for Capital Improvement Projects on 15th Avenue NE

Mr. Conner reviewed the staff report.

MEETING EXTENSION

At 9:58 p.m., Councilmember Ransom moved to extend the meeting until 10:30 p.m. Councilmember Gustafson seconded the motion, which carried 5-1, with Councilmember Montgomery dissenting.

Deputy Mayor Hansen invited public comment.



(1) Richard Johnsen, 16730 Meridian Avenue N, supported the improvements on 15th Avenue NE. He questioned the location of the bioswale that staff has proposed to drain storm water from 15th Avenue NE.

Mr. Conner said the bioswale will be located along NE 152nd Street between 15th Avenue NE and 12th Avenue NE.

(2) Margi King, 20307 25th Avenue NE, commented that drivers use 15th Avenue NE to bypass I-5 at times of heavy traffic congestion. She questioned whether the City addressed this issue in considering the proposed improvements to 15th Avenue NE.

Mr. Conner said staff has considered cut-through traffic. He said traffic lights will be synchronized to minimize traffic congestion, particularly at NE 205th Street and NE 145th Street. He acknowledged that this will not reduce the overall flow of traffic.

Deputy Mayor Hansen confirmed Council consensus in support of the improvements. He encouraged staff to capitalize on opportunities to speed implementation.

(d) 2000 First Quarter Financial Report

Finance Director Debbie Tarry and Senior Budget Analyst John Hawley presented the staff report. Mr. Hawley introduced the new budget analyst, Carol Dawson.

In response to Deputy Mayor Hansen, Mr. Hawley confirmed that the City is "ahead" approximately \$2.2 million (approximately \$1.52 million in the beginning fund balance, plus the approximately \$700,000 in funds that the State proposes to provide to replace revenues lost as a result of I-695).

In response to Councilmember Ransom, Mr. Hawley estimated the cost of the Maintenance Worker I position, that was inadvertently left out of the 2000 budget and that Public Works seeks to hire in October, at \$12,000.

MEETING EXTENSION

At 10:17 p.m., Councilmember Ransom moved to extend the meeting until 10:45 p.m. Councilmember Lee seconded the motion, which carried 5-1, with Councilmember Montgomery dissenting.

7. CONTINUED PUBLIC COMMENT

(a) Richard Johnsen, 16730 Meridian Avenue N, mentioned that a crosswalk, with pedestrian-activated caution lights, previously existed on Aurora Avenue at N 180th Street. He advocated that staff identify the jurisdiction that removed the crosswalk (e.g.,

May 1, 2000

the State or the County) and that the City seek reimbursement for the cost of replacing it. He also advocated the installation of a crosswalk on Aurora Avenue at N 183rd Street.

(b) Margi King, 20307 25th Avenue NE, advocated that the City address the timing of the traffic lights on Aurora Avenue. She said pedestrians attempting to cross Aurora Avenue are frustrated by long waits between lights. She praised Randy Olin, Customer Response Team Representative, and Public Works for responsiveness to public needs. She mentioned the recent first meeting of the new neighborhood association in Area A-2. She said residents of the area are pleased to be part of the City.

8. EXECUTIVE SESSION

At 10:25 p.m., Deputy Mayor Hansen announced that Council would recess into executive session for 20 minutes. City Attorney Ian Sievers identified the subject of the executive session as a claim evaluation.

At 10:54 p.m., the executive session concluded, and the workshop meeting reconvened.

9. ADJOURNMENT

At 10:55 p.m., Deputy Mayor Hansen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of May 12, 2000
DEPARTMENT: Finance
PRESENTED BY: Al Juarez, Financial Operations Supervisor 

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to approve expenses formally at the meeting. The following claims expenses have been reviewed by C. Robert Morseburg, Auditor on contract to review all payment vouchers.

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,231,723.02 specified in the following detail:

Payroll and benefits for April 16 through April 29 in the amount of \$265,363.61 paid with ADP checks 4133 through 4197 vouchers 180001 through 180101 benefit checks 4388 through 4398 and

the following claims examined by C. Robert Morseburg paid on April 27, 2000:

Expenses in the amount of \$34,820.21 paid on Expense Register dated 4/25/00 with the following claim checks: 4223-4229 and

Expenses in the amount of \$4,000.55 paid on Expense Register dated 4/26/00 with the following claim checks: 4230-4233 and

Expenses in the amount of \$68,928.88 paid on Expense Register dated 4/27/00 with the following claim checks: 4234-4275 and

the following claims examined by C. Robert Morseburg paid on May 12, 2000:

Expenses in the amount of \$2,283.28 paid on Expense Register dated 3/16/00 with the following claim check: 10930 and

Expenses in the amount of \$495.00 paid on Expense Register dated 4/28/00 with the following claim check: 4276 and

Expenses in the amount of \$125.00 paid on Expense Register dated 5/1/00 with the following claim check: 4281 and

Expenses in the amount of \$1,222.50 paid on Expense Register dated 5/2/00 with the following claim checks: 4291-4298 and

Expenses in the amount of \$10.98 paid on Expense Register dated 5/2/00 with the following claim check: 4299 and

Expenses in the amount of \$9,354.68 paid on Expense Register dated 5/3/00 with the following claim check: 4300 and

Expenses in the amount of \$106,485.54 paid on Expense Register dated 5/4/00 with the following claim checks: 4301-4318 and

Expenses in the amount of \$14,711.15 paid on Expense Register dated 5/8/00 with the following claim checks: 4319-4330 and

Expenses in the amount of \$187,567.47 paid on Expense Register dated 5/8/00 with the following claim checks: 4353-4387 and

Expenses in the amount of \$17,795.47 paid on Expense Register dated 5/9/00 with the following claim checks: 4399-4412 and

Expenses in the amount of \$516,768.80 paid on Expense Register dated 5/10/00 with the following claim checks: 4413-4431 and

Expenses in the amount of \$1,789.90 paid on Expense Register dated 5/11/00 with the following claim checks: 4432-4436

Approved By: City Manager _____ City Attorney _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Contract with Lennertz, Coyle & Associates for North City Sub-Area Plan and Charrette
DEPARTMENT:	Planning and Development Services (PADS)
PRESENTED BY:	Bill Conner, Public Works Director Timothy Stewart, PADS Director Anna Kolousek, PADS Assistant Director

EXECUTIVE / COUNCIL SUMMARY

The purpose of this agenda item is to obtain your Council's approval of contract for professional design services to conduct a charrette and to prepare North City Sub-area Plan.

