

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 769 – Amending of the Shoreline Building Codes to Require Public Restrooms at Sound Transit Stations
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Rachael Markle, Director
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The issue before Council is a proposed amendment to the recently adopted standards and codes that will allow for regulation of Sound Transit Light Rail extension facilities constructed within the City to specifically require inclusion of public restrooms within the new stations. This action would be accomplished through adoption of proposed Ordinance No. 769 (Attachment A). Council discussed proposed Ordinance No. 769 on December 12, 2016. Councilmember Salomon has concerns regarding the long-term costs for maintenance and operation of public restrooms at the future light rail stations and therefore requested that this item not be on the Consent Agenda.

RESOURCE/FINANCIAL IMPACT:

There are no direct impacts to the City's resources associated with the adoption of Proposed Ordinance No. 769, unless subsequent negotiations with Sound Transit result in an agreement to share operational costs.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 769, amending Chapter 15.05 of the Shoreline Municipal Code.

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

BACKGROUND

Before Council tonight is a discussion of Proposed Ordinance No. 769. This ordinance would further amend Shoreline Municipal Code (SMC) Chapter 15.05, Construction and Building Codes adoption of National Fire Protection Association (NFPA) Standard 130 for Fixed Guideway Transit and Passenger Rail Systems to require inclusion of public restroom facilities as an integral part of the Lynnwood Link Light Rail Extension stations within the City. Your initial adoption of NFPA Standard 130 included language exempting this requirement pending updated direction from Sound Transit regarding their public restroom policy.

Council initially adopted amendments to SMC Chapter 15.05 for Sound Transit Light Rail facilities on October 24, 2016 via Ordinance No. 761. The staff report for adoption of Ordinance No. 761 can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport102416-7b.pdf>

Council discussed proposed Ordinance No. 769 on December 12, 2016.

DISCUSSION

Based on feedback from Sound Transit staff and Sound Transit's decision to design public restrooms into all Lynnwood Link Extension stations, City staff proposes inclusion of this facility requirement for both of our stations. As previously explained to Council, the proposed ordinance will merely strike the exemption and allow the prevailing State Building Code provisions to apply thereby keeping this issue on the table.

Sound Transit has indicated that they are still concerned about the operational costs of the security and maintenance of public restrooms. Council members share the security concern. Sound Transit continues to explore design options that might reduce these operational costs. Technical building code requirements of this nature are expected to be borne by the owner/operator not the regulator. Final determination of responsibility for security, operations and maintenance will be subject to future agreements between the City and Sound Transit.

COUNCIL GOAL(S) ADDRESSED

A portion of 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 Proposed Ordinance No. 769, unless subsequent negotiations with Sound Transit result in an agreement to share operational costs.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 769, amending Chapter 15.05 of the Shoreline Municipal Code.

ATTACHMENTS

Attachment A: Ordinance No. 769

ORDINANCE NO. 769

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING SHORELINE MUNICIPAL CODE SECTION 15.05.080(G) OF THE STANDARDS FOR FIXED GUIDEWAY TRANSIT AND PASSENGER RAIL SYSTEMS.

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, Chapter 36.70A RCW; and

WHEREAS, with the adoption of Ordinance 761, the City amended Shoreline Municipal Code (SMC) Chapter 15.05 to include the National Fire Protection Association Standard 130 to address passenger rail systems and their stations; and

WHEREAS, the City now desires to provide for the inclusion of public restrooms within light rail stations; and

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

Section 1. Amendment. Section 15.05.08(G) of the Shoreline Municipal Code is amended as follows:

G. New Sections 5.1.3.4, 5.1.3.5 and 5.1.3.6 are added to read as follows:

5.1.3.4 Fixed transportation facilities and stations shall comply with the applicable provisions of the International Building Code Appendix “E” Supplementary Accessibility Requirements Section, E109, Transportation Facilities and Stations.

5.1.3.5 Stations shall include the minimum number of plumbing fixtures in accordance with Section 2902.1 of the International Building Code.

~~Exception: Any provision for public restrooms~~

5.1.3.6 Stations shall comply with applicable provisions of the Washington State Energy Code, International Mechanical Code, International Fuel Gas Code and Uniform Plumbing Code.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JANUARY 9, 2017.

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2016
Effective Date: , 2016