

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, December 7, 2020
7:00 p.m.

Held Remotely via Zoom

PRESENT: Mayor Hall, Deputy Mayor Scully, Councilmembers McConnell, McGlashan, Chang, Robertson, 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. ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided an update on the COVID-19 pandemic and shared reports and information on various City meetings, projects and events.

4. COUNCIL REPORTS

Mayor Hall said he briefed 46th District Representative Valdez regarding the 148th Street Bridge and Light Rail Station to help build support for State funding for related projects.

5. PUBLIC COMMENT

Jackie Kurle, Shoreline resident, asked the Council to focus on resident feedback and potential public safety concerns associated with the Enhanced Shelter.

Mary Ellen Stone, Shoreline resident and representative of King County Sexual Assault Resource Center, thanked the Council for increasing funding to Human Services and shared information on the needs of victims of sexual assault. Additionally, she expressed gratitude for the recent acquisition of public art.

Kathleen Russell, Shoreline resident, spoke on behalf of Save Shoreline Trees. She shared observations on the language of proposed code amendments regarding tree removal and urged Council support for the language amendments submitted by Save Shoreline Trees.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Scully and seconded by Councilmember Robertson and unanimously carried, 7-0, the following Consent Calendar items were approved:

- (a) Authorizing the City Manager to Approve a Contract with Capitol Consulting for State Government Relations Services in the Amount of \$225,000 for a Period of Up to Five Years**
- (b) Adopting Ordinance No. 912 – Authorizing Assumption of the Ronald Wastewater District and Authorizing the City Manager to Execute and File the Joint Petition of Dissolution of the Ronald Wastewater District**
- (c) Authorizing the City Manager to Execute a Professional Services Contract with KPFF, Inc. in the Amount of \$218,659 for Development of a New Sidewalk Implementation Plan**
- (d) Authorizing the City Manager to Increase the Hazardous Tree Removal Services Contract with Treecycle LLC, dba Seattle Tree Care, in the Amount of \$300,000**

8. ACTION ITEMS

- (a) Adopting Ordinance No. 907 – Amending SMC Title 20 for the Batch Development Code Amendments

Steve Szafran, Senior Planner, delivered the staff presentation. Mr. Szafran recapped the review process for the Batch Development Code Amendments and reviewed the proposed amendatory language for consideration:

Administrative Amendments

Number 2 – Council identified that this proposed addition to the Site Development Permit requirements is a duplication of Clarifying Amendment #7 and staff recommends it be withdrawn from the Administrative Amendments and remain as a Clarifying Amendment.

Number 9 – Staff recommends withdrawing this amendment to allow for additional review by the Planning Commission of the conditions attached to the Private Street Definition.

Clarifying Amendments

Number 8 – This staff recommended amendment clarifies that the fee-in-lieu formula is based on the existing fee schedule for the Development Agreement Contents for Property Zoned MUR-70' in order to increase height above 70 feet.

Number 21 – This amendment includes language to delete two provisions from the criteria for reductions to minimum parking requirements.

Policy Amendments

Number 1 – This amendment corrects unclear language in the definition of Emergency Temporary Shelters.

Number 16 – Staff recommends withdrawing the Planning Commission recommendation to add Bonus Density Exceptions to certain parcels zoned R-4 through R-48 so the proposal can be further studied through the Housing Action Plan.

Number 17 – This amendment is intended to include multifamily and commercial zones in the proposed new section for Threshold – Required Building design.

Number 21 – This amendment removes Section E from the proposed definition of the Landslide Hazard Area Classifications.

Mr. Szafran said staff recommends adoption of Ordinance No. 907 with the staff-proposed amendments to the Planning Commission’s recommendations, as outlined in the staff report.

Councilmember Roberts moved to adopt Ordinance No. 907, amending Development Code sections 20.20, 20.30, 20.40, 20.50 and 20.80. The motion was seconded by Councilmember Chang.

Councilmember Roberts thanked the Planning Commission and staff for compiling this large batch of Code amendments. He said in general the staff recommendations make sense, but he will be initiating discussion on tree preservation.

Councilmember Roberts moved to modify the Planning Commission’s recommendation for Clarifying Amendment #21 by amending SMC 20.50.400(E) to remove the word NOT from the second sentence that currently reads “This parking reduction may not be combined with parking reductions identified in subsection A of this section” and to modify the Planning Commission’s recommendation by amending SMC 20.50.400(G) to read, “Parking reductions for the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.” The motion was seconded by Councilmember McGlashan.

Councilmember Roberts said it makes broad sense for developers to be able to combine parking reductions. Mayor Hall added that this reduction is especially important because it offers incentives for affordable housing.

The motion to amend Clarifying Amendment #21 passed unanimously, 7-0.

Councilmember Robertson moved to modify the Planning Commission’s recommendation by withdrawing Administrative Amendment #2. The motion was seconded by Councilmember McConnell and passed unanimously, 7-0.

Deputy Mayor Scully moved to adopt, as a batch, the remainder of the staff recommended amendments subject to any motions to remove from the batch any single amendment. The motion was seconded by Councilmember Robertson.

Mayor Hall clarified that this motion includes Administrative Amendment #9, Clarifying Amendment #8, and Policy Amendments #1, #16, #17, and #21.

The motion to adopt all remaining amendments as presented in the staff report and as reviewed by Council passed unanimously, 7-0.

Councilmember Roberts questioned the intent of the ‘or’ language associated with Clarifying Amendment 18 regarding fee-in-lieu payments. Mr. Szafran said this can be interpreted in multiple ways and could be *either/or* or *and/or*. Mayor Hall pointed out that the language reads that the director would be given the authority to either require payment in lieu of all, some, or none of the trees that are not replaced. Mr. Szafran said these decisions would be made on a site-specific basis after review of an arborist report. Councilmember Roberts said this grants the director a lot of discretion.

Councilmember Roberts moved to amend Amendment #18 by striking “a reduction in the minimum replacement trees required or” from Exception 20.50.360(C)(b). The motion was seconded by Councilmember Scully.

There was general discussion regarding the goal the City is trying to achieve with the proposed amendment, and it was determined that the intent was that to the extent that the number of replacement trees are reduced, there must be a required payment in lieu for those trees. Deputy Mayor Scully said this amendment takes away director discretion for eliminating the payment. He explained that his original concern was that it is not fair to require fee in lieu in some, but not all, circumstances. Mayor Hall said he supports the intent and confirmed with staff that the amendment language is sufficient. Rachel Markle, Director of Planning and Community Development; pointed out that there are scenarios where tree replanting gets reduced and payment does not seem to be feasible and said the fee-in-lieu cost could be quite impactful for single family property owners. Deputy Mayor Scully said he considered this angle, but since the decision has been made that trees have value, he is concerned a decision could be made based on value judgments of who can afford what, and it is not fair to put staff in that position nor is it equitable to applicants. Ms. Markle offered that in some ways the amendment punishes people who have a lot of trees who cannot fit more trees in. Deputy Mayor Scully said this is not a punishment or a penalty, it is a compensation for removal of valued trees. Mayor Hall agreed that the discretion permitted in the original language is problematic. He said he is open to future criteria or standards to establish how such discretion would be allowed.

The motion to amend Clarifying Amendment #18 passed unanimously, 7-0.

The main motion to adopt Ordinance No. 907 as amended passed unanimously, 7-0.

9. STUDY ITEMS

(a) Continued Discussion of Park Improvement and Acquisition Priorities for Potential Bond Measure

Christina Arcidy, Management Analyst, delivered the staff presentation. She said staff is seeking Council direction on three policy questions. She said these discussions are a culmination of many years of work and reviewed the timeline of the process. Ms. Arcidy pointed out that while Council's Goal 2, Action Step 2 is to implement the Parks, Recreation, and Open Space Plan, including priority park improvements and acquisition of additional park properties, discussion of a possible funding measure has been impacted by the unknowns associated with the economic impacts of the pandemic, and by the 2021 validation requirements established by the November election. Ms. Arcidy reviewed each of the policy questions presented for Council consideration:

- Should the City move forward with the ballot measure for the April 2021 Special Election?

Ms. Arcidy said the considerations for the ballot measure include the COVID-19 economic impacts, other potential ballot measures, approval and validation requirements, and election costs. She said staff still believes it is reasonable for Council to give direction to prepare for a potential ballot measure, since formal action does not need to be taken until January, allowing for additional opportunities to review the economic impact. She shared data on the approval and validation requirements established by the last General Election and stated the estimated election costs would range from \$94,890 to \$128,240. She said staff continues to recommend moving forward with the funding measure for the April 2021 Special Election.

- What is the overall bond measure cost?

Ms. Arcidy said staff recommends a \$38.5 Million bond, and shared a chart itemizing the financial impacts to homeowners.

- What park improvements and park land acquisitions should be included in a bond measure?

Ms. Arcidy stated that staff recommends investments in park improvements, park amenities, park land acquisition, and park land acquisition improvements, and reviewed details of the recommendations for improvements and acquisitions in each category.

Ms. Arcidy outlined the four proposed alternatives and their differences as listed in the staff report, stating that Alternative 1a is the staff recommendation; Alternative 1b, the Park Board recommendation; Alternative 2a reduces the bond measure to \$26 Million, resulting in no financial difference to taxpayers with the expiring bond; and Alternative 2b is the Park Board recommendation at the same reduced level.

Ms. Arcidy displayed a timeline of next steps should the Council give direction to move forward with the placement of the bond measure on the April 2021 Special Election ballot and

emphasized the remaining opportunities to consider any new information about the financial climate. She concluded that staff recommends Council direct staff to prepare legislation and other materials necessary for placing a funding measure on the 2021 April Special Election of \$38.5 Million for park improvements and park land acquisition.

The majority of Councilmembers expressed a preference for Alternative 1a, but there were mixed opinions about the timing of placement on the ballot, specifically concerning the validation requirements established by the recent election turnout.

Councilmember Chang said at the rate that Shoreline is growing, the difference between the costs of the bond levels to homeowners is relatively low in comparison to the additional benefits that the higher amount would provide.

Councilmember Roberts said staff recommendation 1a makes the most sense in terms of size and scope and that the proposed amenities will improve quality of life for the most people in Shoreline. He shared his specific examples of gaps he sees in the staff recommendation. He observed that it would be difficult to come back to voters with an additional 20-year bond if this one passes, so this may delay moving forward with a Community and Aquatics Center.

Councilmember McConnell expressed concerns about the April 2021 timeframe, and said there is no good time for this. She believes the community is anxious to get money infused into parks but she thinks part of the problem with the last ballot measure attempt was the size of the package with the Community and Aquatics Center included.

Deputy Mayor Scully agreed that there is never a good time. He has concerns about turnout, fatigue, and the economic impact of COVID-19. He said he is generally hesitant to put something on a ballot twice.

Mayor Hall recognized the importance of the collaboration on the proposal to identify improvements and acquisitions.

Councilmember Robertson said she supports both 1a and 1b and leans toward the staff recommendation. She added that since fields are a potential revenue source, she would support turf replacement.

The Council discussed the pros and cons of placing the bond measure on the ballot in April versus November 2021 and confirmed that implementation of a bond measure could proceed in 2022 with either date. Councilmember Chang said she thinks that those community members who supported the bond measure before are ready to help get the word out. Councilmember Roberts reflected that the unique timing, concerns and circumstances of the previous ballot measure may not be in place in 2021. Councilmember Robertson asked staff if there were any other aspects to consideration, and Ms. Tarry said traditionally the City has tried not to put City bond measures on the ballot at the same time of Council elections.

Mayor Hall summarized that there is consensus of a preference for Alternative 1a to be placed on the April 2021 ballot, while concerns for meeting validation requirements still remain. It was

confirmed that the work staff would do to move this forward for an April election could still be put to use if the Council decides to delay placing it on the ballot.

The Council agreed that staff should move forward with preparation of the package.

(b) Discussing Mandatory Fire Sprinklers for New Single Family/Duplex Residential Construction

Ray Allshouse, Building Official, delivered the staff presentation and was joined by Derek LaFontaine, Fire Marshal. Mr. Allshouse explained the focus and importance of the fire life safety provisions in model building codes. Mr. LaFontaine shared background and statistics on the recommendation for a residential fire sprinkler ordinance. He said his job is to implement fire code that addresses and increases the life safety of the community. He feels the current ordinance is not adequately addressing the greatest fire risks in Shoreline and there is need to develop a long term plan to reduce or eliminate the devastation of residential fires.

Mr. LaFontaine shared information on the costs and maintenance requirements of sprinkler installation and listed some objections voiced by the Master Builders Association and offered his response to what causes the majority of residential fires.

Mayor Hall, Deputy Mayor Scully, and Councilmembers Roberts and Robertson voiced support for moving forward with the Ordinance.

Councilmember Chang thanked Mr. LaFontaine for responding to the questions she submitted in advance of the meeting. She said she is focusing of the effects on new construction and asked if modern construction codes alone take care of the life safety issues. Mr. LaFontaine said newer construction methods are more flammable but that they do not affect a fire as much as the contents do. He said most fires are caused by user error and grow quickly unless caught in the early growth phase. He added that toxic emissions kill people more than the actual flames. Councilmember Chang asked the position of insurance companies on the topic. Mr. LaFontaine said anecdotally, he has heard there is concern about potential water damage due to false activations and said he would provide Council with additional information. There was discussion of installation and maintenance costs and low-pressure solutions.

Councilmember Roberts asked for a description of residential sprinkler placement, and Mr. LaFontaine shared specifics. In discussing why permit fees for fire sprinkler systems are separate from other plumbing fees of the construction, Mr. LaFontaine explained the rationale for the current fees and said there is conversation about reducing the fees should the ordinance go into effect. Councilmember Roberts confirmed that the primary benefit of a fire sprinkler system is to the homeowner, but it reduces the cost of public resource, as well.

Councilmember Robertson expressed that she is open for discussion on specifics of the requirements. She said in her professional life she spends a lot of time messaging about the danger of home fires.

Councilmember McConnell said she is careful about imposing mandates and asked Mr. Fontaine why ordinances like this are not commonplace, and to explain the related construction costs. She observed that the response submitted by the Master Builders Association gives another perspective to the issue. Mr. LaFontaine said all King County Zone One Fire jurisdictions are taking this issue seriously and speculated that other jurisdictions are not making changes because of the Master Builders' position and the possible associated costs. He emphasized that the International Residential Code (IRC) advocates fire sprinkler protection for all new homes. Mr. Allshouse pointed out that residential fire sprinklers respond to the temperature of a fire, so water damage would only be in the areas where the fire was, so there will be impacts either way.

Councilmember McGlashan said there is no question to the life safety benefits. He expressed concern with the associated costs and confirmed that the only permitting costs are the ones set by the Fire Department and that installation costs listed in the staff report pertain to a flow-through system. The ways low-flow systems are installed and function were explained.

Deputy Mayor Scully said in his early work as a paramedic he gained knowledge of the circumstances that often lead to fire related deaths. He said most single-family residential construction in Shoreline now is pretty high end, so the increased costs would not be a significant economic impact to the builder.

Mayor Hall said a key point for him is that Shoreline already requires fire sprinklers in the vast majority of housing that is built in the City and since fire sprinklers are mandated in affordable housing, he has no trouble mandating it in all housing.

Councilmember Chang asked if this ordinance would apply to Accessory Dwelling Units. Mr. Allshouse said it would apply to all stand-alone buildings.

It was agreed that the majority of Councilmembers believe this requirement should be included in the Construction and Building Code, although some concerns still exist.

10. ADJOURNMENT

At 9:10 p.m., Mayor Hall declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk