

**DRAFT**

**CITY OF SHORELINE**

**SHORELINE CITY COUNCIL  
SUMMARY MINUTES OF REGULAR MEETING**

Monday, April 11, 2005  
7:30 p.m.

Shoreline Conference Center  
Mt. Rainier Room

PRESENT: Mayor Hansen, Deputy Mayor Jepsen, Councilmembers Chang, Fimia, Grace, Gustafson, and Ransom

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 7:36 p.m. by Mayor Hansen, who presided.

2. FLAG SALUTE/ROLL CALL

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

(a) Shoreline Star—Dr. Bill Schnall

Mayor Hansen presented the third Shoreline Star to Dr. Bill Schnall and outlined his many contributions to his community through his medical practice as a pediatrician and his involvement with the Shoreline School District, the Rotary Club and the Chamber of Commerce.

Dr. Schnall accepted the award on behalf of all the citizens in Shoreline who deserve to be honored as Shoreline Stars.

(b) Proclamation of Child Abuse Prevention Month

Mayor Hansen presented the proclamation to Carolyn Shelton of the Children's Response Center. Ms. Shelton commented on the hopeful message of the proclamation regarding prevention of child abuse. She presented the City with two posters on the topics of child abuse prevention and sexual assault awareness.

(c) Proclamation of Volunteer Week

Mayor Hansen presented the proclamation to the City's volunteer historian, Ken Liscom, who accepted on behalf of Shoreline's many volunteers. They will be honored at the annual Volunteer Breakfast on April 22.

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3. CITY MANAGER'S REPORT: none
4. REPORTS OF BOARDS AND COMMISSIONS: none
5. PUBLIC COMMENT

(a) Vicki Westburg, Shoreline, commented on the efforts of volunteers in the community who work to protect the environment. She showed the booklet "How to Save a Wetland," which was developed when Paramount Park neighbors worked together to protect a property that was slated for development.

(b) Dan Mann, Shoreline, thanked the Council for the changes to be made in the Sign Code as proposed by businesses and for hiring Tom Boydell, the Economic Development Manager. He asked Council to ensure there is adequate visibility and access for the businesses impacted by the upcoming Aurora Project. He gave an example of how businesses have been hurt by construction occurring along Lake City Way. He said both small and mid-sized businesses can be hurt unless their needs are addressed. He concluded that a task force of the Chamber of Commerce is reviewing the proposed construction process and will provide input on how to protect businesses.

(c) Pat Crawford, Shoreline, submitted a variety of documents related to the Aegis order and Comprehensive Plan and Development Code changes that should be made to conform to it. She also wanted the Gaston decision to be considered in the Comprehensive Plan because it says that Thornton Creek is a Class II stream before it enters and after it exits the culvert. She also mentioned other documents that relate to the presence of fish in the stream. She concluded with a comment on Peverly Pond and the fact that it is disappearing because it is filling with silt.

(d) Tim Crawford, Shoreline, was happy that the City is evaluating new sites for a City Hall. He said that the North City project, like the Echo Lake project, is a poor project that should be abandoned. He submitted a copy of Aegis' claim for damages of over \$3 million based the City's negligence in representing to Aegis the requirements of the City's land use regulations and negligently issuing permits upon which Aegis relied in its construction of the assisted living facility in Shoreline.

(d) Janet Way, Shoreline, President of Paramount Park Neighborhood Group, distributed information related to a code enforcement issue in the Kim wetland. She said her group is making suggestions on how to rehabilitate this area. She outlined the problem of cutting trees in the critical area and suggested a potential solution. She said there is a way to rehabilitate this site by integrating the creek within the existing wetland. She said her group is ready to help promote progress and protect the environment in this area.

(e) Peter Henry, Shoreline, commended the Council for its independent review of the Comprehensive Plan and use of its own judgment in adopting policies. He

disagreed with the decision not to accept public testimony prior to the Comprehensive Plan discussions because new information is provided every week upon which the public should be allowed to comment. He said the Capital Improvement Plan must be based on actual funding sources, not speculative ones. Finally, he questioned the staff recommendation to adopt the Comprehensive Plan and the Parks, Recreation and Open Space Plan in one action and then review the master plans for Transportation and Surface Water later. He felt this is one package that should be considered together.

(f) Donna Eggen, Shoreline, encouraged the City to take care of its streams and wetlands and enforce all the codes related to environmental protection. She encouraged Council to consider Ms. Way's proposal.

(g) Brian Derdowski, Bellevue, Public Interest Associates, said it appears that some Councilmembers believe that the Comprehensive Plan is only a guide. He said the Growth Management Act does have force and there has to be internal consistency between development regulations, zoning, functional plans and the Comprehensive Plan. The Comprehensive Plan must be followed and the functional plans must be consistent with the Comprehensive Plan. He said when the Transportation and Surface Water master plans are adopted, the Council is making policy that must be followed. He asked if the Capital Facilities Element is a new document with new information or a compilation of previous documents. He supported incorporating this document into the Comprehensive Plan in order to have a complete document; however, he wanted the public to have an opportunity to comment on it if it contains new information.

(h) Dave Fagerstrom, Shoreline, commented on the number of cottage houses contemplated for Shoreline. He said the City should guarantee that the public receives notice of any project that will impact property values or change the character of the neighborhood. He gave an example in his neighborhood of a meeting that was not properly noticed. He supported enforcement of regulations to produce the best type of cottage housing.

Robert Olander, Deputy City Manager, said the Aurora project will be developed and efforts will be made to maintain access to businesses and provide proper signage during construction. He commented on increases in the budget to provide more flaggers to control traffic. This will help people get to businesses and navigate construction zones. He also noted that the Washington Cities Insurance Authority had denied the Aegis claim for damages and that this issue is currently in litigation. With regard to the Capital Facilities Element, he said it contains information previously provided but consistently organized into one chapter of the Comprehensive Plan. He noted that comments on the Comprehensive Plan can be made at the beginning of Council meetings.

## 6. APPROVAL OF THE AGENDA

**Councilmember Gustafson moved to approve the agenda. Councilmember Ransom seconded the motion. Councilmember Fimia moved to amend the agenda to take Item 8(b) before 8(a). Councilmember Chang seconded the motion, which carried**

**unanimously. Councilmember Ransom asked that Item 7(d), City Hall Site Selection Criteria, be pulled and made Item 8(c). A vote was taken on the motion, which carried unanimously, and the agenda was approved as amended.**

**7. CONSENT CALENDAR**

**Councilmember Gustafson moved to approve the Consent Calendar as amended. Councilmember Ransom seconded the motion, which carried 7 – 0, and the following consent calendar items were approved:**

**Minutes of Regular Meeting of February 28, 2005  
Minutes of Special Meeting of March 21, 2005  
Minutes of Dinner Meeting of March 28, 2005  
Minutes of Regular Meeting of March 28, 2005**

**Approval of expenses and payroll as of March 31, 2005  
in the amount of \$693,762.21**

**Motion to authorize the City Manager to execute a two-year lease renewal with M.L. Davies Investment Company for the West Side Police Storefront, providing for a 2.63% rent increase in 2005/2006 and a 2.56% rent increase in 2006/2007**

**8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS**

- (a) Motion to authorize the City Manager to enter into a contract with Shoreline Solar Project to provide public education services for renewable and responsible energy practices

Bernard Seeger, Management Analyst, outlined the two options with regard to funding for the Shoreline Solar Project's (SSP's) 2<sup>nd</sup> Annual Renewable Energy Fair:

- Option #1—provide in-kind support valued at \$1,500 by sponsoring an information booth at the fair;
- Option #2—in addition to #1, allocate \$2,500 for public education services.

Mr. Seeger said that staff recommends Option #1 because this request did not go through the annual budget process. He said the SSP was easy to work with and has admirable goals. The staff recommendation is simply based on the desire to follow the accepted budgeting process.

Mayor Hansen called for public comment.

- (a) Maryn Wyne, Shoreline, spoke in support of Option #2. She said that in addition to educational services and materials, SSP will do an initial site survey of City buildings for solar access. She demonstrated the contents of the children's solar activities

kits and described how they will be used. She noted the SSP was invited to participate in a roundtable with Sen. Marie Cantwell regarding her 20/20 Biofuels Challenge.

(b) Frank Troth, Shoreline, also supported Option #2. He said this funds a vision for the future. Children will remember what they learn as they become adults and it will be encouraging to them that the City supported such activities.

(c) Eileen Dunnihoo, Shoreline, concurred, noting that last year's fair was "terrific" with no outside funding. This provides the City of Shoreline the opportunity to be in the forefront of providing affordable energy. SSP is working with state, national and international groups to guide students and adults in learning to live with sustainable and renewable energy.

(d) Jim DiPeso, Shoreline, also supported Option #2. He said this project will provide concrete benefits and have multiplier effects. Practical information will get out into the community to be applied in homes and businesses. He concluded that clean energy technology is one of the industry clusters that is in the future for the Puget Sound area. He urged that Shoreline vie for its fair share of these technologies by having an educated public using them.

(e) Janet Way, Shoreline, concurred on behalf of Sno-King Environmental Council, noting this is money well-spent to plant a seed to generate its own energy within the community. She urged the Council to "catch the wave" of renewable energy and sustainable elements.

(f) Rebecca Wolfe, Edmonds, said she has learned as a teacher that hands-on learning makes the most impact. With Council's help, children could use the kits to seek creative solutions to the challenges of energy in the future.

(g) Larry Owens, Shoreline, commented that Option #2 is supported by Cheryl Lundahl, who received a Council commendation last year for her work at Parkwood Elementary School on environmental issues. He said that this year the fair has been expanded to cover all Shoreline schools, both public and private. He used the example of the solar car designed by his daughter to show how the materials provided by the City's support will encourage creative thinking about energy. He concluded that this year high school students will be able to earn community service hours by working at the fair. He said the fair will be an outstanding public education event.

**Councilmember Grace moved Option #2. Councilmember Ransom seconded the motion.**

Deputy Mayor Jepsen urged that as part of the contract, SPP be sure to work with the City's teen programs. He also suggested that SPP approach the School Board for funding.

Councilmember Grace said this is good seed money that fits within several City goals in the Comprehensive Plan. It is also a good way for the City to recognize volunteers, since SPP uses hundreds of volunteer hours.

Councilmember Chang supported the motion, noting that renewable energy technology might be “the next Boeing of this region” producing high-paying jobs for our area.

Councilmember Ransom also supported Option #2, noting the first fair was very well done. He was not clear how the City’s teen programs could be included, since the fair will be in one location. He did support including the teens as much as possible. He concluded that there is a local solar energy business in Shoreline and this might be a way to support economic development in that area.

Councilmember Gustafson concurred and said this will be a valuable education tool. He supported Deputy Mayor Jepsen’s recommendation to approach the school superintendent and principals and the Parent Teacher Association as well.

Mayor Hansen supported Option #1, noting the City could also help by advertising the fair. However, he wished to follow the normal budget allocation process in terms of providing funding to organizations.

Councilmember Fimia noted that the City must start “putting its money where its mouth is” to address transportation and environmental quality issues. She said having City funding will help SPP as it approaches other entities for partnerships. She said this is a way to start Shoreline out as an “international, environmental educational center.”

**A vote was taken on the motion to support Option #2, with the \$2,500 funding level for the Solar Power Project, which carried 6 – 1, with Mayor Hansen dissenting.**

Deputy Mayor Jepsen noted the number of items remaining on the agenda and asked about time allocations for the rest of the meeting. There was Council concurrence to delete item 9(a), the year-end financial report, and to take Item 8(c) next.

- (b) Motion to adopt the criteria outlined in the City Hall Site Selection Scoring Matrix and to authorize the City Manager to evaluate new sites under this matrix

Steve Burkett, City Manager, explained that Council has been using this matrix in its pursuit of a site for City Hall. Councilmember Grace had suggested that it be reaffirmed by the current Council. Mr. Burkett said it is important to have a basis for review.

**Councilmember Gustafson moved to adopt the criteria outlined in the Site Selection Scoring Matrix and authorize the City Manager to evaluate new sites under this matrix. Councilmember Grace seconded the motion.**

Councilmember Gustafson said Council has already worked with this and evaluated several sites using it. Continuing with the same tool will provide consistency with what has been done in the past.

Councilmember Ransom felt the point system distorts some values and that environmental issues were not rated high enough. He felt it is a crude instrument and if it is re-evaluated, some items might be changed. He suggested consideration of some changes.

Councilmember Fimia felt the matrix is not easy to consider as far as the weighted average is concerned. She noted that there has been no public feedback on the matrix. She said if the weighting were eliminated, she could support using it and refining it.

Councilmember Grace agreed that consistency with the past process is important and the four sites under consideration should follow the same process. He said Councilmembers can suggest changes in the future. He said it is similar to processes he has used for evaluation of projects.

**A vote was taken on the motion to adopt the Site Selection Scoring Matrix, which carried 4 – 3, with Councilmembers Chang, Fimia and Ransom dissenting.**

- (c) Continued deliberations on the 2004 update of the Comprehensive Plan and master plans

Tim Stewart, Planning and Development Services Director, distributed an updated list of the “Other Items for Discussion—not in the memo group or for Repeated Discussion.” He also distributed a redrafting of #154, Policy EN 59.

Responding to Councilmember Fimia, Mr. Stewart said that when Council completes its review of the policies, a new document will be produced in legislative format showing the Planning Commission recommendations and the changes that have come out of the Council’s work sessions.

The Council began its consideration of the memo items in Group H.

**#28 (LU24)—Councilmember Ransom moved to adopt the Planning Commission recommendation, striking the words “cottage housing” and “certain circumstances” and for the latter substituting “conditional use.” He also wished to add “by City Council” after “approved” in the second paragraph. Councilmember Fimia seconded the motion.**

Responding to Deputy Mayor Jepsen, Councilmember Ransom said his intent was that all forms of housing mentioned in the policy would have to go through conditional use in the R-4 and R-6 zones. Otherwise, they belong in the higher density zones.

Responding to Councilmember Grace, Councilmember Ransom said cottage housing should be eliminated because it is the most controversial housing type and it belongs in the medium density zones. He noted that this issue was discussed last week and will be revoted upon by the full Council later. He said "certain circumstances" is very vague and "conditional use" refers to a specific process.

Mr. Stewart described the requirements of the conditional use process and when it is applied. He noted that cottage housing in R-4 and R-6 zones is already a conditional use process. He said the current cottage housing regulations were adopted in 2000.

Councilmember Chang said the requirements in the code are not in the Comprehensive Plan and this is causing the problem. He said the plan and the Development Code must be consistent. He supported Councilmember Ransom's motion.

Mr. Stewart noted that cottage housing is under study, and staff has identified current problems and proposed some changes to the code to address public concerns. He said the Planning Commission will take up this issue in May. He said the Comprehensive Plan establishes the policy for development regulations. He noted that under the Growth Management Act (GMA), Shoreline must meet its fair share requirement for new housing. Cottage housing is one tool for doing this, providing about 350 units (10%) of Shoreline's twenty-year housing target. If cottage housing is eliminated, complying with GMA may become a problem.

Councilmember Chang did not favor eliminating cottage housing altogether. He said the issue is whether it should be allowed in R-4 or R-6 zones. He supported going through the process in the coming months.

Councilmember Fimia asked if the present system is working for the other housing types mentioned in this policy. Mr. Stewart said most of the concern has been directed toward cottage housing. He said any time in-fill development or redevelopment occurs, there can be problems. However, the goal is to meet GMA targets.

Councilmember Fimia concurred but said if the process is done well, neighbors will be more accepting of in-fill development. She concurred with Councilmember Ransom that "certain conditions" is too vague. She thought perhaps "conditional use" is too restrictive in this policy. She noted that the existing Comprehensive Plan does not allow cottage housing in R-4 zones under LU47.

Deputy Mayor Jepsen thought the public process should run its course. **He moved a substitute motion to adopt the Planning Commission recommendation, substituting "may" for "will."** He argued that this provides policy direction without granting a right. **Councilmember Gustafson seconded the motion.**

Councilmember Ransom felt that cottage housing is different from the other housing types addressed in this policy. It should be treated differently.



**A vote was taken on the motion, which carried 4 – 3, with Councilmembers Chang, Fimia and Ransom dissenting.**

**#30 (LU 26)—Councilmember Grace moved to adopt the Planning Commission recommendation to delete LU 26 and adopt the Planning Commission recommendation for H3 but to add the five bullets from the current LU 26 to #191 (H3). Councilmember Fimia seconded the motion, which carried 7 – 0.**

Responding to Deputy Mayor Jepsen, Mr. Stewart explained that the requirement for owner occupancy is enforced on a complaint basis only.

**#32 (LU 28)—Deputy Mayor Jepsen moved to adopt the Planning Commission recommendation, changing the two “wills” in the first paragraph to “may.” Councilmember Gustafson seconded the motion, which carried unanimously.**

Councilmember Fimia added that before the Comprehensive Plan is adopted, a comprehensive look should be taken at the words “certain conditions.” She felt that if the conditions are spelled out in the Development Code, this should be made clear for the public in the plan.

Mayor Hansen suggested this be considered at the end of the policy review.

**#35 (LU 31)—Councilmember Gustafson moved to adopt the Planning Commission recommendation. Councilmember Grace seconded the motion, which carried unanimously.**

**#40 (LU 35), #42 (LU 38), and #43 (LU 38.1)—Councilmember Gustafson moved to adopt the Planning Commission recommendations. Councilmember Fimia seconded the motion, which carried unanimously.**

**#181 (ENF)—Councilmember Fimia moved to adopt the Planning Commission recommendation, striking the first reference to “legal.” Councilmember Chang seconded the motion, which carried unanimously.**

**#239 (TR)—Councilmember Fimia moved to adopt the Planning Commission recommendation, striking the word “consider” and replacing it with “evaluate, field-test and fund.” Councilmember Ransom seconded motion.**

Councilmember Fimia said this change signals to staff that Council is serious about pursuing this policy of installing these devices. Mayor Hansen noted that he did not think it was necessary to reference funding.

Councilmember Grace did not wish to infer that once these devices are field-tested, they are automatically funded. He suggested a qualifier such as “where feasible.”

Deputy Mayor Jepsen said that funding is a part of the budget process and suggested this be deleted.

**Councilmembers Fimia and Ransom accepted the deletion as a friendly amendment. A vote was taken on the motion, which carried 6 – 1, with Councilmember Gustafson dissenting.**

**MEETING EXTENSION**

At 10:00 p.m. Deputy Mayor Jepsen moved to extend the meeting until 10:30 p.m. Councilmember Fimia seconded the motion, which carried unanimously.

**#241 (new policy Ts)—Deputy Mayor Jepsen moved to adopt the Planning Commission recommendation, deleting the second sentence (as recommended by Mr. Burkett because it is too prescriptive.) Councilmember Gustafson seconded the motion. Councilmember Fimia moved to amend the motion by adding “and funding” between “master lighting” and “plan.” Councilmember Ransom seconded the motion.**

Councilmember Fimia noted that in #68 (Td) the Planning Commission recommends providing funding for projects. So she felt a reference to funding would be appropriate. She said if money is spent to create plans, the commitment to funding should be made in the Comprehensive Plan.

Mayor Hansen reiterated that funding is a budget issue which should not be addressed in the Comprehensive Plan.

Councilmember Grace said this is an important point of discussion but this idea of funding should have been addressed with other policies as well and because it was not, he did not support it here.

**A vote was taken on the amendment, which failed 3 – 4, with Councilmembers Chang, Fimia and Ransom voting in the affirmative. A vote was taken on the motion, which carried 7 – 0.**

**#243 (Goal T 1)—Councilmember Grace moved to adopt the Planning Commission recommendation adding “Work with transportation providers to” before the word “develop.” Councilmember Fimia seconded the motion, which carried 7 – 0.**

**#247 (T3)—Councilmember Fimia moved to adopt the Planning Commission recommendation with the change to the Level of Service reference from “E” to “D.” Councilmember Ransom seconded the motion.**

Responding to Deputy Mayor Jepsen, Mr. Stewart said this change would have significant impacts on the ability of the City to meet its concurrency obligations. Concurrency is a function of land use, current level of service, and the capital improvements needed to allow the level of service to keep up with the rate of growth. He said Shoreline’s growth is not the primary driver here; rather, it is the regional growth of

jobs in the Seattle area and housing in the Snohomish County area. Shoreline will not be allowed to include highways of statewide significance in its concurrency, but it is required to evaluate all these impacts. It is a delicate balancing act that was reviewed in detail by the Planning Commission.

Jill Marilley, City Engineer, explained the rationale behind the changes to this policy. She said this policy has a more rigorous application of the level of service. The current policy allows the level of service standards to be averaged throughout an area. The proposed policy highlights individual intersections, although with LOS E rather than D, and this allows the City to target its capital resources.

Councilmember Ransom said this is a lowering of the standard, but Ms. Marilley said that the way the level of service is analyzed is changing. Changing the method of evaluation allows the City to be point specific. She said to have certain intersections that are LOS F is unacceptable, which can occur with the current averaging approach.

Councilmember Fimia concurred with changing the method of measurement. However, the level of service issue forces the City to come to terms with transit issues. This change admits that "we've lost" the battle against congestion. She said that the huge investment in the Aurora Project means that other corridors will not receive the attention they need. This change reflects that reality.

Mayor Hansen did not want to set an unattainable policy. He preferred to see LOS D but said LOS E provides more flexibility.

Ms. Marilley said staff could go back through and determine the financial impacts of changing this recommendation to LOS D.

Councilmember Fimia noted that the Capital Facilities Plan would have to be reworked. She said the City has the funds to stay at LOS D but they would need to be reallocated.

Mr. Burkett emphasized that 87% of the funding for Phase I of the Aurora Project is from grants, not City money. He said the same will probably be true for the later phases. He said grants would probably not be available for other roads. Mayor Hansen concurred.

Councilmember Ransom was concerned that setting the LOS at E will allow other parts of the City to deteriorate and the traffic become worse and worse. This has a severe impact on citizens. He did not want to send the message that the City condones this deterioration.

Mr. Burkett said the plan as proposed will be consistent with state requirements. Additional funding will be needed to address problems on arterials.

Councilmember Fimia noted that the level of service at Aurora intersections will be E and F after the Aurora Project is completed.

**A vote was taken on the motion, which failed 2 – 5, with Councilmembers Fimia and Chang voting in the affirmative.**

**Councilmember Grace moved to adopt the Planning Commission recommendation. Councilmember Gustafson seconded the motion, which carried 6 – 1, with Councilmember Fimia dissenting.**

**#294 (new policy Ti)—Deputy Mayor Jepsen moved to adopt the Planning Commission recommendation. Councilmember Gustafson seconded the motion.**

Councilmember Grace wondered how “reasonable limits” will be defined. Ms. Marilley said these will be brought forward with more specificity when issues regarding level of service in different areas are addressed in neighborhood traffic plans.

**A vote was taken on the motion, which carried unanimously.**

Councilmember Fimia distributed a proposal for future discussion to change the process for review of the cottage housing regulations. She also asked for further information about the funding for the projects in the Capital Facilities Element.

9. ADJOURNMENT

At 10:30 p.m., Mayor Hansen declared the meeting adjourned.

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Sharon Mattioli, City Clerk