

## **CITY OF SHORELINE**

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

Tuesday, September 8, 2009 – 6:30 p.m.  
Shoreline Conference Center  
Mt. Rainier Room

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

**ABSENT:** None

#### **1. CALL TO ORDER**

At 6:30 p.m., the meeting was called to order by Mayor Ryu, who presided.

#### **2. FLAG SALUTE/ROLL CALL**

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exceptions of Councilmembers Hansen and McConnell, who arrived shortly thereafter.

##### **(a) Proclamation of Traffic Safety Awareness Week**

Mayor Ryu read the proclamation recognizing the week of September 8, 2009 as Traffic Safety Awareness Week in the City of Shoreline. Captain Ted Stensland of the Shoreline Police Department accepted the proclamation and thanked the City Council for recognizing the importance of traffic safety.

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

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events. He noted that the City Hall Ribbon Cutting and Dedication Ceremony will be held on Saturday, October 10 at 10:00 a.m. and that the City staff has moved into the new building.

#### **4. COUNCIL REPORTS**

Councilmember Eggen reported on his attendance at a SeaShore meeting on August 28 where they submitted a letter to King County Executive Kirk Triplett regarding recommendations on meeting the transit financial emergency. He stated that the most current version of that letter will be distributed to the Council and the public.



5. GENERAL PUBLIC COMMENT

a) Laethan Wene, Shoreline, invited everyone to attend the 2010 Legislative Forum on Disabilities on November 23.

b) Chris Roberts, Shoreline, stated that his University of Washington students ask him during every election why vote-by-mail is not considered a poll tax. He said the answer is because there are drop off ballots at certain locations. However, he felt the Council should encourage King County to install a drop off box in Shoreline. He also asked why there aren't any accessible voting machines in Shoreline.

c) Tom Albrow, Seattle, said he is running for a position on the Port of Seattle Commission, which is really the "Port of King County." He noted that the Port is a government of every citizen in King County. He felt that this area needs a port commission that serves every resident in King County. He outlined his management, engineering, small business, and contractor experience.

d) Steve Cook, Shoreline, introduced himself as the general chairman of the North City Jazz Walk and thanked the entire City, City Council, staff, police, and fire for their strong support. He noted that these entities made it a positive experience for everyone and that the 15th Avenue businesses and the media also contributed and participated to make the event a success. He noted that there were 200 parking places not used, so there still is capacity to grow.

Mr. Olander responded that it is too late for the City to get a King County ballot drop off box at the new City Hall, but the City staff is working to get one next year. Councilmember Way said she would like to see some information on the City's website about the Lake Forest Park vote-by-mail drop off box.

6. STUDY ITEMS

(a) Continued Discussion of Home Occupation Regulations

Rachael Markle, Assistant Director of Planning & Development Services, provided a brief overview of the home occupation regulations and compared them to other similar jurisdictions. Mr. Olander highlighted that some cities allow larger vehicles on site and our regulations limit the vehicle to 2,000 lbs.

Mayor Ryu called for public comment.

a) Jim Baker, Shoreline, said he operates a rental equipment business from his home. He felt that the current code restriction of one vehicle needs to be amended because it is far too restrictive about parking for commercial vehicles. Non-commercial vehicles can park anywhere, he stated. He noted that his business has little impact on the environment, keeps his property clean, and he tries to be a good neighbor. He urged the City to create a less-restrictive environment for home-based businesses.



b) Wendy DiPeso, Shoreline, said she reviewed the code with the Chamber of Commerce and the City needs to protect neighbors and allow businesses to grow. She felt that the Code will always be subject to individual interpretation and needs "teeth" when necessary.

c) Dennis Lee, Shoreline, agreed with the previous speakers. He discussed the process of code enforcement and said the Customer Response Team (CRT) is designed for people to call if they have problems. He felt that the City's Code Enforcement Officer shouldn't be the first one to talk to the business owner about potential impacts and that the City should be careful not to try to find unnecessary restrictions.

d) Dr. Menke, Shoreline, discussed the section of the Code which states that a home occupation business owner cannot have any employees. She said that networking is important and she doesn't think it's a great imposition for business owners to have an employee or assistant. If businesses are successful in Shoreline, the City will build a strong foundation. She urged the Council to reconsider the number of employees allowed on a home occupation property for business purposes.

Councilmember Eggen clarified that the Code says no more than one resident or non-resident working on site.

Mayor Ryu felt that the issues concern the number of vehicles and the number of employees at the same time.

Councilmember Way questioned how one business owner can run a group home. She noted that there are several throughout the City and there must be more than one person running each one of them. Ms. Markle replied that home occupation regulations do not apply to group homes, which are regulated by the State. Councilmember Way also noted that there are daycare businesses that have more than one employee. Ms. Markle pointed out that these regulations do not apply to daycare businesses, either. Councilmember Way discussed vehicles and asked if standard SUVs are one-ton vehicles. She inquired if one-ton is a fair standard. Councilmember McGlashan added that panel trucks are one-ton vehicles.

Councilmember Eggen clarified that this is about load weight. Mr. Baker clarified that one-ton refers to the hauling capacity. Councilmember Way said she is curious what the City staff thinks about the feasibility of changing the code to be more flexible. Mr. Olander commented that part of it is a question the Council will have to answer in their own minds, such as the impact on neighbors. Ms. Markle replied that it wouldn't be unreasonable to change the legislation to two-ton, which is consistent with other cities. Councilmember Eggen noted that there is only one comparable city that allowed the weight capacity to be the hauling capacity. Mayor Ryu recommended changing the language to "up to 14,000 gross vehicle weight." Deputy Mayor Scott suggested



including Councilmember Eggen's language from the City of Kirkland municipal code concerning height (9 feet) and length (22 feet) of the vehicle.

Mayor Ryu confirmed that residents can have up to eight vehicles on their property. She wondered why the number of commercial vehicles is limited. Councilmember McGlashan supported Mr. Baker's suggestion of allowing commercial vehicles to park like non-commercial vehicles. Mayor Ryu questioned the difference between work and personal vehicles. Councilmember McGlashan felt that there should be an allowance for no more than two commercial vehicles up to 14,000 GVW. Deputy Mayor Scott commented that the discussion is getting very prescriptive and there can be medium duty trucks that are not acceptable in neighborhoods.

Councilmember Way questioned if Mr. Baker's situation involved a trailer. Ms. Markle explained that it was the number of commercial vehicles on his property that had a company logo, not just a trailer. Mr. Olander added that the Council should consider the issue of commercial vehicles coming and going in and out of the neighborhood all day.

Councilmember Hansen felt the City should be cautious about limiting the number of vehicles with company logos on them. He added that part of the prescriptiveness is unintended consequences, as Deputy Mayor Scott stated. He suggested that the Council come up with some ideas, then let the City staff go back and work on it.

Mr. Olander commented that generally the Council is interested in increasing the size of vehicles in alignment with the policies of other cities and allowing up to two of them. Councilmember Eggen added that a specification should be included that the vehicles be kept clean and in good repair. Mr. Olander pointed out that clean is subjective and perhaps "operable condition" would be the proper language. Councilmember Way said she thought that under general permitting, a permit is required if they exceed the criteria for a home occupation. She commented that there should be a variance process to encourage creativity and allow exceptions. Both Councilmember Way and Mayor Ryu suggested the Economic Development Manager and the Planning Department determine if there is a need to create such a variance in Shoreline.

Councilmember McGlashan wondered how emergent this issue is and if it is complaint-driven, because business licensing is coming into effect. He noted that business licensing will provide a list of home-based businesses and it may be a good idea to wait for it. He felt the City should think about taking an inventory first and then work on the regulations. Ms. Markle stated that there haven't been many complaints about home businesses, but there have been some about what vehicles are allowed. She noted that they don't like the truck with logos in the neighborhood. Mr. Olander noted that there have been construction vehicles parked in Innis Arden and alleged violations of the home occupation regulations. He noted that the biggest complaints involve vehicles. Councilmember Way felt that waiting until 2010 is not acceptable and that there needs to be flexible and innovative ways for people to work these in. Mr. Olander said that these modifications are fairly minor and the City staff can look at them and do something in the short term. Councilmember Way also noted that signage is an important issue.



Councilmember Hansen said he doesn't want to create an ordinance based on one person; it needs to be a decision that is good for the City of Shoreline as a whole. He said this is based on what can be done without a permit. He inquired if Mr. Baker can go through the permit process and not have these limitations apply. Ms. Markle replied that Mr. Baker currently has a home occupation permit, which limits him to one vehicle; telecommuters, such as consultants, don't need a permit. However, hair stylists and other businesses which require people coming to your address for appointments need to have a permit. Councilmember McConnell agreed that the language could be modified by the Council. She felt medium-sized vehicles would be okay, but would hate to see heavy duty trucks in Shoreline neighborhoods.

Councilmember Eggen agreed the Council shouldn't make huge changes, but it should adhere to the principle that the home-based business shouldn't impact the neighborhood. The number of employees section could be relaxed, but he proposed the limit be two to three employees with other conditions such as parking.

Deputy Mayor Scott added that the City's concept of home-based businesses needs to be broadened, but he isn't sure the Council has enough information to come up with solutions. Councilmember McGlashan agreed with Ms. DiPeso that the City should grow small businesses into larger ones and that there has to be a standard for everyone.

Councilmember Hansen agreed that as long as businesses are not affecting neighborhoods, the City shouldn't regulate them. The City should only be investigating complaints. He said the problem involves vehicles and the City shouldn't be impeding home-based businesses.

Mr. Olander said the intent is to protect the character of the neighborhoods which will ultimately restrict the bringing of customers or patrons into them. Home-based businesses aren't designed to grow into retail businesses. He added that most home occupation businesses fall under different categories anyway and the growth is being seen in mail-order sales and home computer work; basically, remote activities which don't affect neighborhoods. He felt that from an administrative point of view, the Council could make a few minor changes but keep most of the current regulations in place.

Councilmember Eggen concurred with Councilmember Hansen that complaints should be addressed, but the policy went from complaint-driven to a proactive code enforcement approach. He favored a complaint-driven system for minor issues. He also agreed with Councilmember Way that the City has an economic issue now and if something can be done to the regulations to reduce the impact on neighborhoods it should be done. He also stated that there isn't any language about diesel emissions in the Code.

Councilmember Way restated that signage is a big issue and it seems like signs are reasonable for home-based businesses. Ms. Markle pointed out that two signs are allowed for home-based businesses.



Mr. Olander stated that in the past the City didn't do proactive code enforcement; however, based on citizen surveys over the past six or eight years, code enforcement was a strong priority and the Customer Response Team (CRT) resolves 98% of its cases using voluntary compliance. He noted that CRT has a successful record cleaning up junk vehicles, hazards in the right-of-way, etc. Mayor Ryu added that the housing stock in the City consists of homes built in the 40's and 50's and many of them have more than two vehicles. Mr. Olander summarized that the City staff has general direction and will take this to the Planning Commission.

Ms. Markle made final remarks concerning the size of vehicles and noted that the Code allows one non-resident full-time employee per home occupation permit.

RECESS

**At 8:02 p.m., Mayor Ryu called for a five minute break. The Council meeting reconvened at 8:10 p.m.**

(b) Economic Development Program Update

Mark Mayuga, Economic Development Program Manager, introduced new chairman of the Economic Development Advisory Committee (EDAC), Dick Nicholson, and Jaime Eckert, Vice Chair. Mr. Mayuga updated the Council on the progress and activities of the Economic Development Program. He stated that there is a lot going on in the City and that the Council goals that were set concerning economic development are very reasonable. He noted that the EDAC has enhanced and added to them. Mr. Olander added that the Transit Oriented Development (TOD) is a major step and it has always been a challenge for cities to get property transferred for this purpose. The State transfer of property to King County for TOD means that King County will be looking for experienced developers in the future. The goal, he said, is to try to get overlapping transportation service between King and Snohomish County. He also noted that Appendix B highlights the business license program and said the City is still waiting for the State. Based on the delay, the City staff is predicting that it won't be until the 3rd Quarter of 2010 before the City can receive a database and get the program running.

Mayor Ryu questioned if it was still possible to include undergrounding of the Department of Transportation (DOT) site for TOD if it happens before the Aurora Corridor Project. Mr. Olander replied that it depends on the timing going forward, but the City staff will make sure there are some temporary improvements.

Mr. Mayuga expanded on the Small Business Accelerator Program through the Continuing Education Program at Shoreline Community College (SCC) and that the City has a joint venture with them to enhance the City's small business environment. He stated that Mark McVeety normally works with about seven small businesses per month. He noted that the program is tailored to small businesses and that it helps them develop business plans through education. Mr. Olander reported that a part of the City's job is to support existing businesses as well as attract new businesses. Mr. Mayuga commented



that there are five or six developers interested in Aurora Square and that the Feasibility Study at that location recommended a lifestyle center. A lifestyle center includes mixed use residential, business, office, with retail and entertainment. The lifestyle center should be sustainable, green, and walkable, not resembling big box shopping centers. They consist of boutique-like, unique restaurants, professional offices, condos, etc., similar to U-Village and Mill Creek. He said the developers look promising and he will provide the Council with their websites. Mr. Olander outlined the next steps and said there hasn't been anything discussed yet that would require changing the current code.

Councilmember Eggen asked if form-based codes are something the Council should address aggressively. Mr. Mayuga replied that the Council should first listen to the developers and the community to ensure the result is quality work. He noted that all of the possible developers are committed to communities and that it is premature to start setting guidelines.

Mayor Ryu inquired if anyone could listen in on the developer conferences. Mr. Olander communicated that at this stage they are confidential. He noted that when the City issues an RFP/RFQ the Council can get involved. Mayor Ryu inquired if the City is doing anything for the existing commercial stock. Mr. Mayuga replied that he is keeping track of commercial space and the commercial brokers inform him when properties come up for sale. Mr. Olander added that another business oriented program is the nursing program with SCC.

Mr. Mayuga outlined the nursing program and said it has created a positive revenue stream for the college. He added that there is a developer proposing student housing for the program with classrooms, and he is still working on moving it forward. Additionally, he said it could co-exist with their automotive program.

Dick Nicholson outlined the EDAC accomplishments, reviewed development codes, strategic plans, the branding committee, and the work plan. He noted that his personal goals include outreach to everyone concerned and reporting back to the Council. He also said he wants to establish a clear vision and an increase in local shopping. Additionally, he said the database is critical and there is a need to improve the tax base with quality development.

Jamie Eckhardt commented that he is very excited to be on the committee with a great group of people and that it is important in moving the City forward.

Mayor Ryu called for public comment.

a) Robert Ransom, Shoreline, stated that one key economic development area in Shoreline is Aurora Square, which is 40 acres including the DOT property. Developers want higher height limits, at least 10 stories, and when the developers came to him about Aurora Square they wanted 20 stories. There have been discussions about the Aurora Triangle and the Choi property, but again it was about 10 stories. He stated that there was a major study done of 25 key businesses concerning the best fit for



Shoreline and those results are in the Council office. He said he has attended 15 economic development sessions with the Association of Washington Cities (AWC) and they suggested making a pitch to the marketing group that convenes in Las Vegas in May. He concluded that the Ridgecrest development never occurred and there are issues with water use. He felt the City needs to take over Shoreline Water because it is a major problem in development.

b) Laethan Wene, Shoreline, stated that the City needs more affordable housing for the developmentally disabled community.

c) Dr. Menke, Shoreline, said she is excited to see Shoreline “get on the map.” She noted that LEED characterizations, built green, and other green aspects are being utilized more in Shoreline. She noted that if the City continues to abide by green principles it will attract quality developers.

Councilmember McGlashan inquired about the acreage of Aurora Square, to which Mr. Mayuga replied that the EDAC came up with 50 acres, including the DOT site. He said development in that area is probably 5-10 years out.

Councilmember Way discussed green technology and emphasized that Shoreline Solar is something to highlight as part of the City’s program. Mayor Ryu added that the Chamber Green Business program is important too. Mr. Mayuga highlighted that Enterprise Seattle is also a key part of this and the City is trying to bring many partners to the table.

Councilmember Eggen commented on page 4 and said that Denny's is on a month-to-month rental agreement. He questioned if it is due to financial issues. Mr. Mayuga replied that they are in need of a larger site so they didn’t want to move into a long-term lease.

Councilmember McGlashan inquired why the Joshua Green Corporation wouldn’t be involved in the Aurora Square discussion. Mr. Mayuga confirmed that they are. Councilmember McGlashan added that a database of retail vacancies would be helpful. He also communicated that Shoreline Water has noted upgrades in the Shoreline’s water system in their Comprehensive Plan.

## 7. ADJOURNMENT

At 9:02 p.m., Mayor Ryu declared the meeting adjourned.

---

Scott Passey, City Clerk