The City Council's 1999/2000 goal #7 is the preparation of the North City sub-area plan. On April 17, 2000 your Council reviewed the objectives and milestones for implementation of this goal. They are:

1. **Selection of key participants** from core groups of stakeholders: area residents-at-large, landowners, present/potential tenants, and developers/builders/brokers (May 2000).
2. **Analysis of critical issues** facing the sub-area, including photo inventory (May 2000).
3. **Three day design workshop** (charrette) to bring the key participants together with design professionals, financiers, and staff to create the Sub-area Plan, specific standards for the Development Code, and specific demonstration projects with market and feasibility analysis (June 2000).
4. Preparation and adoption of the **Sub-area Plan** (element of the Comprehensive Plan) and the **Special Overlay District** of the Development Code (July through December 2000).
5. Generate a **pre-design level concept** of sufficient detail that can be utilized as a basis for final design (July through December 2000).
6. Coordination and refining of the **Capital Improvement Program** (CIP) design phase as part of the implementation (July through December 2000).

The North City sub-area plan and the code standards will be the City's first effort to prepare a sub-area plan concurrently with the development code standards for a special overlay district. This program will address the economic development opportunities together with the land use patterns, urban design, street and other necessary standards for the implementation. Both the sub-area plan and the code standards (special overlay

district) will be illustrated documents allowing people to visualize the proposed changes with additional level of specificity. The demonstration projects will allow testing of new standards on specific sites with examples of what is possible today, from an economic, market, technical, and environmental standpoint.

The City budgeted for the preparation of the North – City sub-area plan \$50,000 and in the 2000-2005 Capital Improvement Program (CIP), \$25,000 for the North City Business District Improvements pre-design project.

As required by the City purchasing procedures, staff reviewed the qualifications and performance data filed with the City in its annual solicitation of Architectural, Engineering & Surveyors Roster. Lennertz, Coyle & Associates firm was selected as the firm most qualified to prepare and conduct the charrette and the sub-area plan. Staff negotiated the proposed contract, which it believes to be fair and reasonable given its scope and complexity. The amount for this contract will not exceed \$60,000 (\$45,000 from the North City sub-area budget and \$15,000 from CIP). This amount includes reimbursement for consultant travel costs.

The following is a brief synopsis of the scope of work for the contract:

Task	Date
Education, research, development of preliminary design concepts and strategies	June 1 through June 19, 2000
Public kick-off meeting	June 20, 2000
Design charrette (3 days)	June 21 through June 23, 2000
Illustrative plan: 3 demo studies; street sections; colored perspectives; land use, parking, pedestrian and open space diagrams; special overlay district code language.	July and August, 2000
Adoption process	September through December, 2000

RECOMMENDATION

Staff recommends that your Council authorizes the City Manager to execute Agreement for design services for the North City Sub-area Plan with Lennertz, Coyle & Associates, in the amount of \$60,000.

Approved By:

City Manager LB

City Attorney [Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Design Services Contract with Kubota Kato Chin, Inc. for the Richmond Highlands Recreation Center Improvements in an Amount of \$91,050
DEPARTMENT:	Parks Recreation and Cultural Services
PRESENTED BY:	Wendy Barry, Director 

EXECUTIVE / COUNCIL SUMMARY

The purpose of this report is to obtain your Council's approval to contract for professional design and inspection services for the Richmond Highlands Recreation Center Improvement Project.

The Richmond Highlands Recreation Center building was originally constructed in 1910. It was built for the Women's Richmond Highland's Progressive Club as a community center for holding social events. It was then used by the Ronald School and eventually reverted back to a community center by the Lion's Club. A local resident donated land to the Lion's Club for park use and the building was deeded to King County and then to the City of Shoreline.

The existing community center facility is approximately 7,200 square feet including the basement, and has undergone significant modifications from its original appearance. Today, the facility has a small gymnasium, a teen room, a multi purpose room and kitchen, an office and restrooms. The recreation center is located on a 4.3 acres site and includes the following:

- ◆ Playground area
- ◆ Parking area
- ◆ Open grass area
- ◆ Combined baseball/soccer field

On June 21, 1999, your Council reviewed the alternatives for the Richmond Highlands Recreation Center Master Plan and selected a preferred Master Plan that includes a single stall uni-sex American with Disabilities Act (ADA) accessible restroom, seismic upgrades, and mechanical, electrical and plumbing system upgrades.

On November 15, 1999, your Council considered the phasing and funding scenario for three master plans including the Richmond Highlands Recreation Center, Paramount School Park and the Shoreline Swimming Pool. At this meeting, your Council approved

funding the Richmond Highlands Recreation Center improvements in the amount of \$650,000.

In accordance with the City's purchasing procedures and RCW 39.80.050, staff reviewed the statements of qualifications and performance data filed with the City in response to its annual solicitation of architectural and engineering services. Staff sent a Request for Proposals (RFP) to four firms from this list because of their experience with projects of similar scope and nature. The four firms included Kubota Kato Chin Inc, KPG, Bassetti Architects, and Arai/Jackson. The firms were then invited to make a presentation to review their understanding of the project goals, and to provide information about their experience with similar projects, proposed project team experience, and in-house quality controls.

Kubota Kato Chin Inc. demonstrated an excellent understanding of the project and provided several examples of similar projects they have completed successfully. Kubota Kato Chin Inc. was selected as the firm most qualified to provide the design services for the Richmond Highland Recreation Center improvements. Staff negotiated the proposed contract, which it believes to be fair and reasonable given its scope and complexity.

This \$91,050 contract includes design services that will be completed in 2000 and construction inspection services that will be completed in 2001. The contract includes:

- ◆ Inspection and verification of structure and systems to develop "as-built" drawings as none are available.
- ◆ Determine seismic upgrade requirements
- ◆ Design and construction documents for facility improvements and bidding
- ◆ Construction inspection services as required.

Funding for this project has been obtained from the General Capital Fund and incorporated into the 2000 – 2005 Capital Improvement Program (CIP). The City's General Capital Fund provides a total of \$1,400,210 for completion of the Richmond Highlands Recreation Center and the Shoreline Center Athletic Facility improvement projects. The Richmond Highlands Recreation Center improvement project costs are projected at \$650,000. The Richmond Highlands Recreation Center improvement project is a complex renovation project and may be impacted by the results of hazardous materials testing and unknown building conditions, as well as, bid climate. Project costs will be updated as design work is refined.

RECOMMENDATION

Staff recommends that your Council authorize the City Manager to execute Agreement for Design Services for the Richmond Highlands Recreation Center with Kubota Kato Chin Inc. in an amount of \$ 91,050.

Approved By: City Manager



City Attorney



CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Development Code, Phase II: Public Hearing and Adoption of Ordinance No. 238
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Timothy Stewart, Director Anna Kolousek, Assistant Director <i>A.K.</i>

EXECUTIVE / COUNCIL SUMMARY

The City Council's 1999/2000 goal #1 is the preparation of the permanent development code that corresponds with the Comprehensive Plan goals and policies (adopted November 1998) and which complies with the requirements of the Growth Management Act (GMA). To achieve this goal several actions have been taken:

- **January 19, 1999:** Your Council approved the process for the preparation of the development code. In order to make the process manageable, the Council agreed to split the code writing and adoption into two phases: Phase I – the procedural sections of the Code and uncontroversial standards; Phase II – the substantive changes to the development regulations.
- **February 23, 1999:** Your Council appointed thirty-seven citizens to the Shoreline Planning Academy. The Academy met ten times between April and September of 1999. They addressed many issues and reached consensus on procedural improvements, as well as on the substantive issues of the Code.
- **Development Code - Phase I:**
 - June 7, 1999: Your Council received a status report on the Academy work and the progress of Phase I.
 - July 15 - August 13, 1999: Public review and comment period on Phase I.
 - July 29, 1999: Planning Commission and Planning Academy joint workshop on Phase I.
 - September 2, September 16, and October 21, 1999: Planning Commission held public hearings and unanimously recommended approval of Phase I.
 - December 6, 1999: Your Council held a workshop on Phase I.
- **Adoption of Phase I:**
 - February 28, 2000:** Your Council held a public hearing and unanimously approved

Phase I of the Development Code – Ordinance No. 230. Phase I includes Chapters I and III of the Code.

➤ **Development Code – Phase II:**

- January 3 - January 31, 2000: Public review and comment period on Phase II (including the Code Enforcement section from Chapter III).
- January 20, 2000: Planning Commission held a workshop to discuss Phase II.
- February 17, March 9, 16, 23, 2000: Planning Commission held public hearings and unanimously recommended approval of Phase II.
- May 1, 2000: City Council held a workshop to discuss Phase II and concluded that the next step should be a public hearing.

The process of preparation, review, and adoption of the Code was inclusive and very effective. Between April and September the Shoreline Planning Academy met ten times and set the overall direction and reviewed the constraints and opportunities for translation of the community values into the Code. The Academy members also effectively commented on the draft Code during the public review period. During Phase II we received 413 high quality amendments. A number of these amendments contained the same proposed changes. As a result, staff identified 281 separate amendments for the Planning Commission's review. (A summary table of proposed amendments is included as Attachment B in your May 1 agenda packet. The May 1 staff report is included as Attachment 1.)

The Development Code prescribes the standards for development in harmony with the Comprehensive Plan policies. We have placed great emphasis on the organization of the Code, readability, and on the substance of regulations.

Phase II of the Development Code combines related development regulations for zoning, design, engineering, and critical areas. Combining these regulations into one document strengthened the linkages ignored by the "old" zoning code and other stand-alone regulations. Phase II includes also the Definitions (Chapter II) and Code Enforcement section (Chapter III, Section 10) They were not reviewed during Phase I. The proposed Code represents a major restructuring of the existing and new regulations aimed to ease administration and to improve public understanding.

The intent of this agenda item is to bring closure to the Development Code - Phase II. The new Development Code will unify all relevant procedures and standards for development and will become a new Title 20 of the Shoreline Municipal Code. Tonight your Council is asked to take the following actions:

1. Conduct a public hearing on the draft Development Code – Phase II and if your Council believes that there have been sufficient opportunity for testimony and council discussion, then:
2. Adopt Ordinance No. 238. This ordinance implements the Planning Commission's unanimous recommendation (March 23, 2000) to adopt the Development Code, Phase II and repeals outdated provisions of the existing Shoreline Municipal Code.

The Development Code and Engineering Guide, recommended by the Planning Commission, were distributed to your Council with the agenda packet for May 1 workshop. In this packet we are including errata and technical corrections (Attachment 2) to the April draft.

ATTACHMENTS

Attachment 1: May 1 Staff Report
Attachment 2: Errata and Technical Corrections
Attachment 3: Ordinance No. 238

RECOMMENDATION

Adopt Ordinance No. 238, amending the City of Shoreline Municipal Code by establishing new Title 20, Development Code and repealing outdated provisions of the Shoreline Municipal Code.

(Copies of Attachments for May Staff Report are available for public review in the City Clerk's Office, Planning and Development Services Department, Richmond Beach and Shoreline Libraries, East and West Police Neighborhood Centers.)

Approved By: City Manager LB City Attorney 

Council Meeting Date: May 1, 2000

Agenda Item: 6(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Development Code, Phase II
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Timothy Stewart, Director Anna Kolousek, Assistant Director

EXECUTIVE / COUNCIL SUMMARY

The City Council's 1999/2000 goal #1 is the preparation of the permanent development code that corresponds with the Comprehensive Plan goals and policies (adopted November 1998) and which complies with the requirements of the Growth Management Act (GMA). To achieve this goal several actions have been taken:

- **January 19, 1999:** Your Council approved the process for the preparation of the development code. In order to make the process manageable, the Council agreed to split the code writing and adoption into two phases: Phase I – the procedural sections of the code and uncontroversial standards; Phase II – the substantive changes to the development regulations.
- **February 23, 1999:** Your Council appointed thirty-seven citizens to the Shoreline Planning Academy. The Academy met ten times between April and September of 1999. They addressed many issues and reached consensus on procedural improvements, as well as on the substantive issues of the code.
- **Development Code - Phase I:**
 - June 7, 1999: Your Council received a status report on the Academy work and the progress of Phase I.
 - July 15 - August 13, 1999: Public review and comment period on Phase I.
 - July 29, 1999: Planning Commission and Planning Academy joint workshop on Phase I.
 - September 2, September 16, and October 21, 1999: Planning Commission held public hearings and unanimously recommended approval of Phase I.
 - December 6, 1999: Your Council held a workshop on Phase I.
- **Adoption of Phase I:**
 - February 28, 2000:** Your Council held public hearing and unanimously approved Phase I of the Development Code – Ordinance No. 230. Phase I includes Chapters I and III of the Code (see Attachment A, green paper).

➤ **Development Code – Phase II:**

- January 3 - January 31, 2000: Public review and comment period on Phase II (including the Code Enforcement section from Chapter III).
- January 20, 2000: Planning Commission held a workshop to discuss Phase II.
- February 17, March 9, 16, 23, 2000: Planning Commission held public hearings and unanimously recommended approval of Phase II.

The process of preparation, review, and adoption of the Code was inclusive and very effective. Between April and September the Shoreline Planning Academy met ten times and set the overall direction and reviewed the constraints and opportunities for translation of the community values into the Code. The Academy members also effectively commented on the draft Code during the public review period. On Phase II we received 413 high quality amendments. (During Phase I we received a total of 179 amendments.) A number of these amendments contained the same proposed changes. Staff identified 281 separate amendments for the Planning Commission's review. A summary table of proposed amendments is included as Attachment B.

The Development Code prescribes the standards for development in harmony with the Comprehensive Plan policies. We have placed great emphasis on the organization of the Code, readability, and on the substance of regulations.

Phase II of the Development Code combines related development regulations for zoning, design, engineering, and critical areas. Combining these regulations in one document strengthened the linkages ignored by the "old" zoning code and other stand-alone regulations. Phase II includes also the Definitions (Chapter II) and Code Enforcement section (Chapter III, Section 10) They were not reviewed during the Phase I. The proposed Code represents a major restructuring of the existing and new regulations aimed on the ease of administration and on public understanding.

The purpose of this workshop is to review with your Council the Development Code – Phase II, as recommended by the Planning Commission for adoption. The complete text of the Planning Commission's recommended version of the Code (Attachment A) includes also Chapters I and III, adopted by your Council in February (Ordinance No. 230).

RECOMMENDATION

No action is necessary at this time.

Approved By: City Manager LB City Attorney N/A

BACKGROUND/ ANALYSIS

BACKGROUND:

The core of our present zoning code was developed by King County to implement the County Comprehensive Plan of November 1994. The City adopted this zoning code on June 26, 1995 to govern the development of land on an interim basis, while the City was preparing its own comprehensive plan. The need for amending the King County zoning code became apparent as the City began to receive applications for all the land use permits, that property owners had decided could wait until incorporation became a fact. Acting in response to citizen and Council concerns, that the style of development allowed by the King County Zoning Code was harming the existing character of Shoreline, your Council adopted several moratoria and revisions to the code over the past four years.

On November 23, 1998, your Council adopted Shoreline's first Comprehensive Plan. The new Comprehensive Plan contains a vision promoted by goals and policies. To bring the existing codes and ordinances adopted during incorporation and prior to adoption of the Comprehensive Plan into conformity with the new Plan, your Council adopted as Goal No. 1 – "Develop and Adopt Permanent Codes that Implement the Policies of the Comprehensive Plan".

On January 19, 1999, your Council approved the process and timetable for adoption of the permanent development regulations that implement the Comprehensive Plan. In order to make the process more manageable, the Council agreed to split the code writing and adoption into two phases: Phase 1 - procedural issues of the code and uncontroversial development standards; Phase 2 - development regulations.

PUBLIC PARTICIPATION AND THE EXTENSIVE WORK UNDERTAKEN BY THE PLANNING ACADEMY:

In order to provide for inclusive and effective public participation in the development code production process, your Council appointed thirty-seven citizens to the Shoreline Planning Academy on February 23, 1999. The Academy had two purposes:

1. To educate selected members of the Shoreline community about the legal, technical and ethical constraints and opportunities of planning and growth management; and
2. To educate selected members of the Shoreline staff about the views, values and opinions of Shoreline's community, neighborhoods and individuals.

Between April 8 and September 23, the Academy met ten times. The Academy sessions were separated into two parts, in harmony with the code preparation phases. For Phase II of the Code, the Academy members took photographs of positive and negative features of various developments which are now "translated" into development standards reflecting the "community vision". They also focused their attention on road and drainage facilities – their functionality and aesthetics. They did driving and walking survey of streets, sidewalks, turnarounds, and storm drainage detention/infiltration facilities.

DEVELOPMENT CODE:

The Development Code prescribes the standards for development in harmony with the Comprehensive Plan policies. We have placed great emphasis on the organization of the Code, readability, and on the substance of regulations. Phase I (Ordinance No. 230, adopted February 28 – green pages of Attachment A) addressed the procedural requirements for all types of development. Phase II of the Code combines related development regulations for zoning, design, engineering, and critical areas. Combining these regulations in one document strengthened the linkages ignored by the “old” zoning code and other stand-alone regulations. This phase also includes the Code Enforcement section (Chapter III, Section 10) and Definitions (Chapter II). The proposed Code represents a major restructuring of the existing and new regulations aimed towards the ease of administration and on public understanding.

The Washington State, Department of Community, Trade and Economic Development (CTED), Growth Management Program reviewed the draft Code. Their review letter to the Mayor, dated April 14, 2000, is included as Attachment D. This letter concludes the required GMA review. CTED comments range from what they “especially like” to “concerns” they feel need to be addressed. The concern about Chapter VIII, Special Overlay District – Critical Areas recommends the use of the Department of Ecology recommended buffers width, which in their letter appears to be greater than buffers proposed in the draft Code. The draft Code does not change the buffer width from our existing Code (SMC 18.24, Environmentally Sensitive Areas). Included is a memorandum from the consultant, who worked with the City on the critical area standards. This memorandum includes the sources of the Best Available Science they used in establishing the buffer width proposed in the draft Code and the CTED’s concern (Attachment E).

Appearance of the Code:

The overall appearance of the Code and thought-out thematic design contributes to the speed with which staff and public can access the information. Although the legal publishing of the Code will require codification, we are working with the publisher to keep the “friendly” and readable format. Tables and graphics are used to convey information succinctly and quickly. Graphic images are simple and consistent, often they show unacceptable and acceptable examples. The Code eliminates the parenthetical footnotes in tables that specified additional standards (or criteria) in the old zoning code because they created many problems in administration. Standards are specified in appropriate sections of the Code. Finally, proper cross-referencing will bind the Code together and will be applied by the publisher after adoption.

The following is the summary of the restructured draft Code (excluding Chapters I and III that were adopted in February). Please note that in Chapter III, there was a “placer” for two Type C permit actions: Critical Area Special Use Permit and Reasonable Use Approval. We are including a revised Table 3 (on white paper) with the addition of these two action types.

Definitions (Chapter II):

Definitions are a significant component of the Code; they make explaining regulations to the public easier. The definitions from the various parts of the old code have been grouped into one chapter. We have eliminated the terms that are not used in the code, the terms that had several definitions (example: we had four definitions for "alley"). Wherever possible, we have used state and federal terms as accepted definitions. Finally, although we have prepared definitions in Phase I, the final tuning occurred during the Phase II to ensure the consistency between the definitions and regulations.

Zoning and Use Provisions (Chapter IV):

The proposed Code retains seven types of existing zoning designations and does not change the existing zoning map. The consistency with the Comprehensive Plan land use designations is proposed through several innovative techniques and standards that will allow for a variety of uses to locate within the existing zones:

1. There is a statement of purpose for each zone. Zones with similar characteristics are grouped together (Neighborhood Business, NB and Office, O) to allow for mixed-use development without changing (or adding) an additional zoning designation for mixed-use.
2. Confronted with the vast number of land use types specified in the old code, the proposed Code identifies only the basic use categories: residential, non-residential, and other uses (only where it was necessary to include additional criteria and/or procedures, uses are classified further). Uses are allowed in zones by use of symbols specifying review procedures: P = permitted by right, C = Conditional use permit, S = Special use permit. In addition, some uses require compliance with additional criteria, not just the development standards. These criteria are consolidated in the section "Index of Supplemental Use Criteria" and identified by -i in the land use tables. (Please note that all uses have to comply with the development standards (Chapters V, VI, VII, and VIII). These standards together with the supplemental use criteria ensure the compatibility of the use in the zone.)
3. Residential zones provide for housing choices for a variety of economic segments of the community, including innovative housing types (accessory units, cottage housing, and affordable housing). Supplemental criteria and design standards will ensure the compatibility of these houses with the existing neighborhoods.
4. In some cases site specific rezones in compliance with the Comprehensive Plan land use designation will be individually processed as Type C actions (please see Chapter III, page 61 in Attachment A).

General Development Standards (Chapter V):

This chapter includes the development standards for residential and non-residential developments (including basic design standards), standards for tree conservation, clearing and grading, parking, landscaping, and signs (Sections 1 through 8). Flexibility in appropriate instances is identified by "exceptions" (listed in italics) immediately after applicable standard.

Section 1: Basic dimensional and density standards for all residential development are specified for each zone. Exceptions for housing flexibility (cottage housing), reduced setbacks, or height bonuses are also listed in this section.

Section 2: Single-family residential design standards address the site planning issues, allowable additions to an existing house, location of accessory structures, and fences. In the draft released for public review in January, staff proposed standards for building design, which would be easy to administer and ensure that the street facades would be attractive and not dominated by garage doors. By recessing garages the street would be enclosed with a variety of architectural elements: such as windows, bays, porches, and other entry enhancements. Three amendments (#157, 158 and 159) requested elimination of these standards. The Planning Commission agreed with these amendments and recommends the elimination of these standards. We are including these standards on shaded pages in the draft for your Council's final consideration.

Sections 3 and 4: Multi-Family residential, mixed-use, commercial, and non-residential standards promote varied and human scale facades along street. Building design elements are specified to provide for high level of visual interest without creating a chaotic image.

Section 5: Tree conservation, land clearing, and grading standards are consolidated in one section. Tree conservation standards provide flexibility and standards for tree protection during construction. Clearing is allowed only when a development plan has been prepared, not for speculative purpose.

Section 6: Parking, access, and circulation addresses not only parking requirements, but overall parking design, non-motorized circulation, and bicycle facilities.

Section 7: Landscaping standards emphasize flexibility, screening, and landscaping, which complements the site and building design. These standards include also requirements for installation and maintenance.

Section 8: Signs standards are intended to promote general principles of aesthetics and safety. They are divided into four major types: free-standing, building-mounted, projecting, and driveway entrance/exit signs. Organization of these standards by zones enables the user to determine applicable sign standards for a particular property within a zone.

Adequacy of Public Facilities and Services (Chapter VI):

This clearly states development requirements for sewer and/or wastewater disposal, water supply, fire protection, surface and storm water management, and street and access necessary for review and approval of a development permit.

Engineering and Utilities Development Standards (Chapter VII) and Engineering Development Guide:

The standards in Chapter VII provide a general framework ("triggers") for construction of streets, sidewalks, paths, trails, rights-of-way, and utilities. The Engineering Guide includes construction specifications, standardized details, and design standards for streets, sidewalks, intersections, streetscape, surface and storm-water specifications, traffic control, other safety and rights-of way improvements.

The Engineering Guide also includes adoption by reference of the 1998 King County Surface Water Design Manual (KCSWDM) and the Urban Land Use Best Management Practices (BMP), Volume IV of the 1992 Storm Management Manual for the Puget Sound Basin (with future amendments). Adoption of these manuals provides sets of current best available standards and practices to address the 1999 National Marine Fisheries Services (NMFS) listing of Puget Sound Chinook salmon as threatened under the Endangered Species Act (ESA).

Special Overlay Districts (Chapter VIII):

Overlay districts allow for special regulations to exist within parts of zones by supplementing the development regulations. The first special overlay district in this Code is the Critical Areas Overlay district. This district identifies standards for geological hazard areas, fish and wildlife habitat, wetlands, flood hazard, aquifer recharge, and stream areas.

Public Review:

The draft Code – Phase II was distributed for public review and comments on January 6, 2000. The Planning Commission, members of the Planning Academy, general public and staff were invited to identify unanticipated problems and/or issues and submit written requests for amendments to the draft by January 31, 2000. A total of 413 high quality amendment sheets were submitted. A number of these documents contained the same amendment proposed by various people. Staff has reviewed these proposed amendments and identified 281 separate amendments for the Planning Commission's review and consideration. A summary table of requested amendments is organized by the draft Code Chapters, with a separate section addressing the clerical types of amendments (Attachment B).

The table specifies the associated page numbers of the Code in the first column, log reference # of the proposed amendment in the second column, followed up with the amendment # that consolidates same, multiple requests in the third column, brief description of requested amendment (4th column), names of those proposing a specific amendment (5th column), preliminary staff recommendations to the Planning Commission regarding each proposed amendment (6th column), and the Planning Commission's recommendation (7th column).

For recommendations on each proposed amendment, the following key applies:

SA – Planning Commission or Staff Strongly Supports this Amendment: Planning Commission or staff strongly agrees with the proposed amendment.

A - Planning Commission or Staff Agrees: This recommendation means that Planning Commission or staff agrees with the proposed amendment.

N - Neutral: This recommendation means that Planning Commission or staff believes that the proposed amendment is essentially a matter of community value and that the Planning Commission should make their recommendation based on their value.

D - Planning Commission or Staff Disagrees: This recommendation means that Planning Commission or staff disagrees with the proposed amendment.

SD - Planning Commission or Staff Strongly Disagrees: This recommendation means that Planning Commission or staff strongly disagree with the proposed amendment and believe that adopting the proposed amendment would be detrimental or present significant issues that have not been fully addressed.

Planning Commission Public Hearings and Recommendation:

The Planning Commission held Public Hearings and deliberations on February 17, March 9, March 16, and March 23, 2000. During the public testimony portion of the hearing process, eleven additional amendments were proposed (they are included in the Attachment B – Table of Amendments). The Commissioners discussed in depth many amendments recommended for approval by staff. They discussed and made recommendations on all amendments staff was “neutral” on because the amendment was essentially a matter of community value. They also discussed the amendments staff disagreed with together with the reasons for it. After their deliberations, on March 23, the Commission voted unanimously (one Commissioner was absent) to recommend approval of the draft Development Code – Phase II, subject to their amendments. The draft Code (Attachment A) includes all amendments recommended by the Planning Commission.

RECOMMENDATION

No action is necessary at this time.

ATTACHMENTS

Attachment A – Development Code and Engineering Development Guide

Attachment B – Table of Proposed Amendments (please note that the complete text of all proposed amendment is available for review in the City Clerks Office)

Attachment C – Planning Commission Minutes: 2/17, 3/9, 3/16, and 3/23

Attachment D – Letter from CTED to the Mayor

Attachment E – Memorandum from Madrona Planning and Development Services

Copies of Attachments are available for public review in the City Clerk’s Office, Planning and Development Services Department, Richmond Beach and Shoreline Libraries, East and West Police Neighborhood Centers.

DEVELOPMENT CODE ERRATA & TECHNICAL CORRECTIONS

May 2000

Errata & Technical Correction #	Code Page	Description
1	14 & 165	Development Agreement, remove definition and reference. (Development Agreement was eliminated during the adoption of Phase I; the definition on page 14 and the Exception B-1.1c on page 165 were not eliminated.)
2	19	Add definition of Grade, Existing. (Clarifies how existing grade is determined for building height measure.)
3	100 & 104	Eliminate Adult Care and Assisted Care Facilities from Table 1 and from the Index of Supplemental Uses. (The Adult Care and Assisted Care Facilities are covered by Community Residential Facility I and II.)
4	100& 117	Revise B-1.7, add B-1.8 and add supplemental criteria for Unlisted Use. (B-1.7 together with the addition of Unlisted Use in the Index of Supplemental Criteria aids to applying the Use Table. B-1.8 clarifies the issue stated in the CTED comments letter.)
5	102	Change Public Agency or Utility Office in R and NB&O to Special Use. (Change was not made by mistake)
6	109, 109a	Revised Cottage Housing (Item 4 is the Planning Commission's recommended version, an incorrect version was included in the April Draft by mistake.)
7	117	Revised Veterinary Clinics and Hospitals. (Number 2 is the Planning Commission's recommended version, an incorrect version was included in the April Draft by mistake.)
8	188 & 192	Proposed Amendment #182 has not been clearly stated on both subsections G-2 and H-3.

Please Note:

Numbering, spelling, and clerical errors will be changed before codification.

Development Agreement (DA)

A Development Agreement (DA) is a process that identifies special opportunities for achieving public benefits for specific properties or large areas and to allow alternative uses and development standards for these properties or areas that differ from the general provisions of the code in a manner that is compatible with adjacent uses.

Exception B-1.1c: The **base height** may be increased subject to approval of Development Agreement.

Grade, Existing

The elevation of the ground surface in its natural state, before construction, grading, filling, or excavation.

Table 1. Residential Type Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	NB & O	CB	RB & I
RESIDENTIAL GENERAL							
	Single Family Detached	P	P	C	C		
	Duplex	P-i	P	P	P		
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i
	Single Family Attached	P-i	P	P	P		
	Apartment		C	P	P	P	P
	Cottage Housing	C-i	P-i	P-i			
	Manufactured Home	P-i	P-i	P-i			
	Mobile Home Park	P-i	P-i	P-i			
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i
GROUP RESIDENCES							
	Adult Care and Assisted Care Facilities	C-i	C-i	P-i	P-i	P-i	P-i
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i
	Community Residential Facility-I (Less than 11 residents and staff)	C-i	C-i	P-i	P-i	P-i	P-i
	Community Residential Facility-II			P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING							
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel					P	P
MISCELLANEOUS							
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i
P = Permitted Use				S = Special Use			
C = Conditional Use				-i = Indexed Supplemental Criteria			

~~Adult Care and Assisted Care Facilities~~

- ~~1. Senior dwellings may include common dining and recreation facilities.~~
- ~~2. Minimum 1 parking space per 2 dwelling or sleeping units.~~

- B-1.7 For purposes of this code, in most instances only broad use classifications, that share similar characteristics are listed in the use tables. Where separate regulations or permit processes are necessary, uses are classified further. Some uses are identified by description and forwith detailed description and for general reference purposes by with a detailed description provided in a referenced North American Industrial Classification System (NAISC) Code (NAISC) number. (This system classifies land uses by categories and provides sub-classification for more detailed associated uses.) In case of a question as to the inclusion or exclusion of a particular proposed use, which is not identified in these tables, the Director shall have the authority to make the final determination, according to the characteristics of the proposed use the use shall not be permitted unless allowed through a code interpretation applying the criteria for Unlisted Use found in the Index of Supplemental Use Criteria. Temporary Uses are allowed under criteria listed in the Index.
- B-1.8 The Director is authorized to make reasonable accommodations as provisions of the code that apply to dwellings occupied or to be occupied by disabled persons as defined by the Federal Fair Housing Act and Fair Housing Act Amendments, when such reasonable accommodations may be necessary in order to comply with such acts. All such accommodations shall be personal to the applicant and shall expire immediately if the disabled applicant terminates occupancy at the subject site.

-U-**Unlisted Use**

1. Recognizing that there may be uses not specifically listed in this Title, either because of advancing technology or any other reason, the Director may permit or condition such use upon review of an application for code interpretation for an unlisted use (Chapter III, Section 3, Type A Action) and by considering the following factors:
 - a. The physical characteristics of the unlisted use and its supporting structures, including but not limited to scale, traffic, hours of operation, and other impacts, and
 - b. Whether the unlisted use complements or is compatible in intensity and appearance with the other uses permitted in the zone in which it is to be located.
2. A record shall be kept of all unlisted use interpretations made by the Director; such decisions shall be used for future administration purposes.

Table 3. Other Uses

NAICS #	SPECIFIC USE	R4- R6	R8- R12	R18- R48	NB & O	CB	RB & I
EDUCATION, ENTERTAINMENT, CULTURE, AND RECREATION							
	Adult Use Facilities					P-i	P-i
71312	Amusement Arcade						P
71395	Bowling Center				C	P	P
6113	College and University				S	P	P
56192	Conference Center	C-i	C-i	C-i	P-i	P-i	P-i
6111	Elementary School, Middle/Junior High School	C	C	C			
71391	Golf Facility	P-i	P-i	P-i			
514120	Library	C	C	C	P	P	P
71211	Museum	C	C	C	P	P	P
	Nightclubs (excludes Adult Use Facilities)					C	P
7111	Outdoor Performance Center						S
	Parks and Trails	P	P	P	P	P	P
	Performing Arts Companies/Theater (excludes Adult Use Facilities)					P-i	P-i
6111	School District Support Facility	C	C	C	C	P	P
6111	Secondary or High School	C	C	C	C	P	P
6116	Specialized Instruction School	C-i	C-i	C-i	P	P	P
71399	Sports/Social Club	C	C	C	C	P	P
6114 (5)	Vocational School	C	C	C	C	P	P
GOVERNMENT							
9221	Court					P-i	P-i
92216	Fire Facility	C-i	C-i	C-i	P-i	P-i	P-i
	Interim Recycling Facility	P-i	P-i	P-i	P-i	P-i	P-i
92212	Police Facility				S	P	P
92	Public Agency or Utility Office	PS-i	PS-i	PS	PS	P	P
92	Public Agency or Utility Yard	P-i	P-i	P-i			P-i
221	Utility Facility	C-i	C-i	C-i	P-i	P-i	P-i
HEALTH							
622	Hospital	C-i	C-i	C-i	C-i	P-i	P-i
6215	Medical Lab					P	P
6211	Medical Office/Outpatient Clinic	C-i	C-i	C-i	P	P	P
623	Nursing and Personal Care Facilities			C	C	P	P
REGIONAL							
	School Bus Base	S-i	S-i	S-i	S-i	S-i	S-i
	Transfer Station	S	S	S	S	S	S
	Transit Bus Base	S	S	S	S	S	S
	Transit Park and Ride Lot	S-i	S-i	S-i	P	P	P
	Work Release Facility						S-i

P = Permitted Use
C = Conditional Use

S = Special Use
-i = Indexed Supplemental Criteria

Cottage Housing

1. The total floor area of each cottage unit shall not exceed 1000 square feet. The maximum first floor or main floor area for an individual cottage housing unit shall be as follows:
 - For at least 50 percent of the units in a cluster, floor area shall not exceed 650 square feet;
 - For no more than 50 percent of the units in a cluster, the floor area may be up to 800 square feet.
2. The following number of cottage housing units shall be allowed in place of each single family home allowed by the density of the zone:
 - If all units do not exceed 650 square feet on main floor:
2.00
 - If any unit is between 651 and 800 square feet on main floor:
1.75
3. Cottage homes shall be developed in clusters of minimum 4 to a maximum of 12 homes.
4. The height limit for all structures shall not exceed 18 feet. The ridge of pitched roofs with a minimum slope of 6 and 12 may extend up to 25 feet. All parts of the roof above 18 feet shall be pitched.
5. Cottage home units shall be oriented around and have the covered porches or main entry from the common open space. The common open space must be at least 250 square feet per cottage home.
6. Cottage homes shall have a covered porch or entry at least 60 square feet in size.
7. All structures shall maintain 10 feet of separation within the cluster.
8. Parking for each cottage home unit shall be provided as follows:
 - Units that do not exceed 650 square feet on main floor:
1.5
 - Units that exceed 650 square feet on main floor:
2.0
9. Parking shall be:
 - clustered and separated from the common area by landscaping and/or architectural screen.
 - screened from public streets and adjacent residential uses by landscaping and/or architectural screen.

- not be permitted within 40 feet of a public street, except within a 50 foot area fronting on a public street; parking spaces may be within 15 feet of a public street.
10. Setbacks for all structures from the property lines shall be an average of 10 feet, but not less than 5 feet, except 15 feet from a public street.

Veterinary Clinics and Hospitals

2. The portion of the building or structure in which animals are kept or treated shall be constructed so as to prevent incursion of noise from animals into any residential zone.

- iv. *In addition, the applicant shall be required to plant four trees for each significant tree removed that would otherwise count towards the minimum retention percentage. Trees replaced under this provision shall be at least 12 feet high for conifers and 3 inches in caliper for deciduous trees. This provision may be waived by the Director for restoration or enhancement projects conducted under an approved vegetation management plan. under ~~Exception G-2(a)iv and Exception H-3(a)iii.~~*

- Exception H-3:*
- iii. The Director may waive this provision for site restoration or enhancement projects conducted under an approved vegetation management plan.

ATTACHMENT 3

ORDINANCE NO. 238

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ADOPTING A UNIFIED DEVELOPMENT CODE; AND ADOPTING A NEW TITLE 20, REPEALING ORDINANCE 230 SECTION 1, REPEALING SMC CHAPTERS 16.25 AND 16.30, AND REPEALING SMC TITLE 18.

WHEREAS, pursuant to Ordinance No. 11, the City Council adopted Title 21A of the King County Code as the interim zoning code of the City of Shoreline; and

WHEREAS, Shoreline's first Comprehensive Plan was adopted on November 23, 1998 that included Goal No. 1 – "Develop and Adopt Permanent Codes that implement the Policies of the Comprehensive Plan"; and

WHEREAS, an extensive public participation process was conducted in developing a new code to implement the Comprehensive Plan including:

- Ten meetings of the 37-member Planning Academy between April and September 1999 which educated staff about the values of Shoreline's neighborhoods and individuals;
- Public review and requests for amendments from July 15 through August 13, 1999;
- A Planning Commission and Academy joint workshop on Phase I of the Code held July 29, 1999;
- Public hearings on September 2, September 16, and October 21, 1999 by the Planning Commission and a unanimous recommendation to the City Council for approval of the Development Code, Phase I.
- A December 6, 1999 City Council workshop on the Academy work, Development Code Phase I status and issues, and on the preparation of Phase II; and
- A public hearing before the City Council to consider adoption of Phase I of the Development Code and minimum lot size and density for Low Density Residential zones; and

WHEREAS, Phase I of the Development Code amending procedural and administrative provisions of the zoning code, a minimum lot size, and density provisions was adopted on February 28, 2000 by the City Council following a public hearing; and

WHEREAS, Phase II of the Development Code adopting new development regulations for zoning, design, engineering, and critical areas together with over 400 amendments proposed during the public comment period was reviewed by the Planning Commission at a public hearing and three workshops; and

WHEREAS, the Planning Commission unanimously recommend approval of Phase II at its meeting of March 23, 2000, and

WHEREAS, the Unified Development Code was submitted to the State Department of Community, Trade and Economic Development for comment pursuant WAC 365-195-820 and its comments have been addressed in the Code amendments; and

WHEREAS, The Council finds that the Unified Development Code adopted by this ordinance is consistent with and implements the Shoreline Comprehensive Plan and complies with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW;

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

Section 1. Repeal, New Title. Title 20 of the Shoreline Municipal Code and Section 1 of Ordinance 230 are repealed and a new Title 20 is adopted as set forth in Exhibit "A" which is attached hereto and incorporated herein.

Section 2. Repeal. The following titles and chapters of the Shoreline Municipal Code are hereby repealed in their entirety:

SMC Chapter 16.25 *Enforcement Code*
SMC Chapter 16.30 *Definitions*
SMC Title 18 *Zoning Code*

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

Section 5. Effective Date and Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper and the Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON May 22, 2000.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: , 2000
Effective Date: , 2000