

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

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 741 - Development Code Amendments for the Light Rail Permitting Process and Applicable Regulations
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Rachael Markle, AICP, Director
<b>ACTION:</b>	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Based on Sound Transit's latest schedule, permit review for construction of the light rail system in Shoreline will begin in 2016. In preparation for these permits, the Planning Commission and staff have been drafting amendments to the City's Development Code, SMC Title 20, to address unique aspects of this project. These amendments are designed to provide the City with the ability to reasonably regulate the light rail system/facilities so as to mitigate the impacts of the use in Shoreline.

**RESOURCE/FINANCIAL IMPACT:**

There are no direct impacts to the City's resources associated with the adoption of these amendments. These amendments are intended to protect City resources by ensuring that impacts that can be attributed to the new light rail system are identified and addressed by Sound Transit.

**RECOMMENDATION**

Staff recommends that the Council move to adopt proposed Ordinance No. 741 as recommended by the Planning Commission and then Council should amend the Planning Commission's recommendation to include any desired amendments contained in this staff report in response to issues raised during the June 6, 2016 Council meeting.

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

## BACKGROUND

Amendments to Shoreline Municipal Code (SMC) Title 20 (Development Code) are processed as legislative decisions. Legislative decisions are non-project decisions made by the Council under its authority to establish policies and regulations. The Planning Commission is the reviewing authority for legislative decisions and is responsible for holding an open record Public Hearing on Development Code amendments and making a recommendation to the City Council on each amendment.

Study sessions were held during the Planning Commission's meetings on December 17, 2015 and January 7, 2016. Following a Public Hearing on January 21, 2016, the Commission recommended approval of the first group of Sound Transit-related Development Code amendments. The City Council adopted these Development Code regulations on March 21, 2016 via Ordinance No. 739.

On February 4, 2016, the Planning Commission held a study session on the proposed "second round" of Development Code amendments which became Draft Ordinance 741. Staff presented revisions to these amendments at the April 21, 2016 Planning Commission meeting. The Planning Commission then conducted a Public Hearing and recommended approval of the amendments to the City Council on May 5, 2016. A link to this staff report, the Planning Commission Subcommittee Notes, written comments and minutes of the May 5<sup>th</sup> meeting can be found at the following link:

<http://www.shorelinewa.gov/Home/Components/Calendar/Event/9547/182?toggle=allpast>.

## DISCUSSION

The Development Code amendments in proposed Ordinance No. 741 (Attachment A with Exhibit A) include the following:

- **Definitions** - Amending definitions for "Light Rail Transit Facility" and "Light Rail Transit System", and adding a definition for "Regional Transit Authority";
- **Application** - Adding specific criteria defining when a Regional Transit Authority may apply for permits;
- **Special Use Permit** - Adding a reference to Essential Public Facilities in the Purpose section for the Special Use Permit;
- **Decision Criteria for Special Use Permits** - Amending the proposed decision criteria for approval of a Special Use Permit specific to light rail transit system/facilities;
- **Application Submittal Requirements** - Amending the proposed supplemental application submittal requirements;
- **Site Design for Public Places** - Add requirement for water and power at High Capacity Transit (HCT) centers; and
- **Tree Impacts** - Adding new regulations to address off-site tree impacts.

## **PROPOSED AMENDMENTS TO EXHIBIT A**

Exhibit A is the Planning Commission's recommended amendments to the Development Code for Ordinance No. 741. On June 6 City Councilmembers requested that staff prepare amendment language to be considered this evening regarding a definition for High Capacity Transit (HCT) Center, the location of public potable water and electricity and a requirement for restrooms.

### **Definition for High Capacity Transit Center (SMC 20.20.024 H Definitions)**

Proposed inclusion of SMC 20.50.240(g) requires potable water and electrical power at high capacity transit centers. Currently there is not a definition for high capacity transit centers in the City's code. Staff recommends that Council amend the Planning Commission recommendation to include such a definition. The proposed definition would be:

*“High-capacity transit centers are facilities for light rail, commuter rail, or bus rapid transit. A high-capacity transit center may provide parking lots, parking garages, real-time schedule information, lighting, benches, restrooms, food and drink, shelters and trash cans. Other features may include real time information, special lighting or shelter design, public art and bicycle parking.”*

The Council motion would be to amend SMC 20.20.024 H Definitions to include the definition of High Capacity Transit Center with the language referenced above.

### **Amenities (Water and Power) at HCT Centers (SMC 20.50.240(F)(6)(g))**

This amendment adds a requirement to SMC 20.50.240 (F) to have water and electrical infrastructure installed and made accessible for commerce, activities, and public events approved by the City of Shoreline and Sound Transit at stations and garages. The Planning Commission recommendation was intended to apply to public areas outside of stations and garages. The water and electricity could be used to support and encourage community events and vending for the public. These uses would promote place-making through activation of public space.

On June 6, Councilmember McGlashan requested that amendment language be provided to ensure that the provision of potable water and electricity be made at a location outside of the high capacity transit center that IS accessible to the public such as in connection with a plaza as opposed to being located behind the building for example. Staff suggests the following revision shown with double underlines:

20.50.240 Site design

F. Public Places

...

6....

g. Accessible potable water and electrical power shall be supplied to a public facing portion of the exterior of high capacity transit centers, stations and associated parking.

The Council motion would be to amend SMC 20.50.240 (F)(6)(g) with the double underlined language above.

## **Requirement for Restrooms in Light Rail Stations**

There are a couple of ways in which the City can require public restrooms to be constructed in Shoreline's light rail stations. The regulatory strategies include use of the following:

- National Fire Protection Association (NFPA)130: Standard for Fixed Guideway Transit and Passenger Rail Systems + International Building Code (IBC)
- Guiding Principles for Light Rail Facility Design + Special Use Permit Process

### National Fire Protection Association (NFPA)130: Standard for Fixed Guideway Transit and Passenger Rail Systems + International Building Code (IBC)

Later this year, the Council will be presented with a staff recommendation that is supported by Sound Transit design staff, to adopt the NFPA 130 Standard for Fixed Guideway Transit and Passenger Rail Systems. The International Fire Code does not specifically address fixed guideway rail systems. The NFPA 130 includes standards for fire prevention, protection and suppression that are specific to light rail stations, garages and associated systems. Therefore, in collaboration with Sound Transit the City and Shoreline Fire worked together to modify the NFPA 130 Standards as amended by the City of Bellevue to use in the City of Shoreline.

The City of Bellevue added a new section to the NFPA 130 that states: "Stations shall include the minimum number of plumbing fixtures in accordance with Section 2902.1 of the International Building Code (IBC)." Section 2902.1 of the IBC states that:

"Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. Uses not shown in Table 2902.1 shall be determined individually by the *building official* based on the occupancy which most nearly resembles the proposed occupancy. The number of occupants shall be determined by this code. Plumbing fixtures need not be provided for unoccupied buildings or facilities." Therefore, if the City Council adopts NFPA 130 later this year, then there is a clear path to require restrooms in the stations.

### Guiding Principles for Light Rail Facility Design + Special Use Permit Process

Council approved the "Guiding Principles for Light Rail Facility Design" to provide direction, in addition to adopted Codes, to Sound Transit on how to design light rail stations, garages and systems to meet local expectations. The principles address the following areas of emphasis for design: multi modal, neighborhood character, sustainability, public safety, public amenities, transit oriented development and public art. Under design emphasis for public amenities, **the City has stated that the provision of restrooms be considered.** Therefore, Sound Transit should consider the provision of restrooms as part of the designs for both stations. "Consider", of course does not translate into a requirement.

However, the Council is also being asked to adopt Ordinance No. 741 which adds an approval criteria specific to how well Sound Transit incorporates the Guiding Principles for Light Rail Facility Design into the project (SMC 20.30.330(C)(3)). Therefore, the City through the Special Use permit process can review Sound Transit's consideration of the restrooms and if it is determined by the Hearing Examiner that Sound Transit did not

appropriately consider the inclusion of restrooms then the project may be conditioned to include restrooms.

*NOTE: The codified path (NFPA Standard + IBC) above is a more direct route to requiring restrooms.*

#### Potential Amendment

If Council would like to further ensure that restrooms be required at light rail stations then the Development Code could be amended. The requirement could be added to SMC 20.50.240 Site Design (F) Public Places (6) The following design elements are also required for public places:

h. Public restrooms as defined in number by the International Building Code Section 2902.1 shall be required for all light rail transit stations.

#### **General Information about Restrooms in Light Rail Stations**

Currently, Sound Transit provides public restrooms at Union Station, SeaTac, Sumner, Bellevue, Federal Way, Auburn and Tukwila. Sound Transit adopted a policy in 1998 regarding the inclusion of restrooms at stations (Attachment B). Sound Transit staff have stated that restrooms are not planned for the Shoreline stations in accordance with this policy. Sound Transit reports that the benefits derived from the restrooms may not be commensurate to the costs of maintenance and security. Attachment C is a June 23, 2016 memorandum provided to us by Sound Transit that details the maintenance, repair and security costs incurred for the past two years for the public restrooms provided by Sound Transit at existing stations. This memorandum indicates that Sound Transit is spending **\$157,597** per facility every two years, or approximately \$78,800 per year, to operate public restrooms. This includes security and maintenance. Sound Transit staff have indicated that agreements may be developed in which Sound Transit would agree to construct the restroom facility and the City would agree to maintain it and provide security. Attachment D includes a draft estimate of how much it might cost the City to maintain restrooms at Shoreline's stations. Attachment D forecasts the cost of maintenance which does not include any potential cost for security at approximately \$17,400 per year per station.

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

This item addresses City Council Goal No. 3: Prepare for two Shoreline light rail stations.

#### **RESOURCE/FINANCIAL IMPACT**

There are no direct impacts to the City's resources associated with the adoption of these amendments. These amendments are intended to protect City resources by ensuring that impacts that can be attributed to the new light rail system are identified and addressed by Sound Transit.

## **RECOMMENDATION**

Staff recommends that the Council move to adopt proposed Ordinance No. 741 as recommended by the Planning Commission and then Council should amend the Planning Commission's recommendation to include any desired amendments contained in this staff report in response to issues raised during the June 6, 2016 Council meeting.

## **ATTACHMENTS**

- Attachment A: Ordinance No. 741
- Exhibit A: Planning Commission Recommended Development Code  
Amendments for the Light Rail System and Facilities Permitting  
Process and Applicable Regulations
- Attachment B: Sound Transit Motion No. M98-67 "Restroom Policy"
- Attachment C: Sound Transit 6/23/16 Memorandum re: restroom maintenance and  
security costs
- Attachment D: City of Shoreline Draft Restroom Maintenance Cost Estimate

**ORDINANCE NO. 741**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CERTAIN SECTIONS OF THE SHORELINE MUNICIPAL CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, TO ADDRESS LIGHT RAIL SYSTEMS AND FACILITIES PERMITTING PROCESSES AND APPLICABLE REGULATIONS.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, in 2000 the City adopted Shoreline Municipal Code Title 20, the Unified Development Code (Development Code); and

WHEREAS, Title 20 has been amended on several occasions since its original adoption; and

WHEREAS, amendments are needed to address unique permit and planning aspects arising from the construction and/or operation of Sound Transit's light rail transit system and facilities within the City; and

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

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

WHEREAS, the environmental impacts of the proposed amendments to the Development Code resulted in the issuance of a Determination of Non-Significance (DNS) on September 16, 2015; and

WHEREAS, on February 4, 2016 and again on April 21, 2016, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on May 5, 2016, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission voted unanimously to approve the Development Code amendments; and

WHEREAS, on June 6, 2016, the City Council held a study session on the proposed Development Code amendments; and

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

WHEREAS, the City provided public notice of the amendment and the public hearings as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serves the purpose of the Unified Development Code as set forth in SMC 20.10.020;

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

**Section 1. Amendment.** Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended as set forth in Exhibit A to this Ordinance.

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

**PASSED BY THE CITY COUNCIL ON JULY 11, 2016.**

\_\_\_\_\_  
Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

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

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

Date of Publication: , 2016

Effective Date: , 2016



**20.20.016 D definitions.**

**Development Agreement** A contract between the City and an applicant having ownership or control of property, or a public agency ~~which provides an essential public facility~~. The purpose of the development agreement is to set forth the development standards and other provisions that shall apply to, govern and vest the development, use, and mitigation of real property within the City for the duration specified in the agreement and shall be consistent with the applicable development regulations and the goals and policies in the Comprehensive Plan. (Ord. 706 § 1 (Exh. A), 2015).

**20.20.024 H definitions**

**High-Capacity Transit Center:** High-capacity transit centers are facilities for light rail, commuter rail, or bus rapid transit. A high-capacity transit center may provide parking lots, parking garages, real-time schedule information, lighting, benches, restrooms, food and drink, shelters and trash cans. Other features may include real time information, special lighting or shelter design, public art and bicycle parking.

**20.20.032 L definitions.**

**Light Rail Transit Facility:** A light rail transit facility is a type of essential public facility and refers to any structure, rail track, equipment, maintenance base or other improvement of a light rail transit system, including but not limited to ventilation structures, traction power substations, light rail transit stations, parking garages, park-and-ride lots, and transit station access facilities.

**Light Rail Transit System:** A light rail transit system is a type of essential public facility and refers to any public rail transit line that provides high-capacity, regional transit service owned or operated by a regional transit authority authorized under Chapter 81.112 RCW.

**20.20.044 R definitions**

**Regional Transit Authority:** Regional transit authority refers to an agency formed under the authority of Chapters 81.104 and 81.112, RCW to plan and implement a high capacity transportation system within a defined region.

**20.30.100 Application.**

A. Who may apply:

1. The property owner or an agent of the owner with authorized proof of agency may apply for a Type A, B, or C action, or for a site-specific Comprehensive Plan amendment.
2. Prior to purchase, acquisition, or owner authorization, a Regional Transit Authority may apply for a Type A, B, or C action, or for a site specific Comprehensive Plan amendment in order to develop any Light Rail Transit Facility or any portion of a Light Rail Transit System for property that has been duly authorized by the public agency for acquisition or use. No work shall commence in accordance with issued permits or approvals until all of the necessary property interests are secured and/or access to the property for such work has been otherwise approved by the owner of the property.
3. Nothing in the subsection shall prohibit the Regional Transit Authority and City from entering into an agreement to the extent permitted by the Code or other applicable law.
4. The City Council or the Director may apply for a project-specific or site-specific rezone or for an area-wide rezone.
5. Any person may propose an amendment to the Comprehensive Plan. The amendment(s) shall be considered by the City during the annual review of the Comprehensive Plan.
6. Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code.

B. All applications for permits or actions within the City shall be submitted on official forms prescribed and provided by the Department.

At a minimum, each application shall include:

1. An application form with the authorized signature of the applicant.
2. The appropriate application fee based on the official fee schedule (Chapter 3.01 SMC).
3. The Director may waive City imposed development fees for the construction of new or the remodel of existing affordable housing that complies with SMC 20.40.230 or SMC 20.40.235 based on the percentage of units affordable to residents whose annual income will not exceed 60 percent of the King County Area Median income. For example, if 20% of the units are affordable to residents with incomes 60% or less of the King County Area Median income; then the applicable fees could also be reduced by 20%.

**20.30.330 Special use permit-SUP (Type C action).**

**A. Purpose.** The purpose of a special use permit is to allow a permit granted by the City to locate a regional land use including Essential Public Facilities on unclassified

lands, unzoned lands, or when not specifically allowed by the zoning of the location, but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. The special use permit may be granted subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. The Special Use Permit shall not be used to preclude the siting of an Essential Public Facility.

**B. Decision Criteria (applies to all Special Uses).** A special use permit shall be granted by the City, only if the applicant demonstrates that:

1. The use will provide a public benefit or satisfy a public need of the neighborhood, district, City or region;
2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;
3. The special use will not materially endanger the health, safety and welfare of the community;
4. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
6. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
7. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties;
8. The special use is not in conflict with the basic purposes of this title; and
9. The special use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division

**C. Decision Criteria (Light Rail Transit Facility/System only).** In addition to the criteria in SMC 20.30.330(B), a Special Use Permit for a light rail transit system/facilities

located anywhere in the City may be granted by the City only if the applicant demonstrates the following standards are met:

1. The proposed light rail transit system/facilities uses energy efficient and environmentally sustainable architecture and site design consistent with the City's Guiding Principles for Light Rail System/Facilities and Sound Transit's design criteria manual used for all Light Rail Transit Facilities throughout the System and provides equitable features for all proposed light rail transit system/facilities;
2. The use will not result in, or will appropriately mitigate, adverse impacts on City infrastructure (e.g., roads, sidewalks, bike lanes (as confirmed by the performance of an Access Assessment Report or similar assessment) to ensure that the City's transportation system (motorized and non-motorized) will be adequate to safely support the light rail transit system/facility development proposed. If capacity or infrastructure must be increased to meet the Decision Criteria set forth in this Section 20.30.330(C), then the applicant must identify a mitigation plan for funding or constructing its proportionate share of the improvements; and
3. The applicant demonstrates that the design of the proposed light rail transit system/facility is generally consistent with the City's Guiding Principles for Light Rail System/Facilities.

**20.40.438 Light rail transit system/facility.**

E. The following supplemental submittal items are required to permit a light rail transit facility or light rail transit system within the City:

1. A Construction Management Plan or agreement will be completed before any building permit may be issued for the proposal;
2. A Post Construction Parking Operational Management Plan or agreement will be completed before light rail service begins and will include management and enforcement techniques to guard against such impacts as off-site parking in surrounding neighborhoods;
3. An Access Assessment Report is required for light rail transit system/facilities. The Access Assessment Report will analyze, identify and prioritize multi modal access improvements. The Access Assessment Report is intended to supplement the analysis and mitigation included in any environmental review document prepared for the proposed project. In general the Access Assessment Report will address: improvements near the stations for pedestrians and bicycles,

paratransit riders, and “kiss and ride” users. A more specific scope for the Access Assessment Report will be agreed to by the applicant and the City. The City may require third party review of the Access Assessment Report at the applicant’s expense.

F. Project and Permitting Processes Light Rail System/Facility.

1. Accelerated Project and Permitting Process.

a. All City permit reviews will be completed within a mutually agreed upon reduced number of working days within receiving complete permit applications and including subsequent revisions in accordance with a fully executed Accelerated Project and Permitting Staffing Agreement between the City and the project proponent.

b. The fees for permit processing will be determined as part of the Accelerated Project Permitting Staffing Agreement.

c. An Accelerated Project and Permitting Staffing Agreement shall be executed prior to the applicant’s submittal of the Special Use Permit application; or the applicant may choose to utilize the City’s standard project and permitting processes set forth in SMC 20.40.438(F)(2).

2. Standard Project and Permit Process.

a. All complete permit applications will be processed and reviewed in the order in which they are received and based on existing resources at the time of submittal.

b. Cost: Permit fees will be charged in accordance with SMC 3.01.010. This includes the ability for the City to charge its established hourly rate for all hours spent in excess of the estimated hours for each permit.

c. Due to the volume of permits anticipated for development of a light rail system/facilities in the City, in absence of an Accelerated Project Permitting Staffing Agreement, the Target Time Limits for Decisions denoted in SMC 20.30 may be extended by the Director if adequate staffing is not available to meet demand.

**20.50.240 Site design.**

**F. Public Places.**

1. Public places are required for the commercial portions of development at a rate of four square feet of public place per 20 square feet of net commercial floor area up to a public place maximum of 5,000 square feet. This requirement may be divided into smaller public places with a minimum 400 square feet each.
2. Public places may be covered but not enclosed unless by subsection (F)(3) of this section.
3. Buildings shall border at least one side of the public place.
4. Eighty percent of the area shall provide surfaces for people to stand or sit.
5. No lineal dimension is less than six feet.
6. The following design elements are also required for public places:
  - a. Physically accessible and visible from the public sidewalks, walkways, or through-connections;
  - b. Pedestrian access to abutting buildings;
  - c. Pedestrian-scaled lighting (subsection H of this section);
  - d. Seating and landscaping with solar access at least a portion of the day; and
  - e. Not located adjacent to dumpsters or loading areas;
  - f. Amenities such as public art, planters, fountains, interactive public amenities, hanging baskets, irrigation, decorative light fixtures, decorative paving and walkway treatments, and other items that provide a pleasant pedestrian experience along arterial streets.
  - g. Accessible potable water and electrical power shall be supplied to the exterior of high capacity transit centers, stations and associated parking.

**20.50.330 Project review and approval.**

B. **Professional Evaluation.** In determining whether a tree removal and/or clearing is to be approved or conditioned, the Director may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist at the applicant's expense, where the Director deems such services necessary to demonstrate compliance with the standards and guidelines of this subchapter. Third party review of plans, if required, shall also be at the applicant's expense. The Director shall have the sole authority to determine whether the professional evaluation submitted by the applicant is adequate, the evaluator is qualified and acceptable to the City, and whether third party review of plans is necessary. Required professional evaluation(s) and services may include:

1. Providing a written evaluation of the anticipated effects of ~~proposed construction on the~~ any development within five (5) feet of a tree's critical root zone that may impact the viability of trees on a and off site.

**20.50.350 Development standards for clearing activities.**

D. Site Design. Site improvements shall be designed and constructed to meet

the following:

- ~~1. Trees should be protected within vegetated islands and stands rather than as individual, isolated trees scattered throughout the site.~~
- ~~2.~~ 1. Site improvements shall be designed to give priority to protection of trees with the following characteristics, functions, or location including where the critical root zone of trees on adjoining property are within five (5) feet of the development:
  - a. Existing stands of healthy trees that have a reasonable chance of survival once the site is developed, are well shaped to withstand the wind and maintain stability over the long term, and will not pose a threat to life or property.
  - b. Trees which exceed 50 feet in height.
  - c. Trees and tree clusters which form a continuous canopy.
  - d. Trees that create a distinctive skyline feature.
  - e. Trees that have a screening function or provide relief from glare, blight, commercial or industrial harshness.
  - f. Trees providing habitat value, particularly riparian habitat.
  - g. Trees within the required yard setbacks or around the perimeter of the proposed development.
  - h. Trees having a significant land stability function.
  - i. Trees adjacent to public parks, open space, and critical area buffers.
  - j. Trees having a significant water-retention function.

**20.50.360 Tree replacement and site restoration.**

A. Plans Required. Prior to any tree removal, the applicant shall demonstrate through a clearing and grading plan, tree retention and planting plan, landscape plan, critical area protection and mitigation plan, or other plans acceptable to the Director that tree replacement will meet the minimum standards of this section. Plans shall be prepared by a qualified person or persons at the applicant's expense. Third party review of plans, if required, shall be at the applicant's expense.

B. The City may require the applicant to relocate or replace trees, shrubs, and ground covers, provide erosion control methods, hydroseed exposed slopes, or otherwise protect and restore the site as determined by the Director.

C. Replacement Required. Trees removed under the partial exemption in SMC 20.50.310(B)(1) may be removed per parcel with no replacement of trees required. Any significant tree proposed for removal beyond this limit should be replaced as follows:

1. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one new tree.
2. Each additional three inches in diameter at breast height equals one additional new tree, up to three trees per significant tree removed.
3. Minimum size requirements for replacement trees replaced under this provision: deciduous trees shall be at least 1.5 inches in caliper and evergreens six feet in height.

*Exception 20.50.360(C):*

*~~4a.~~ No tree replacement is required when the tree is proposed for relocation to another suitable planting site; provided, that relocation complies with the standards of this section.*

*~~2b.~~ The Director may allow a reduction in the minimum replacement trees required or off-site planting of replacement trees if all of the following criteria are satisfied:*

*~~i.~~ There are special circumstances related to the size, shape, topography, location or surroundings of the subject property.*

*~~ii.~~ Strict compliance with the provisions of this Code may jeopardize reasonable use of property.*

*~~iii.~~ Proposed vegetation removal, replacement, and any mitigation measures are consistent with the purpose and intent of the regulations.*

*~~iv.~~ The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity.*

*~~3c.~~ The Director may waive this provision for site restoration or enhancement projects conducted under an approved vegetation management plan.*

4. Replacement trees required for the Lynnwood Link Extension project shall be native conifer and deciduous trees proportional to the number and type of trees removed for construction, unless as part of the plan required in SMC



20.50.350(A) the qualified professional demonstrates that a native conifer is not likely to survive in a specific location.

5. Tree replacement where tree removal is necessary on adjoining properties to meet requirements in 20.50.350(D) or as a part of the development shall be at the same ratios in C. 1, 2, and 3 above with a minimum tree size of 8 feet in height. Any tree for which replacement is required in connection with the construction of a light rail system/facility, regardless of its location, may be replaced on the project site.

6. Tree replacement related to development of a light rail transit system/facility must comply with SMC 20.50.360(C).

**20.50.370 Tree protection standards.**

The following protection measures shall be imposed for all trees to be retained on-site or on adjoining property, to the extent offsite trees are subject to the tree protection provisions of this Chapter, during the construction process.

A. All required tree protection measures shall be shown on the tree protection and replacement plan, clearing and grading plan, or other plan submitted to meet the requirements of this subchapter.

B. Tree dripline areas or critical root zones as defined by the International Society of Arboriculture shall be protected. No fill, excavation, construction materials, or equipment staging or traffic shall be allowed in the dripline areas of trees that are to be retained.

**SOUND TRANSIT MOTION NO. M98-67**

A motion of the Board of the Central Puget Sound Regional Transit Authority to establish policy for station/facility design issues common to all three Lines of Business Business with respect to Public Restrooms and Drinking Fountains.

**Background:**

The three Lines of Business have been developing design elements in common to ensure all of Sound Transit will work as a unified whole and to assist in the development and maintenance of integrated systems. The goal is to establish policy and criteria that will serve all Lines of Business and work with our partnering agencies in the region. We wish to determine the common thread of design elements that applies to all facilities versus standardization throughout. This approach encourages uniformity where it is most advantageous and also allows individuality. This motion identifies policy issues for public restrooms and drinking fountains, as they relate to station/facility design. Background information, including other systems experiences, costs, and options for each of these issues, was presented to the Board on August 27, 1998 and September 10, 1998. After policy decisions are determined, specific design criteria will be drafted for designing and developing Sound Transit facilities.

**Motion:**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the following items are adopted as policy for all three Lines of Business station/facility design:

**Public Restrooms:**

With respect to public restrooms, Sound Transit shall:

A. Provide public restrooms where all or most of the following criteria are met: provide primary restrooms at the following types of Sound Transit facilities:

1. Where they have the greatest security, staffing is present, effective maintenance can be provided, and costs are shared with all agencies using that facility.
2. Where staffing is already provided for activities such as concessions, customer service, service supervision, or security.
3. Where concessions are in place and concession revenue covers the ongoing operating and maintenance expense for public restrooms.
4. Where capital costs are not excessive and prohibitive to construct these facilities.

B. Provide public restrooms, initially, with the following major investments, and work with partnering agencies to determine the need and ability to design, construct and maintain public restrooms in additional high-use stations or multi-modal facilities:

1. Northgate Light Rail Station
2. Bellevue Transit Center
3. King Street Station in downtown Seattle
4. Everett Multi-Modal Station
5. Tacoma Dome Transit Center
6. On board the Sounder Commuter Rail trains

C. In addition, Sound Transit shall:

1. Evaluate Light Rail, Multi-modal Stations and Transit Centers to determine appropriate areas to make provisions of space for self-contained or permanent future restrooms.
2. Implement restroom facilities when funding, staffing, and maintenance arrangements can be made that do not affect Sound Transit's goal to meet budgets and schedules outlined in *Sound Move*.

These arrangements may include partnerships with other agencies, funding by advertising, or other revenue sources.

3. Consider self-contained restrooms in conjunction with other agencies, including providing space at Sound Transit facilities for these units.
4. Predicate joint use development agreements on the need for public restrooms to be built and maintained by the developer.
5. Strongly encourage any transit-oriented development to also provide public restrooms.

**D. All Sound Transit Public Restrooms shall:**

1. Be located in a safe and secure area of the facility.
2. Provide CCTV security in entry areas and the restrooms
3. Be constructed with durable, easily cleanable, and vandal-resistant materials, including lighting..
4. Not conflict with the facility operations or general flow of traffic.

**Drinking Fountains:**

With respect to drinking fountains, Sound Transit shall:

Provide drinking fountains at facilities where water and sewer utilities will be provided for other uses, such as restrooms or concessions, and continual on-going maintenance will be possible.

Adopted by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof on the 10th day of September, 1998.

Paul Miller  
Board Chair

ATTEST:

Marcia Walker  
Board Administrator

**SOUND TRANSIT MOTION NO. M98-67 Station/Facility Design Issues in Common For Commuter Rail, Link Light Rail, and Regional Express BACKGROUND AND COMMENTS**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board of Directors	9/10/98	Discussion/Possible Action	Betty Laurs, Commuter Rail Debora Ashland, Link Light Rail Linda Smith, Regional Express	206-689-7440 206-689-3309 206-689-4922

**ACTION:**

The adoption of Motion No. M98-67 is being requested of the Board pertaining to the incorporation of restrooms and drinking fountains in Sound Transit facilities. Our intent for this meeting is to further discuss the station design policy issues for public restrooms and drinking fountains and present staff recommendations. All Design Issues in Common will be incorporated into each Line of Business Design Criteria Manual.

### **BACKGROUND:**

In order to proceed with design and engineering, Sound Transit's philosophy needs to be addressed, with respect to design, maintenance, and operation of facilities. This will set the standards for which design criteria can be established and create a basis for designers, engineers, and architects to begin their work on station design.

The three Lines of Business have been discussing design elements in common to ensure all of Sound Transit will work as a unified whole and to assist in the development and maintenance of integrated systems. The goal is to establish policy and criteria that will serve all Lines of Business and work with our partnering agencies in the region. We wish to determine the common thread of issues that applies to all facilities.

At the July 17, 1998 Executive Committee Meeting, we generally discussed many design elements. At the August 27, 1998 Board Meeting, we presented design elements in the following format to facilitate the policy discussion:

1. Description of Element
2. Background
  - a. Others experiences
  - b. Costs: construction, operating, maintenance, revenue
1. Options
2. Staff Recommended Approach
3. Policy Decisions
4. Criteria/Standards/Physical Requirements (to be developed in detail after policy decision)

This written material contains only staff recommendations for public restrooms and drinking fountains. Staff provided background information, including other systems experiences, costs, and options and recommendations at the meeting on August 27, 1998. Discussion will continue at the September 10, 1998 Board Meeting with possible action. After policy decisions are determined, specific design criteria will be drafted for designing and developing Sound Transit facilities.

### **STAFF RECOMMENDATIONS FOR SEPTEMBER 10, 1998 BOARD MEETING:**

#### **Public Restrooms in Stations/Facilities**

Our primary goal is to build an efficient transportation system for the Puget Sound area. The citizens of this region have designated specific dollar amounts to build the best transportation system possible. To do that, difficult choices are required to keep our costs intact and our focus on transportation. The topic of whether or not to provide public restrooms for our patrons is one of those difficult decisions. We must balance the obvious cost concerns, both short and long term, with the potential comfort of customers. There are added issues of security, potential vandalism, and long-term durability of these facilities. In weighing the issues, staff has determined that public restrooms should be provided where they will be most warranted; have the greatest security; where regular, effective maintenance can be provided; and where costs are shared with all agencies using that facility.

Staff conducted research and gathered information from local and national operators to develop background information and specific recommendations on public restrooms. This information was presented to the Board at the meeting on August 27, 1998 to initiate discussion on this important issue. Additional discussion will continue at the September 10, 1998 Board Meeting with possible action on this issue. Staff has recommended that public restrooms be included in some of the facilities in our region based on the type of facility and criteria outlined in the attached Motion. In addition, staff recommends working with partnering agencies to determine the need and ability to incorporate public restrooms in additional multi-modal facilities.

**Drinking Fountains**

At the Board Meeting on August 13, 1998, drinking fountains were added to the list of passenger amenities to be provided. Background information for drinking fountains was provided at the August 27, 1998 Board Meeting. Staff recommends that drinking fountains are provided in conjunction with restroom facilities, or where other uses are provided that require sewer and water utilities.

A separate motion is attached for review and possible action at the September 10, 1998 Board meeting.

**RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:**

- Adoption of *Sound Move*, The Ten-Year Regional Transit System Plan (May 31, 1996)
- Resolution No. 98-3 (January 22, 1998), Light Rail Consultant Contract with PSTC
- Resolution No. 98-11 (April 9, 1998)
- Executive Committee Discussion on July 17, 1998 (No action)
- Board Meeting on August 27, 1998 (Discussion)

**KEY FEATURES:**

Staff recommendations for Station/Facility Design Issues for public restrooms and drinking fountains, as they pertain to design issues in common for all Lines of Business: Commuter Rail, Link Light Rail, and Regional Express, and in partnership with the other regional providers and jurisdictions.

**ALTERNATIVES:**

The following alternatives are available for Board action:

1. Adopt the design policy issues as presented above and as outlined in the attached Motion after discussion of all material.
2. Adopt a portion of the design policy issues as presented above to allow design work to continue and list specific items as needing further review and/or discussion.

**CONSEQUENCES OF DELAY:**

Agreement on the design criteria is essential to continuing the design phase for all three Lines of Business. We expect to have all the design criteria in place by the end of September 1998.

The Sounder staff is currently working with the cities and their Technical Advisory Committees to choose design teams for all stations between Tacoma and Seattle. The selection process has been completed and contracts are pending. Award of design contract is expected in September 1998 with the design period extending from September 1998 through January 1999.

Regional Express has awarded contracts for environmental review and preliminary design for several community connections and direct access improvement projects. Environmental analysis is underway and preliminary design will begin in the fall of 1998.

Link Light Rail has awarded design contracts to Puget Sound Transit Consultants (PSTC) for all stations. Conceptual design work will be completed in December 1998 with preliminary engineering finishing by December 1999.

Schedules for all three Lines of Business are based on the implementation plan adopted by *Sound Move* and allow little deviation. Delay in design criteria development will negatively affect the facility design schedule, which will negatively affect the overall construction schedule for all Lines of Business.

MEMORANDUM

July 5, 2016

TO: Ken Cummins, Chief Security Officer

FROM: Branden Porter, Facilities Security Program Manager

SUBJECT: Sound Transit Public Restrooms

**EXECUTIVE SUMMARY**

Currently, Sound Transit (ST) provides public restrooms at Union Station, SeaTac, Sumner, Bellevue, Federal Way, Auburn and Tukwila. Although these restrooms provide a convenience these amenities also come with additional security and on-call maintenance expenses due to the security activity associated with these amenities. The on-call maintenance costs are in addition to the normal routine maintenance contract. As the table below indicates, ST has spent approximately \$162,360 in on-call maintenance and \$940,817 in security costs totaling an estimated **\$1,103,177** over the last two years. When this number is averaged out the estimate listed indicates ST is spending **\$157,597** per facility every two years to operate seven public restrooms.

Public Restrooms Est. additional Costs 2014-2015			
Station	Two Year Maintenance Costs	Two Year Security Costs	Total Costs
Auburn	\$19,350	\$29,057	\$48,407
Bellevue	\$16,060	\$47,351	\$63,411
Federal Way	\$50,320	\$81,162	\$131,482
SeaTac	\$18,000	\$80,446	\$98,446
Sumner	\$9,420	\$40,223	\$49,643
Tukwila	\$24,660	\$481,877	\$506,537
Union Station	\$24,550	\$180,700	\$205,250
<b>Total Costs Est.</b>	<b>\$162,360</b>	<b>\$940,817</b>	<b>\$1,103,177</b>
<b>Avg, Per Facility</b>	<b>\$23,194</b>	<b>\$134,402</b>	<b>\$157,597</b>

\*These estimates do not include vehicle expenses associated with security patrols

**MAINTENANCE:**

Based on an analysis of all janitorial, vandalism and graffiti facility requests over the last two years at all facilities that ST provides a public restroom there is a total of **1,383** facility requests. This can also be equated to an average of **198** requests per facility over the last two years.

Public Restrooms On Call Activity 2014-2015				
Station	Janitorial	Vandalism	Graffiti	Total
Auburn	151	6	69	226
Bellevue	108	9	46	163
Federal Way	318	39	55	412
SeaTac	120	14	5	139
Sumner	34	12	9	55
Tukwila	174	16	25	215
Union Station	141	23	9	173
<b>Total</b>	<b>1,046</b>	<b>119</b>	<b>218</b>	<b>1,383</b>
<b>Average</b>	<b>149</b>	<b>17</b>	<b>31</b>	<b>198</b>

\*These requests are in addition to the normal maintenance contract

In order to estimate the cost associated with these requests \$45.00 an hour was given to Janitorial requests with a minimum of two hours every time the contractors are called out, an average of \$500.00 was given to each vandalism incident, and \$20.00 an hour for high priority graffiti incidents with a minimum of 2 hours per call out. Based on the table below ST has spent an estimated **\$162,360** in the last two years on on-call maintenance and security.

Public Restrooms Est. Request Costs 2014-2015				
Station	Janitorial (\$90.00)	Vandalism (\$500.00)	Graffiti (\$40.00)	Total
Auburn	\$13,590	\$3,000	\$2,760	\$19,350
Bellevue	\$9,720	\$4,500	\$1,840	\$16,060
Federal Way	\$28,620	\$19,500	\$2,200	\$50,320
SeaTac	\$10,800	\$7,000	\$200	\$18,000
Sumner	\$3,060	\$6,000	\$360	\$9,420
Tukwila	\$15,660	\$8,000	\$1,000	\$24,660
Union Station	\$12,690	\$11,500	\$360	\$24,550
<b>Total</b>	<b>\$94,140</b>	<b>\$59,500</b>	<b>\$8,720</b>	<b>\$162,360</b>

**SECURITY INCIDENTS:**

In addition to the maintenance costs, public restrooms create additional security related activity which requires ST to provide security or security patrols at those locations based on their crime activity. In order to calculate the amount of time security spends on patrolling the public restrooms an average of 10 minutes was given as an estimate it takes to complete each patrol check and an additional 20 minutes was added for facilities that don't have security on site (Bellevue, Sumner). Based on the data below security has spent an estimated **34,013 hours** over the last two years patrolling the public restrooms and have completed an average of **136 incident reports** relating to the public restrooms.

Avg. Security Patrol Hours 2014-2015		Avg. Annual Security Incident Report 2014-2015	
Station	Security Hours	Station	Incident Reports
Auburn	1,013	Auburn	41.5
Bellevue	1,696	Bellevue	22.5
Federal Way	2,912	Federal Way	34
SeaTac	2,912	SeaTac	8
Sumner	1,456	Sumner	4
Tukwila	17,472	Tukwila	19
Union Station	6,552	Union Station	7
<b>Total</b>	<b>34,013</b>	<b>Total</b>	<b>136</b>

Based on our current contract rate of \$27.55 an hour the table below shows ST spent an estimated **\$940,817** in security costs associated with the public restrooms over the last two years.

Avg. Two Year Security Costs					
Station	Security Hours	Incident Reports	Total Hours	Hourly Wage	Total
Auburn	1,013	42	1055	\$27.55	\$29,057
Bellevue	1,696	23	1719	\$27.55	\$47,351
Federal Way	2,912	34	2946	\$27.55	\$81,162
SeaTac	2,912	8	2920	\$27.55	\$80,446
Sumner	1,456	4	1460	\$27.55	\$40,223
Tukwila	17,472	19	17491	\$27.55	\$481,877
Union Station	6,552	7	6559	\$27.55	\$180,700
<b>Total</b>	<b>34,013</b>	<b>136</b>	<b>34149</b>	<b>\$27.55</b>	<b>\$940,817</b>



**SECURITY RECOMMENDATIONS:**

If jurisdictions require public restrooms ST should plan on spending a minimum of **\$78,798** a year per facility based on this analysis. It's also critical the bathrooms are designed in a way that mitigates some of these security and maintenance costs. Design mitigations should include the following:

- CCTV Coverage
- Intercom System
- Access Control System
- Vandal resistant hardware
- Anti-graffiti materials
- Excellent internal and external lighting
- Self washing system

Description	Est Costs
<b>Transit Restrooms Janitorial Costs - Est Annual Maintenance</b>	
Est	
Est	<b>General Maintenance</b> \$2,113
Est	<b>Janitorial Services</b> \$5,109
Est	<b>Utilities - Water</b> \$871
Est	<b>Utilities - Sewer</b> \$8,175
Est	<b>Utilities - Electrical</b>
	\$1,091
Est	<b>Est Cost in 2022</b> \$17,359
Est	<b>Est. Cost 145th &amp; 185 Restrooms</b> \$34,718

**Assumptions (Examples)**

- Janitorial
- Design
- Security Closeout
- Vandalism

**Comment**

Square footage and fixture count is based on the size & number of the City Hall lobby restrooms (Men & Women) as a guide since we do not yet know the exact dimensions of restrooms in proposed stations. Men's restroom includes 2 sinks, 2 urinals and 1 ADA toilet. Women's restroom includes 2 sinks, 3 toilets with 1 ADA toilet.

Used average 2013,2014 & 2015 expenditures and included estimated annual graffiti expenditures after review v  
Used average 2013,2014 & 2015 expenditure for estimate. Applied 3.8% based on recent prevailing wage increas  
Used average 2013,2014 & 2015 expenditure data for estimate. Budget Division projected utility increases of 2.4%  
Used average 2013,2014 & 2015 expenditure data for estimate. Budget Division projected utility increases of 2.4%  
Used average 2013,2014 & 2015 expenditure data for estimate. Budget Division projected utility increases of 2.4%  
Used average 2013,2014 & 2015 expenditure data for estimate. Budget Division projected utility increases of 2.4% from 2017 thru 2020. Used 2.4% projection throughout until 2023.Used average 2013,2014 & 2015  
expenditure data from Shoreview Park restroom for estimate and comparison because this restroom has a  
Estimate for maintenance of 1 restroom. Costs may increase based on facility use.  
Estimate for maintenance of 145th & 185th restrooms assuming square footage remain the same. Costs increase

7 days per week including labor & green supplies as used in current contract services. Cleaning will be scheduled b  
Both 145th & 185th Street Restrooms are stand alone and identical in design, layout, fixtures and square footage.  
Police Department will lock restrooms after regular business hours.  
Vandalism costs are not included in the estimated maintenance cost.

**At this time the assumptions and costs are to be theoretical until such time as the design, code criteria, locatio**

with Parks Operations. Applied 2.4% increases for consistency throughout until 2023.  
e from 2015 to 2016. ( Note, this is a contracted service)  
% from 2017 thru 2020. Used 2.4% projection throughout until 2023.  
% from 2017 thru 2020. Used 2.4% projection throughout until 2023.

etween 4am and 8am Monday thru Sunday including Holidays.

**is and estimated usage is advanced into Construction Documents**