



AGENDA (v.2)

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, September 8, 2008
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: Washington State Department of Transportation (WSDOT)

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, September 8, 2008
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

	<u>Page</u>	<u>Est. Time</u>
1. CALL TO ORDER		7:30
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of "Constitution Week"	<u>1</u>	
(b) Recognition of Celebrate Shoreline Sponsors	<u>3</u>	
3. REPORT OF THE CITY MANAGER		
4. REPORTS OF BOARDS AND COMMISSIONS		
5. GENERAL PUBLIC COMMENT		7:50
<i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda and which are not of a quasi-judicial nature. Speakers may address Council for up to three minutes, depending on the number of people wishing to speak. If more than 15 people are signed up to speak each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. The total public comment period under Agenda Item 5 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period and will be called upon to speak generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
6. APPROVAL OF THE AGENDA		8:10
7. CONSENT CALENDAR		8:10
(a) Minutes of Study Session of July 21, 2008	<u>5</u>	
Minutes of Workshop Dinner Meeting of August 25, 2008	<u>15</u>	
(b) Approval of expenses and payroll as of August 26, 2008 in the amount of \$6,176,681.93	<u>19</u>	
(c) Motion to Authorize the City Manager to Award a Construction	<u>21</u>	

Contract to Precision Earthworks, Inc. in the amount of \$576,535.00, plus a 10% Contingency, for construction of the East Boeing Creek and West Branch Corliss Avenue N Drainage Improvements

- (d) Motion to Authorize the City Manager to Execute a Change Order in an amount not to exceed \$50,000 for completion of the Hidden Lake Sediment Removal Project 26-1

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

- (a) Ordinance No. 515, Adoption of the 2008 Development Code Amendments 27 8:15
- (b) Discussion and possible adoption of Ordinance No. 507, 2008 Annual Comprehensive Plan Amendments and Associated Development Code Amendments relating to Master Planned Areas 43 8:45

9. ADJOURNMENT 10:00

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2231 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2236 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 8 p.m. and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Council meetings can also be viewed on the City's Web site at cityofshoreline.com/cityhall/citycouncil/index.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Proclamation of "Constitution Week"
DEPARTMENT: CMO/CCK
PRESENTED BY: Scott Passey, City Clerk

PROBLEM/ISSUE STATEMENT:

In 1955, the Daughters of the American Revolution petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the U.S. Congress and signed into Public Law #915, on August 2, 1956, by President Dwight D. Eisenhower. Constitution Week is commemorated September 17 - 23.

This proclamation declares the week of September 17-23, 2008 as Constitution Week and urges all citizens to study the Constitution, reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

A member of the local chapter of the Daughters of the American Revolution will be at the meeting to accept the proclamation.

RECOMMENDATION

No action is required.

Approved By: City Manager  City Attorney _____



PROCLAMATION

WHEREAS, September 17, 2008, marks the two hundred twenty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

WHEREAS, It is the privilege and duty of the American people to commemorate the two hundred twenty-first anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law;

NOW, THEREFORE I, Cindy Ryu, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

Cindy Ryu, Mayor, City of Shoreline

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Thank You Plaques for Celebrate Shoreline Sponsors 2008
DEPARTMENT: Parks, Recreation & Cultural Services Department
PRESENTED BY: Lynn M. Cheeney, Recreation Superintendent

ISSUE STATEMENT:

Tonight the City of Shoreline would like to recognize and thank the twenty-two sponsors for their financial contributions to Celebrate Shoreline 2008. This annual event celebrates the City's incorporation and has increased from a parade and festival to include a Jazz Walk, youth skate board competition, car show, and sand castle building contest. There are many who contribute to Celebrate Shoreline in other ways and we do appreciate their participation, however we are recognizing our financial sponsors at this time.

This year's sponsors included:

Children's Area:

Shoreline/South County YMCA – Platinum

Car Show:

Anderson House – Gold

Parade:

Shoreline Bank - Gold

Main Stage:

Richmond Beach Rehab – Gold

Platinum Sponsors: \$1,000

Watermark Credit Union
SGA Construction (new)

Gold: \$500

Central Market
Shoreline Community College
Shoreline/Lake Forest Park Arts Council
Sky Nursery
Hillstrom Insurance Agency (new)

Silver **\$300**

Churck Olson Chevrolet
Gordon's Les Schwab Tire Center
Shoreline Rotary Foundation
Mark E. Simons DMD, PS
James Alan Salon
Shoreline's Top Food & Drug
Parker's Casino
Renewal by Andersen

Bronze **\$100**

Dunn Lumber
Highlands West Dental

FINANCIAL IMPACT:

\$9,600 in sponsorships were received this year to help off set the costs of Celebrate Shoreline 2008.

RECOMMENDATION

Staff recommends that Mayor Ryu present the plaques to sponsors and thank them for their participation and support of Celebrate Shoreline 2008.

Approved By: City Manager  City Attorney _____

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF STUDY SESSION

Monday, July 21, 2008 - 6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

ABSENT: None.

1. CALL TO ORDER

At 6:33 p.m., the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, provided reports and updates on various City projects, meetings, and events. Mr. Olander highlighted the success of the Solarfest event and stated that the King County Conservation Futures Trust Citizen Oversight Committee has recommended that the City receive an additional \$157,000 grant in 2009 for assistance in purchasing the Kruckeberg Gardens.

4. COMMUNITY PRESENTATION

(a) Earth Corps

Councilmember Way introduced this item and turned the time over to Steve Dubiel, Executive Director of Earth Corps. Mr. Dubiel provided a brief presentation outlining Earth Corps' mission and services in the area of environmental stewardship. He highlighted that Earth Corps is made up of young leaders and strong communities. He described their work related to bridge and trail construction, invasive plant removal, replanting native plants, shoreline and stream restoration, stewardship, and monitoring.

Councilmember Way asked if the organization has done any ivy removal work on steep slopes. Mr. Dubiel responded that they can help with problem sites.

Responding to Mayor Ryu, Mr. Dubiel confirmed that there is no age limit restriction for the Earth Corps volunteers and that they can coordinate all of the volunteers.

Councilmember Way noted that Earth Corps can partner with other groups and leverage volunteer time as a grant package.

5. GENERAL PUBLIC COMMENT

a) Dennis Lee, Shoreline, said some attendees are concerned about testifying during the general public comment on Hamlin Park.

b) Maria Walsh, Mountlake Terrace, on behalf of her son who resides at Fircrest, discussed the Council goal of "developing a Fircrest Master Plan in partnership with the State." She stated there is another goal and workplan concerning the hybrid plan and stated it wasn't presented to the public. She said she is upset that Department of Social and Health Services stated that their hybrid option is the only one. She noted that she also heard that the CRISTA Master Plan was accepted and passed and would like some clarification.

Mr. Olander responded that Shoreline Community College, CRISTA, and Fircrest are called out in the Comprehensive Plan, but no master plan has been submitted. He stated that he will ensure Ms. Walsh is on the mailing list.

6. STUDY ITEMS

(a) Community Conversations - Visioning Process for Shoreline 2028

Joe Tovar, Planning and Development Services Director, provided a briefing about Community Vision 2028. He explained that the Council has adopted Council Goal A for 2008-2009 which revisits the vision so it integrates with the Economic Development Strategy, the Comprehensive Housing Strategy, and the Environmental Sustainability Strategy. He noted that the residents will need to think about what they want the City to look like 20 years from now and through discussions of values, the stage will be set for the rest of the Comprehensive Plan update. He continued and discussed possible formats for the Community Conversations meetings and stated that all comments will be captured. He said he is looking forward to an open, disciplined and timely process with draft language prepared for public hearings next year and maybe having a joint hearing with the Planning Commission (PC). This, he said, should lead to the Council adopting an amendment to the Plan prior to the Council retreat next year. He felt this process will be helpful to other ongoing efforts.

Mr. Olander stated that the highly decentralized nature of this is attractive to him. He said the benefit of informal meetings is that neighbors talk to each other and inform each other of their ideas. This, he noted, ultimately results in a better product. He said that the key is to frame the questions consistently. He stated that there will be a DVD produced and the Council can help

develop the script and the questions that the City asks the community. He advised the Council that this will not be an exercise in developing specific policies, but it will be a framework.

Mr. Tovar commented that the Municipal Research Services Center (MRSC) was helpful in showing which cities were successful in formulating their vision. He stated that all of the successful cities described their vision in a narrative form and didn't include too much description because it limits capacity. He reiterated that neither the vision, nor the framework goals are regulations.

Mr. Olander summarized that the City staff is asking the Council to discuss the two-phase road map, general process, concept, and timing that the PC has recommended.

Mayor Ryu suggested discussing the proposed schedule, clarifying questions, and having public comment. She noted that the visioning is more conceptual but it will drive the CP process. Mayor Ryu commented that the Council has been so focused on details and the City doesn't want people to think they aren't important in this process.

Councilmember Hansen highlighted that visioning is what the first Council did when it was formed. He noted that most of their goals were accomplished by the end of the 10 year period, such as the Aurora Corridor, the Interurban Trail, and green pathways.

Mayor Ryu called for public comment.

a) Dennis Lee, Shoreline, thanked the City for starting with framework goals. He noted that it is important for them to be designed in a user-friendly way so they can reach the normal person. He noted that the churches and businesses in Shoreline feel left out and it is important that this takes the time to cover everyone.

Councilmember Eggen felt that the goals need a certain element of specificity. He felt they need to be able to engage the community in problems of development and be centered on the near and long-term goals.

Mr. Olander added that the vision has to be specific enough to determine Shoreline's future and needs to focus on Shoreline's unique qualities. Mr. Tovar stated that looking at framework goals and visions from other places will be very helpful in the process.

Deputy Mayor Scott said the challenge is that this has to engage the community in a broad fashion. He said the first council went through 300 activities, and now a true representation of the community's values needs to be determined. Mr. Olander said the City staff will make a strong effort to get this out where the people are.

Councilmember McGlashan questioned when this went from land use issues, namely RB transition problems, to re-visioning the entire City. Mr. Tovar responded that the City staff heard from the Council that this was something they wanted to do. He said if this isn't done now it would have to be done soon, because this isn't just about zoning. He reminded the Council that the CP provides direction not just to the development regulations, but to the capital budget, too.

Councilmember McGlashan read Council Goal A and stated that he thought the three documents would need to be rewritten to determine how they would fit into the CP now to support the current framework goals, but he said he is hearing that the framework goals are being rewritten.

Mr. Tovar explained that there are some gaps and ambiguities, but the purpose is to determine how the City looks 20 years from now. Mr. Olander added that much of the integration in that goal will occur as the policies of the CP are developed. This signifies a place to start on those processes, which is at the higher level, he explained.

Councilmember McConnell questioned why the entire vision statements are being revised if they are broad. She also stated that creating DVDs is a problem if the meetings aren't attended. Mr. Tovar commented that Councilmember McConnell's observation touches on the dilemma most cities face, which is how to engage the public. He said the best that they can do is make it as easy as possible with a process like this. He noted that if it is made unthreatening and the City should go where they already are, for example, at the Chamber meetings, at PTA meetings, at the Neighborhood Association meetings, there will be more of an audience.

Councilmember McConnell expressed concerns that this will take up lots of staff time. Mr. Tovar concurred and noted some staff priorities will need to be moved to November or December because this happens in October. However, the community may accept this and pieces of it might be affirmed.

Mayor Ryu highlighted that it has been 10-12 years since the City has gone through this process and said it is very timely for the Council to revisit it.

Councilmember Way agreed and stated it is a good proposal. She said a DVD is an interesting way to engage people. She discussed how to engage as many people as possible. She said this could be brought to the Council of Neighborhoods, but she isn't sure that they are well attended. She suggested engaging the school board, the Long Range Financial Committee, and the Economic Development Advisory Committee (EDAC). She wondered if the Council could go to some of the neighborhoods and hold public meetings. She noted that she looked at the City of Kirkland Comprehensive Plan and it has some good elements.

Mayor Ryu commented that neighborhoods should be allowed to define themselves.

Councilmember Way discussed the 2028 concept and inquired if the Council wanted to work with a 20-year frame or if it should be adjusted. She noted that there are four areas that should be defined: 1) What does the City need? 2) What is on the horizon? 3) What are the standards of environmental protection? 4) What to keep or change. She felt that the Council should be involved with the development and approval of the DVD.

Mr. Tovar felt that the target timeframe is important but the Council might want to consider making the timeframe longer than 20 years. He felt they should consider the near and long term. He added that the meetings should be candid and that the Council probably shouldn't attend all of the meetings so they won't skew the input.

Mr. Olander said there are different methods to get a variety of input and ways to include the Council. He pointed out that it is the responsibility of the City staff to administer the meetings and check in with the Council at key points.

Mayor Ryu commented that a joint City Council and PC meeting might be better if the meeting is held in December. Mr. Olander replied that later in the fall there are several study sessions between the two bodies and they can jointly craft the draft language with the public.

Councilmember Eggen commented that subcommittees might be practical.

Councilmember Way commented that she would like to see the Council involved early on in this process.

Mr. Tovar stated that the joint session with the PC on September 8 could be the kickoff. He added that it would be great if some citizens attend and others could watch the meeting on DVD and give their input.

Councilmember Eggen inquired if the Council would have an opportunity to participate in the DVD. Mr. Tovar responded that they would but warned that they need to be careful to ensure the result is the desired outcome.

(b) Hamlin Park Improvement Project

Dick Deal, Parks, Recreation and Cultural Services (PRCS) Director introduced Maureen Colaizzi, PRCS Project Coordinator, and Peggy Gaynor and Chuck Wocinski, who are consultants to the Hamlin Park Project. He discussed the bond literature and outlined the proposed projects in Hamlin Open space and lower Hamlin. He reviewed the field availability and stated that there is a need for better and smaller fields.

Ms. Colaizzi explained the public involvement process and the goals for the project. She said this project renovates the park's main recreation area which represents 13 acres of the 80-acre park. She discussed the public notice process and said she has been utilizing prescribed methods of participation through community mailings, the *Enterprise*, the "What's Happening in Shoreline" flyer, *Currents*, Channel 21, all four of the City's notice posting sites, the website, the PRCS Board agenda, and in the City Manager's weekly Council meeting reports. She said it has been over eight months of public process which included four public open house presentations, a PRCS Board special meeting, four PRCS Board regular meetings, and this Council meeting. She highlighted that the PRCS Board unanimously approved the plan and in 2006 Susan Black and Associates and Gaynor, Inc. were selected from among many proposals to be the design team. She introduced Peggy Gaynor and Chuck Wocinski and outlined their background and experience.

Ms. Gaynor discussed the habitat and site analysis, deficiencies in park, design principles, and the plan itself. Mr. Wocinski continued and described the drainage issues, ADA accessibility, understory problems, steep slopes, worn asphalt, and design principles. He discussed balancing

activities and the goal to reduce the overall human footprint in the sensitive areas of the park. Ms. Gaynor noted that there is pedestrian circulation and re-contouring planned. She noted that the goal is to make and maintain Hamlin as a multi-use, flexible park for all.

Bill Clements, on behalf of the PRCS Board, stated that most of the master site plan has never been in question among the Board members. He explained how the PRCS Board viewed the active area and stated they were looking for a configuration that works best for all users. He said the park will address the needs of baseball, t-ball, football, ultimate frisbee, informal soccer, and picnics. He said this plan improves aesthetics, parking, and organizes the field space. He said the Board hasn't decided on details like backstops, fencing, and spectator seating. He commented that he is impressed with consultants and their work on erosion control, surface water management, parking, field safety, and the efforts to have better user circulation. He said the Board unanimously approved this item.

Mayor Ryu called for public comment.

a) Sarah Kaye, Shoreline, commented that she didn't like the sports field reconfiguration because it puts permanent structures in the open field. Additionally, she said moving the main play area close to the ball field is not friendly to families.

b) Gerry Gier, Shoreline, said she opposes the preferred plan for Hamlin Park open space multiple use areas and any plan that deviates from the plan that was in the 2006 voter mailer. She also said Ordinance No. 409 was approved by Council but the language in it is vague. She added that the voters rely on mailers and voter pamphlets to make their decisions. She said Ordinance No. 409 has given the Council and City staff a license to create their own agendas on how Hamlin Park should be improved. She felt the voters have been denied their voice and this creates a privatization of organized sports. She also felt that passive recreation is viewed as not as important in this City.

c) Susan Colton, Lake Forest Park, felt the City should listen to the public to create a plan. She felt there is a preconceived idea on the table and the present design doesn't adequately address the rights and needs of the public. She also felt this is moving towards privatization and a preference for organized sports. She said this current design sacrifices public open space and said the City's interaction with the little league concerning this park is a questionable use of public land. She urged the Council to keep Hamlin Park as open space and multi-use.

d) Lois Harrison, Shoreline, supported the plan with a couple exceptions. She is in favor of the drainage enhancement and the restoring of the creek and vegetation, but is concerned with the location of the ball fields. She noted that the backstops intersect the field which leaves a tiny play area on the upper plateau. She felt the process is skewed to favor the little league, but she didn't think it was done intentionally. Additionally, she felt as if proper noticing hasn't been followed for this proposal and if she would have known about this she would have expressed her concerns earlier.

e) Paul Jensen, Shoreline, member of the North King County little league board, felt this as an improved park and commended the design team and PRCS for trying to address the

needs of the entire community. He stated that the placement of the ball fields actually helps other groups because it keeps the games contained. Currently, he said it is difficult to know where boundaries on the field are for pedestrians and people with dogs. He said he is impressed with the thought and the work that has gone into this plan.

f) Dennis Lee, Shoreline, stated that most of the concern comments came from the Briarcrest Neighborhood Association. He noted that the concerns about the plan relate to having a large open field with baseball diamonds in the middle. He said this is a baseball field but this makes the field smaller. He said it is great that two of the backstops are being removed, but there has to be a way to change the field so the open space works. He warned that this shouldn't encroach on sensitive areas either. He urged the City staff and the PRCS Board to look at the plan once again.

g) Bettilynn Brown, Shoreline, read Charles Brown's comments which favored the PRCS Board proposal, but with reservations. She communicated that he objected to the placement of the ball fields on the corners of the open areas and stated that Hamlin Creek requires maximum protection because it is an ecologically sensitive area. She concluded the letter which highlighted his possible revisions to the plan.

h) Melissa Banker, Shoreline, spoke as Vice President of the Challenger Division on behalf of the North King County Little League. She noted that the Challenger Division is made up of children with physical and mental disabilities. She said they will most likely have 2-3 teams this year. She said she is in favor of the park plan and asked if the walking areas are paved. She commented that if it is paved it will be much easier for the majority of the children to get around. She noted that Hamlin is the most ADA-unfriendly park in Shoreline. She added that the North King County Little League pays the City for using the park.

i) John DeRosier, Shoreline, thanked the PRCS Board and PRCS Director, Mr. Dick Deal. He said Hamlin Park has been used for over 50 years for baseball and football and he has never heard it called a "meadow." He said this plan is a compromise. He noted that there were four ball fields planned, but now there are two. The paved trail, he said, is great and with the play area added, line-of-sight is very important. He commented that sharing the multi-purpose fields is difficult and fences are important for the game. He noted that losing the 90-foot field would be difficult.

j) Heidi Tally, Shoreline, commented that she is sad the feel of Hamlin Park will be lost. She said it has always been a sports complex for her. She announced that eventually the North King County Little League will be asking the City for a miracle league field, which is a coined term for a disabled league field. A miracle league field, she explained, is a poured, flat surface that is user-friendly for disabled children and is 150-feet long with a fence.

k) Tiffany Hamilton, Shoreline, commented that the design of the park is very important to her and the community. She said it will hurt to give up a 90-foot field. She stated that fences are important for safety and that the little league has made enormous compromises. She pointed out that there will be eight to nine t-ball teams this year and felt the t-ball field will be flooded because of its location. However, she noted that the North King County Little League

has paid over \$15,000 for use of Shoreline fields this year and there aren't many people using the park when baseball isn't going on.

l) Cathy Hall, Shoreline, commented that Hamlin Park is her neighborhood park and she would like to see it retained as mixed use. She said there must be a balance between neighborhood users and the little league. She read a letter from Suzanne Gillette which stated that Ms. Gillette liked the drainage and hiking area improvements, but objected to the ball fields being located in the middle of the park.

m) LaNita Wacker, Shoreline, said she is disappointed by the loss of two fields with this plan. She is concerned that soccer and football cannot be played at the park. She said she recalled there could be four t-ball games going in the past. She agreed that line-of sight issues are important. However, they can be fixed if the play areas are put behind the bleachers. She stated that this park historically has had an open space, and the two fields interrupt that.

n) Jeff Cleppy, Shoreline, communicated that this is about an 80-acre park and what is planned affects a very small portion of it. He noted that there are about 69 other acres of natural environment, trails, and open spaces. Fences, he explained, are needed for boundaries. He reiterated that there will still be lots of open places in the park to walk. He said this is a very large park with many places to walk and enjoy open spaces.

Mr. Olander commented that the Hamlin upper area was purchased with the bond and was formerly owned by SPU. He said the fact that the park is shared between so many different types of users required difficult compromises.

Mr. Wocinski explained that players can only play on two fields at a time because the fields overlap.

Councilmember McConnell asked if a 90-foot field is in the plan. Mr. Deal explained that there are two 90-foot fields in the City and they are utilized at the high school level. He stated that the school district wants to improve the one field behind Meridian Park. He stated that the plan is in the conceptual stage, so items like benches and picnic tables are not included yet.

Mayor Ryu wanted to know how the public could have access to the timeline. Mr. Deal replied that there will be public meetings, public notices, Park Board discussions, and other discussions with the Council for the community to participate in.

Deputy Mayor Scott asked if other sports, such as football, are a casualty of the new design. Mr. Deal stated there will be seven field turf football and soccer facilities in Shoreline and the community's need hasn't changed, but access to higher quality fields has improved. Ms. Colaizzi added that the free-play area with this new design can accommodate football, ultimate Frisbee, and soccer.

Councilmember Way focused on the playgrounds and said they have evolved into something more definite. She suggested the lower playground have a fence. She asked if netting for foul balls is planned. Mr. Deal replied he would look at those issues as this moves forward. He noted

that the safety of the children is paramount and they will work with the design team on addressing these issues.

Councilmember Way discussed the “solar direction” of the eastern field. She had heard that there is a concern with playing baseball or softball on the field. She asked if there is a possibility to shift the orientation a bit. Mr. Wocinski replied that there have been solar and shadow studies and they are aware of where the sun and shadows are during the day. He said there will be some small adjustments.

MEETING EXTENSION

At 10:00 p.m., Councilmember Hansen moved to extend the meeting to 11:00 p.m. Councilmember Way seconded the motion, which carried 7-0.

Mr. Olander suggested postponing the jail planning update and moving the work release item to another day. He said he would like to leave at least 30-45 minutes for the Executive Session.

There was Council consensus to postpone Study Items 6(c) and 6(d).

Councilmember Way asked the City staff to explore the availability of temporary fencing. Mr. Deal responded that the City already utilizes temporary fencing on the west side of the City and will explore options for this location.

Councilmember Hansen expressed his disappointment in possibly losing the 90-foot diamond and would like to see bleachers for spectators. He added that the layout of the fields is lot safer than other configurations. He suggested having an artificial covering for the t-ball field. He supported the proposal.

Councilmember Eggen wondered if the new design results in insufficient parking.

Councilmember McGlashan commented on the play area and potential drainage issues on the t-ball field. Mr. Wocinski responded that there will be a French drain along the base of the north edge of the fields to pick up the water coming off of the slope. Additionally, the fields themselves will include drainage enhancements. He added that the pavement will be better. He felt all of these improvements together would resolve any flooding problems.

Councilmember Way communicated that drainage and the creek is important. She said the configuration looks like it will protect the creek.

Ms. Black commented that the drainage will be improved in the two places on this site. She noted that a wide channel with weirs will be installed, along with revegetation.

Mr. Wocinski stated that there will also be some metering of the stormwater done to ensure the problems are eradicated.

Councilmember Way commented that there needs to be more benches and picnic tables.

Mayor Ryu questioned if there is going to be an increased surface water capacity.

Ms. Black replied that by making a channel broader the capacity for surface water will be increased.

Mayor Ryu asked what the impact is on environmental sustainability by not doing anything.

Ms. Black replied that this plan calls for the revegetation of 2 ½ to 3 ½ acres native forest which is a significant improvement.

Mr. Deal highlighted that there will be more shrub areas put in and more grass will be put in on the turf areas. He responded to Mayor Ryu that particular products and cost savings will be looked at as this moves into the design phase. He summarized that the City staff will move forward and come back to the Council with a 30% design in the next several months.

7. EXECUTIVE SESSION

At 10:17 p.m., Mayor Ryu stated that the Council would recess into Executive Session until 11:00 p.m. to discuss two items of business: real estate acquisition and potential litigation.

RECESS

At 10:18 p.m., Mayor Ryu called for a seven minute break. Mayor Ryu reconvened the meeting at 10:25 p.m. At 10:25 p.m., the Council retired to the Spartan Room and conducted the Executive Session.

MEETING EXTENSION

At 10:58 p.m. Mayor Ryu emerged and announced that the Executive Session would be extended until 11:20 p.m. At 11:20 p.m., Mayor Ryu emerged and announced the Executive Session would continue until 11:25 p.m. At 11:25 p.m., the Executive Session concluded and Mayor Ryu reconvened the Study Session.

8. ADJOURNMENT

At 11:25 p.m. Mayor Ryu declared the meeting adjourned.

Scott Passey, CMC
City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF WORKSHOP DINNER MEETING

Monday, August 25, 2008
6:00 p.m.

Shoreline Conference Center
Highlander Room

PRESENT: Mayor Cindy Ryu, Deputy Mayor Terry Scott, and Councilmembers Keith McGlashan, Chris Eggen, Janet Way, and Ron Hansen

ABSENT: Councilmember McConnell

STAFF: Bob Olander, City Manager; Julie Underwood, Assistant City Manager; Debbie Tarry, Finance Director; Dan Pingrey, Shoreline Police Chief

GUEST: King County Sheriff Sue Rahr

Mayor Ryu called the meeting to order at 6:20 p.m.

Sheriff Rahr started the discussion stating that the biggest issue for the King County Sheriff's Office (KCSO) has been the budget. Sheriff Rahr believes the budget deficit is largely due to a "structural gap" -- expenses outpace expenditures. In 2007 and 2008, the KCSO budget has remained status quo and flat. The KCSO implemented changes as a result of the Blue Ribbon Panel recommendation; however, additional funding for these changes has been removed from the budget in order to fill the gap.

In early 2008, the County Executive instructed the KCSO to reduce their 2008 budget by \$2 million. Sheriff Rahr was led to believe this would be the extent of the cuts, and so proposed reducing the services it bought from the County (overhead costs); however, the Budget Office didn't accept many of their proposed changes. These reductions ended up including 21 deputy positions and 13 civilian positions. Then the County Executive instructed the KCSO to reduce its budget for 2009 by \$7.5 million or 8.6%. Actually, all criminal justice agencies were instructed to reduce their budgets by 8.6%. Sheriff Rahr summarized that her budget totals \$130 million with 50% dedicated to contract services or \$56 million; 750 commissioned officers and 400 civilians. In essence this is a 25% service level cut to unincorporated areas of King County. Sheriff Rahr stated that she believes this cut will result in the overhead costs going down slightly for contract cities; however, inflationary costs will be passed on. Sheriff Rahr believes these will have a positive or neutral impact on contracting cities. Likewise, she was able to move officers to Metro and Sound Transit contracts; however, civilian positions were not so fortunate. Sheriff Rahr stated that her number one priority is responding to 911 calls, so reactive patrol will be the last place to realize cuts.

Councilmember Way asked if there was federal funding available as there was in the early 2000s. Sheriff Rahr said that those were COPs (Community Oriented Policing) grants under President Clinton and this funding has gone away; however, she continues to lobby federal lawmakers to fund local enforcement.

Bob Olander asked how much of King County's budget was structural and how much is based on the economy. Sheriff Rahr stated that the departments first heard that the budget deficit was \$45 million, then it increased to \$68 million, and now it's \$86 million. She questions whether these gaps are due only to plummeting sales tax revenue as stated by the Budget Office.

Assistant City Manager Julie Underwood asked how court programs such as the mental and drug court would be supported through the MIDD (Mental Illness, Drug Dependency) levy. Sheriff Rahr is on the MIDD Oversight Committee to oversee the implementation of the levy funds. Since technically the County is already administering mental and drug court, this new funding cannot be used to supplant current programs. Nevertheless, during these tough budget times, these programs are considered discretionary and are usually targeted for reductions. They have considered talking with the legislature about this supplanting language, though this is not very popular. Ultimately the King County Council is the decider on how the funds are used.

Sheriff Rahr shared that the King County Prosecutor, King County Superior Court Presiding Judge, District Court Presiding Judge, and herself will be hosting formal community forums to educate the community on what's really happening in the King County Budget. For example, when the Budget Office states that human services is being cut by 30%, what they really mean is that the General Fund contribution is being cut by 30%; funding from the state and federal government is untouched. Criminal justice makes up 70% of the General Fund, and only 11% is the Sheriff's Office; this is something that she is very proud of. In fact, the KCSO draw down from the General Fund has decreased or remained flat over the years.

Councilmember McGlashan asked if the deficit is still \$86 million. Sheriff Rahr said yes, but she is unsure how the forecast is based.

Mayor Ryu asked if she thought that cities provided an "urban subsidy." Sheriff Rahr said that as for the KCSO she was not aware of this, but this issue was a significant topic a few years ago.

Bob Olander asked how internal investigations were being handled now. Sheriff Rahr stated that an independent party, which will likely be an employee of the King County Council, will have oversight of internal investigations. They will be actively involved in the investigation from the beginning and not just at the end.

Councilmember Hansen said that it's neat to see how well employees at the Police Department do; he's very pleased with the talent that the City has been able to recruit.

Sheriff Rahr thanked him for the compliment and added that it's a delicate balance--a lot of turnover isn't good and yet it's good to get new perspectives.

Chief Pingrey said that Captain Kent Baxter is leaving to go to Internal Investigations and that Cam Webster will be replacing him starting on September 3.

Sheriff Rahr said that her department recently completed their Operational Master Plan and an overarching guiding principle is that the County shouldn't charge cities for regional services.

Debbie Tarry shared that the total cost for a new officer isn't just the officer but it includes the officer, the vehicle, equipment, training, as well as overhead such as insurance, bargaining with unions, etc.

Mayor Ryu asked Sheriff Rahr if she thought that Prosecutor Satterburg's proposal to change his office's filing standards would help urge unincorporated areas to incorporate. Sheriff Rahr said that this has probably been met with different success.

Bob Olander asked about the recent change in the Arson Unit. Sheriff Rahr said that this unit is now under the KCSO as part of the Criminal Investigation Unit, making this more efficient. Mr. Olander said that he understands that the fire chiefs have been very involved.

The Mayor and Councilmembers thanked Sheriff Rahr for visiting with them and Sheriff Rahr thanked the Council for the invitation.

The meeting was adjourned at 7:20 pm.

Julie Underwood, Assistant City Manager

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CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of August 26, 2008
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$6,176,681.93 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
7/27/08-8/9/08	8/15/2008	25346-25564	7939-8006	37392-37400	\$439,219.52
					\$439,219.52

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
8/14/2008	37317	37332	\$27,652.94
8/15/2008	37333	37364	\$61,843.33
8/15/2008	37365	37390	\$250,076.56
8/15/2008	37387		(\$42,056.04)
8/15/2008	37391		\$42,147.04
8/19/2008	37401	37421	\$211,489.78
8/21/2008	37422	37466	\$5,102,393.65
8/22/2008	37467	37468	\$7,986.68
8/26/2008	37469	37488	\$75,928.47
			\$5,737,462.41

Approved By: City Manager _____ City Attorney _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Contract Award for Construction of East Boeing Creek and West Branch Corliss Ave N Drainage Improvements
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Director of Public Works Tricia Juhnke, Capital Projects Administrator

PROBLEM/ISSUE STATEMENT:

This agenda item is to request Council's authorization to award a construction contract to Precision earthworks, Inc. in the amount of \$ 576,535.00 for construction of the East Boeing Creek and West Branch Corliss Ave N Drainage Improvements. The project was advertised on August 5th and bids were opened on August 26th. The engineer's estimate is \$ 761,800.00.

FINANCIAL IMPACT:

The current construction budget is \$2,804,892.00, covering two projects – East Boeing Creek Drainage Improvements and Ronald Bog South. There is adequate budget in both projects to award this contract. For East Boeing Creek, there are additional improvements on Midvale Avenue North from City Hall to N 178th that will be constructed in 2009. For Ronald Bog South there are additional improvements currently in construction.

RECOMMENDATION

Staff recommends Council authorize the City Manager to award the construction contract to Precision Earthworks, Inc. in the amount of \$ 576,535.00, plus a 10% contingency, for construction of the East Boeing Creek and West Branch Corliss Ave N Drainage Improvements.

Approved By: City Manager  City Attorney ____

BACKGROUND

Two projects, the west branch of Corliss Avenue N drainage and the Darnell Park portion of the East Boeing Creek project, have been combined with the intention of getting better bids because they are similar construction work.

Replacement of the west branch of Corliss Avenue North is part of the work to replace failing infrastructure south of Ronald Bog. This is a section of the Ronald Bog South Capital Improvement Project, and will replace the reverse grade, high maintenance section of the street drainage system along the west margin of Corliss Avenue North between N 170th and N 172nd. This is not the replacement of the main outfall from Ronald Bog. The new pipe will help ease the flooding that can occur south of the bog by insuring positive drainage of the street, and improving our ability to pump flood waters from the roadway. It is seen as a necessary step while waiting for the results of the basin plan.

The Darnell Park portion of the East Boeing Creek project will alleviate flooding by replacing inadequate and failing infrastructure. Currently, during high rainfall events, water backs up from the system entering Darnell Park, and floods the roadway at N 165th and Stone. The completed project will eliminate the flooding problem on N 165th Street at Stone by significantly increasing the capacity of the pipe system that enters the Park and by increasing detention storage capacity within the Park.

BID RESULTS

The bids on this project were opened on August 26th. Twelve bids were received with the lowest being \$ 576,535.00 submitted by Precision Earthworks, Inc. The Engineers Estimate for the project is \$ 761,800.00. The bid results are in the following table:

Company Name	Schedule A Darnell Pk	Schedule B Corliss Ave	TOTAL
1 Precision Earthworks, Inc	\$ 389,079.00	\$ 187,456.00	\$ 576,535.00
2 Marshbank Construction,	\$ 426,712.50	\$ 211,612.00	\$ 638,324.50
3 Westwater Const. Co	\$ 442,153.00	\$ 218,880.00	\$ 661,033.00
4 R.L. Alia Company	\$ 439,266.00	\$ 235,364.00	\$ 674,630.00
5 Grade, Inc.	\$ 472,980.65	\$ 208,807.75	\$ 681,788.40
6 Jansen Inc.	\$ 457,685.75	\$ 228,448.55	\$ 686,134.30
7 Tri-State Construction, Inc	\$ 484,842.00	\$ 224,230.00	\$ 709,072.00
8 OMA Construction, Inc	\$ 479,267.00	\$ 230,601.00	\$ 709,868.00
9 B.D.Z. Developers Inc.	\$ 554,811.00	\$ 201,943.00	\$ 756,754.00
10 Construct Company LLC	\$ 533,593.64	\$ 284,461.70	\$ 818,055.34
11 Langshot Construction, In	\$ 622,874.74	\$ 260,006.93	\$ 882,881.67
12 A-1 Landscaping and Cor	\$ 766,847.00	\$ 343,983.00	\$ 1,110,830.00
Engineer's Estimate \$			761,800.00

Staff has completed all applicable reference checks on Precision Earthworks, Inc., including State Agency fiscal compliance. References were satisfactory regarding quality of construction and their history of managing budget, materials, and personnel. Staff is confident in Precision's ability to complete this project within all terms of the contract.

FINANCIAL IMPACTS

These projects are funded in the 2008-2013 CIP in the amount of \$ 2,409,263.00 for Ronald Bog South & \$1,538,057.00 for East Boeing Creek. The following summarizes the project budgets:

RONALD BOG SOUTH

Project Administration

Contracted Services ¹	\$ 433,000.00
City Costs ²	\$ 150,000.00
Subtotal	\$ 583,000.00

Real Estate Acquisition

Construction

Corliss Place Box Culverts	\$ 1,186,297.00
This Contract (West Corliss)	\$ 187,456.00
10% Contingency	\$ 19,000.00
Additional Construction ³	\$ 119,895.00
Subtotal	\$ 1,512,648.00

Total Project Costs	\$ 2,095,648.00
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Project Revenue

Public Works Trust Fund Loan	\$ 1,944,668.00
Surface Water Capital Fund	\$ 464,595.00
Total Revenue	\$ 2,409,263.00

Project Balance (Revenue-Costs)	\$ 313,615.00
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EAST BOEING CREEK

Project Administration

Contracted Services ¹	\$ 312,057.00
City Costs ²	\$ 50,000.00
Subtotal	\$ 362,057.00

Real Estate Acquisition

Construction

Midvale Ave N (175 - City Hall)	\$ 147,458.00
This Contract (Darnell Park)	\$ 389,079.00
10% Contingency	\$ 39,000.00
Additional Construction ⁴	\$ 600,463.00
Subtotal	\$ 1,176,000.00

Total Project Costs	\$ 1,538,057.00
Project Revenue	
Surface Water Capital Fund	\$ 1,538,057.00
Total Revenue	\$ 1,538,057.00
Project Balance (Revenue-Costs)	\$ -

¹ Contract services includes contracts for survey, design, environmental support and construction management

² City Costs include salaries, printing, permits and other miscellaneous costs

³ Additional construction includes utility relocations for the Corliss Place Fish Passable Box Culverts under construction, an advance warning system for the bog, and a pump. These costs will be under separate contracts.

⁴ Additional construction includes costs the Midvale street drainage system. One portion from City Hall to 175th has been completed; the remaining segment from City Hall to 178th will be constructed in 2009. These costs will be under separate contracts.

RECOMMENDATION

Staff recommends Council authorize the City Manager to award the construction contract to Precision Earthworks, Inc. in the amount of \$ 576,535.00, plus a 10% contingency, for construction of the East Boeing Creek and West Branch Corliss Ave N Drainage Improvements.



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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to sign a contract change order to remove an additional 1,200 cubic yards of sediment as part of the Hidden Lake Sediment Removal Project
DEPARTMENT:	Public Works – Surface Water and Environmental Services Division
PRESENTED BY:	Mark J. Relph, Public Works Director Jesús Sanchez, Operations Manager

PROBLEM/ISSUE STATEMENT:

In response to the December 2007 storm, the City applied for a Federal Emergency Management Agency (FEMA) grant for funding to remove storm-related sediment from Hidden Lake. The original survey conducted on January 25, 2008 estimated a total of 2,700 cubic yards of sediment had built-up during the storm and needed to be removed. A contract with RJ Lampers Construction, Co. in the amount of \$130,892.65 was executed on August 13, 2008. The FEMA grant funded 75% of the sediment removal project and the City contributed 25% from funds dedicated as part of its bi-annual sediment removal maintenance operations at Hidden Lake.

From the original January 2008 survey to the beginning of sediment removal on August 18, 2008 materials have built up in Hidden Lake due to up-stream sediments that have continued to flush during the wet winter and spring seasons. This additional sediment includes slope failures and large sediment deposits within the high water mark resulting from the December 3, 2007 storm.

As the elevation of sediments has dropped within Hidden Lake during the removal project, materials which had previously been held in the creek channel immediately upstream have now shifted down into Hidden Lake. In order to return the lake to its designed parameters to hold sediment, flood water, and as a habitat protection area, an additional 1,200 cubic yards of material must be removed from Hidden Lake.

The City's current project timeline is tied to the Hydraulic Project Approval (HPA) Ecology Permit, which only allows for construction work to be performed during the "Fish Window", which closes September 15, 2008. All work in Hidden Lake must be completed by this date. The proposed change order (not to exceed \$50,000.00) will exceed the \$200,000.00 authorization limit by the City Manager for Public Works projects and thus would require City Council authorization to approve completion of this project.

FINANCIAL IMPACT:

The original contract award of \$130,892.65 was funded by a FEMA grant of \$98,169.49 and \$32,723.16 in the Surface Water Management program. Due to the continued accumulation of sediment, the City Manager approved Change Order #1 totaling \$49,704 using savings from the Surface Water Roads program. This requested Change Order # 2 totaling \$50,000 will be funded by savings from two capital projects. Identified savings of \$30,000 in the Boeing Creek Stormwater project and \$20,000 in the Pan Terra Pond and Pump project will be used to fund Change Order # 2.

No budget amendment is required since all funding sources for this contract are within the Surface Water Management Fund.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to sign a contract change order with RJ Lampers Construction, Co. to remove an additional 1,200 cubic yards of sediment as part of the Hidden Lake Sediment Removal Project in an amount not to exceed \$50,000.00.

Approved By: City Manager  City Attorney ____

BACKGROUND

Hidden Lake is a man-made flood and sediment control facility as well as a habitat improvement project along Boeing Creek. Its purpose is to help prevent flooding in the downstream reaches of Boeing Creek and helps trap sediment in the forebay (the upstream end of the lake) that could be harmful to aquatic life downstream.

On a regular basis, the City has removed sediment from the Hidden Lake forebay. The last removal was during the summer of 2006. Below is a record of the removals conducted by the City of Shoreline (previous removals were done by King County prior to Shoreline's incorporation in 1995):

Calendar Year	Cubic Yards of sediment removed
1999	372
2002	726
2004	264
2005	500
2006	500
2008* (estimated with)	5,100
TOTAL	7,462

** Estimate. Also includes amount for proposed additional sediment removal from December 3rd Storm event.*

The average volume of sediment removed from the forebay during the 7-year period of August 1999 to August 2006 is approximately 337 cubic yards per year (2,362 divided by 7). Following this trend, we would "**normally**" remove approximately 674 cubic yards from the forebay in 2008 (2 years [2007, 2008] x 337 cubic yards per year).

ALTERNATIVES ANALYSIS

If this project is not completed then Hidden Lake will not work to hold sediment and function as a habitat protection area as it was designed to do, and this extra 1,200 cubic yards of material will likely impact drainage flow during the 2008-2009 winter storm season.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to sign a contract change order with RJ Lampers Construction, Co. to remove an additional 1,200 cubic yards of sediment as part of the Hidden Lake Sediment Removal Project in an amount not to exceed \$50,000.00.

Council Meeting Date: September 8, 2008

Agenda Item: 8(a)

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

AGENDA TITLE:	Proposed Amendments to the Development Code
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director of Planning and Development Services; Miranda Redinger, Associate Planner

PROBLEM/ISSUE STATEMENT:

The issue before Council is the consideration of the Planning Commission's recommendation on several amendments to the Development Code. Council held a study session on the proposed amendments on August 18, 2008. This report will detail changes requested by Council at that session.

ALTERNATIVES ANALYZED: The following options are within Council's discretion and have been analyzed by staff:

1. The Council could choose to adopt the amendments as recommended by the Planning Commission and Staff by adopting Ordinance No. 515 (Attachment A)
2. The Council could choose to not adopt the amendments to the Development Code.
3. The Council could amend the proposed Planning Commission recommendations by remanding the amendments back to the Planning Commission for additional review and public hearing.

FINANCIAL IMPACTS:

There are no direct financial impacts to the City of the amendments proposed by Planning Commission and Staff.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 515 (Attachment A).

Approved By: City Manager  City Attorney _____

INTRODUCTION AND BACKGROUND

PROCESS

An amendment to the Development Code may be used to bring the City's land use and development regulations into conformity with the Comprehensive Plan, or to respond to changing conditions or needs of the City.

The Planning Commission held a study session to discuss the amendments on June 19th and a public hearing on July 17th. Council held a study session on August 18th and this packet addresses questions, concerns and clarifications discussed at that meeting.

PUBLIC COMMENT

A notice of Public Hearing, request for public comment, and preliminary SEPA threshold determination was published on June 26, 2008. No comment letters were received from citizens or public agencies receiving the notice. The Public Hearing was held on July 17, 2008. Only one person spoke at the public hearing. The concerns raised were general in nature and focused on the amendment that staff had withdrawn.

AMENDMENTS AND ISSUES

Attachment B shows the current proposed amending language shown in legislative format. Legislative format uses ~~strike-throughs~~ for proposed text deletions and underlines for proposed text additions.

The following is a summary of the Council's requested changes to proposed amendments, with updates since the August 18th ~~highlighted~~, and staff discussion in *italics*.

Amendment #3: 20.50.240 Site planning – Street frontage – Standards

A. Submission. The applicant may not file the final plat for review until the required site development permit has been submitted and approved by the City.

B. Staff Review – Final Short Plat. The Director shall conduct an administrative review of a proposed final short plat subdivision. ~~Only when the Director finds that a proposed short plat conforms to all terms of the preliminary short plat and meets the requirements of 58.17 RCW, other applicable state laws, and this SMC Title 20 chapter which were in effect at the time when the preliminary short plat application was deemed complete approval, either the Director shall sign on the face of the short plat signifying the Director's approval of the final short plat, and either sign the statements that all requirements of the Code have been met, or disapprove such action, stating their reasons in writing. Dedication of any interest in property contained in an approval of the short subdivision shall be forwarded to the City Council for approval.~~

C. City Council— Final Formal Plat. ~~After an administrative review by the Director, the final formal plat shall be presented to the City Council. If Only when the City Council finds that a subdivision proposed for final plat approval conforms to all terms of the preliminary plat, and meets the requirements of 58.17 RCW, other applicable state laws, and this SMC Title 20 chapter which were in effect at the time when the preliminary plat application was deemed complete approval, public use and interest will be served by the proposed formal subdivision and that all requirements of the preliminary approval in the~~

~~Code have been met, the final formal plat shall be approved and the mayor City Manager shall sign on the face of the plat signifying the statement of the City Council's approval on of the final plat.~~

D. Acceptance of Dedication. City Council's approval of a long final formal plat or the Director's approval of the a final short plat constitutes acceptance of all dedication shown on the final plat.

E. Filing for Record. The applicant for subdivision shall file the original drawing of the final plat for recording with the King County Department of Records and Elections. One reproduced full copy on mylar and/or sepia material shall be furnished to the Department.

At the August study session, Council found several aspects of the language contained in this amendment confusing. Staff has changed the vague "title" to "SMC Title 20" to make specific reference to the Development Code contained therein. Another change was to modify the "when" with "only" so plat approval would not appear to be a foregone conclusion.

The other issue that Council commented on was the confusing terminology of "long", "formal" and "final" when referring to plats. This confusion stems from such terms being used interchangeably in State law, but to provide clarity and internal consistency here, "long" has been replaced with "final formal".

Amendment #12: 20.50.125 Thresholds – Required site improvements.

Same change for 20.50.225, 20.50.385, 20.50.455 and 20.50.535

The purpose of this section is to determine how and when the provisions for site improvement cited in the General Development Standards apply to development proposals. These provisions apply to all multifamily, nonresidential, and mixed-use construction and uses.

Full site improvements are required for parking, lighting, landscaping, walkways, storage space and service areas, and freestanding signs if a development proposal is:

- Completely new development;
- Expanding the square footage of an existing structure by 20 percent, provided that this provision shall not apply to structures with an existing building footprint of 4,000 sq. ft. or less; or
- The construction valuation is 50 percent of the existing site and building valuation.

This change is intended to provide clarity that the original building footprint must be at least 4,000 sq. ft. to trigger site improvements and not that the addition must meet that minimum.

Amendment #13: 20.70.030 Required improvements.

The purpose of this section is to identify the types of development proposals to which the provisions of this chapter apply.

[A-C unchanged]

D. The provisions of the engineering chapter shall apply to:

1. All new multifamily, nonresidential, and mixed-use construction;
2. Remodeling, repairs or additions to multifamily, nonresidential, and mixed-use buildings or conversions to these uses that
 - a. Increase floor area by 20 percent or greater, provided that this provision shall not apply to structures with an existing building footprint of 4,000 sq. ft. or less; or
 - b. any alterations or repairs which Exceed 50 percent of the value of the previously existing structure;

3. Subdivisions;

Exception:

- i. Subdivision, short plats, and binding site plans where all of the lots are fully developed.

4. Single-family, new construction, additions and remodels.

Exception:

- i. Single-family addition and remodel projects where the value of the project does not exceed 50 percent or more of the assessed valuation of the property at the time of application may be exempted from some or all of the provisions of this chapter.
- ii. New single family construction of a single house may be exempted from some or all of the provisions of this chapter, except sidewalks and necessary drainage facilities.

[E unchanged]

This change is intended to mirror the Planning Commission's recommendation for Amendment #12 regarding on-site improvement thresholds. Since 20.70.030 has the same intent and requirements as 20.50.125, the only difference being that latter pertains to on-site improvements while the former regulates off-site improvements, the thresholds should be the same.

Amendment #14: 20.80.110 Critical areas reports required.

If uses, activities or developments are proposed within designated critical areas or their buffers, an applicant shall provide site-specific information and analysis as determined by the City. ~~pay the City for environmental review, including~~ The site-specific information that must be obtained by expert investigation and analysis. This provision is not intended to expand or limit an applicant's other obligations under WAC 197-11-100. Such site-specific reviews shall be performed by qualified professionals, as defined by SMC 20.20.042, ~~who are in the employ of~~ approved by the City or under contract to the City ~~and who shall be directed by and report to the Director.~~ (Ord. 406 § 1, 2006; Ord. 398 § 1, 2006).

No change is proposed to the amendment language, but staff wished to provide answers to some questions that were raised during the study session. The first one addressed how the department would retain its ability to require an additional report if the veracity of one that was submitted was called into question. The answer is found in 20.30.110, as follows:

20.30.110 Determination of completeness

A. An application shall be determined complete when:

2. All information required in specified submittal requirements for the application has been provided, and is sufficient for processing the application, even though additional information may be required. The City may, at its discretion and at the applicant's expense, retain a qualified professional to review and confirm the applicant's reports, studies and plans.

The other question was about how professional qualifications would be determined, and referenced Commissioner Pyle's concerns at the July 17th public hearing. The answer lies in 20.20.042 below:

20.20.042 Q definitions.

Qualified Professional

A person with experience, training and competence in the pertinent discipline. A qualified professional must be licensed to practice in the State of Washington in the related professional field, if such field is licensed. If not licensed, a qualified professional must have a national certification in the pertinent field. If national certification in the field does not exist, the minimum qualification should be a bachelor's degree with 10 years of related professional work, or master's degree in the field and three years of related professional work.

ALTERNATIVE AMENDMENTS

The Council under its authority in 20.30.100 to initiate Development Code amendments could direct staff to consider an alternative amendment. Noticing requirements in the Development Code would require the City to re-advertise any alternative amendment and would require an additional Public Hearing and Planning Commission recommendation.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 515 (Attachment A).

ATTACHMENTS

Attachment A: Ordinance 515.
Attachment B: Proposed Amendments in Legislative Format.

ORDINANCE NO. 515

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE MUNICIPAL CODE TITLE 20, INCLUDING 20.20.014 C DEFINITIONS; 20.20.046 S DEFINITIONS; 20.30.450 FINAL PLAT REVIEW PROCEDURES; 20.30.280 NONCONFORMANCE; 20.30.730 GENERAL PROVISIONS; 20.30.750 JUNK VEHICLES AS PUBLIC NUISANCES; 20.30.760 NOTICE AND ORDERS; 20.40.250 BED AND BREAKFASTS; 20.50.040 SETBACKS – DESIGNATION AND MEASUREMENT; 20.50.070 SITE PLANNING – FRONT YARD SETBACK – STANDARDS; 20.50.125, 20.50.225, 20.50.385, 20.50.455 AND 20.50.535 THRESHOLDS – REQUIRED SITE IMPROVEMENTS; 20.50.240 SITE PLANNING – STREET FRONTAGE – STANDARDS; 20.70.030 REQUIRED IMPROVEMENTS; AND 20.80.110 CRITICAL AREAS REPORT REQUIRED;

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000; and

WHEREAS, the Shoreline Municipal Code Chapter 20.30.100 states “Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code”; and

WHEREAS, City staff drafted amendments to the Development Code; and

WHEREAS, a public participation process was conducted to develop and review amendments to the Development Code including:

- A public comment period on the proposed amendments was advertised from June 26, 2008 to July 10, 2008; and
- The Planning Commission held a Public Hearing and formulated its recommendation to Council on the proposed amendments on July 17, 2008;

WHEREAS, a SEPA Determination of Nonsignificance was issued on July 2, 2008 in reference to the proposed amendments to the Development Code; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development on May 30, 2008 for comment pursuant WAC 365-195-820; and

WHEREAS, no comments were received from the State Department of Community Development; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Shoreline Municipal Code Chapters 20.20, 20.30, 20.40, 20.50, 20.70 and 20.80 are amended as set forth in Exhibit 1, which is attached hereto and incorporated herein.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 8, 2008.

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

Attachment B:

All insertions are marked as underlined, while all deletions are marked as ~~strikethroughs~~.

20.20.014 C definitions.

Community Residential Facility (CRF) Living quarters meeting applicable Federal and State standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification which is classified as health services. CRFs are further classified as follows:

A. CRF-I – Nine to 10 residents and staff;

B. CRF-II – Eleven or more residents and staff.

If staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member for purposes of subclassifying CRFs. CRFs shall not include Secure Community Transitional Facilities (SCTF).

20.20.046 S definitions.

Secure Community Transitional Facility (SCTF) A residential facility for persons civilly committed and conditionally released to a less restrictive community-based alternative under Chapter 71.09 RCW operated by or under contract with the Washington State Department of Social and Health Services. A secure community transitional facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. SCTFs shall not be considered Community Residential Facilities.

20.30.450 Final plat review procedures.

A. Submission. The applicant may not file the final plat for review until the required site development permit has been submitted and approved by the City.

B. ~~Staff Review – Final Short Plat.~~ The Director shall conduct an administrative review of a proposed final short plat subdivision. Only when the Director finds that a proposed short plat conforms to all terms of the preliminary short plat and meets the requirements of 58.17 RCW, other applicable state laws, and SMC Title 20 chapter which were in effect at the time when the preliminary short plat application was deemed complete approval, either the Director shall sign on the face of the short plat signifying the Director's approval of the final short plat, and either sign the statements that all requirements of the Code have been met, or disapprove such action, stating their reasons in writing. Dedication of any interest in property contained in an approval of the short subdivision shall be forwarded to the City Council for approval.

C. ~~City Council – Final Formal Plat.~~ After an administrative review by the Director, the final formal plat shall be presented to the City Council. If Only when the City Council finds that a subdivision proposed for final plat approval conforms to all terms of the preliminary plat, and meets the requirements of 58.17 RCW, other applicable state laws, and SMC Title 20 chapter which were in effect at the time when the preliminary plat application was deemed complete approval, public use and interest will be served by the proposed formal subdivision and that all requirements of the preliminary approval in the Code have been met, the final formal plat shall

~~be approved and the mayor~~ City Manager shall sign on the face of the plat signifying the statement of the City Council's approval on of the final plat.

D. Acceptance of Dedication. City Council's approval of a ~~long final formal plat~~ or the Director's approval of the a final short plat constitutes acceptance of all dedication shown on the final plat.

E. Filing for Record. The applicant for subdivision shall file the original drawing of the final plat for recording with the King County Department of Records and Elections. One reproduced full copy on mylar and/or sepia material shall be furnished to the Department.

20.50.240 Site planning – Street frontage – Standards

Exception 20.50.240(A)(2): In case of a building that is exclusively either drive-through service, gas station, vehicle repair, vehicle dealership, warehouse or storage, with vehicle-oriented uses or other uses that have little relationship to pedestrians, or where the ground floor area has a need to limit the "pedestrian" facade, ~~pedestrian frontage~~ access may be created by connecting design elements to the street. Such alternative shall provide pedestrian access through parking areas to building entrances and to adjoining pedestrian ways that are visible and direct, and minimize crossing of traffic lanes. Such pedestrian accesses through parking shall provide the following elements:

1. Vertical plantings, such as trees or shrubs;
2. Texture, pattern, or color to differentiate and maximize the visibility of the pedestrian path;
3. Emphasis on the building entrance by landscaping and/or lighting, and avoiding location of parking spaces directly in front of the entrance.
4. The pedestrian walkway or path shall be raised three to six inches above grade in a tapered manner similar to a speed table.

20.30.280 Nonconformance.

D. Expansion of Nonconforming Use. A nonconforming use may be expanded subject to approval of a conditional use permit ~~or unless the Indexed Supplemental Criteria (20.40.200) requires a special use permit, whichever permit is required for expansion of the use under the Code,~~ or if neither permit is required, then through a conditional use permit; provided, a A nonconformance with the development Code standards shall not be created or increased and the total expansion shall not exceed 10% of the use area.

20.30.730 General provisions.

C. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance. A violation shall be considered ongoing until the responsible party has come into compliance, has notified the Director of this compliance, and an official inspection has verified compliance.

E. D. The procedures set forth in this subchapter are not exclusive. These procedures shall not in any manner limit or restrict the City from remedying or abating Code Violations in any other manner authorized by law.

20.30.750 Junk vehicles as public nuisances.

- A. Storing junk vehicles as defined in SMC 10.05.030(A)(1) upon private property within the City limits shall constitute a nuisance and shall be subject to the penalties as set forth in this section, and shall be abated as provided in this section; provided, however, that this section shall not apply to:
1. A vehicle or part thereof that is completely enclosed within a permanent building in a lawful manner, or the vehicle is not visible from the street or from other public or private property; or
 2. A vehicle is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130.
- B. Whenever a vehicle has been certified as a junk vehicle under RCW 46.55.230, the last registered vehicle owner of record, if the identity of the owner can be determined, and the land owner of record where the vehicle is located shall each be given legal notice by ~~certified mail in accordance with SMC 20.30.770.F~~, that a public hearing may be requested before the Hearing Examiner. If no hearing is requested within 14 days from the ~~certified date of receipt of the notice~~ service, the vehicle, or part thereof, shall be removed by the City. The towing company, vehicle wrecker, hulk hauler or scrap processor will notify with notice to the Washington State Patrol and the Department of Licensing that the vehicle has been wrecked of the disposition of the vehicle.
- C. If the landowner is not the registered or legal owner of the vehicle, no abatement action shall be commenced sooner than 20 days after certification as a junk vehicle to allow the landowner to remove the vehicle under the procedures of RCW 46.55.230.
- D. If a request for hearing is received within 14 days, a notice giving the time, location and date of such hearing on the question of abatement and removal of the vehicle or parts thereof shall be mailed by certified mail, ~~with a five-day return receipt requested~~, to the landowner of record and to the last registered and legal owner of record of each vehicle ~~unless the vehicle is in such condition that ownership cannot be determined or unless the landowner has denied the certifying individual entry to the land to obtain the vehicle identification number.~~
- E. The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with ~~his~~ the reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that ~~he~~ the landowner has not subsequently acquiesced in its presence, then the local agency shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the cost from the owner.
- F. The City may remove any junk vehicle after complying with the notice requirements of this section. The vehicle shall be disposed of by a licensed towing company, vehicle

wrecker, hulk hauler or scrap processor with the disposing company giving notice given to the Washington State Patrol and to the Department of Licensing that the vehicle has been wrecked. The proceeds of any such disposition shall be used to defray the costs of abatement and removal of any such vehicle, including costs of administration and enforcement of the disposition of the vehicle.

- G. The costs of abatement and removal of any such vehicle or remnant part, shall be collected from the last registered vehicle owner if the identity of such owner can be determined, unless such owner has transferred ownership and complied with RCW 46.12.101, or the costs may be assessed against the owner of the property ~~—The costs of abatement and enforcement shall also be collected as a joint and several liability from the landowner on which the vehicle or remnant part is located, unless the landowner has shown prevailed in a hearing that the vehicle or remnant part was placed on such property without the landowner's consent or acquiescence as specified in SMC 20.30.760.E.~~ Costs shall be paid to the Finance Director within 30 days of the hearing removal of the vehicle or remnant part and if delinquent, shall be filed as a garbage collection and disposal lien on the property assessed against the real property upon which such cost was incurred as set forth in SMC 20.30.775. (Ord. 406 § 1, 2006; Ord. 238 Ch. III § 10(e), 2000).

20.30.760 Notice and orders.

- G. Whenever a notice and order is served on a responsible party, the Director may file a copy of the same with the King County Office of Records and Elections. When all violations specified in the notice and order have been corrected or abated, the Director shall file issue a certificate of compliance to the parties listed on the Notice and Order. The responsible party is responsible for filing the certificate of compliance with the King County Office of Records and Elections, if the notice and order was recorded. The certificate shall include a legal description of the property where the violation occurred and shall state that any unpaid civil penalties, for which liens have been filed, are still outstanding and continue as liens on the property.

20.40.250 Bed and breakfasts.

Bed and breakfasts are permitted only as an accessory to the permanent residence of the operator, provided:

- A. Serving meals to paying guests shall be limited to breakfast; and
- B. The number of persons accommodated per night shall not exceed ten. five, except that a structure which satisfies the standards of the Uniform Building Code, as adopted by the City of Shoreline for R-occupancies may accommodate up to 10 persons per night.
- C. One parking space per guest room, plus two per facility.
- D. Signs for bed and breakfast uses in the R zones are limited to one identification sign use, not exceeding four square feet and not exceeding 42 inches in height.

E. Bed and breakfasts require a bed and breakfast permit. (Ord. 352 § 1, 2004; Ord. 238 Ch. IV § 3(B), 2000).

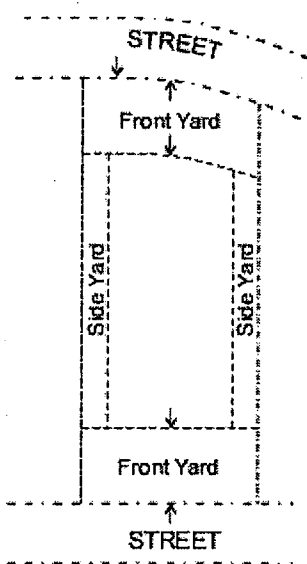
20.50.040 Setbacks – Designation and measurement.

A. The front yard setback is a required distance between the front property line to a building line (line parallel to the front line), measured across the full width of the lot.

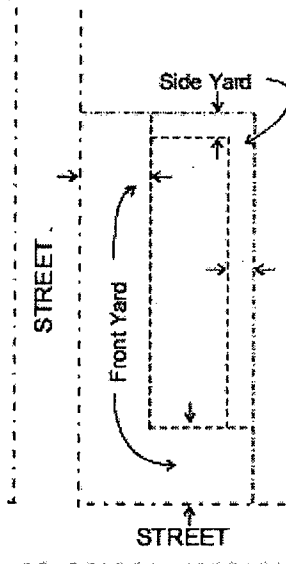
Front yard setback on irregular lots or on interior lots fronting on a dead-end private access road shall be designated by the Director.

B. ~~Except a lot abutting the intersection of two streets (corner lot), each lot must contain only one front yard setback and one rear yard setback. All other setbacks shall be considered side yard setbacks.~~ Each lot must contain only one front yard setback and one rear yard setback except lots abutting 2 or more streets, as illustrated in the Shoreline Development Code Fig. 20.50.040C.

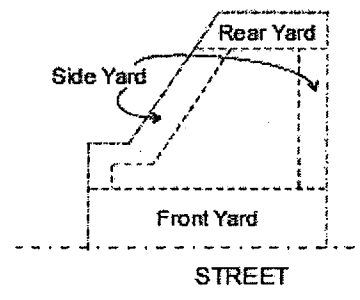
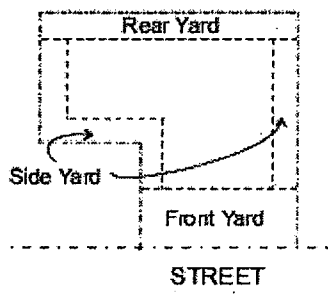
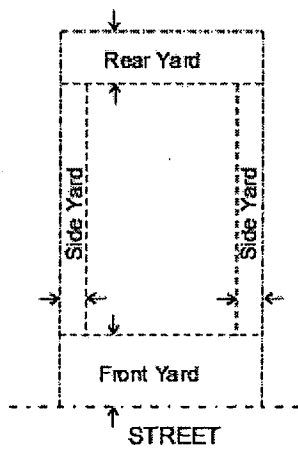
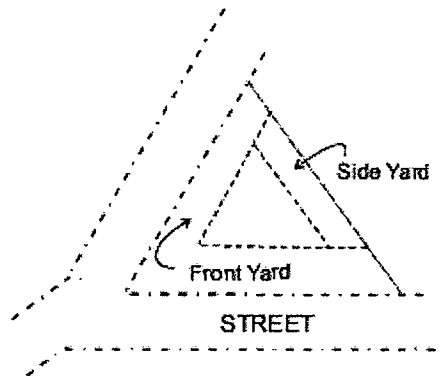
C. The rear and side yard setbacks shall be defined in relation to the designated front yard setback.



THROUGH LOT



CORNER LOTS



INTERIOR LOTS

20.50.070 Site planning – Front yard setback – Standards.

Exception 20.50.070(2): The required front yard setback may be reduced to 15 feet provided there is no curb cut or driveway on the street and vehicle access is from another street or an alley.

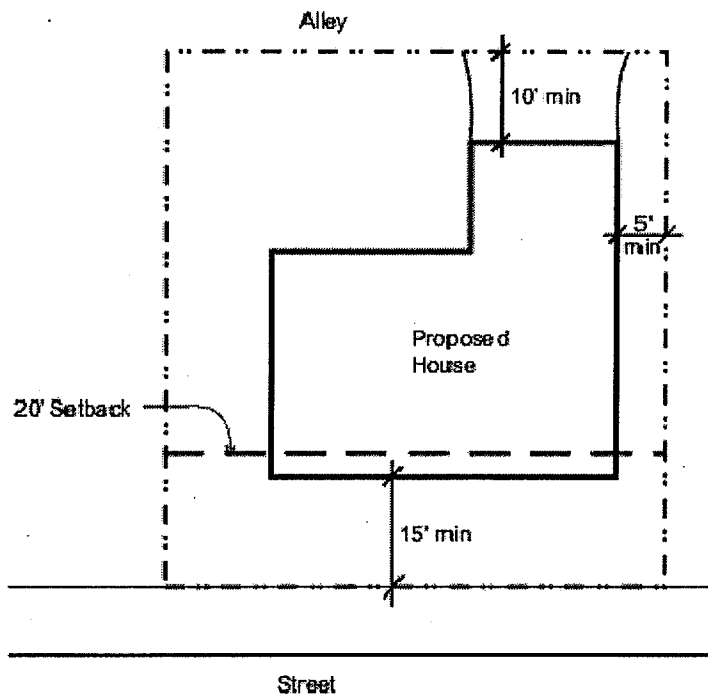


Figure Exception to 20.50.070(2): ~~Minimum front yard setback may be reduced to 15 feet if there is no curb cut or driveway on the street and vehicle access is from another street or alley.~~

20.50.125 Thresholds – Required site improvements.

20.50.225 Thresholds – Required site improvements.

20.50.385 Thresholds – Required site improvements.

20.50.455 Thresholds – Required site improvements.

20.50.535 Thresholds – Required site improvements.

The purpose of this section is to determine how and when the provisions for site improvement cited in the General Development Standards apply to development proposals. These provisions apply to all multifamily, nonresidential, and mixed-use construction and uses.

Full site improvements are required for parking, lighting, landscaping, walkways, storage space and service areas, and freestanding signs if a development proposal is:

- Completely new development;
- Expanding the square footage of an existing structure by 20 percent, provided that this provision shall not apply to structures with an existing building footprint of 4,000; or
- The construction valuation is 50 percent of the existing site and building valuation.

Note: For thresholds related to off-site improvements, see MMC 20.70.030 (Ord. 299, section 1, 2002)

20.70.030 Required improvements.

The purpose of this section is to identify the types of development proposals to which the provisions of this chapter apply.

[A-C unchanged]

D. The provisions of the engineering chapter shall apply to:

1. All new multifamily, nonresidential, and mixed-use construction;
2. Remodeling, repairs or additions to multifamily, nonresidential, and mixed-use buildings or conversions to these uses that:

- a. Increase floor area by 20 percent or greater, provided that this provision shall not apply to structures with an existing building footprint of 4,000 sp. ft. or less, or;
- b. Exceed 50 percent of the value of the previously existing structure.

3. Subdivisions

Exception:

- i. Subdivision, short plats, and binding site plans where all of the lots are fully developed.

4. Single-family, new construction, additions and remodels.

Exception:

- i. Single-family addition and remodel projects where the value of the project does not exceed 50 percent or more of the assessed valuation of the property at the time of application may be exempted from some or all of the provisions of this chapter.
- ii. New single family construction of a single house may be exempted from some or all of the provisions of this chapter, except sidewalks and necessary drainage facilities.

[E unchanged]

20.80.110 Critical areas reports required.

If uses, activities or developments are proposed within designated critical areas or their buffers, an applicant shall provide site-specific information and analysis as determined by the City. ~~pay the City for environmental review, including~~ The site-specific information that must be obtained by expert investigation and analysis. This provision is not intended to expand or limit an applicant's other obligations under WAC 197-11-100. Such site-specific reviews shall be performed by qualified professionals, as defined by SMC 20.20.042, who are ~~in the employ of~~

approved by the City or under contract to the City and who shall be directed by and report to the
Director

UPDATED CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Continued Discussion of 2008 Annual Comprehensive Plan and Associated Development Code Amendments
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP Director of Planning and Development Services; Rachael Markle, Project Manager Asst. Director of Planning and Development Services

On September 2, 2008 the Council last discussed the proposed amendments to the Comprehensive Plan and the Development Code to solidify the process for Master Planning. The discussion at this meeting focused on:

- The draft criteria for reviewing a Master Plan Area permit;
- Whether or not new uses can be considered as part of a Master Plan Area permit in addition to the existing uses; and
- Amendments proposed by the Hillwood Neighborhood Association and the Department of Health and Social Services (DSHS).

At the end of the meeting members of the Council requested staff to draft language that will safeguard areas surrounding areas designated Institution/Campus in the Comprehensive Plan from new uses that may be approved as part of a Master Plan Area permit that may be undesirable. Staff also considered the Council and public comments regarding the draft criteria and other proposed changes. The amendments have been updated in an attempt to reflect the Council's discussion.

RECOMMENDATION

No action is required. Please provide staff with feedback on the:

1. Proposed "new" Comprehensive Plan policies drafted to provide "safeguards" regarding new uses; and
2. Latest edits to proposed amendments following the 9/2/08 discussion.

Approved By: City Manager  City Attorney _____

DISCUSSION

Council Request for “Safeguards” on New Uses

Members of Council expressed concern that if a property with a land use designation of Institution/Campus were allowed to propose new uses as part of a Master Plan Area permit, a new use may be proposed that is undesirable. Staff stated that the review criteria for a Master Plan Area permit would give the Planning Commission and the Council the tools necessary to protect adjacent uses, areas and neighborhoods from undesirable new uses. Council requested that language be added to provide additional safeguards from undesirable uses.

In response, Staff proposes four new Comprehensive Plan policies to additionally safeguard areas that surround CRISTA, Fircrest Campus, Shoreline Community College and the Washington State Department of Health Public Health Laboratory. These policies broadly describe the existing uses and services found on each campus and broadly denote, where applicable, potential new uses an Institution/Campus may propose as part of a Master Plan Area permit. (Note: similar policies were reviewed by the Planning Commission and presented to the Council in the July 14, 2008 packet). These policies will limit Master Plan Area permit applications to uses that are consistent with these (as well as all other) Comprehensive Plan policies.

New Comprehensive Plan Policies Proposed to Broadly Identify Existing and Proposed Uses

LU 43.1: CRISTA Campus/Institution: CRISTA Ministries is a 55 acre campus that provides such services and uses as education, senior care and housing, broadcasting, humanitarian missions, relief and aid to those in need and specialized camps. Although the services that are provided are not public, the campus provides housing for nearly 700 senior citizens, education for 1,200 Pre-K to High School students and employment for nearly 900 people (based on 2007 estimates). CRISTA has long-term plans for improving and updating facilities and expanding senior housing and educational programs.

LU 43.2: Fircrest Campus/Institution: The Fircrest Campus is an approximately 90 acre site. Existing uses include the Fircrest School, a state operated residential facility with supporting services that serves the needs of persons with developmental disabilities and two non-profit tenants who lease buildings on the Campus. Approximately 43 acres of the Campus is defined as excess to Fircrest School. A mix of new and expanded uses may be considered as part of a Master Plan Area permit. New and expanded uses may include: governmental offices and facilities; mixed use commercial/residential; civic and community services; open space, trails, tree preservation and enhancement of portions of Hamlin Creek; and a mix of housing types.

LU 43.3: The Health Laboratory provides as wide range of diagnostic and analytical services for the assessment and monitoring of infectious, communicable, genetic, chronic diseases and environmental health concerns for the State of Washington. A mix of new and expanded uses such as governmental offices and facilities; civic and community services; open space, trails and tree preservation.

LU 43.4: Shoreline Community College Campus/Institution: Shoreline Community College is an approximately 79 acre state operated community college. The College provides academic, professional, technical and workforce training programs, continuing education and community involvement programs to meet the lifelong learning needs of the community. The College also includes a mix of support uses and services for students and the community such as retail, restaurant, childcare, conference rooms, dental hygiene clinic, library, theater, bus stops and recreational facilities. In the future uses such as, though not limited to, student housing to support the changing or expanding needs of the institution may be considered as part of a Master Plan permit.

Delete the 09/02/08 version of LU 43.1 and replace with new LU 43.1, 43.2 & 43.4 above.

~~LU 43.1: It is recognized that areas designated as Institution/Campus may redevelop over time to include an expanded mix of public and private uses, including new residential, commercial and institutional development.~~

Finally, the Master Plan Area definition should be updated to reflect the new policies by adding the following:

Master Plan Area

A site specific zoning district that establishes permitted uses and development standards for an area designated Institution/Campus or Essential Public Facility in the Comprehensive Plan. Master Plan Areas incorporate proposed new development, redevelopment and expansion of existing uses or development of those new uses designated in the Comprehensive Plan.

Updates to Proposed Amendments Associated with the Master Planning

Expanded Public Notice

As suggested by the Hillwood Neighborhood Association, Staff incorporated some additional requirements for public notice into the draft Master Plan amendments as part of the 9/02/08 staff report. Following the Council discussion, staff ascertained that Council would like to further consider Hillwood's

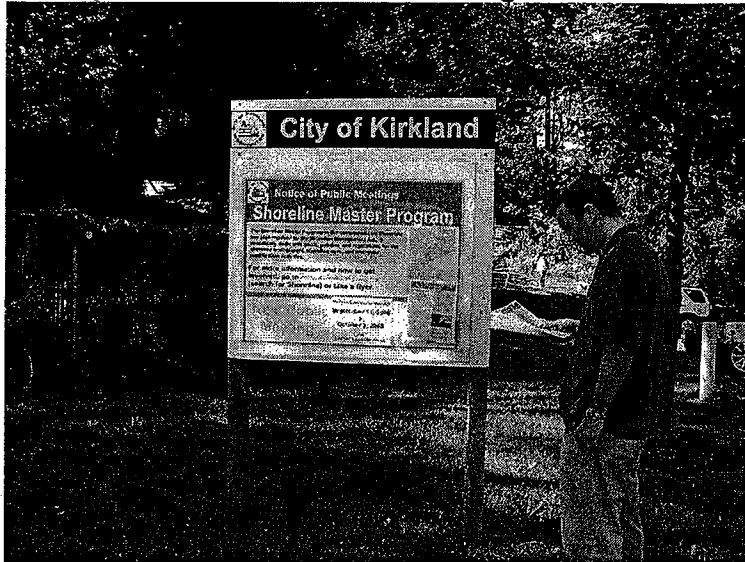
proposal to increase the mailed notice radius from 500 feet to 2640 feet (a ½ mile radius).

As previously stated, staff fully supports the idea of improving and increasing notice to the public regarding pending Master Plan Area permit applications. Staff sincerely believes increasing the mailing radius of the public notice is not an **effective** means of communication. Receiving too many notices that a recipient deems as not applicable could lead to apathy and a decline in the effectiveness of mailed notices as a tool. The point was made that less people will be dissatisfied with the City because they received a notice, but more people may actually feel overlooked should they inadvertently not receive the mailing. Increasing the mailing radius to a ½ mile will increase the amount of time and supplies currently expended by roughly five times.

A quick request for information from jurisdictions around the State has yielded 14 responses as of the drafting of this report. Of those jurisdictions reporting, most use a radius that is less than our 500 feet and only one goes to 600 feet. No jurisdiction reported using a ½ mile or greater radius.

Instead, Staff recommends increasing the size and number of posted notice boards, requiring the applicant to place an ad in the Enterprise in addition to the legal ads posted by the City, and requiring the City to post information regarding the Notice of Application and Public Hearing as a featured story on the City's website and cable access channel. Timely information regarding Master Plan Area permit applications will also be placed in the City's newsletter, Currents. Since Currents is not published monthly at this time, Staff does not recommend making notice in Currents a Code requirement. However, staff will make every effort to get Master Plan Area permit information in Currents whenever possible as a practice even if it is not codified.

Example of 4 ft. X 4 ft. Notice Sign



Proposed Revisions:

Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision (5), (6)	Review Authority, Open Record Public Hearing (1)	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
Type C:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.410
2. Rezone of Property(2) and Zoning Map Change	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	PC (3)	City Council	120 days	20.30.330
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE (4)		120 days	20.30.336

6. Final Formal Plat	None	Review by the Director – no hearing	City Council	30 days	20.30.450
7. SCTF – Special Use Permit	Mail, Post Site, Newspaper (7)	PC (3)	City Council	120 days	20.40.505
8. Street Vacation	PC (3)	PC (3)	City Council	120 days	Chapter 12.17 SMC
9. Master Plan Area (8)	Mail, Post Site, Newspaper (7)	PC (3)	City Council	120 days	20.30.337

(1) Including consolidated SEPA threshold determination appeal.

(2) The rezone must be consistent with the adopted Comprehensive Plan.

(3) PC = Planning Commission

(4) HE = Hearing Examiner

(5) Notice of application requirements are specified in SMC 20.30.120.

(6) Notice of decision requirements are specified in SMC 20.30.150.

(7) a. Notice of application shall be mailed to residents and property owners within 500 feet the proposed site.

b. Enlarged Notice of application signs (a minimum of 4ft. X 4 ft.) shall be posted on all sides of the parcel(s) that front on a street. The Director may require additional signage on large or unusually shaped parcels.

c. Applicants shall place a display (non legal) advertisement approved by the City of Shoreline in the Enterprise announcing the Notice of Application and Notice of Public Hearing.

8. Information regarding Master Plan Area permits will be posted on the City's website and cable access channel regarding the Notice of Application and Public Hearing.

Updates to Proposed Criteria

Version of criteria	Proposed Criteria Language
Criterion #5:	
09/02/08 Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity <u>and infrastructure (i.e. sidewalks, curbs, gutters, bike lanes)</u> in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity <u>and infrastructure</u> by the time each phase of development is completed. <u>If capacity must be increased to support the proposed Master Plan Area, then funding sources for improvements must be identified as part of the plan.</u>
09/08/08 Revised Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity and infrastructure (i.e. sidewalks, curbs, gutters, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. <u>If capacity or infrastructure must be increased to support the proposed Master Plan Area, then the applicant must identify a plan for funding their proportionate share of the improvements. funding sources for improvements must be identified as part of the plan.</u>
Discussion	The intent of this criteria is to have the applicant identify any motorized and nonmotorized deficiencies created by the implementation of the Master Plan Area permit; present mitigation to address deficiencies that are identified; and identify who will fund the improvements. These changes are intended to clarify that the funding does not have to be procured at Master Plan Area permit approval, but a basic plan for how the funds will be procured needs to be determined. Ex. DSHS will request funding from the State Legislature to construct a new State Office building and sidewalks on 15 th Avenue NE as part of the 2020 budget cycle.

Version of criteria	Proposed Criteria Language
Criterion #6:	
09/02/08 Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity within public services such as water, police, fire, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. <u>If capacity must be increased to support the proposed Master Plan Area, then funding sources for improvements must be identified as part of the plan.</u>
09/08/08 Updated Version	The Master Plan Area applicant demonstrates that there is either sufficient capacity within public services such as water, police, fire, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed Master Plan Area, then <u>the applicant must identify a plan for funding their proportionate share of the improvements. funding sources for improvements must be identified as part of the plan.</u>
Discussion	<p>The intent of this criteria is to have the applicant identify any deficiencies to the water, sewer or storm systems created by the implementation of the Master Plan Area permit; present mitigation to address deficiencies that are identified; and identify who will fund the improvements. These changes are intended to clarify that the funding does not have to be procured at Master Plan Area permit approval, but a basic plan for how the funds will be procured needs to be determined.</p> <p>Staff originally drafted this criterion to include police and fire. However, there currently is no mechanism an applicant could use to fund increased capacity for these services. As part of the application process the applicant will have to coordinate with police and fire. This allows these entities to plan for future service levels.</p>

Discussion on Other Comments Received at the 9/02/08 Meeting

Comment from 9/02/08 Meeting: It was not clear to all what the process would be if a Master Plan Area permit modification or revision exceeded the triggers for a minor amendment.

Proposed Revisions. Minor amendments to an approved Master Plan Area may be approved by the Director using criteria developed as part of the Master Plan Area. Minor amendments include any revision or modification of the previously approved Master Plan Area that would result in any one or more of the following:

1. An increase in 10 percent or more of the approved total building(s) square footage; or
2. An increase in 15 percent or more parking stalls by either creating new parking areas, re-striping of existing parking areas; and/or a combination of both; or
3. Removal of 5 or more Significant Trees; or
4. A change in the original phasing timeline of the Master Plan Area.

Major amendments are changes that exceed the thresholds for a minor amendment or were not analyzed as part of an approved Master Plan Area. Major amendments to an approved Master Plan Area shall be processed as a new Master Plan Area.

Staff Response: The added language clarifies that if the change does not meet the definition of a minor amendment, then it is a major amendment.

Comment from 9/02/08 Meeting and Staff Response: Staff made a recommendation to use the word “areas” instead of neighborhoods in Criterion #7. Staff looked at the Comprehensive Housing Strategy as suggested and is neutral on this requested change. Criterion #7 would read:

The Master Plan Area proposal contains architectural and site design, landscaping, parking/traffic management and multi modal transportation elements that minimize conflicts between the Master Plan Area and adjacent uses neighborhoods.

RECOMMENDATION

No action is required. Please provide staff with feedback on the:

1. Proposed “new” Comprehensive Plan policies drafted to provide “safeguards” regarding new uses; and
2. Latest edits to proposed amendments following the 9/2/08 discussion.