

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

The purpose of these minutes is to capture a high-level summary of Council's discussion and action. This is not a verbatim transcript. Meeting video and audio is available on the [City's website](#).

Monday, September 12, 2022
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Scully, Deputy Mayor Robertson, Councilmembers McConnell, Mork, Roberts, Pobe, and Ramsdell

ABSENT: None.

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

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

(a) Proclamation of Welcoming Week

Mayor Scully announced the proclamation of Welcoming Week in Shoreline.

3. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

4. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, reported on various City meetings, projects, and events.

5. COUNCIL REPORTS

Deputy Mayor Robertson gave an update from the North King County Coalition on Homelessness. She shared that The Oaks has a new director, William Towey, who has begun to provide services to the 40 plus person waiting list. She reported that the King County Regional Homelessness Authority will come back with a revised potential interlocal agreement in October.

Councilmember Mork said she attended a Regional Water Quality Committee meeting. The committee discussed sewer overflow projects and procedural items.

Councilmember Pobee shared his attendance to three meetings: a joint transportation board meeting, the SeaShore Transportation Forum, and a fiscal management workshop. He highlighted the opening of Eastside Baby Corner which provides essentials for young children.

6. PUBLIC COMMENT

The Council heard comments from the public from approximately 7:09 p.m. to 7:31 p.m. Written comments were also submitted to Council prior to the meeting and are available on the [City's website](#).

Sigrid Strom, Shoreline resident, expressed dissatisfaction with the MUR-70 tree retention changes and advocated for more rigorous tree retention and sustainability practices.

Susanne Tsoming, Shoreline resident, noted the loss of trees along I-5 from N 145th to N 175th. She asked that Council vote to approve the original tree retention proposal for MUR-70 zones.

Nancy Morris, Shoreline resident, stated that the loss of the urban tree canopy is contributing to temperature increase. She encouraged developments be designed to respond to the climate crisis.

Janet Way, Shoreline resident, urged Council to adopt Councilmember Pobee's and Ramsdell's amendments on Ordinance No. 968.

Kathleen Russell, Shoreline resident, advocated that Council adopt the original proposal to retain 10 percent of the significant trees in the MUR-70 zone.

Melody Fosmore, Shoreline resident, expressed support for the original tree retention proposal in the MUR-70 zone to fight climate change.

Derek Blackwell, Shoreline resident, voiced support for 10 percent tree retention in the MUR-70 zone. He encouraged a redesign for the development to replace Garden Park Apartments.

Kaitlin Boyce, Shoreline resident, spoke in support of reducing parking requirements within the MUR-70 zone.

Will Hunnewell, Shoreline resident, asked why there is not more being done to preserve trees. He commented that the number of affordable units is too low for the money developers save to provide them.

7. CONSENT CALENDAR

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

- (a) Approval of Minutes of Regular Meeting of August 1, 2022**
- Approval of Minutes of Regular Meeting of August 8, 2022**
- Approval of Minutes of Special Meeting of August 18, 2022**

(b) Approval of Expenses and Payroll as of September 12, 2022 in the Amount of \$11,784,588.82

***Payroll and Benefits:**

| Payroll Period | Payment Date | EFT Numbers (EF) | Payroll Checks (PR) | Benefit Checks (AP) | Amount Paid |
|-------------------|--------------|------------------|---------------------|---------------------|-----------------------|
| 7/10/22 - 7/23/22 | 7/29/2022 | 103605-103858 | 17908-17920 | 86361-86363 | \$659,962.87 |
| Q2 2022 L&I | 7/29/2022 | | | 86302 | \$25,224.94 |
| Q2 2022 ESD | 7/29/2022 | | | 86303 | \$41,983.26 |
| 7/10/22 - 7/23/22 | 8/4/2022 | | | WT1279 | \$118,501.06 |
| 7/10/22 - 7/23/22 | 8/9/2022 | | | 86364-86366 | \$4,330.86 |
| 7/24/22 - 8/6/22 | 8/12/2022 | 103859-104120 | 17921-17935 | 86440-86443 | \$700,923.96 |
| | | | | WT1282- | |
| 7/24/22 - 8/6/22 | 8/17/2022 | | | WT1283 | \$119,662.86 |
| | | | | | <u>\$1,670,589.81</u> |

***Wire Transfers:**

| Expense Register Dated | Wire Transfer Number | Amount Paid |
|------------------------|----------------------|-----------------------|
| 7/25/2022 | 1278 | \$30,007.76 |
| 8/8/2022 | 1280 | \$10,000.00 |
| 8/12/2022 | 1281 | \$2,413,759.38 |
| | | <u>\$2,453,767.14</u> |

***Accounts Payable Claims:**

| Expense Register Dated | Check Number (Begin) | Check Number (End) | Amount Paid |
|------------------------|----------------------|--------------------|----------------|
| 7/27/2022 | 86245 | 86273 | \$122,042.06 |
| 7/27/2022 | 86274 | 86301 | \$2,317,853.49 |
| 8/3/2022 | 86304 | 86323 | \$1,791,589.36 |
| 8/3/2022 | 86324 | 86349 | \$315,672.51 |
| 8/3/2022 | 86350 | 86358 | \$26,143.98 |
| 8/3/2022 | 86359 | 86359 | \$153.11 |
| 8/3/2022 | 86360 | 86360 | \$54,716.84 |
| 8/10/2022 | 86367 | 86402 | \$154,386.73 |
| 8/10/2022 | 86403 | 86437 | \$396,163.44 |
| 8/10/2022 | 80877 | 80877 | (\$720.00) |
| 8/10/2022 | 86438 | 86438 | \$720.00 |
| 8/10/2022 | 86439 | 86439 | \$587.10 |
| 8/17/2022 | 86444 | 86483 | \$551,224.03 |
| 8/17/2022 | 86484 | 86527 | \$1,122,879.92 |
| 8/18/2022 | 86528 | 86532 | \$7,720.08 |
| 8/18/2022 | 86533 | 86533 | \$10,000.00 |
| 8/18/2022 | 86534 | 86534 | \$772,099.22 |

| | | | |
|-----------|-------|-------|----------------|
| 8/19/2022 | 86535 | 86535 | \$17,000.00 |
| | | | \$7,660,231.87 |

- (c) **Adoption of Ordinance No. 969 - Amending Chapter 20.50 of the Shoreline Municipal Code to Add Regulations for Outdoor Seating and Repealing Interim Ordinance No. 965**
- (d) **Adoption of Resolution No. 493 – Establishing a Fee for Outdoor Seating Permits**
- (e) [Approving the Multi-Family Tax Exemption Contract with ASO Investments, LLC for the Pinnacle One Project Located at 1719 N 185th Street](#)
- (f) **Approving the Multi-family Tax Exemption Contract with Home for Life, LLC for the Pinnacle Two Project Located at 2152 N 185th Street**

8. ACTION ITEMS

- (a) Action on Ordinance No. 968 – MUR-70’ Zone Development Code Amendments to Sections 20.30, 20.40, and 20.50

Councilmember Roberts moved to indefinitely postpone adoption of Ordinance No. 968, and that the provisions relating to additional noticing and public comment requirements and increasing the noticing distance be added to the next batch of development code amendments.

Councilmember Roberts reasoned that postponing would ensure that the ordinance is consistent with the update to the Comprehensive Plan. He stated that issues related to the natural environment and rate of growth will be addressed in the update. This motion would also not cause any development delays, as there are no current proposals for a Developer Agreement in the works, and it would allow the noticing requirements to come back quickly. Deputy Mayor Robertson and Councilmember McConnell expressed support for postponing as they felt too many amendments have been made to the Planning Commission’s recommendation and it no longer reflects the original intent. Mayor Scully argued against indefinitely postponing so that issues with the MUR-70 regulations in place could be resolved, and Councilmembers Pobe and Ramsdell agreed with this sentiment.

It was asked what the benefits would be in postponing. Councilmember Roberts responded that Council’s actions on this ordinance are limited to the MUR-70 zone. He said there are opportunities during the Comprehensive Plan update to include requirements into other zones.

The motion was seconded and failed 3-4 with Deputy Mayor Robertson, and Councilmembers McConnell and Roberts voting in favor.

Planning Manager, Andrew Bauer, reviewed the background of Ordinance No. 968 and informed Council of the additional amendments that were added since Council’s action at the June 27, 2022 meeting. The remaining amendments up for action are as follows:

- 5a. Amending SMC 20.50.020(A)(11)(e) to require 0.25% of a building construction valuation for subarea improvements and a 1% valuation when parking is eliminated. (Not recommended by staff)
- 5b. Amending SMC 20.50.020(A)(11)(e) to delete requirements for additional subarea improvements. (Recommended by staff)
- 6. Amending SMC 20.50.020(A)(11)(f) to require buildings over the base height of 70-feet to achieve green certification, matching Tier 3 of the City’s Deep Green Incentive Program. (Recommended by staff)
- 7. Amending SMC 20.50.020(A)(11)(g) to retain the existing requirement to purchase transfer of development rights (TDR) credits. (Not recommended by staff)
- 8. Amending SMC 20.50.020(A)(11) and (12); 20.50.310; 20.50.350; 20.50.360 to require that all development in the MUR-70’ zone to retain at least 10 percent of significant trees on site or purchase of Transfer of Development Rights. (Not recommended by staff)
- 9a. Amending SMC 20.50.400.C to strike the condition of a development with 100 dwelling units or 10,000 gross square feet of commercial floor area for up to a 50% parking reduction.
- 9b. Amending SMC 20.50.400.C expand parking reductions to 100%. (Not recommended by staff)

Since the ordinance was last discussed on June 27, 2022, Council left off with a motion on the table to strike all of SMC 20.50.020(A)(11)(e).

Councilmember Roberts commented that the purpose of the ordinance is to move away from development agreements and address housing insufficiency. Among several conditions developers are required to meet, the amendment adds another condition and does not say what percentage of subarea improvements must be provided. If the requirement were deleted, Mr. Baur said developers would still be required to make some level of improvements funded by the developer.

The motion passed 4-3 with Councilmembers Mork, McConnell, and Ramsdell voting against.

Councilmember Mork moved to modify the Planning Commission’s recommendation for SMC 20.50.020(A)(11) by adding a new subsection, subsection (f), related to the City’s Deep Green Incentive Program that states, “f. The development shall meet the requirements to achieve certification under one of the following sustainable development programs:

- 1. LEED Platinum; or**
- 2. 5-Star Built Green; or**

- 3. Passive House Institute US (PHIUS)+ combined with Salmon Safe; or**
- 4. Zero Energy combined with Salmon Safe”**

Councilmember Mork said that taller buildings should be required to be greener. When asked about exempting projects from the Deep Green Incentive Program, Councilmember Mork clarified that it is not her intent to exempt projects. She advised that developments that build above the program, over 90-feet, should have additional environmental protections. Mr. Baur clarified that the last paragraph on the screen would disqualify developments building over 90-feet from incentives, as a sustainable development program would then be a requirement.

The motion was seconded and passed unanimously, 7-0.

Councilmember Pobee moved to modify the Planning Commission’s recommendation for SMC 20.50.020(A)(11) by adding a new subsection, subsection (h), and by amending SMC 20.50.020(A)(12), with the exception of the staff suggested additions in italics and highlighted in blue in the staff report, 20.50.310(A)(5), 20.50.350(B)(1), and 20.50.360(C), requiring on MUR70’ zoned properties the retention of 10 percent of significant trees as set forth on Pages 16 through 20 of tonight’s Staff Report. The motion was seconded.

Councilmember Pobee commented that the amendment would help with temperature issues and with reducing greenhouses gases.

Council expressed opposition to the amendment and brought up several reasons for the position including favor for increased density and housing, increased transit options, improved livability and environmental impact, and future park expansion. Councilmember Ramsdell added that while not opposed to the amendment altogether, he opposes the proposed effective date.

The motion failed 1-6 with Councilmember Pobee voting in favor.

Councilmember Roberts moved to modify the Planning Commission’s recommendation for SMC 20.50.400(C) by deleting the following language: “containing 100 dwelling units or more, or 10,000 gross square feet of commercial floor area or more” as shown on Page 23 of tonight’s Staff Report.

Councilmember Roberts stated that parking is one of the most expensive parts of a building and the amendment gives developers more choice in how much parking they want to build. The amendment also requires developers to have a Transportation Demand Management Plan to reduce parking demand.

The motion was seconded and passed 4-3 with Mayor Scully and Councilmembers Mork and McConnell voting against.

The main motion to adopt Ordinance No. 968 as amended passed 1-6 with Deputy Mayor Robertson voting against.

9. STUDY ITEMS

(a) Follow-Up Update on the Draft Transportation Element

Transportation Services Manager, Nytasha Walters, shared the revised Transportation Element constrained project list. She pointed out that the presented list is a list within a larger list of projects under the Transportation Master Plan. To create the financially constrained project list, staff estimated capital revenues which is currently valued at \$201,240,000. About \$160 million in funding was factored in for committed projects. Then, considerations were made for project prioritization and eligibility. Staff recommended the following projects for the remaining \$41 million:

- 175th, Fremont to Stone Ave N
- 185th Corridor Strategy
- Eastside Off Corridor Bike Network
- 6 Shared Use Mobility Hubs
- 3rd Ave Connectors

Mayor Scully stated that he is not a fan of including 3rd Ave North Connectors and Shared Use Mobility Hubs as priority projects. He advised that discretionary money be used to address deficits in the transportation networks. Councilmember Roberts agreed but commented that they would be fine to keep on the list knowing that the list may change over time.

10. EXECUTIVE SESSION

At 9:17 p.m., Mayor Scully recessed into an Executive Session for a period of 10 minutes as authorized by RCW 42.30.110(1)(i) to discuss with legal counsel matters relating to agency enforcement actions or litigation. He stated that Council is expected to take action following the Executive Session. Mayor Scully stated that he will recuse himself from the discussion and excused himself for the evening. Staff attending the Executive Session included City Attorney, Margaret King, City Manager, Debbie Tarry, and Assistant City Manager, John Norris. The Executive Session ended at 9:26 p.m.

At 9:27 p.m. Deputy Mayor Robertson called the Regular Meeting back to order.

Councilmember Roberts moved to authorize the City Manager to execute the allocation agreement governing the allocation of funds paid by the settling opioid distributors in Washington State and the One Washington Memorandum of Understanding. The motion was seconded and passed, 6-0.

10. ADJOURNMENT

At 9:29 p.m., Deputy Mayor Robertson declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk