

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

<b>AGENDA TITLE:</b>	Action on Resolution No. 481 – Establishing a Fee for the Processing of Applications for the Vacation of Previously Recorded Subdivisions
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Cate Lee, AICP, Senior Planner
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Although the Revised Code of Washington (RCW) 58.17.212 provides for the vacation of a subdivision, the City currently has no process established in the Shoreline Municipal Code (SMC) for such a vacation. There are subdivisions throughout the City, particularly in the Mixed Use Residential (MUR) zoning districts, that make fully implementing the vision of special area plans, like the Light Rail Station Subarea Plans (145<sup>th</sup> & 185<sup>th</sup>), complicated due to these prior subdivisions, primarily for detached single-family development.

Tonight, Council is scheduled to a separate action on proposed Ordinance No. 934, which would provide for recorded subdivision vacation procedures by amending Chapter 20.30 of the SMC. If adopted, proposed Resolution No. 481 (Attachment A) would provide for an amendment to the City’s Fee Schedule to establish review fees for subdivision vacation applications.

**RESOURCE/FINANCIAL IMPACT:**

The proposed fees are intended to cover the cost of staff time and the Hearing Examiner to review and consider the subdivision vacation application, so there likely will be no net impact on City finances.

**RECOMMENDATION**

Staff recommends that the City Council approves Resolution No. 481, which adopts a fee for subdivision vacations as set forth in Attachment A.

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

## **BACKGROUND**

The City currently does not have regulations for processing subdivision vacations. Staff believe regulations to process subdivision vacations are necessary to develop properties as allowed by the City's current zoning. The Planning Commission held a study session on this topic on May 20, 2021, and more information on this study session can be found here: [Subdivision Vacation Development Code Amendments](#). The Planning Commission later held a Public Hearing on the issue on June 17, 2021, and more information from this Hearing can be found here: [Public Hearing on the Subdivision Vacation Development Code Amendments](#).

During the June 17<sup>th</sup> Planning Commission meeting and following the Public Hearing, the Planning Commission voted 5-0 to recommend the proposed Subdivision Vacation Development Code amendments as proposed in Ordinance No. 934, be adopted.

The City Council discussed the proposed Development Code amendments and fees for Subdivision Vacations on July 19, 2021. More information on this discussion can be found here: [Discussion of Ordinance No. 934 - Amending Shoreline Municipal Code Chapter 20.30 to Add Procedures for Subdivision Vacations and Resolution No. 481 - Adopting a Fee for Subdivision Vacations](#).

## **DISCUSSION**

City Council established the fee schedule for 2021 through Resolution No. 471 on March 15, 2021. The fee schedule includes established fees for subdivisions. The proposed subdivision vacation fee will be added as a line item to this sub-category under Planning and Community Development applications. As required by state law, the proposed fee does not exceed the actual cost of providing the services for which the fee is charged.

Council did not have any questions related to updating the fee schedule as part of its June 19 discussion on the Subdivision Vacation Development Code Amendments.

## **RESOURCE/FINANCIAL IMPACT**

The proposed fees are intended to cover the cost of staff time and the Hearing Examiner to review and consider the subdivision vacation application, so there likely will be no net impact on City finances.

## **RECOMMENDATION**

Staff recommends that the City Council approves Resolution No. 481, which adopts a fee for subdivision vacations as set forth in Attachment A.

## **ATTACHMENTS**

Attachment A – Proposed Resolution No. 481

**RESOLUTION NO. 481**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AMENDING RESOLUTION NO. 471 TO ESTABLISH A FEE FOR THE PROCESSING OF APPLICATIONS FOR THE VACATION OF PREVIOUSLY RECORDED SUBDIVISIONS.**

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 is authorized by state law to impose fees to recoup the costs of processing of land use applications, including but not limited to RCW 35A.11.020 and 82.02.020; and

WHEREAS, SMC Section 3.01.010 provides that the City Council is to establish fees for services provided by the City from time to time by Resolution; the 2021 Fee Schedule was adopted by Resolution No. 471; and

WHEREAS, with the adoption of Ordinance No. 934, the City Council established procedures for the vacation of previously recorded subdivisions as authorized by RCW 58.17.212 and a fee needs to be adopted for the processing of applications for a vacation; and

WHEREAS, the proposed fee does not exceed the actual cost of providing the services for which the fee is charged, as required by state law; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:**

**Section 1. Adoption of Fee.** The Fee Schedule, as adopted by Resolution No. 471, for Planning and Community Development, Section M Subdivisions, is amended to include a new fee for Subdivision Vacations as follows:

- 9. Vacation of subdivision \$206.00 hourly rate, 10-hour minimum plus public hearing (\$3,914.00).

**Section 2. Effective Date.** This Resolution shall take effect and be in full force on the same date as the effective date of Ordinance No. 934.

**ADOPTED BY THE CITY COUNCIL ON AUGUST 16, 2021.**

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Mayor Will Hall

**ATTEST:**

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Jessica Simulcik Smith, City Clerk