

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF STUDY SESSION**

Monday, July 6, 2009 - 6:30 p.m.  
Shoreline Conference Center  
Mt. Rainier Room

**PRESENT:** Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

**ABSENT:** None.

**1. CALL TO ORDER**

At 6:32 p.m., the meeting was called to order by Deputy Mayor Scott, who presided.

**2. FLAG SALUTE/ROLL CALL**

Deputy Mayor Scott led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exception of Mayor Ryu and Councilmember Hansen. Councilmember Hansen arrived shortly thereafter. Bob Olander, City Manager, noted that Mayor Ryu is expected to arrive later in the meeting.

**3. CITY MANAGER'S REPORT AND FUTURE AGENDAS**

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events.

**4. COUNCIL REPORTS**

Councilmember Eggen reported that he and Councilmember McGlashan attended the Association of Washington Cities (AWC) Conference in Spokane. He noted there was some lively discussion about budget issues. Councilmember McGlashan commented that at the AWC Conference he sat in on classes on annexation and it was interesting to hear about their issues and challenges. Overall, he said it was good and the economist at the conference presented good information. Councilmember Hansen commented on the economist who discussed Keynesian economics and cycles. He said he took away that "this too shall pass." He added that he also attended Jurassic Parliament.

Councilmember Way said there is a Lake Ballinger Forum workshop on July 10 at the Mountlake Terrace City Hall and there will be discussion on how they will implement their technical report to prevent flooding and improve water quality.

5. GENERAL PUBLIC COMMENT

(a) Arthur Maronek, Shoreline, said he has been testifying for two years regarding a specific development near his house. He noted that the property owner told the neighbors at the first community meeting that he was calling his development a condominium to avoid the City's subdivision process. He noted that he has hired a lawyer to ensure the Council is given all the information they need to ensure they make an informed decision.

(b) Laethan Wene, Shoreline, commented that it is very important for Shoreline to have a day camp program for people with disabilities.

(c) Pat Murray, Shoreline, suggested the Council consider going back to the old code for sideyard setbacks. He felt that 15 feet doesn't serve a useful purpose for a setback. Additionally, he said he can't put a garage on his property at that width because he doesn't have enough space now.

Councilmember Eggen inquired if the City regulations allow for a 15 feet sideyard setback. Mr. Olander explained that the total is 15 feet, five feet on one side and 10 feet on the other, or a combination totaling 15 feet.

Councilmember Way asked for clarification on the day camp for the disabled. Julie Underwood, Assistant City Manager, clarified that Camp Excel was done last year, but there weren't enough registrants this year. Therefore, there will be a regular special recreation program this year.

6. STUDY ITEMS

(a) Capital Improvement Plan (CIP)

Patti Rader, Finance Manager, provided a brief presentation of the highlights of the proposed Capital Improvement Plan (CIP) and Transportation Improvement Plan (TIP). She reviewed the proposed adoption schedule and the major revenues and expenditures in each fund.

Deputy Mayor Scott called for public comment. There was no one wishing to provide public comment on this item. Councilmember Eggen noted that he submitted a list of budget questions this morning.

Councilmember Way discussed the "in lieu of sidewalks" fund. She said she is still trying to understand if there are some new sidewalks being constructed and how much is going into the program each year. Mr. Olander replied that about \$50,000 goes into this program every year, but it depends on the development projects. Kirk McKinley, Aurora Corridor and Interurban Trail Project Manager, responded that when each residential development project comes into the City, the owner has the option of building a sidewalk

or paying into the in lieu of fund. The City's Finance Department monitors the funds to make sure the money is spent within the established five year period in the vicinity of where it was collected. Mr. Olander added that the City staff goes back every year and look at where there are sidewalk gaps. He added that sometimes it makes no sense to build sidewalks if there are grading issues or more planned improvements for a given area.

Councilmember Way noted that the public would still like to know about this and asked if there was any way the City can clarify or publicize this program. She wondered if there was a way to pool this money to be able to use it better. Mr. Olander responded that the City could publish the policy in Currents. He noted that the City also can publish information about local improvement districts (LID). There are a lot of mechanisms, he pointed out, where the City could encourage this type of infill development. He noted that LIDs don't cost anything to administer, but they take some paperwork. However, there are some LIDs that are charged back to property owners.

Councilmember Hansen also noted that if the money isn't used after five years it's refunded to the property owners. Responding to Councilmember Eggen's inquiry, Mr. Olander stated that the repayment of funds would be done separately from the King County property tax process -- it is a separate billing process. Councilmember Hansen clarified that King County usually bills LIDs and sometimes a discount is involved. He added that they are usually 10-15 year LIDs. He highlighted that there are a lot of LIDs done throughout the area.

Councilmember Eggen commented that he has seen a homeowner do their own sidewalk and build it right out to the edge of the road on 12<sup>th</sup> Avenue, which is an unwise thing to do. He inquired if the City has a general policy or some type of oversight legislation to cover this. Mr. Olander replied that the regulations require a 12-foot travel lane in each direction and an 8-foot parking strip. Jesus Sanchez, Public Works Operations Manager, concurred and stated that the homeowner who builds their own sidewalk would have to meet the City's curb/sidewalk standards. Councilmember McGlashan noted that the location in question is at 12th Avenue NE and NE 147<sup>th</sup> Street.

Councilmember Way asked questions regarding the Ronald Bog flood plain timeline, FEMA mapping, and grants. Mr. Sanchez replied that the City staff will present information on this topic to the Council in early September. He noted that the City staff is looking at various grants and low interest loans. Mr. Olander stated that the full scope of this issue includes taking it to the community for input. He also noted that the City wasn't able to apply for grants this year due to their cost-benefit analysis criteria. He noted that the City staff hopes to finish the cost-benefit analysis criteria in six to eight months then apply for the next funding cycle. Ms. Tarry noted that the CIP reflects funding from the Surface Water fund.

Responding to Deputy Mayor Scott, Mr. McKinley stated that the in lieu of sidewalks is based on an evaluation on the cost of all projects overall, then a per foot rate, which is

approximately \$120. He noted that the rate goes up a little each year based on market forces.

Councilmember Hansen commented that he has reviewed the projects and the CIP and is satisfied with it. He said he agrees with 90% of the entries. However, he felt that the numbers concerning the 2012-13 Aurora Corridor estimates should be rounded to the nearest thousands because it is impossible to make such accurate projections into the future. Mr. Olander agreed.

Councilmember Eggen stated that kept track of unsolicited comments while doorbelling last year and sidewalks was one of the major concerns.

Mayor Ryu arrived at 7:18 p.m.

Councilmember McGlashan said he recently had a conversation with a citizen that didn't want any sidewalks but had some concerns with the City's drainage ditches. Mr. Olander noted that they can be reviewed as part of the Surface Water Capital Plan.

Councilmember Way talked about a situation at the Paramount Park ball field by the NE 155th pedestrian crossing. She said that the picnic shelter at the edge of the park has become an attractive nuisance. There is erosion occurring at the base of the trees, and she wondered if the City can install a fence there using the parks repair/replacement fund. Mr. Olander responded that the City staff can take a look at some low impact solution.

Councilmember Way then inquired about how the annual roads surface maintenance will function with the newly formed Transportation Benefit District (TBD). Ms. Tarry communicated that the City allocates over \$1 million of general fund money into the roads capital fund and most of it goes to roads pavement. This process won't be able to continue doing this because of budget gaps. The TBD will provide a revenue source to maintain the pavement management program. Mr. Olander added that City roads are overlaid and slurry sealed and this critical investment is done on a regular basis. He explained that if the roads weren't maintained regularly, then the entire road infrastructure would need to be rebuilt at a much higher cost. Deputy Mayor Scott noted that the City's higher level of road maintenance is clearly evident if compared with the City of Seattle.

Mayor Ryu appreciated the City staff and Council for maintaining the level of service. Ms. Tarry commented that the City staff will bring forward CIP adoption next week.

(b) Proposed Amendments to the Shoreline Development Code, Application #301543

Steve Cohn, Long Range Planner, provided the staff report and outlined the amendments included in the proposed package. The Planning Commission (PC) is recommending approval of items #2, 3, 5, and 6. However, the City staff is bringing all of the

amendments forward so the Council can have an idea what they're talking about and how they arrived at their conclusions.

Mayor Ryu inquired if there was any state legislation passed regarding electric plug-ins that would assist the Council's discussion of that item. Councilmember Way replied she would share some information later in the meeting.

Mayor Ryu called for public comment.

(a) Arthur Maronek, Shoreline, commented that there have been two meetings on this issue, December 4 and February 26. The issues raised in both meetings revolve around the fact that if the code changes are made, the review process for all single family condominiums ("air condos") would be removed, and that is not acceptable. He noted that there is a dispute between his attorney and the City Attorney, but the law clearly states that if a condominium is proposed even on one parcel, or part, it has to be treated as a subdivision or binding site plan. However, the City removed any reference to binding site plans for residential, so the state subdivision statute applies. He stated that the PC talked about bringing the City and state code into agreement and asked the City staff for specific information. He urged the Council to let the PC do its job.

Ian Sievers, City Attorney, commented that Proposal #1 isn't recommended for approval and the PC was persuaded by Mr. Maronek's arguments. However, this entire item still has to be heard by the Council. Mr. Tovar suggested that the Council deal with the recommended items first.

Councilmember Way suggested striking #4 in Proposal #2 because it is covered several times throughout the code.

Mayor Ryu reviewed the recommended revisions listed in Proposal #3, which is SMC Section 20.50.150.

Councilmember Eggen said he realizes it is difficult to write an ordinance regarding electric plug-ins that hasn't been done anywhere; nevertheless, he felt some general ordinance might be possible to get people to start installing infrastructure.

Mayor Ryu commented that the PC wants to look at this idea in the future, so she wondered how soon the Council would want such legislation in place. Councilmember Way added that Senate Bill 2SB1481 passed. She outlined that this bill gives some direction and she would like to see Shoreline adopt it.

Deputy Mayor Scott suggested remanding this item back to the PC since this new state legislation was adopted after they considered this item. Councilmember Way said she would like to work with the City staff during the next week and possibly put this item on the Council agenda in a few weeks because it is timely. Mayor Ryu suggested Councilmember Eggen and Councilmember Way work with Mr. Tovar on this. Mr. Olander noted that the City cannot mandate a particular technical standard when there is

no established standard yet. Mayor Ryu felt this would be helpful to give developers notice as to what the City is looking for as development proceeds into the near future. Mr. Tovar pointed out that all of the cities in western Washington have this mandate so the City definitely needs to come out with something by July 2010. He emphasized the need to be "cutting edge" but said it also needs to be realistic. Councilmember Eggen agreed that mandating specific standards is not appropriate at this point, but mandating some type of general standard might be. Deputy Mayor Scott said that the City needs to come up with some type of capacity to meet this so the City won't have to retrofit. He added that the City definitely doesn't want to have competing technologies or committing to one that isn't the accepted standard. Councilmember McConnell agreed that this is so leading-edge that if the PC isn't comfortable, she isn't comfortable. She also noted that this will have budget implications and this should be eased into and slowed down.

Councilmember McGlashan said that this obviously is going to be some form of electrical wiring and will serve multiple units. He wondered if there was some way of regulating conduit for their concrete. He discussed page 24 and pricing of the electric vehicle plug-ins.

Councilmember Hansen suggested this be left up to the contractor with no mandates.

Councilmember Way read from the bill and said there is an assumption in the bill that cities will be going in this direction.

Councilmember McGlashan said he felt the language was somewhat ambiguous. He said if the City is going to say "we don't know where this is headed," there should be some form of regulation from the City. Mr. Tovar agreed that the City should be somewhat specific.

Councilmember Eggen explained why the City may want to mandate and create incentives for electrical conduits in new residential construction. He noted that recharging takes a fixed amount of time with electric engines. He said you can't fully recharge an electric vehicle in three or five minutes; it will require the use of overnight, or three to four-hour charging stations at places of business and homes. He said he doesn't know how big electric vehicles will be, but he is quite assured that they are going to be important. He noted that the best way to make the recharging stations possible is to require the infrastructure now. Currently, builders have no incentive to include them in their developments, and soon there will have to be a government mandate in some form. Mayor Ryu agreed that the City should mandate them at some point.

Deputy Mayor Scott communicated that the City has offered property tax exemptions in the past, and the PC could think about offering them for this. He urged the PC to think creatively and consider including this as part of their property tax reduction discussions.

Councilmember Way read the Bicycle Parking standard in Proposal #5 on page 13.

Councilmember Eggen discussed Proposal #6. He stated that the Ridgecrest Development didn't have an adequate water supply based on regulations and wanted to know if this proposal change would have any impact on that. Mr. Cohn replied that the Shoreline Fire Department decides the standard regarding this regulation, which it has always done in the Shoreline Municipal Code (SMC).

Mayor Ryu discussed Proposal #7 and said the City is facing a cut in Metro services, but the City needs more transit. She wondered if this item should be recommended for adoption by the Council because this is something the residents want.

Councilmember Way inquired if the PC voted on Proposal #7. Mayor Ryu directed everyone to page 30 to read it. Mr. Olander suggested that the Council discount some of the recent cuts to some extent and move back to the status quo with regard to transit service. However, North City has never been high on the list of ridership. In this case, he explained, what really comes first is density, then transit. Deputy Mayor Scott said that there is an assumption that density and not having places for people to park will force them out of their cars and then the parking overflows into the surrounding single family neighborhoods. This tendency to think that it is either-or is a challenge. He felt the City should 1) be realistic; 2) encourage people to get out of their cars; and 3) provide regulations for adequate parking. Mr. Olander added that it is wishful thinking to say that people should not drive so much.

Councilmember McGlashan noted that King County is cutting transit service. He said that if service on 15<sup>th</sup> Avenue NE gets cut and if the formula holds it will probably be years before the City can get back to the status quo. He supported the amendment but wished to hear the PC recommendation on such an idea, given the recent news about transit cuts. Mr. Olander replied that he had the impression that the PC was philosophically opposed to this. Mr. Tovar concurred and stated that the PC is looking at the long-term, big picture.

Councilmember Way stated that the electric vehicle is an important direction for the City to move in. She noted that proper planning for the future and the lives of the people in this area is the way to think about this. Councilmember Way favored the Council recommending approval of Proposal #7.

Councilmember Eggen stated that the City needs alternatives and the Council should focus on the alternatives rather than focusing on social engineering. He favored bus passes, zip car stalls, and other options to try to reduce the parking requirements.

Councilmember Hansen stated that he has mixed feelings on this because adequate parking is vital to commercial success. However, he questioned that if the City doesn't do something to increase density, the City will never get the transit. He added that whatever the City does will put another burden on developers of new projects. Building more parking stalls will raise the costs and possibly dampen the desire to develop, so we will end up with the status quo. He said his tendency is to agree with the PC and have them look at it a bit harder.

Councilmember McConnell did not support Proposal #7. She recommended remanding it back to the PC rather than passing it.

Mr. Tovar highlighted that the question of parking is not a Shoreline problem alone. He noted that the Town Center will also consider this issue along with zip cars, van pools, and bus passes. Mr. Olander outlined that he rescinded the administrative parking requirement which would grant the City staff or Planning Director the authority to reduce parking up to 50% in certain circumstances. However, the problem with that is that there weren't much defined criteria and he would like to bring that back for Council consideration on the parameters such as bus passes, zip cards, or a management plan. He added that the standards need to be developed.

Deputy Mayor Scott concurred, adding that the Council isn't asking for a one-to-one ratio in terms of parking development, just fine-tuning. The citizens have felt the impact of parking in the residential areas and an appropriate adjustment needs to be made. He supported this and said either accepting it as a Council or modifying it is fine. He also noted that Mr. Tovar stated that remanding it back to Council wouldn't result in much of a substantive change. Therefore, he urged the Council to come to a decision.

Councilmember Way confirmed that Arabella charges for parking and that illustrates a detail that affects the outcome. She suggested that a parking plan be derived so the neighborhood can see some relief.

Mayor Ryu commented that accepting #7 would set the baseline then others could add on to that. Additionally, the City can provide incentives to move forward from the baseline. Mr. Tovar commented that if the Council were to vote on this tonight the City staff would have to create some kind of criteria and come back with it administratively or as part of the Town Center.

Mayor Ryu noted that Proposal #1 was not recommended by the PC and they directed the City staff to bring it back to them with options. Mr. Cohn explained to the Council and public that a Type B action is equivalent to a short plat process requiring some public input, but no hearing. A Type C action is for five or more lots that require a public hearing and a set of criteria that the hearing examiner or PC has to go by to determine if the criteria is met. He explained that the proposal from the PC is that if less than five units are proposed it would be a Type E action and if more than four it would be a Type C action. Mr. Olander stated that the PC may want to consider rounding up lots with six to seven. Mr. Cohn highlighted that the PC was focused solely on this as he stated. Mayor Ryu commented that it may make sense to remand this to the PC with direction. Mr. Olander commented that there are conflicting policy tradeoffs. He pointed out that there are issues such as trees, sensitive areas, and putting homes closer together which affect neighborhood character. Mayor Ryu polled the Council to see if there was support to have the PC consider the rounding up issue. She said she is concerned and there should be a policy tradeoff if it can save more trees. She supported remanding this to the PC. Mr. Olander commented that those are the things that PC would need to look at.



Deputy Mayor Scott inquired if there is a requirement for a development of this type to have a community meeting. He said if the community isn't aware this is an effort to save trees, it could lead to a misunderstanding. He said he didn't know the process well enough, though. Mr. Cohn explained that a neighborhood meeting would be required if there are five or more units proposed. Mayor Ryu said this would almost be like a campus, and asked if the PC could have the criteria set a level just below a campus. Mr. Tovar replied that the PC could do a better job about the quality of the report. He commented that when people talk about infill projects, they have concerns about the number of buildings, trees, neighborhood character, and values questions. He pointed out that the City staff will be talking to the PC about tree regulations on Thursday night. The goal is to have the City staff able to administer something more practical throughout the City. Councilmember Way suggested having some flexibility when discussing groves of trees and tree clustering in the regulations.

Councilmember Eggen said although the question he posed regarding 5-10 foot setbacks doesn't really apply to this topic, he would like to hear some comment. Mr. Cohn replied that when there is a condo, the requirement for distance is based on the fire and building code, not the City's setback requirements. Mr. Cohn noted that in a condominium situation, the requirement for distance is based on fire and building code. He pointed out that the Shoreline Fire Department would review and approve such a permit. Mr. Olander added that the single family subdivision sideyard setbacks have to be a minimum of five feet with a total of no more than 15 feet.

## 7. ADJOURNMENT

At 8:50 p.m., Mayor Ryu declared the meeting adjourned.

---

Scott Passey, City Clerk

**This page intentionally left blank**