

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, December 10, 2018
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Hall, Deputy Mayor Salomon, Councilmembers McGlashan, Scully, McConnell, Chang, and Roberts

ABSENT: None.

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Hall who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Hall led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

There were no Council Reports.

5. PUBLIC COMMENT

Lance Young, Shoreline resident, said Ordinance No. 849 involves covenants on private property and asked Council to consider tabling the issue and informing those who would be directly affected.

Susie McDowell, Shoreline resident and Shoreline Schools teacher/coach, said the current Aquatic Center proposal and budget will not meet the current high school swim teams' needs, much yet the anticipated growth in demand. She recommended maximizing the scarce space available, eliminating the outdoor play spaces, and expanding the plans to include an eight-lane pool with a diving well, and an adequate deck and spectator space.

Lee Keim, Shoreline resident, and representative of 350 Seattle, told Council they are working to create an ordinance to prohibit new fossil fuel infrastructure in King County. She said she is

proud of Shoreline's commitment to the environment and wanted to urge Council to support the ordinance.

Allison Jaquish, Shoreline resident and representative of the Shorewood, Klahaya, and YMCA swim teams, expressed concern with the current Aquatics Center design. She said she feels the long tradition of high level swimmers in Shoreline deserves a state-of-the-art pool.

Raina Haltiner, Shoreline resident and parent of swimmers, said it is important to have a competitive pool to support the growth of area swim teams.

Karl Lapham, Shoreline resident and Shorewood Swim Captain, said a smaller pool would affect not just high school teams, but summer league teams and the water polo clubs. He said the swim community is important to many students.

Robbie Elerick, Shoreline resident and Shorewood swim team member, said because of health issues, swimming is one of the few options he has to stay fit. He said swimming is important to team members of all abilities, and that the facility should be big enough to allow anyone who wants to participate to do so.

Isaac Poole, Shoreline resident and Shorewood Dive Captain, said being on a swim team creates the potential for scholarships for high school students. He said the team spirit mirrors Shoreline's commitment to inclusivity, and if the new Aquatic Center cannot support large teams, the teams would become a cut sport and many students would lose access to the experience.

Kerri Hallgrimson, Lake Forest Park resident, said that swimming is very important to her family and their community of competitive swimmers. She asked for a state-of-the-art building for the Aquatic Center and urged Council to support the youth swimmers of Shoreline by reconsidering the pool size.

Charlie Miller, Shoreline resident and Shorewood Swim Captain, said swimming gives him a community and has taught him leadership. He added that only because it is not a cut sport was he able to participate and grow his skills. He asked that the Aquatic Center support a full team, not just the fastest swimmers.

Timony Sherry, Edmonds resident and Klahaya, Cascade, and Shorewood swim teams member/Captain, said Shoreline needs a facility with eight lanes and a dive tank to support swimmers. She said competition is a big part of the process, and the pool should be built to fit the needs.

Betsy Rand, Shoreline resident and member of the Friends of Aquatics and Shoreline Swim Teams (FASST), said swimming is an important life skill. She said it is important that Shoreline swim programs be inclusive, welcoming, and remain a non-cut sport. She said the current design of the Aquatic Center is inadequate. She encouraged Council to not give up on conversations for collaboration with the Shoreline School District.

Aaron Franklin, Shoreline resident and member of FASST, asked Council to reconsider the current pool design. He suggested the City build now with the future needs in mind, not just of students, but of the whole community.

6. APPROVAL OF THE AGENDA

Consent Item 7d was moved to Action Item 8a, and the amended agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Roberts and seconded by Councilmember Chang and unanimously carried, 7-0, the following Consent Calendar items were approved:

(a) Approving Minutes of Regular Meeting of October 22, 2018

(b) Approving Expenses and Payroll as of November 16, 2018 in the Amount of \$1,012,099.69

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
10/21/18-11/3/18	11/9/2018	81381-81624	15974-15997	72294-72299	\$682,921.59
					<u>\$682,921.59</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/14/2018	72232	72249	\$138,677.04
11/14/2018	72250	72250	\$3,947.78
11/14/2018	72251	72283	\$110,729.71
11/14/2018	72284	72291	\$7,095.80
11/15/2018	72292	72293	\$68,727.77
			<u>\$329,178.10</u>

(c) Adopting Resolution No. 432 – Amending Resolution No. 423 Recreation Program Refund Policies and Procedures

(e) Authorizing the City Manager to Purchase Eight Vehicles Approved in the 2019-2020 Budget

8. ACTION ITEMS

- (a) Adopting Ordinance No. 849 – Interim Regulations Adding a New Section to SMC 20.30.420 Changes to Approved Subdivision to Address Plat Alterations Pursuant to RCW 58.17.215

Margaret King, City Attorney, explained that the proposed interim regulations would put an administrative process in place that would streamline processing requests for plat alterations. She said restrictions can be put on the face of a plat that further restrict subdivisions or other conditions that are located on a plat. She said the Interim Plat Regulations proposed in Ordinance No. 849 follow the requirements for plat alterations mandated in RCW 58.17.215, which she outlined. She explained that this process would do several things, including setting fees for processing an application and allowing the Planning Director to issue a decision unless there is a public hearing requested. She said that the Director's determination can be appealed to the Hearing Examiner, and that the Hearing Examiner's decision can be appealed to Superior Court. Ms. King defined the mandatory process that must be followed when altering restrictions or covenants. She summarized that the six-month interim regulations would allow for Staff to complete recommendations for permanent regulations before the Public Hearing scheduled for February 4, 2019 and reminded Council that they have the option of discontinuing the interim regulations or adopting changes before the six-month deadline. She said staff recommends adoption of Ordinance No. 849 and informed Council that if not adopted, plat alterations will continue to be processed under existing regulations.

Councilmember Scully moved adoption of Ordinance No. 849. The motion was seconded by Councilmember McGlashan.

Councilmember Scully said he supports this measure. He explained that he asked that it move from the Consent Calendar and for Staff to prepare a brief presentation to make clear that this is a procedural step that does not remove or influence restrictive covenants, which are matters between private parties and not something the City could alter. He clarified that this process enables a person or group of people to make a change to a plat, including removing a covenant, with agreement. He said this Ordinance makes the process easier.

Councilmember Chang shared that she had heard similar concerns about the impact of the Ordinance and had reassured citizens that the change only streamlines the administrative process. She reiterated that any changes made to a plat has to be agreed upon by the property owners.

The vote on the motion passed unanimously, 7-0.

- (b) Adopting Ordinance No. 845 – 2018 Comprehensive Plan Amendments

Steve Szafran, Senior Planner, reminded Council of the two potential amendments submitted and reported that staff recommends carrying over amendment numbers 1 and 2 to the 2019 Docket and approving amendment numbers 3, 4, 5, 6, 7 and 8 with the changes shown in the Staff Report.

Deputy Mayor Solomon moved adoption of Ordinance No. 845. The motion was seconded by Councilmember Scully.

Councilmember Scully moved to amend the main motion to include proposed amendment Number 6 related to the Point Wells Subarea Plan. Councilmember Chang seconded the motion which passed unanimously, 7-0.

Councilmember McConnell moved to amend the main motion to include proposed amendment Number 7 which would amend Land Use Designations Mixed-Use 1 and Mixed-Use 2 in order to provide clarification. Councilmember Scully seconded the motion.

Councilmember Chang asked for an explanation of this change. Mr. Szafran said that it deletes a sentence that specifies the areas that MU2 applies to, aligning the language with existing policies.

The vote on amendment Number 7 passed unanimously, 7-0.

The vote on the main motion as amended passed unanimously, 7-0.

(c) Adopting 2019 State Legislative Priorities

Jim Hammond, Intergovernmental/CMO Program Manager recapped the Council Meeting discussion of November 26, 2018 and shared the revisions made based on those conversations. He said the changes emphasize support for condominium liability reform and sustainability/environmental issues and ensures staff alignment with Council direction.

Councilmember Roberts moved adoption of the 2019 State Legislative Priorities. The motion was seconded by Councilmember McGlashan.

Councilmember Roberts thanked Staff and Council for the collaboration on the comprehensive body of work. He said he appreciates the acknowledgement of the environmental work being done in Shoreline, and said he feels Shoreline should be aligning with state-level work.

Mayor Hall added that there is a lot of state-level activity around sustainability and climate change. He said protecting the environment also means protecting a quality of life and he appreciates the focus Shoreline is giving to these matters.

The vote on the motion passed unanimously, 7-0.

9. STUDY ITEMS

(a) Discussing the Sound Cities Association Public Issues Committee Policy Position on the Regional Affordable Housing Task Force Five Year Action Plan

Jim Hammond, Intergovernmental/CMO Program Manager, said that Brian Perry, the Policy Director from Sounds Cities Association (SCA), wanted Council to be aware that his organization supports the findings of the Task Force. He introduced Alison Mendiola, Housing Coordinator of the King County Council; and Kelly Rider, Intergovernmental Affairs Manager

of the King County Department of Community and Human Services. Mr. Hammond informed Council that one reason SCA supports the Task Force is because they appreciate the menu of options offered by the initiative, which takes into consideration the variety of challenges in affordable housing across the region. Ms. Mendiola and Ms. Rider presented a summary of the work of the Task Force, which included community meetings, presentations for the Regional Policy Committee and discussions at the SCA Public Issues Committee. Ms. Mendiola listed the elected officials who were members of the Task Force and explained that they were supported by a standing advisory panel, a lead staff team, and a staff workgroup. She shared the key findings, saying King County's population growth has been increasing faster than housing production since 2011; that wages have not kept up with rising housing costs; and that more than 100,000 low-income households, predominantly people of color and renters, pay more than half their income for housing costs. She said it was concluded that 244,000 affordable homes would be needed by 2040 to ensure no low-income household is cost burdened. She explained the overall goal of the Task Force is to eliminate cost burden for households earning 80% and below the Area Median Income, with a priority for serving those at or below 50% of the Area Median Income. Ms. Rider said their goal areas were:

- To create and support an ongoing structure for regional collaboration, which includes creating an Affordable Housing Committee of the Growth Management Planning Council (GMPC) and supporting the creation and operation of sub-regional affordable housing collaborations.
- To increase construction and preservation of affordable homes for households earning less than 50% of the Area Median Income, which includes recommending 44,000 units of affordable housing to be produced within the next five years.
- Focus affordable housing accessible within a half mile of existing and planned frequent transit service, recommending the development of affordable housing near high capacity transit stations and along transit corridors, as well as at regional growth centers.
- Preserve access to affordable homes for renters by supporting tenant protections to increase housing stability and reduce risk of homelessness.
- Protect existing communities of color and low-income communities from displacement.
- Promote greater housing growth and diversity to achieve a variety of housing types at a range of affordability and improve jobs/housing connections throughout King County.
- Better engage local communities and other partners in addressing the need for and benefits of affordable housing. She detailed that this would include supporting community planning and expanding engagement of non-governmental partners to create more affordable housing.

Ms. Rider concluded by sharing the proposed next steps through the first quarter of 2019.

Councilmember Chang expressed concern about the goal involving tenant protections. She shared that, as an owner of a rental property, she worries that the proposed regulations could negatively impact small-scale landlords. She emphasized that finding a careful balance that protects both tenants and landlords would be important.

Councilmember McConnell said she agrees with Councilmember Chang over being concerned with proposed restrictions, which could possibly tie the hands of small-scale landlords. Ms. Rider

recognized that landlords are as much of a partner as any other stakeholder. She said the Task Force is planning to share model ordinances to help cities find an appropriate balance and will continue dialogs with landlords to look for areas for improvement and to address concerns, and to work to educate both tenants and landlords on rights and responsibilities. Ms. Mendiola added that none of the stated goals were mandates and said that King County Councilmember Dembowski had added language to the Action Plan that recommends looking at a fund for landlords that would help with the costs associated with renting to low-income tenants.

Councilmember Scully said he is concerned about the focus on government providing housing for households earning less than 50% of the Area Median Income and suggested adding a recommendation for mandated affordability regulations, as Shoreline has in place. He added that more aggressive steps should be taken, saying he believed it would be difficult to meet the goal of 44,000 additional homes in the next five years by using the outlined approach. Ms. Rider shared additional background information, saying the Task Force incorporated the mandatory housing aspect by calling it ‘inclusionary incentive policies’, which includes mandatory affordable housing.

Councilmember Roberts said the Task Force has done a lot of work to make it clear this is a blueprint for cities, not a mandated directive, and added that the section on legislative priorities was new information to him. He asked if proportionally more evictions were initiated by big multi-family unit property owners, or smaller scale, single-dwelling owners. He drew attention to the fact that tenant and landlord protections were not the same in all jurisdictions, and said he appreciated that the Task Force was taking these differences into consideration.

Mayor Hall confirmed that the upcoming motion in front of the Public Issues Committee (PIC) would be to support or oppose the Task Force’s recommendations, not to suggest changes. With this in mind, he asked if there were steps Council needed to take to ensure that their concerns were passed on. Ms. Mendiola explained the next steps, saying they include opportunities for representation and feedback. Mayor Hall commented that he thinks this proposal is a great set of actions to mitigate the symptoms of the affordable housing crisis, but it does not address the cause. He said it is critical that the County and Region have conversations about whether it is still socially desirable to have policies that drive population growth, and if there are steps that can be taken to reduce the demand on housing stock.

The Council agreed that Councilmember Roberts should vote to support this motion at the PIC.

- (b) Discussing Ordinance No. 850 - Amending Development Code Sections 20.20, 20.30, 20.40, 20.50, 20.70, and 20.230

Steve Szafran, Senior Planner, informed Council that for 2018 there were 35 proposed Development Code Amendments that included three citizen-initiated amendments and 32 Director-initiated amendments. He said that the proposed amendments are divided into three categories: Administrative, Clarifications, and Policy. He explained that in consideration of time, Staff would first report on the Citizen-initiated and Policy amendments, reminding Council that Administrative amendments do not contain substantive changes. He addressed the following amendments:

Citizen-Initiated:

- Amendment #24, which exempts significant tree removal based on parcel size, and would modify the code to exempt three significant trees for every 7,200 square feet and one additional significant tree for every additional 7,200 square feet of lot area.
- Amendment #26, which increases tree retention and adds fines and penalties for illegally removing trees.
- Amendment #29, which increases the monitoring, bonding, and civil penalties for illegally removing trees.

Policy Amendments, reviewed by category:

- Amendment #2 creates a definition for a homeless shelter

Councilmember McGlashan asked why the definition of a Homeless Shelter specifies ‘*may*’ when offering sanitation services, stating he interprets this to include bathroom facilities. Mr. Szafran replied that staff would amend wording to more clearly indicate the intended meaning. Councilmember Scully suggested that the definition could be broad, since specific requirements would be addressed separately. Mayor Hall asked for confirmation that there were sections of the code that properly indicated the requirement of toilet facilities.

Deputy Mayor Salomon stated that he believes the parking space requirement for shelter volunteers is prohibitive and suggested that street parking would be an acceptable alternative. Mr. Szafran said if Council approves the amendments it is likely shelters will be at locations that have parking lots, adding that there is some discretion in determining the number of spaces needed. Deputy Mayor Salomon said he would be interested in a change to the wording.

Councilmember Roberts agreed with Deputy Mayor Salomon, adding that with the current definition the potential for excess parking could be high, and he suggested an amendment stating “a parking plan shall be submitted and approved by the Director.” Mayor Hall added that parking is an issue the City will need to keep an eye on as the City grows and it is important to provide parking to avoid adding to any community opposition of homeless shelters. He asked Council if they were comfortable with allowing parking requirements to be set at the Director’s discretion.

Councilmember McGlashan responded that he supports Director discretion and added that he did not know if parking would ever be an issue, since the Code designates homeless shelters only in certain zones. He recognized that regulations would protect against any impacts, reminding Council that if tiny house installations become permissible they could take up parking spaces. Councilmember Chang added that if Director discretion is allowed the decision-making can be site-specific, taking the needs of the shelter and neighborhood into consideration. Councilmember Scully said he would support the majority but drew attention to a nearby shelter that does not have parking and described how this impacts the accessibility of neighboring businesses. Councilmember McConnell agreed that permitting Director discretion made sense, allowing for site-specific flexibility. Mayor Hall asked that Staff draft less prescriptive language as an amendment to the Code.

- Amendment #12 adds homeless shelters to the City's Use Table.
- Amendment #15 lists the criteria that must be met to operate as a homeless shelter.
- Amendment #3 replaces the definition with the term landscape structures, combining the previously used language of trellis and arbors.
- Amendment #18 adds height exceptions for rooftop structures in Commercial zones.

Councilmember Roberts asked if there was an established percentage of rooftop area permitted to exceed height limitation, since without restrictions the height of an entire roofline could be increased significantly. Paul Cohen, Planning Manager, explained that the amendment helps to allow recreational usage on rooftops while protecting the rooftop from being used as an extra story. The basis for the 15' is to allow the height needed for an elevator to make rooftops ADA accessible. Mayor Hall agreed that the amendment as drafted would allow rooftop shelter to cover the entire roofline, creating the mass and perception of another story. He suggested that staff consider setting a cap on the portion of rooftop space allowed to go over the height limit. Mr. Cohen informed Council that this amendment would only be applicable in business districts and suggested also considering setbacks to help reduce the perception of creating an additional story. Mayor Hall proposed adding these refinements to the next round of revisions. Councilmember Roberts concurred, adding that the same standards apply for Mixed-Use areas, broadening the potential for impact.

- Amendment #21 allows the Administrative Design Review process for Single Family Attached and Multi-Family design to improve upon current Standards.
- Amendment #27 and Amendment #28 would establish tree retention and replacement requirements for Public Improvements.

Councilmember Scully confirmed that 'Public Improvements' means City-required improvements for all development proposals and said he was not in support of the amendments because they do not allow flexibility in interpretation that would encourage tree retention. He suggested the addition of language that promotes situational adaptability and said he would support an amendment that recognizes that the City is prioritizing sidewalks over trees only if no alternative solution can be reached. Staff informed Council that there is a process in place to secure permitting for the situation described. Mr. Cohen elaborated that to put the responsibility of tree protection on the private property owner creates conflict. Councilmember Scully replied that the proposed amendment does not give developers impetus to retain trees.

Mayor Hall directed Council to Staff's response to his earlier submitted questions on the language of these amendments, which includes proposed alternative language. Mayor Hall suggested that Staff compile those changes into one amendment. Councilmember Chang added that she agrees that the current language provides no incentive to explore ways to preserve trees and warrants refinement. Councilmember Roberts indicated that the 'required to be retained' phrase lacks clarity. Margaret King, City Attorney, recommended further Staff research on language modifications, explaining that the permit approval process includes an assessment of

potential tree retention with sidewalk planning. Council agreed to review the refined language and noted that the amendments may be removed.

Deputy Mayor Salomon said the community cares about trees, and stated that he disagrees with Amendment #24, which permits the removal of additional significant trees on lots over a half acre. Mayor Hall asked Staff to prepare for the potential of pulling this amendment.

Addressing Amendment #26, covering development standards for clearing activities, Deputy Mayor Salomon said it may be a good idea to increase penalties for tree removal to ensure that regulations are stringent enough to discourage this action. He said the financial impacts associated with current fines seem to not inhibit many developers. Mr. Szafran pointed Council to the memo prepared for Mayor Hall, noting it documents the penalties and fines established in another area of the Development Code, which could be adjusted in the next batch of amendments, once recommended by the Planning Commission.

Mayor Hall agreed with the suggestion for penalties and strict oversight of enforcing this section of Code. Councilmember Scully confirmed that the penalties in the current Code potentially carry a greater impact than the citizen-proposed amendment. Mr. Szafran agreed and said that in the next batch of amendments Staff would like to look at increasing penalties and prohibiting permit issuance if violations are in effect. Mayor Hall summarized that the Planning Commission's recommendation was to not adopt these amendments, and Staff recommends following the recommendation and reevaluating the penalties and provisions associated with the standards.

Deputy Mayor Salomon left the meeting at 9:25 p.m.

Mr. Szafran continued with the review of Amendment changes.

- Amendment #33, which would delete the requirement for frontage improvements when Single Family Residences convert to Commercial Use. He elaborated that the amendment speaks to the new Light Rail Station subarea plans and would encourage small business development in the area by eliminating the cost of frontage improvements.

Councilmember McGlashan said he supports the Amendment because it would allow a neighborhood to maintain its character while still encouraging small business growth and said his only concern was setting adequate thresholds for limitations on conversions. Mr. Cohen reminded Council that the frontage improvement requirement would come into effect when the established limits were exceeded.

- Amendment #34 would allow Public Works to waive requirements for Frontage Improvements.

Councilmember Roberts said there seemed to be a very broad definition of when a waiver could be applied and asked for additional information. Mr. Szafran gave an example of the circumstances under which a waiver might be approved. Councilmember Roberts asked that the Amendment restrict the zones in which the frontage requirements could be waived, and Mayor

Hall suggested restricting by street classification. Mr. Szafran explained the challenges with restricting by street classification within the Station Area and said limiting by zone would be the most sensible approach. Councilmember Chang said she had understood that at some point the City had a fee-in-lieu program, and this was confirmed. Ms. King explained there was a difference between a fee-in-lieu program and requiring installation of sidewalks in an alternate location and said Staff could research the fee-in-lieu provisions. Mayor Hall and Councilmember Scully shared their recollection of the fee-in-lieu provision and asked Staff to bring back the history around its creation as a study item.

Councilmember Roberts asked for distinction for areas in which waivers would be permitted, and Mr. Cohen assured him Staff would work with the appropriate departments to research it thoroughly. Councilmember McGlashan asked for further clarification from Staff to avoid gaps. He said he understood avoiding creating ‘sidewalks to nowhere’ but wanted to confirm that waivers would not be issued if there was a possibility of a need for sidewalks in the predictable future needs of the neighborhood.

Councilmember Roberts said that his preference would be that parking space standards not be lowered, as proposed in Amendment #30. Mayor Hall commented that parking is a tough balance to find.

Mr. Szafran reviewed the next steps of the Development Code Amendment process. Mayor Hall asked that Staff share additional information or analysis as they are drafting amendments based on Council requests, and he reminded Council that the Amendments are scheduled for adoption on January 7, 2019.

10. ADJOURNMENT

At 9:39 p.m., Mayor Hall declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk