DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL
SUMMARY MINUTES OF DINNER MEETING

Monday, April 12, 1999 — Shoreline Conference Center
6:00 p.m. — Highlander Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, King, Lee and Ransom

ABSENT: Councilmember Hansen

STAFF: Robert Deis, City Manager; Larry Bauman, Assistant City Manager; Kristoff Bauer, Assistant to the City Manager

The meeting convened at 6:30 p.m. All Councilmembers were present with the exception of Councilmember Hansen. Councilmembers Lee and Ransom arrived later in the meeting.

Robert Deis, City Manager, explained that he had promised Council an update on the bluff trail at Richmond Beach Saltwater Park. Some of the neighbors are seeking additional changes in the design of the trail improvements. He asked Kristoff Bauer, Assistant to the City Manager, to provide this update. Mr. Bauer distributed the design report.

Councilmember Ransom arrived at 6:40 p.m.

Mr. Bauer described four key issues: 1) the timeline for the improvements; 2) grading plans; 3) open design issues; and 4) financial contributions by property owners. He explained that an open record public hearing will be held on the grading permit, which was filed recently. Mr. Bauer referred Councilmembers to the maps attached to the report showing encroachments by private property owners on the trail.

Councilmembers asked questions about the specific locations of encroachments indicated on the maps.

Mr. Bauer then directed Councilmembers' attention to the map on page 3 of the report, showing sight lines for the proposed and existing trail. He then referred to the map on page 4 to show how the sight lines would be affected at properties with existing retaining walls. He demonstrated the three alternatives for how the berm will be used with plantings and retaining walls.

Mr. Deis asked if Councilmembers had a strong preference regarding berm and trail design.

Mayor Jepsen explained that his goal was to install the berm and to minimize the amount of soil being removed. He expressed concern about changing designs to suit individual property owners.

Councilmember Gustafson pointed out that the staff recommendation would still allow property owners to install retaining walls later if that is what they want to do.

Mayor Jepsen expressed an interest in seeing the final drawing of where the area of grading will occur.

Mr. Bauer summarized the Council's intent is to stay with the original design.

At 7:10 p.m. Councilmember Lee arrived.

Councilmember Gustafson stated that if property owners refuse to contribute to the project because they do not get the changes they want in front of their properties, then the City should not make any changes to the trail.

Mr. Deis asked Councilmembers to indicate whether they want to do the project without the berm if property owners do not contribute funding. Two Councilmembers said they would go ahead with the project; four said they would cancel it.

Mr. Bauer stated that the remaining issues are the improvements to the trailhead and the loop at the south end of the trail. A reduced version of the trail mitigation committee would be convened to review the designs of these elements.

The meeting adjourned at 7:26 p.m.

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Larry Bauman
Assistant City Manager

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, April 12, 1999
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, King, Lee and Ransom

ABSENT: Councilmember Hansen

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Jepsen led the flag salute. Upon roll by the City Clerk, all Councilmembers were present with the exception of Councilmember Hansen.

Upon motion by Councilmember Lee, seconded by Councilmember Gustafson and unanimously carried, Councilmember Hansen was excused.

(a) Proclamation of "Volunteer Week"

Mayor Jepsen proclaimed April 18 - 24, 1999 as "Volunteer Week" in the City of Shoreline and commented on the many contributions of Shoreline's volunteers.

3. REPORT OF CITY MANAGER

Robert Deis, City Manager, noted that the Top Foods application for a grocery store on the U&I property was submitted last week.

Larry Bauman, Assistant City Manager, reported on "hulk" (inoperable) vehicles on private property, an issue raised by a citizen during last week's workshop. He explained the ability of the City to regulate what happens to inoperable vehicles in three situations: 1) parked in the right-of-way; 2) parked on impervious surface on private property; and 3) parked on grass or dirt on private property. He noted that currently the City does not have authority to deal with inoperable vehicles on impervious surface but can issue a citation for vehicles on grass or dirt, because these may leak toxins into the water system.

Councilmember King commented that fluids leaking from vehicles parked on impervious surface will also eventually get into the water system. Mr. Bauman agreed this could be a concern. He said this is one reason why the City may wish to consider a code amendment in the future to address this issue.

4. REPORTS OF BOARDS AND COMMISSIONS:

(a) Quarterly Report of the Council of Neighborhoods

Mark Deutsch, Chair, reviewed the mission of the Council of Neighborhoods, noting this was recently reviewed and generally reconfirmed. He added that the Council's objectives will be reviewed at the next meeting, his last as Chair of the group. Mr. Deutsch then reviewed activities that demonstrate the growth of the Council of Neighborhoods as a body, and he reviewed topics of recent meetings and various neighborhood activities. He concluded that the Council of Neighborhoods is currently re-assessing its role. A task force was formed to do this and it has made recommendations, some of which have been implemented.

Continuing, Mr. Deutsch reported that the main issue to be resolved is the role of the Council of Neighborhoods in working on Citywide issues. Up to now, it has been an information-gathering body and has not taken a position on issues. At the last meeting, people asked the group to take positions on the Shoreview Park ballfield location and the possible location of the wastewater treatment plant at Richmond Beach. Mr. Deustch said he supports having the Council of Neighborhoods be a venue for people to share concerns and explore issues, which can be brought forward to the City Council. However, he was less sure about taking positions on issues. This issue is unresolved at this point.

Mayor Jepsen felt that one of the important roles for the Council of Neighborhoods is to gather information from these leaders of neighborhood groups. He also felt it was more important to disseminate the information learned at the Council of Neighborhoods back to the community groups than to take positions on issues. This provides an opportunity for information and dialogue with the neighborhoods.

Councilmember Lee said there are many venues of communication with City Council and staff, the Council of Neighborhoods being one. She voiced concerns about taking positions on all issues because issues are unique to various neighborhoods. Deputy Mayor Montgomery added that taking stands on issues could polarize the neighborhoods.

Mr. Deutsch agreed that to date the Council of Neighborhoods has tried to operate in a consensual fashion, which might be jeopardized if it takes positions on issues.

Councilmember Gustafson concurred that it would be difficult to take positions, but he felt that perhaps the City Council can do a better job of identifying issues to take to the Council of Neighborhoods for feedback.

5. PUBLIC COMMENTS

(a) Alan Marx, 505 N 200th St., asked the Council to relocate the ballfield planned at Shoreview Park to Site #1 in order to support the work of volunteers to clean-up and protect the park. He questioned whether everyone in the City was being treated fairly, mentioning the Council's actions with regard to the bluff trail issue compared to the Shoreview Park issue.

(b) Bob Borman, 925 SW Holden, Seattle, thanked the City of Shoreline for funding the Center for Human Services, where he was a recipient of drug treatment services.

(c) Lyn Sherry, 103 N. 201st St., asked the City Council to pass a resolution of support for teachers' efforts for increased compensation, as the Seattle City Council has.

(d) Veronica Cook, 18037 Stone Ave. N. #A, also asked for support of teachers. She said Shoreline has award-winning schools, and some excellent teachers are being lost because of the salary situation.

(e) Kathryn Ernst, 224 N. 201st St., a member of the Arts Council Board, wished to clarify that the Arts Council cannot solicit funds from the Shoreline School District, which is prohibited by law from giving money to a nonprofit organization. On a second topic, she also supported the resolution for increased teacher salaries.

Councilmember Gustafson distributed copies of the City of Seattle resolution referred to by the speakers and asked that Council consider reviewing it. He noted that a major strength of the City is its educational programs.

Mayor Jepsen clarified that the bluff trail mediation and the Shoreview Park ballfield involve two different processes. Shoreview Park required an Environmental Impact Statement, which is a formal legal document with certain steps to follow. The mediation process for the bluff trail was informal and not legally required. Mr. Deis added that there will be a public hearing on Shoreview Park.

Responding to Deputy Mayor Montgomery, Mr. Deis explained that no public agency can grant funds to a private party without receiving services in return. The Arts Council would have to provide certain services in return for any funding it received from the School District, as occurs with the City.

Councilmember Ransom raised a question about a flyer being distributed by Goldie's advertising the grand opening of its mini-casino on May 14, 1999. He said the State Gambling Commission granted Goldie's a Class E cardroom license and its mini-casino license will be considered at the Gambling Commission's May meeting, but the question has been raised of whether Goldie's is abiding by the City moratorium or whether there are some grandfathering conditions involved.

Bruce Disend, City Attorney, explained that a week ago staff had a meeting with the owners, architects and legal counsel of Goldie's to discuss their plans. At that time, Goldie's was told that an expansion of its operation would be in violation of the moratorium. Discussion of various remodeling scenarios ensued, but staff said that since a specific application has not been received, staff could not respond to questions and nothing has been approved. The statement was also made that if an expansion were to take place in violation of the moratorium, the City most likely would have to take legal action. Mr. Disend concluded that at this point the issue of a basis for grandfathering came up, but he said he did not have any factual written information on this and no determination can be made until such information is forthcoming.

Councilmember Ransom advised staff to observe what happens on May 14 at Goldie's.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember King, seconded by Councilmember Ransom and unanimously carried, the agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember Ransom, seconded by Deputy Mayor Montgomery and unanimously carried, the following Consent Calendar items were approved:

Workshop Minutes of March 15, 1999
Regular Meeting Minutes of March 22, 1999

Approval of expenses and payroll as of April 5, 1999
in the amount of $ 684,998.85

8. OTHER ACTION ITEMS: ORDINANCES, RESOLUTIONS AND MOTIONS

(a) Motion to authorize the City Manager to sign an agreement with the Washington State Association of Sheriffs and Police Chiefs for full-service electronic home monitoring and detention

Eric Swansen, Senior Management Analyst, reviewed the staff report, noting electronic monitoring is an alternative to incarceration in certain controlled circumstances. He explained the technical details of electronic monitoring, which allows a person to retain a regular job or do certain scheduled activities while under electronic house arrest. He said the State's DUI law now requires electronic monitoring to provide a probationary period after jail time. It is less expensive than incarceration and this program will not cost the City anything, since it will be funded completely by the offenders and can be done with existing staff.

Responding to Councilmember Ransom, Mr. Swansen said this approach can also be used by the court for regular misdemeanant cases. He said the judges are enthusiastic and see a number of opportunities for using it.

After having his questions answered, Councilmember Gustafson said the critical issue is whether this is effective and safe. Mr. Swansen assured him that it is, since violent people or individuals who pose a threat to the community will not participate.

Mayor Jepsen felt the approach makes sense. His only concern was that Shoreline is dependent on the court system to make the right determination about who is eligible for the program.

Responding to Councilmember Lee, Mr. Swansen explained the penalties for non-compliance.

Councilmember Gustafson moved to authorize the City Manager to sign an agreement with the Washington State Association of Sheriffs and Police Chiefs for a one-year pilot program for electronic home monitoring services. Councilmember Ransom seconded the motion, which carried unanimously.

(b) Motion to authorize the City Manager to execute an interlocal agreement with the Washington State Department of Transportation for widening of N. 175th St. at I-5 to extend left-turn lanes for I-5 north and southbound access

Chuck Purnell, Capital Projects Manager, provided background on the existing conditions and history of the project, which is designed to address the inadequacy of the left turn lane on NE 175th St. for vehicles turning left to southbound and northbound I-5. City codes will require the installation of sidewalks where they do not exist and reinstallation of sidewalks that must be removed for street widening. The Washington State Department of Transportation (WSDOT) must also provide surface water runoff detention to mitigate for the increase in impervious area. In addition to the detention facility, WSDOT will have to provide water quality enhancement for the surface water runoff the project will generate, so WSDOT proposes a bio-swale for this purpose and has provided the City with three design options. Mr. Purnell noted that a minor amount of right-of-way will be taken from Ronald Bog Park in the area of the Rotary Club daffodils.

Mr. Purnell demonstrated with photographs the two sidewalk options, with and without planter strips. Staff recommends sidewalks with planter strips. He also outlined the water quality swale options: 1) the large swale, two-thirds on State property and one-third on City property; which might be difficult to permit in the park and would cost more; 2) a swale only on the WSDOT right-of-way, which could be financed through existing funds; and 3) a meandering swale within the park itself. Options 1 and 3 would significantly disturb the park and provide minimal aesthetic improvements. Due to the elevation difference between the existing drainage channel and portions of the park

adjacent to the channel, the swale through the park would have to be excessively wide to meet the water quality design criteria, making a large portion of the park unusable for passive recreation. Staff recommends Option 2.

Mayor Jepsen called for public comment.

(a) Kathy Halliburton, 18315 Wallingford Ave. N., supported the staff recommendation for sidewalks with planter strips and said it was a good idea to have irrigation in the islands. She pointed out that having the planter strips will help with runoff and impervious surface.

Deputy Mayor Montgomery moved to authorize the City Manager to execute an interlocal agreement with WSDOT to grant temporary construction easements to the State, and to transfer the $37,195 grant the City received from the State to WSDOT for water quality improvements to runoff entering Ronald Bog. Councilmember Gustafson seconded the motion.

Mr. Deis said the City is recommending that the State install irrigation in the islands. WSDOT has responded that it does not do this. He said Shoreline will go back and ask again, but the City might have to do the installation itself.

Councilmember Gustafson supported the irrigation and the planter strips. With regard to the swale, he felt the City should try to put in the most efficient water quality treatment system, particularly because of possible future requirements of the Endangered Species Act (ESA).

Mr. Purnell said Option 2 is about 30 percent larger than required by Code. He said swales take up a lot of space and usually are not sized to the heaviest storms. There is only a five percent difference in the amount of water that will be treated in the two options.

Councilmember Gustafson asked if it will not be more efficient in the long run for the area to go with the larger swale. Mr. Purnell said this would require additional funding and have greater impacts to the park.

Councilmember Gustafson asked if the federal government will review both alternatives and perhaps select Option 1 because of ESA concerns. Mr. Purnell said both options are in the environmental analysis to be reviewed.

Councilmember King commented on the major stormwater problems at Ronald Bog. Mr. Purnell said the detention facility, which will reduce the peak amounts of flow into the Bog, and the swale will both help.

Councilmember King expressed support for a swale but she could not see why the City would not go with Option 1 when there are so many problems at Ronald Bog. She did not feel the larger swale would make a huge impact on the park and felt that in the long

run a larger swale would be a lot cheaper. She supported the sidewalks with planter strips.

Mayor Jepsen also supported the planter strips, but he noted that the area to the west of Corliss Ave. is shown with a painted traffic island instead of planter strips. He felt the entire area should be treated the same. Mr. Purnell said this has been discussed and can be brought up again. Mayor Jepsen felt it would not be reasonable to do a "half-baked" job. He also wished to ensure that the new sidewalks west of the interchange on the northern portion of 175th will have planter strips, too.

Continuing, Mayor Jepsen had a concern about the WSDOT property adjacent to the southbound ramp, which he felt should be cleaned up. He said installation of the wet swale provides an opportunity to focus on appropriate plantings, instead of having blackberries and Scotch broom in that area. He supported irrigation in the medians and reiterated that he did not wish to see painted traffic islands.

Councilmember Lee advised that homeowners adjacent to the detention pond may be alarmed about it, and WSDOT and the City should keep them informed about what is planned. Mr. Purnell said this will undoubtedly occur.

In response to Councilmember Lee, Mr. Deis said he had already alerted the Rotary Club to the proposed changes affecting the flower beds.

Councilmember Lee asked how much more expensive the other water quality options are than the one that has been proposed. Mr. Purnell said there is a permitting issue with both Options 1 and 3, in that perhaps the federal government will not permit any work in the park. This would risk potential delays. He estimated the expense would be one-third to double.

Deputy Mayor Montgomery pointed out that more vegetation would be disturbed in Option 1.

Mr. Purnell gave examples of other opportunities to do water quality and quantity work at Ronald Bog.

Mayor Jepsen asked if there is any way to move construction up to have it occur at the same time as the City's project at 175th St. and Meridian. Mr. Purnell said that with the ESA, it may be difficult for the State to meet even the current schedule.

A vote was taken on the motion to authorize the City Manager to execute an interlocal agreement with WSDOT to grant temporary construction easements to the State and to transfer the $37,195 grant the City received from the State to WSDOT for water quality improvements to runoff entering Ronald Bog. The motion carried 5 - 1, with Councilmember King dissenting.

Mayor Jepsen expressed Council consensus to have sidewalk improvements with planter strips on all sides of the project.

Mayor Jepsen called for Council comments on the water quality improvements:

Councilmember Lee supported Option 2 but asked about including the WSDOT property in the swale. Mr. Purnell said the swale is currently being placed at the outlet of an existing drainage line. The possibility may exist to remove sections of that drain line but this can be looked at further in the design phase.

Councilmember Gustafson also supported Option 2 but asked that there be a comparison with Option 1 as the process proceeds.

Deputy Mayor Montgomery and Mayor Jepsen supported Option 2.

Councilmember King continued to support Option 1. She felt the City should not spend any money without making a serious effort at solving the problem at Ronald Bog. Councilmember Ransom also supported Option 1 in deference to Councilmember King's expertise in water quality issues.

Mayor Jepsen noted that the City should continue to investigate ways to do this project in conjunction with a solution to the Ronald Bog problems.

Mayor Jepsen expressed Council consensus to install irrigation in the landscaped islands.

9. CONTINUED PUBLIC COMMENT: None

10. ADJOURNMENT

Mayor Jepsen declared the meeting adjourned at 9:22 p.m.

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Sharon Mattioli, CMC
City Clerk

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL
SUMMARY MINUTES OF WORKSHOP MEETING

Monday, April 19, 1999
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Deputy Mayor Montgomery, Councilmembers Hansen, King, Lee and Ransom

ABSENT: Mayor Jepsen and Councilmember Gustafson

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Deputy Mayor Montgomery, who presided.

2. FLAG SALUTE/ROLL CALL

Deputy Mayor Montgomery led the flag salute. Upon roll by the City Clerk, all Councilmembers were present with the exception of Mayor Jepsen and Councilmember Gustafson, who were absent, and Councilmembers Lee and Ransom, who arrived later in the meeting.

Later in the meeting when a quorum of Council was present, **Councilmember King moved to excuse Mayor Jepsen and Councilmember Gustafson. Councilmember Hansen seconded the motion, which carried unanimously.**

3. CITY MANAGER'S REPORT

Assistant City Manager Larry Bauman reported on the City's Earth Day Celebration to be held Saturday, April 24, 1999.

City Manager Robert Deis reported that a sewer line break at Richmond Beach Saltwater Park has necessitated closure of the restrooms. He went on to remind Council of the Volunteer Appreciation Breakfast on Friday, April 23, 1999. Finally, he distributed a flyer that has been circulated in Richmond Beach regarding the Richmond Beach Saltwater Park Bluff Trail. He said it makes inaccurate representations about the bluff trail and Council's action. Additionally, it contains a model letter to be sent to City Councilmembers. He said that staff would respond on behalf of the Council to such letters and clarify misrepresentations in the flyer.

4. COUNCIL REPORTS

Councilmember King reported that the frogs seeded in Paramount Park are alive and croaking, and that students from Meridian Park Elementary School have collected money to buy a tree in memory of police officer Mark Brown.

Councilmember Hansen reported on his attendance at the Suburban Cities Association meeting on April 14, 1999.

5. PUBLIC COMMENT

(a) Bucky Tokusaki, 18054 8th Avenue NW, mentioned the long history of the Bahá'í faith in Shoreline. He distributed a booklet produced by the Bahá'ís entitled "Two Wings of a Bird: The Equality of Women and Men."

6. WORKSHOP ITEMS

(a) Aurora Pre-Design Study Alternatives and Evaluation Criteria

Kirk McKinley, Transportation Manager, introduced the members of the Citizens Advisory Task Force (CATF), reviewed the process for development of the Aurora Pre-Design Study, and outlined the next steps, which include evaluation of the three alternatives, an open house on May 11, and a return to Council this summer with a preferred alternative. He also reviewed the status of funding for Aurora Corridor improvements. Finally, he noted key criteria that the State and federal government use to assess transportation projects for funding: 1) partnerships; 2) meeting regional needs; 3) access management and safety; 4) congestion mitigation to meet Level of Service goals; 5) air quality impacts; and 6) the impact of the Endangered Species Act, which will probably drive up project costs considerably .

Using four large boards for each alternative, Tim Bevan, CH2MHill, reviewed the three design alternatives recommended by the CATF. He said Alternative 1 ("Local Access") has four through lanes, including as many left-turn lanes as possible for local access to businesses and properties along the corridor. It has wider sidewalks and potentially a double row of street trees. This alternative includes additional signalized intersections, safety modifications (such as closing Westminster Way southbound), transit queue by-pass lanes, and bus pullouts.

Alternative 2 ("People Mover") provides additional regional capacity by having transit right-turn only lanes in addition to the queue jump lanes. The outside lanes would also provide access to properties. This alternative has a raised, landscaped center median, with breaks and special U-turn capabilities at signalized intersections. This alternative also has street trees in the median and on both sides.

Mr. Bevan then described Alternative 3 ("Regional Design"), which is oriented to providing for regional through traffic. It has two through lanes in each direction with no at-grade signalized intersections directly in the roadway. Frontage roads would provide access to properties, and there would be planted barrier medians separating the through

lanes. The major intersections would have grade separation for through traffic, with ramps for access at certain locations. There would also be grade separated pedestrian crossings. These could be combined with transit stops.

Councilmember Ransom arrived at 7:07 p.m.

Mr. McKinley said the goal at this point is to analyze objectively how the three alternatives perform. He said Alternative 1 would have the least impact on right-of-way, although it would involve some "takes" at intersections. Alternative 2 is similar to what Snohomish County is building.

Councilmember Lee arrived at 7:14 p.m.

Mr. McKinley reviewed the 13 criteria for evaluation of the alternatives (listed on page 79 of the Council packet), which fall into the general categories of: 1) economic factors; 2) environmental factors; 3) mode choice factors; and 4) traffic operations factors. He noted that Alternative 1, since it does not add capacity, may have impacts on north/south neighborhood streets. He asked for Council input on the alternatives and the criteria.

Deputy Mayor Montgomery called for public comment.

(a) Kathy Halliburton, 18315 Wallingford Ave. N., hoped that the preferred alternative would have curb bulbs, which would shorten the distance for pedestrians crossing the street. She also liked the pedestrian overpasses. She said Shoreline does not have to be like Seattle or Snohomish County and hoped the preferred alternative would represent the ideal.

Responding to Councilmember King, Mr. Bevan explained that the planters in Alternative 3 would be raised, with a sloped edge, so the traffic could drive at a higher speed adjacent to them without being a safety hazard. In Alternative 2 the planters are raised, but only six inches.

Councilmember King felt there is a not enough transit service in Shoreline to dedicate a lane to transit. However, she liked the jump start lane. She added that curb bulbs work very well in Bell Town. She said there may be concerns about business access, but she herself preferred limited access points to businesses.

Responding to Deputy Mayor Montgomery, Mr. McKinley said the transit lane could be a high-occupancy vehicle (HOV) lane in Alternative 2. However, Seattle has had higher accident rates with its HOV lanes.

Deputy Mayor Montgomery liked the street trees and landscaping but asked whether on-street parking is completely eliminated. Mr. McKinley said it has been but there may be opportunities for some parking pockets in Alternative 1. He emphasized that the transit lane in Alternative 2 is also designed to provide business access.

Responding to Deputy Mayor Montgomery, Mr. Bevan said there will be pedestrian crossings associated with all overpasses in Alternative 3, along with some overpasses for pedestrians at other points along the corridor. However, there is a pedestrian grade separation in all alternatives for the Interurban Trail.

Deputy Mayor Montgomery wondered which alternative will generate the most in grant funding. Mr. McKinley responded that this is one of the criteria that will be used in the upcoming evaluation process. He thought Alternate 1 would score the lowest.

Councilmember Hansen felt it would be preferable to have the full 120-foot right-of-way the entire length of the corridor. After discussion of the width needed for Alternative 3, he noted that intersections with grade separation are very expensive. Mr. Bevan responded that Alternative 3 has grade separation at four intersections. A full interchange with ramps in both directions would cost somewhere in the range of $10 million.

Councilmember Hansen agreed with Deputy Mayor Montgomery and Councilmember King that two dedicated transit lanes with no increase in bus service planned in the next six years is questionable. Councilmember Lee pointed out that it may take longer to build the project than six years.

Mr. McKinley said a lack of an access management system contributed to the increase in accident rates in Seattle with the HOV lanes.

Councilmember Hansen said Aurora Avenue should not be viewed in isolation. He felt more attention should be placed on the connection of 185th St. to potential freeway access. He said even having frontage roads along I-5 would take traffic that comes from Richmond Beach and divert it from 175th St. He also suggested that purchase of the Chevron property at 185th and Aurora might provide more property for intersection work. Mr. Deis said part of that property may be purchased by a private party, but staff is monitoring activities related to this property.

Councilmember Hansen supported closure of Westminster Way and redesign of the intersection at 155th. Mr. Deis added that such a closure could make more land available for redevelopment at Aurora Square.

Councilmember Ransom was concerned that the alternatives do not reflect the concepts explained in Dan Burden's presentation last year on "Walkable Communities." He pointed out that safety in street crossing is a paramount concern. Mr. Bevan said there are signalized pedestrian crossings and refuge islands in Alternatives 1 and 2. Sidewalks are wider in Alternative 1, allowing for a double row of trees, which could be used as a buffer between pedestrians and the roadway.

Councilmember Ransom felt the emphasis on walkable communities is lost in these alternatives, despite the fact that the concept was very well-received at the time of presentation. He also was concerned about the trees affecting business visibility and blocking signage.

Mr. McKinley explained there were several components to the Dan Burden presentation, including street trees, width of sidewalks, and pedestrian crossings. He said the final design will consider where trees are located and how they interface with signage, and the business community will be consulted. Mr. Burden also mentioned pedestrian-scale street lighting, which is assumed to be part of all alternatives, as are street furnishings and textured pavement at key pedestrian crossings.

Councilmember Ransom said his biggest concern with Alternative 2 is that it will be dangerous to have HOV lanes next to the sidewalk. He had believed that this lane would be on the inside next to the median. Mr. Deis noted that the trade-off for putting it on the inside is that people have to walk across traffic to get to the bus. Mr. McKinley added that such a configuration adds approximately 40 feet to the width of the crossing.

Responding to Councilmember Ransom, Mr. Bevan said that in Alternative 3 the buses use the outside through lanes with bus turn-outs for access to pedestrian areas.

Responding again to Councilmember Ransom, Mr. McKinley said the alternatives will be evaluated for grant funding by experts on the CH2MHill staff.

Councilmember Ransom asked whether these alternatives reflect the thinking of the CATF. Mr. McKinley explained how the alternatives were developed, noting the CATF has put forward these three alternatives. He emphasized these are three distinct approaches, upon which good comparable information can be developed. There is no expectation that any of the three alternatives will be the ultimate recommendation.

Councilmember Ransom pointed out there has been criticism from certain segments of the community in the past that they were participating but not being heard. He wanted to be sure these criticisms would not be made about this process, particularly in light of the fact that last year there was support for walkable communities and these concepts do not seem to be embodied in these three alternatives.

Mr. Deis said the recommendations were made by the CATF. Citizen input is taken very seriously by staff and it is hoped that CATF input will be a representative sample of the community. He said staff has taken the walkable communities concept very seriously and various components (trees, landscaping, benches, pedestrian refuges, widths of sidewalks, separation of pedestrians from traffic, and pedestrian level lighting) will probably be incorporated into the preferred alternative.

Deputy Mayor Montgomery felt that all the alternatives are more walkable than current conditions.

Councilmember Lee liked the diversity among the options. She questioned having two rows of trees in Alternative 1, and felt the concern about blockage of business signs is valid. She also commented on pedestrian overpasses, noting they work well on high pedestrian-traveled streets. However, she was concerned that it will be many years

before the Aurora Corridor is at that stage. Mr. McKinley explained that pedestrian overpasses only work when the street is barricaded so pedestrians cannot get across.

Councilmember Hansen commented on the use of right-of-way in California on El Camino Real for a skatepark.

Councilmember Lee questioned whether having wider sidewalks and other pedestrian amenities will really generate more pedestrian traffic. She also wondered whether additional traffic will be forced to go through the neighborhoods if no more capacity is added to the corridor. Mr. McKinley said staff suspects that if no capacity is added, as in Alternative 1, the neighborhoods will receive spillover traffic. He said that trips in Alternative 3 may shift off of other arterials or the freeway and onto Aurora if the traffic flows faster. Councilmember Lee said traffic speeding through neighborhoods is a major issue.

Continuing, Councilmember Lee asked if there is a projection about periods of the day for high pedestrian usage and what kind of pedestrian usage it will be--recreational walking or destination oriented. She said this would dictate how the street is designed. Mr. McKinley responded that pedestrian usage will depend on land uses. This process will not generate pedestrian predictions, which is very difficult to do. Mr. Bevan added there was a dramatic increase in pedestrian activity when the sidewalks were added in SeaTac. Good pedestrian facilities should increase the number of transit riders. He agreed that development of the land uses should also increase the number of short walking trips.

Mr. Deis reported to Council on Councilmember Gustafson's comments. His first priority was safety. He was also interested in seeing the relationship between Shoreline's preferred alternative and the approaches of Seattle and Snohomish County. He felt the queue jump lanes were preferable to dedicated lanes to accommodate transit.

Councilmember Hansen felt the approach should be to convert the corridor to a more locally focused roadway to support emerging community activity centers through reducing speed limits, reducing lane widths, and providing other features that contribute to slower auto traffic such as sidewalks, medians, and landscaping.

Councilmember King and Councilmember Ransom mentioned problems with the intersection of Aurora and 155th St. Mr. McKinley advised that this will be looked at and that the intersection will change, particularly if Westminster Way is closed.

Deputy Mayor Montgomery expressed Council support for the proposed criteria and the three alternatives and thanked the CATF for its work.

7. CONTINUED PUBLIC COMMENT

(a) Terry Green, 613 NW 179th St., spoke as a member of the CATF, saying that committee members are aware of the "Walkable Communities" recommendations

and many of these amenities are available in all three plans. She mentioned width of right-of-way, pedestrian amenities, and the impacts of the Interurban Trail.

(b) Richard Johnsen, 16730 Meridian Ave. N., asked why the tunnel option was not brought forward as an alternative. He also asked about putting in a traffic signal at Ashworth Ave. and 175th St., noting his belief that Ashworth Ave. should carry its fair share of north/south traffic. Finally, he mentioned lowering the hump of land on 175th St. at the Top Foods property to address safety issues.

(c) Bill MacCauley, 19741 10th Ave. NE, another CATF member, said some members of the CATF felt sidewalk improvements should be done simply because "it is the right thing to do." He suggested visiting Everett Mall Way and Evergreen Way in Everett and Highway 99 in SeaTac to see comparisons of how things can be built.

Responding to Mr. Johnsen, Mr. McKinley explained that the tunnel design was looked at in a technical memo as one of the many ways of improving traffic operations. The CATF did not select this option because of high construction and on-going maintenance costs. As to using Ashworth Ave. as an arterial, he said it is now a local access street and was treated as such by the County. Mr. Deis added that with regard to Mr. Johnsen's final comment, eliminating the bump on 175th has been discussed. However, the City would probably not find additional funding sources to work on improvements to this section of 175th St., so this would be an expensive project for the City to undertake.

8. ADJOURNMENT

Deputy Mayor Montgomery declared the meeting adjourned at 8:26 p.m.

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Sharon Mattioli, CMC
City Clerk

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL
SUMMARY MINUTES OF JOINT DINNER MEETING

Monday, April 26, 1999
6:30 p.m.

Shoreline Conference Center
Highlander Room

Shoreline City Council

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King, Lee and Ransom

ABSENT: None

STAFF: Robert Deis, City Manager; Larry Bauman, Assistant City Manager; Anna Kolousek, Assistant Director of Planning and Development Services

Shoreline Library Board

PRESENT: Chair Susie Johnson, Vice Chair Michael Derrick, and Board members Mary Jo Heller, Evelyn Phillips and Yoshiko Saheki

ABSENT: None

King County Library System

PRESENT: Bill Ptacek, Executive Director

The meeting convened at 6:20 p.m. All Councilmembers were present.

Board member Phillips commented that opponents to locating the new Richmond Beach Library in the Richmond Beach Community Park have threatened to sue over the Final Environmental Impact Statement (FEIS) of the site.

In response to Vice Chair Derrick, Anna Kolousek, Assistant Director of Planning and Development Services, said the FEIS appeal process is not directly related to the building permit application. She explained that the City does not have a role regarding the FEIS; the City's role is to review the building permit.

In response to Board member Saheki, Ms. Kolousek advised that the FEIS may be appealed to Superior Court.

King County Library System (KCLS) Executive Director Bill Ptacek arrived at 6:40 p.m.

Vice Chair Derrick asserted widespread support of the construction of the library in the park. He noted, though, that over 160 people signed a petition opposing the project.

Chair Johnson said it is not clear what those who signed the petition understood when they signed it.

Board member Heller mentioned that only one person spoke in opposition to the project at the second public hearing. She said this could mean that many previous questions about the project have been answered.

Mr. Ptacek reported that the KCLS Board of Trustees studied the FEIS and reviewed the issues it raised. He said the Board of Trustees understood the unavailability of additional funds to purchase another site. Upon review, the Board of Trustees voted to proceed. Mr. Ptacek expressed uncertainty about the action the County will take.

In response to Vice Chair Derrick, Mr. Ptacek said he was unsure whether someone could appeal the decision of the Board of Trustees. He asserted that the conclusions of the FEIS show no reason not to proceed with the construction of the library in the park.

In response to City Manager Robert Deis, Ms. Kolousek explained the building permit review process. She said the City and KCLS have already held a preapplication meeting. She noted the need for adjustments to the construction plans KCLS created the plans prior to the implementation of the 1997 development code. Ms. Kolousek said the City will have 90 days to complete its review after KCLS completes its application.

In response to Mr. Deis, Ms. Kolousek said the building permit can only be appealed on technical grounds (e.g., structural safety, setback issues).

Mayor Jepsen expressed concern about the library design, which was completed six years ago. He said the parking lot is the first part of the facility that people will see. He asked if this can be redesigned. He noted the parking design at the Edmonds Library. Mr. Ptacek said there may not be sufficient money to fund the costs of constructing underground parking. He commented that KCLS has used the basic design of the new Richmond Beach Library at three other locations. However, he did not want to address detailed questions regarding design and referred Councilmembers' design questions to the architect who would make a presentation during the regular meeting.

Councilmember Ransom asked if a vote of support by Council would help the KCLS Board of Trustees. Mr. Ptacek said a Council vote may not be useful given how far the project has progressed.

Mayor Jepsen mentioned the possibility that the City may have to appoint a hearing board or examiner as one reason Council should not take action in support of the project at this time. Councilmember Ransom disagreed that Council support of the project would represent a conflict.

Mr. Ptacek and Chair Johnson stressed the need to begin healing the divisiveness within the community regarding the new Richmond Beach Library.

Mr. Ptacek noted the outstanding question of when construction should begin: if KCLS begins this year, construction could extend into the rainy season; or KCLS could wait until 2000 to begin construction.

Mr. Deis suggested that Mayor Jepsen could send a letter to King County Councilmember Maggi Fimia requesting that the County Council reaffirm its decision to surplus its property for the new Richmond Beach Library.

The meeting adjourned at 7:25 p.m.

Larry Bauman
Assistant City Manager

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, April 26, 1999 — Shoreline Conference Center
7:30 p.m. — Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King, Lee and Ransom

ABSENT: None

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. REPORT OF CITY MANAGER

Robert Deis, City Manager, noted that staff is seeking candidates for the grand marshal for the Celebrate Shoreline parade.

Shoreline Police Chief Sue Rahr distributed and discussed a report concerning vandalism and car prowling in Shoreline and the comparable cities of Burien and SeaTac.

In response to Mayor Jepsen, Chief Rahr confirmed that vandalism and car prowling is seasonal—the number of incidents tends to increase in spring and summer. She noted plans to work with adult newspaper carriers to identify, report and respond to incidents.

4. REPORTS OF BOARDS AND COMMISSIONS: None

5. PUBLIC COMMENTS

(a) Nancy Marx, 505 N 200th Street, thanked Council for the City's plan to hold a public hearing about the site of the little league field in Shoreview Park.

6. APPROVAL OF THE AGENDA

Councilmember Hansen moved to approve the agenda. Councilmember King seconded the motion.

Councilmember Lee requested that Council withdraw the minutes of the Regular Meeting of April 12, 1999 from the consent calendar.

A vote was taken on the motion to approve the agenda, as amended, which carried unanimously.

7. CONSENT CALENDAR

Councilmember Hansen moved to approve the consent calendar, as amended. Councilmember Gustafson seconded the motion, which carried 7-0, and the following items were approved:

Minutes of Dinner Meeting of March 22, 1999
Minutes of Workshop of April 5, 1999

Approval of Expenses and Payroll as of April 16, 1999 in the amount of $693,167.88

Resolution No. 153 establishing Rules of Procedure for the City Council and repealing Resolution No. 151

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

(a) Presentation by King County Library Director regarding the design of the new Richmond Beach Library

Bill Ptacek, Executive Director, King County Library System (KCLS), said the KCLS Board reviewed the Environmental Impact Statement (EIS) for the new Richmond Beach Library at its April meeting and voted to proceed with the project.

Ray Johnston, consulting architect to KCLS, presented the design of the new Richmond Beach Library and discussed the history of the project.

(1) Kathi Peterson, 2326 NW 199th Street, opposed the placement of the new Richmond Beach Library in the Richmond Beach Community Park. She advocated siting the new library in a location that will not reduce the amount of outdoor play space for children.

(2) Sherry Hill, 19523 22nd Place NW, asserted that KCLS has funds to purchase land for the new Richmond Beach Library. She asked Council to examine the KCLS budget and to negotiate a more favorable arrangement for the location of the library. She said the proposed mitigations in the final EIS are inadequate.

(3) Sheri Ashleman, 19803 15th Avenue NW, advocated public input on the library site plan as a means of resolving differences between those who support the

construction of the library in the park and those who support the preservation of open space. She requested a master plan for the Richmond Beach Community Park. Finally, she submitted a written list of ideas regarding the proposed library site.

(4) Don Aicher, 18330 Sunnyside Avenue N, recalled his opposition to the construction of the Shoreline District Court at the expense of available open space. He asserted that the parking lot included in the design of the proposed Richmond Beach Library is incompatible with the park. He clarified his support of libraries and his opposition to the elimination of open space.

(5) Karen Hugh, 830 NW 190th Street, expressed anticipation of the construction of a new Richmond Beach Library that complements the use of open space in Richmond Beach Community Park.

(6) Bill Griffin, 19620 24th Avenue NW, briefly reviewed the history of public debate concerning the construction of the new Richmond Beach Library in the Richmond Beach Community Park. He asserted substantial community support for the park site, and he advocated that the project proceed.

(7) Yvonne Ediger, 19616 21st Avenue NW, stressed the scarcity of open space in Richmond Beach. She went on to enumerate flaws in the proposal to build the new library in the park. Finally, she suggested that citizens of Richmond Beach vote on whether to build the new library in the park.

(8) Bob Ediger, 19616 21st Avenue NW, said construction of the library in the Richmond Beach Community Park will have profound consequences for Shoreline residents; whereas, construction of it near but outside the park would not effect anyone.

(9) Denise LeClair, 2308 NW 196th Street, said Richmond Beach Community Park currently provides little benefit to retirees. She advocated construction of the library in the park as a way for people of all ages to benefit from the space.

(10) Craig Schulz, 2606 NW 196th Street, asserted widespread community support for the construction of the library in the park.

(11) Dan Hartman, 2009 NW 197th Street, commented that increased density results in increased crime and other problems. He stressed the importance of open space.

(12) Charles Buchanan, 1925 NW 195th Street #G, said the impact of the library in the park will be minimal.

(13) Chakorn Phisuthikul, 2618 NW 198th Street, said the library in the park would continue the use of the site to serve residents of Richmond Beach.

(14) Robin Brumett, 19335 22nd Avenue NW, referred to the large amount of constant activity at the Shoreline Library. She asserted that the community can have a library and open space by locating the library at another site.

(15) Karil Klingbeil, 19520 22nd Avenue NW, said construction of the library in the park will have adverse impacts on the wild birds that frequent the area. She asserted the importance of open space. She advocated consideration of another site and a public vote on the location of the new library in the park.

(16) Ann Schulz, 2606 NW 196th Street, discussed the history of the proposal to build a new library in the park. She presented copies of past editions of the Richmond Beach News and other publications concerning the issue.

(17) Dave Buchan, 19844 10th Avenue NW, supported the construction of the library in the park. He asserted the benefits of the location of a library in a park on Vashon Island.

(18) Betsy Ziefman, 1732 NW 193rd Street, commented that teenage students need a place to study and supported the shared use of the Richmond Beach Community Park as open space and the site for a new library.

(19) Beth O'Neill, 2330 NW 199th Street, opposed Richmond Beach Community Park as a site for a new library. She asserted the importance of park space.

Mayor Jepsen suggested the relocation of the parking lot under the proposed facility to save park space and to improve the appearance of the site. Mr. Johnston said the King County Department of Transportation opposed access to library parking off of Richmond Beach Road. He also recalled that proposals to relocate the parking lot would require the use of more park land for the library. He went on to discuss the costs of underground parking at the site.

Councilmember Hansen advocated underground parking at the library in the park.

Councilmember Lee noted her understanding that Council has little influence over the location of the library in the park.

In response to Councilmember Lee, Mr. Deis advised that King County transferred Richmond Beach Community Park to the City in 1997 but that a portion of the park was subject to an underlying lease between the County and KCLS.

Mr. Ptacek said the responsibility of KCLS is to develop the plans for the new Richmond Beach Library and to submit them to the City for a building permit. Mr. Deis explained the role of the City to review the plans for compliance with current codes.

Councilmember Ransom estimated the size of the existing Richmond Beach Library at 1,600 square feet. He said the proposed building will triple the amount of space in the

library. He went on to say that the annual circulation of 250,000 volumes anticipated at the new library is six times the 50,000-volume annual circulation at the existing library. He noted that Council has received and reviewed the entire EIS for the new library in the park and that there were extensive surveys conducted by telephone and mail concerning the project in the 1980s. Finally, he commented that the KCLS Board of Trustees has not requested and does not need Council input on the proposal to build the new library in the park.

Councilmember King said it would be inappropriate for Council to vote on the proposed new library. She noted that Council does not routinely vote on other building permit applications.

Deputy Mayor Montgomery supported the suggestions of Mayor Jepsen and Councilmember Hansen that KCLS explore the possibility of putting the parking lot for the new library under the building.

Mayor Jepsen requested that KCLS identify the design and cost implications of moving the building east and putting the parking underneath it.

Councilmember Ransom questioned the basis for a City request that KCLS reconsider the location of parking at the library. Mayor Jepsen said it is good policy to try to get the best public facility possible. Councilmember Hansen and Deputy Mayor Montgomery expressed their support of the request that KCLS reconsider the location of the parking.

In response to Councilmember King, Mr. Johnston estimated that reconsideration of the location of the parking would require one to two months of time. Mr. Ptacek noted the cost considerations of extending the project further and of additional design studies. Mr. Johnston identified the need for City input about the traffic impacts of library access off of Richmond Beach Road.

Mayor Jepsen mentioned past consideration of closing NW 197th Street between the tennis court and Richmond Beach Community Park. He noted the suggestion of a master plan for the park. Mr. Deis explained that staff resources have been focused on other parks facilities (e.g., Paramount School Park, Twin Ponds Park and the Shoreline Pool). He said staff had not planned to seek consideration of Richmond Beach Community Park by the Parks, Recreation and Cultural Services Advisory Committee because the site of the new library is largely predetermined.

Councilmember Gustafson expressed support for a quick conceptual reconsideration of the parking at the new library. He noted his interest in completing some of the major projects in Shoreline. He advocated that the process of building a new library continue with as little disruption as possible.

Councilmember Lee stressed that Council has no authority regarding the siting of the new library. She supported consideration of constructive suggestions about the library proposal as a way of advancing the process.

Mayor Jepsen confirmed Council consensus in favor of City staff working with KCLS to facilitate a quick conceptual reconsideration of the parking at the new library.

RECESS

At 9:05 p.m., Mayor Jepsen declared a ten-minute recess. The meeting reconvened at 9:15 p.m.

(b) Motion to authorize the City Manager to execute an interlocal agreement with the King County Dept. of Roads and Transportation Division (not to exceed the amount of $590,000) to complete the identified projects listed in the 1999 Overlay Program

Gail Perkins, Public Works Operations Manager, reviewed the staff report and presented slides of road conditions.

In response to Councilmember Ransom, Ms. Perkins explained the need to remove the broken surface of the roadway at N 200th Street to establish a solid base on which to overlay. She noted the causes of the wear of this roadway, including: bus traffic into and out of the Aurora Village Transfer Station; a thinner-than-normal surface layer that breaks off easily; and water draining from Aurora Avenue N infiltrating between pavement layers. She went on to discuss the steps the City will take this year to minimize future problems in this roadway.

In response to Councilmember King and Councilmember Hansen, Ms. Perkins explained the financial advantages of contracting with the County to complete the 1999 Overlay Program.

In response to Councilmember Gustafson, Ms. Perkins said the listing of Puget Sound salmon runs under the Endangered Species Act will affect future projects that restore or revise road shoulders.

In response to Councilmember Lee, Ms. Perkins said the left-turn lane to I-5 North from 175th Street is within the State Department of Transportation (DOT) corridor. She said staff has asked DOT to complete a skim patch to correct problems.

In response to Councilmember Lee, Ms. Perkins affirmed the reliability of the cost estimates for the 1999 Overlay Program. She said staff based the costs on estimates the City received and on past experience with the bidding process. She noted that the City could delay the overlay of NE 175th Street from I-5 to 15th Avenue NE until next year in the hope that capital projects on 175th Street west of I-5 would be finished, allowing the City to overlay the entire 175th Street corridor at the same time.

In response to Councilmember Hansen, Ms. Perkins said the Shoreline Fire Department is coordinating the construction of the fire station at NE 155th Street with the City to prevent disruption of the roadway after the overlay.

In response to Mayor Jepsen, Ms. Perkins explained that the overlay contract specifies the grinding and removal of the roadway surface to make the overlay level with existing gutters.

In response again to Mayor Jepsen, Ms. Perkins said the widening of the shoulder on the south side of Richmond Beach Saltwater Park Road will be an extension of the roadway pavement. She explained that a raised shoulder would channel stormwater to the lower parking lot and necessitate the installation of an expensive catch basin.

Councilmember Gustafson moved to authorize the City Manager to execute an interlocal agreement with the King County Department of Roads and Transportation Division (not to exceed the amount of $590,000) to complete the identified projects listed in the 1999 Overlay Program. Councilmember Lee seconded the motion, which carried 7-0.

(c) Motion to authorize the City Manager to sign the interlocal agreement between the City and King County and continue to contract with King County for municipal court services

Steve Oleson, Budget Analyst, reviewed the staff report.

Councilmember Ransom moved to authorize the City Manager to sign the interlocal agreement between the City and King County and continue to contract with King County for municipal court services. Councilmember King seconded the motion.

Councilmember Ransom said the City does not seem to benefit under the new contract from City cost-saving initiatives such as the program using volunteers to call people to remind them to appear in court. Mr. Deis explained that the contract negotiations focused on revenues. He said the contract decouples the City from costs: the 75 percent of municipal-generated revenue that the County retains will represent full payment for court services.

Councilmember King noted concern of some members of the Suburban Cities Association about some elements of the proposed contract. She asked if Shoreline must pay for a portion of the new regional justice system proposed for the eastside. Mr. Oleson said the City is only required to pay for a portion of those capital projects that benefit every court within the County system. He noted that Bellevue, Redmond and other eastside cities must address the capital costs of the regional justice system proposed for the eastside in a separate agreement with the County.

In response to Councilmember King, Mr. Oleson mentioned that Lake Forest Park has expressed interest in joining with Shoreline and Kenmore in using the Shoreline District

Court. He said Lake Forest Park's portion of the combined caseload would be small, and Shoreline would retain authority as the primary user of the district court.

Councilmember Lee asked how the City can insure that the County will fully support interpretive language services. Mr. Olcson mentioned the Management Review Committee as one means of addressing this issue. Noting that the court needs these services for felony cases, he asserted that it works diligently to insure a well-stocked pool of interpreters.

A vote was taken on the motion to authorize the City Manager to sign the interlocal agreement between the City and King County and continue to contract with King County for municipal court services. The motion carried 7-0.

(d) Ordinance No. 194 extending a moratorium on the acceptance of applications for and issuance of land use, building and development permits for adult retail uses

Bruce Disend, City Attorney, noted that a consortium of cities is working to address the new type of large adult retail businesses. He said the consortium has completed most of its research of the potential adverse impacts of such businesses, but it is still working on a model ordinance. He anticipated that this will be the last extension that staff requests of Council.

Deputy Mayor Montgomery moved approval of Ordinance No. 194 extending a moratorium on the acceptance of applications for and issuance of land use, building and development permits for adult retail uses. Councilmember Hansen seconded the motion.

Councilmember Ransom asserted that the public is generally concerned about the extension of emergency moratoriums.

A vote was taken on the motion to approve Ordinance No. 194 extending a moratorium on the acceptance of applications for and issuance of land use, building and development permits for adult retail uses. The motion carried 7-0.

9. CONTINUED PUBLIC COMMENTS

MEETING EXTENSION

At 10:00 p.m., Councilmember Hansen moved to extend the meeting until 10:15 p.m. Councilmember Lee seconded the motion, which carried unanimously.

(a) Bill Griffin, 19620 24th Avenue NW, asserted the serious implications of locating parking for the new Richmond Beach Library under the building. He pointed out that KCLS conducted a variety of studies and held a number of public meetings

before finalizing the design of the building. He said the changes that Council suggested may entail new requirements under the State Environmental Policy Act and a new EIS.

(b) LaNita Wacker, 19839 8th Avenue NW, mentioned the shootings in Littleton, Colorado the previous week. She encouraged people to reach out to the alienated and outcast. She advocated the protection of the civil rights of children, especially the First Amendment right of free expression.

(c) Ann Schulz, 2606 NW 196th Street, questioned the cost and zoning implications of delaying the construction of the new Richmond Beach Library. She asked what responsibility the City is willing to bear for increased costs of delay and redesign.

Mayor Jepsen said soil studies and surface water analysis still must be performed for the new library. He noted that KCLS must reconsider the library design in the light of new program requirements. He asserted there is an opportunity for a quick conceptual reconsideration of the parking at the library. He commented that KCLS will submit its building permit before Council adopts new building codes in August.

10. ADJOURNMENT

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

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Sharon Mattioli, CMC
City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as April 29, 1999
DEPARTMENT:	Finance
PRESENTED BY:	Al Juarez, Financial Operations Supervisor

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to approve expenses formally at the meeting. The following claims expenses have been reviewed by C. Robert Morseburg, Auditor on contract to review all payment vouchers.

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of $560,417.98 specified in the following detail:

Payroll and benefits for April 4 through April 17, 1999 in the amount of $236,805.53 paid with ADP checks 2765-2818, vouchers 160001-160098, benefit checks 000208-000213 and

the following claims examined by C. Robert Morseburg paid on April 16, 1999:

Expenses in the amount of $58,447.70 paid on Expense Register dated 4-16-99 with the following claims checks: 000063-000092 and

Expenses in the amount of $14,071.24 paid on Expense Register dated 4-16-99 with the following claims checks: 000094-000106 and

the following claims examined by C. Robert Morseburg paid on April 27, 1999:

Expenses in the amount of $62,712.38 paid on Expense Register dated 4-20-99 with the following claims checks: 000113-000135 and

Expenses in the amount of $1,489.83 paid on Expense Register dated 4-22-99 with the following claims checks: 000137-000150 and

Expenses in the amount of $10,718.79 paid on Expense Register dated 4-23-99 with the following claims checks: 000152-000173 and

Expenses in the amount of $75,785.32 paid on Expense Register dated 4-23-99 with the following claims checks: 000175-000187 and

Expenses in the amount of $100,387.19 paid on Expense Register dated 4-23-99 with the following claims checks: 000189-000202.

Approved By: City Manager ... City Attorney ...

Council Meeting Date: May 10, 1999 **Agenda Item: 7(c)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	**Adoption of an Interlocal Agreement with King County so the City May Receive Federal and County Funds to Complete Curb Ramp Improvements and Budget Amendment (Ordinance No. 196) for Revenue and Expenditure Authority for the Federal and King County Funds and Additional Funds the City Has Received From the Transportation Improvement Board (TIB) for Sidewalk Projects on Meridian and NE 155th Street.**
DEPARTMENT:	**Public Works**
PRESENTED BY:	**Michael A. Gillespie, City Engineer**

EXECUTIVE / COUNCIL SUMMARY

On November 9, 1998, your Council adopted the City's first Capital Improvement Program (CIP). This CIP included funds in 1999 for the Curb Ramp Program ($100,000) and the Pedestrian Improvement Program ($50,000).

The goal of the curb ramp program is to increase accessibility to the community by installing curb ramps, audible alerts, wheelchair loops, and wheelchair pads (at bus stops) to Americans with Disabilities Act (ADA) standards. The Pedestrian Improvement Program was designed to provide match funds for sidewalk construction grants awarded to the City. Staff is returning to your Council at this time because the City has been awarded additional funds for both of these programs in 1999.

In 1999, the City has $111,000 available in Community Development Block Grant (CDBG) funds for the Curb Ramp Program. This is $36,000 more CDBG revenue than budgeted in the CIP for 1999. These additional funds are available because the entire CDBG revenue was not spent in 1998. See Table I on page 4 of this report for Curb Ramp Program budget information.

In addition to the additional CDBG funds for 1999, the County has secured $80,440 in federal funds that they are transferring to Shoreline to enhance the Curb Ramps Program. These funds were not anticipated by staff or included in the CIP. The County will also provide half of the grant match requirement ($12,560) with Shoreline by giving the City $6,280. Funds exist in the Curb Ramp Program to provide the City's match of $6,280. To secure the funds from King County, we must enter into an interlocal agreement, and your Council must adopt Ordinance 196 (Attachment A) to provide budget authority to utilize these funds as well as the additional CDBG funds.

Staff would use these additional funds to complete curb ramp improvements along specific corridors (see page 3 of this report) that are transit routes, close to public facilities or group homes, and have a high number of citizen requests. These corridors include sections of 185th Street and Meridian Avenue.

In addition to the federal funds we will receive through King County, the City's application for a $133,000 grant from the State Transportation Improvement Board (TIB) for new sidewalk construction has been selected by the Board. These sidewalk locations are NE 155th Street (between Aurora Avenue N and Westminster Way) and Meridian Avenue N (between NE 172nd Street and NE 175th Street along Ronald Bog Park). Should your Council decide to vacate Westminster Way, the sidewalk project on the north side of 155th will not be impacted as the new sidewalk will end at Westminster Way.

The City's match requirement for the TIB projects will be $33,250 or 20% of the total project cost of $166,250. The match funds come from the Pedestrian Improvement Program. Once the match funds are taken into consideration, $16,750 will remain available for program formulation that will include field inventory of sidewalks and a priority ranking process for future sidewalk construction.

In order to utilize the TIB funds, staff recommends that your Council provide revenue and expenditure authority as these projects were not specific CIP projects.

RECOMMENDATION

Staff recommends that your Council authorize the City Manager to execute an interlocal agreement with King County to accept federal grant funds and the County's match for a total of $86,720 to enhance the City's curb ramp program. Staff also recommends that your Council adopt Ordinance No. 196 as a budget amendment to provide expenditure and revenue authority for the aforementioned grant funds, additional Community Block Grant Funds, and the Transportation Improvement Board funds to construct sections of sidewalk on Meridian Avenue N and NE 155th Street.

Approved By: City Manager LB City Attorney ___

BACKGROUND / ANALYSIS

On November 9, 1998, your Council adopted the City's first Capital Improvement Program (CIP). This CIP includes a Curb Ramp Program to construct curb ramps at locations throughout the City that meet Americans with Disabilities Act (ADA) standards. This program will also include accessibility enhancements such as wheelchair detection loops and audible pedestrian signals at signalized intersections. The goal of this program is to increase accessibility to the community. The CIP also included a Pedestrian Improvement Program that will provide grant match funding for construction of new sidewalks and will fund the creation of a sidewalk inventory and priorities for construction beginning in the year 2000.

Curb Ramp Program

In 1998, the City was awarded $159,749 from the Community Development Block Grant (CDBG) program for the City's Curb Ramp Program in 1998 and 1999. Of this CDBG award, $111,000 remains for the Curb Ramp Program in 1999. However, $100,000 was budgeted in the CIP for design and construction of 1999 Curb Ramp Program improvements as staff budgeted $75,000 in CDBG funds and $25,000 in Road Capital funds. The attached budget amendment, Ordinance 196, will provide expenditure authority for the $11,000 additional CDBG curb ramp funds.

Staff is also returning to your Council at this time because we received notification from the King County Transit Department that they have secured $80,440 in federal funds to be used in Shoreline by the end of 2000. These funds must be spent to remove barriers to access to public transportation for people with disabilities by upgrading existing bus zones and pedestrian connections. The match required for these federal funds is $12,560, and King County and Shoreline will each pay half ($6,280). Funds exist within the 1999 Curb Ramp Program to provide this $6,280 match.

The combination of CDBG and federal funds (including the King County and Shoreline match) results in $193,000 that will be available in1999 for curb ramps, audible alerts, wheelchair loops and wheelchair pads at bus stops. In 1999, staff has chosen to focus on completing curb ramp improvements on the following corridors: NE 185th Street (between Aurora Ave and 1st Ave NE) and Meridian Ave N (between NE 155th Street and NE 172nd Street). Audible alerts will be located at the following intersections: NE 175th Street and 15th Ave NE; Linden Ave and NE 185th Street; and Fremont Ave and NE 185th Street. Wheelchair loops will be placed at two intersections: 1st Avenue NE and NE 185th Street and Meridian Ave and NE 155th Street.

These corridors and audible alert/wheelchair loop locations were chosen because they are along transit routes, close to civic centers or group homes, and have a high number of citizen requests. Table I below summarizes the revenues and expenditures for the 1999 Curb Ramp Program.

Table I. Curb Ramp Program Revenue and Expenditure

REVENUES	
CDBG Funds for Curb Ramps Program	$111,000
Federal Grant for Curb Ramp Program	$ 80,440
County Match for Curb Ramp Program	$ 6,280
Total Revenue	**$ 197,720**
EXPENDITURES	
CDBG Funds for Curb Ramps Program	$111,000
Federal Grant for Curb Ramp Program	$ 80,440
County Match for Curb Ramp Program	$ 6,280
City Match for Curb Ramp Program	$ 6,280
Total Expenditures	**$204,000**

Meridian Ave N and NE 155th Street Sidewalk Projects

There are two highly traveled pedestrian areas in Shoreline for which staff has actively been seeking funds to install new sidewalks: The north side of NE 155th Street (between Aurora and Westminster Way) and the east side of Meridian Avenue N (between N 172nd Street and NE 175th Street along Ronald Bog Park). On April 7, 1999, the City was notified that both of these projects were chosen for funding by the State Transportation Improvement Board (TIB). The funds for the TIB program are approved by the State legislature, and the projects were chosen by the TIB itself.

The sidewalk construction project on the north side of N 155th Street between Aurora and Westminster Way will provide a safe sidewalk in this high use pedestrian area that is surrounded by shopping centers, bus stops, and a high volume of vehicle traffic on all sides. If Council decides to vacate Westminster Way, this sidewalk project will not be impacted as the sidewalk will end at Westminster Way. The total project cost is $87,500, and TIB will provide 80% or $70,000. The City's match for this project is $17,500. See Table 2 below for the total TIB funds the City will receive and the City's match requirement to complete these two sidewalk projects.

Construction of the section of sidewalk along Ronald Bog Park on Meridian Ave N will complete the only missing section of sidewalk on Meridian Ave N between NE 145th Street and NE 205th Street. The total cost of the project is $78,750, and TIB will provide 80% or $63,000. The City's match for this project is $15,750.

Table 2. Sidewalk Expenditure Responsibility

	TIB Funds	City Match	Total Project Cost
Meridian Ave N	$ 63,000	$ 15,750	$ 78,750
N 155th Street	$ 70,000	$ 17,500	$ 87,500
Total	$133,000	$ 33,250	$166,250

The City will receive a total of $133,000 from TIB to complete these two sidewalk projects. The funds will become available on July 1, 1999, and the projects must be completed by July 1, 2001. Staff expects the projects to be constructed by the year 2000 (weather permitting). The sidewalks will be constructed utilizing the City's design standards.

Although these projects were not specifically included in the CIP, the City's matching funds for this program were budgeted within the Pedestrian Improvement Program (page 31 in the CIP). In 1999, there is $50,000 budgeted for Pedestrian Improvements. After providing match funds in the amount of $33,250 for the two sidewalk projects, staff will utilize the remaining $16,750 to perform a sidewalk inventory and create new sidewalk priorities for construction beginning in the year 2000.

RECOMMENDATION

Staff recommends that your Council authorize the City Manager to execute an interlocal agreement with King County to accept federal grant funds and the County's match for a total of $86,720 to enhance the City's curb ramp program. Staff also recommends that your Council adopt Ordinance No. 196 as a budget amendment to provide expenditure and revenue authority for the aforementioned grant funds, additional Community Block Grant Funds, and the Transportation Improvement Board funds to construct sections of sidewalk on Meridian Avenue N and NE 155th Street.

ATTACHMENTS

Attachment A: Ordinance No. 196

Attachment A: ORDINANCE 196

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE NO. 184, AS AMENDED, BY INCREASING THE APPROPRIATION FROM THE GENERAL FUND AND AUTHORIZING EXPENDITURES FOR WASTE RECYCLING PROGRAMS

WHEREAS, the 1999 Budget was adopted in Ordinance No. 184; and

WHEREAS, the City has included capital projects for sidewalks and curb ramps in the 1999 Budget and the Six-Year Capital Improvement Fund due to the importance of providing safe and accessible pedestrian corridors and access to public transportation for all citizens; and

WHEREAS, the City has received notification of the award of $25,000 in additional Community Development Block Grant funds for the City's Curb Ramp Program, $86,720 in Federal and County grant funds for the City's Curb Ramp Program to be spent on the removal of barriers to access to public transportation for people with disabilities by upgrading existing bus zones and pedestrian connections, and $133,000 from the State Transportation Improvement Board to construct two new sidewalk projects; and

WHEREAS, the City has $11,000 in remaining Community Development Block Grant funds from 1998 that can be utilized in 1999 for the City's Curb Ramp Program; and

WHEREAS, the City of Shoreline is required by RCW 35A.33.075 to include all revenues and expenditures for each fund in the adopted budget;

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

Section 1. Amending Section 2 of Ordinance No. 184. The City hereby amends Section 2. of Ordinance No. 184, the 1999 Annual Budget, by increasing the appropriation from the Roads Capital Fund by $255,720 to $8,423,181 and by increasing the Total Funds appropriation to $54,602,405 as follows:

General Fund	$22,499,191	
Development Services Fund	2,846,447	
Street Fund	3,991,121	
Arterial Street Fund	594,860	
Surface Water Mgmt. Fund	5,178,777	
General Capital Fund	7,248,574	
Roads Capital Fund	~~8,167,461~~	8,423,181
Surface Water Capital	1,092,850	
General Reserve Fund	1,583,084	
Asset Depreciation Fund	721,835	
Equipment Rental Fund	147,983	
Unemployment Fund	44,042	
Advance Travel Fund	5,460	
Agency Fund	225,000	
Total Funds	~~$ 54,346,684~~	$ 54,602,405

Section 2. Funds for Curb Ramp Program. The City Manager is hereby authorized to expend an additional sum of $104,000 from the Roads Capital Fund for the purposes of removing barriers to access to public transportation for people with disabilities by upgrading existing bus zones and pedestrian connections. This consists of $11,000 in additional CDBG funds, and $93,000 in Federal ($80,440) and County ($6,280) grant funds and City Match ($6,280) dollars.

Section 3. Funds to Design and Construct Capital Improvement Projects. The City Manager is hereby authorized to expend the sum of $133,000 from the Roads Capital Improvement Fund for the design and construction of two new capital improvement projects as follows:

NE 155th Street Aurora Avenue and Westminster Way	$ 70,000
Meridian Avenue – NE 172nd Street to NE 175th Street	63,000
	$ 133,000

Section 4. Net Impact on Roads Capital Fund. This ordinance increases the resources for the Roads Capital Fund by $255,720, increases the expenditure authority for the Roads Capital Fund by $237,000, and increases the budgeted ending fund balance to $6,446,321 for a net increase of $18,720.

Section 5. 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 6. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON MAY ____, 1999.

_____
Mayor Scott Jepsen

ATTEST:

_____
Sharon Mattioli
City Clerk

APPROVED AS TO FORM:

_____
Bruce L. Disend
City Attorney

Date of Publication: _____, 1999
Effective Date: _____, 1999

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of an Interlocal Agreement with the Washington State Department of Transportation for Maintenance of Operations of Traffic Signals along Ballinger Way
DEPARTMENT:	Public Works
PRESENTED BY:	Gail Perkins, Public Works Operations Manager

EXECUTIVE / COUNCIL SUMMARY

Annexation Area A-3 became a part of the City of Shoreline on November 2, 1998. At that time, the City assumed jurisdictional responsibility for the traffic signal maintenance on Ballinger Way (SR 104) at 15th Avenue and 19th Avenue. Prior to the annexation, the Washington State Department of Transportation (WSDOT) was providing maintenance for these two traffic signals, as it does for all State Routes in unincorporated areas of the County. The maintenance performed included annual lamp replacement, monthly controller inspection and repair of the electronics and emergency response. Now that these signals are within the City's boundaries, they become our responsibility in the same way we are responsible for signals along State Route 99 (Aurora Avenue). Staff is recommending that WSDOT continue to provide the maintenance of these signals for consistency of timing through the 205th and Ballinger corridor.

On January 15, 1999, WSDOT sent a letter to the City requesting that the City sign an agreement which would obligate the City to reimburse the State for maintenance of the traffic signals at these two intersections. At that time staff requested a detailed inventory and assessment of these traffic signals with a cost estimate to maintain them on an annual basis. The equipment is currently operating very reliably and does not exhibit any anomalies that might make them candidates for replacement in the near future. Maintenance logs show no unusual problems. While it is virtually impossible to forecast exactly what emergency maintenance will be required, for the following estimate it was assumed that there would be three call outs annually after the standard 40-hour work week, or weekend problems requiring electronics technicians or signal crews. Additionally WSDOT would assume a full maintenance program to include annual lamp replacement, monthly controller inspection and repair of the electronics as well as engineering support. Under the terms of the proposed agreement, the State will continue maintenance of the signals for an estimated annual rate of $3,000 per intersection. There are currently sufficient funds for annual operation costs of $6,000 for these two signals under the street operation intergovernmental/interfund services.

The City would benefit from WSDOT continuing the maintenance and operation of these traffic signals. The traffic volumes along the SR 104 area are very high and require constant timing to maintain good traffic flows. These signals are interconnected for timing with the other signals already maintained by WSDOT along SR 104 extending from SR 99 to 25th Avenue.

RECOMMENDATION

Staff recommends that your Council authorize the City Manager to execute an interlocal agreement with the Washington State Department of Transportation for maintenance of traffic signal operations on the two intersections on Ballinger Way.

Approved By: City Manager LB City Attorney ___

Council Meeting Date: May 10, 1999 **Agenda Item: 8(a)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	A Public Hearing Approving Adoption of Ordinance No. 192 Extending the Moratorium on the Creation of Lots Less than 7200 Square Feet in the R-4 and R-6 Residential Zones
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director James Holland, Senior Planner

EXECUTIVE / COUNCIL SUMMARY

On March 22, 1999, your Council approved emergency adoption of City Ordinance No. 192. This ordinance extended for six months the moratorium on the creation of building lots smaller than 7,200 square feet in the R-4 and R-6 residential zones originally established by City Ordinance No. 170. As part of this action, Council directed staff to return within 60 days to conduct a public hearing for this ordinance. The purpose of this agenda item is to provide for the required public hearing on City Ordinance No. 192.

The moratorium on the creation of building lots smaller than 7,200 square feet in area in the R-4 and R-6 zones was originally adopted by your Council in September 1998 in order to prevent a serious threat to the orderly development of land within the City. Based upon the Shoreline Comprehensive Plan policy to use a 7,200 square foot lot size standard for future residential development, the Planning and Development Services Department was receiving a sizeable number of inquiries about adoption of new lot size standards. In order to avoid a rush to vest under the 5,000 square foot lot size standard while new regulations were being prepared to implement the Shoreline Comprehensive Plan, the City placed an emergency moratorium on the creation of these lots. Adoption of this moratorium prevented the vesting rush for 5,000 square foot lots, preserved the effectiveness of the comprehensive plan policies and retained available development land for potential use under new regulations to be prepared by the City. Your Council adopted the Shoreline Comprehensive Plan in November 1998 and established the production and adoption of land development regulations that implement the plan as the priority goal of the City's 1999 work plan.

In accordance with your Council's 1999 work plan, the Planning and Development Services Department has begun work on revising the City's present land development regulations. The first phase of the code revision process is currently underway and will conclude in late June when proposed amendments to the administrative provisions of the existing codes are forwarded to your Council. The second phase of the code revision process will be completed in the fall when proposed amendments to the

existing land development standards will be presented to your Council for review and public hearing. New standards governing the development of land in the R-4 and R-6 residential zones (including building lot sizes) will be addressed during this process.

In keeping with the provisions of City Ordinance No. 170 that established the moratorium on the creation of lots smaller than 7,200 square foot in the R-4 and R-6 zones, City Ordinance No. 192 regulates only the creation of new building lots. Applications for short and long subdivisions that meet the 7,200 square foot standard will be reviewed under existing regulations governing building size, height, setbacks and the like.

The information provided in this report, together with the findings made by Ordinance No. 192, demonstrate that an emergency continues to exist and that unless the present moratorium is confirmed, new residential development will be allowed that is contrary to the goals and policies of the Shoreline Comprehensive Plan and the character of established city neighborhoods. The moratorium on the creation of new residential building lots smaller than 7,200 square foot in size is necessary for preservation of the public health, safety and welfare and the support of City government until permanent land development regulations are adopted. State law (RCW 35A.63.220) requires that a public hearing be held on any emergency land use control within 60 days of its adoption. The public hearing scheduled before your Council for May 10, 1999 will meet this requirement.

RECOMMENDATION

Staff recommends that your Council hold a public hearing and confirm its adoption of City Ordinance No. 192, a six month moratorium on the filing, acceptance or approval of applications for the development of land within the R-4 and R-6 residential zones that would create building lots less than 7,200 square foot in area. This moratorium would remain in effect until September 23, 1999.

Approved By: City Manager IB City Attorney OD

ATTACHMENTS

Attachment A: City Ordinance No. 192, An Ordinance Declaring an Emergency and Extending a Moratorium for Six Months on the Filing, Acceptance, or Approval of Any Applications for the Subdivision of Land Within the R-4 and R-6 Residential Zones Which Would Result in the Creation of Any Lot Containing Less Than 7,200 Square Foot in Area.

Attachment B: City Ordinance No. 170, An Ordinance Imposing a Moratorium for Six Months on the Filing, Acceptance, or Approval of Any Application for the Subdivision of Land Within R-4 and R-6 Zones Which Would Result in the Creation of Any Lot Which Contains Less Than 7,200 Square Feet in Area, and Declaring an Emergency

ORDINANCE NO. 192

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, DECLARING AN EMERGENCY AND EXTENDING A MORATORIUM FOR SIX MONTHS ON THE FILING, ACCEPTANCE OR APPROVAL OF ANY APPLICATIONS FOR THE SUBDIVISION OF LAND WITHIN THE R-4 AND R-6 RESIDENTIAL ZONES WHICH WOULD RESULT IN THE CREATION OF ANY LOT CONTAINING LESS THAN 7,200 SQUARE FEET IN AREA

WHEREAS, On September 28, 1998, the City Council adopted City Ordinance No. 170, which established a six month moratorium on the creation of building lots less than 7,200 square feet in area in the R-4 and R-6 residential zones; and

WHEREAS, in accordance with the requirements of the Growth Management Act (RCW 36.70A), the City Council adopted the City of Shoreline Comprehensive Plan on November 23, 1998; and

WHEREAS, under the provisions of the Growth Management Act the City is required to adopt development regulations implementing the City of Shoreline Comprehensive Plan by no later than November 23, 1999; and

WHEREAS, the City has initiated a public outreach and planning process for the production of new land development regulations; and

WHEREAS, new regulations governing the submission and review of land use applications are scheduled to be submitted to the Shoreline Planning Commission for public review in June of this year; and

WHEREAS, new regulations providing revised standards for the development of land in all zoning districts within the City of Shoreline will be submitted to the Planning Commission for public review in October 1999; and

WHEREAS, the above schedule for production of new development regulations requires the City to continue regulating land use applications under the provisions of the interim zoning code (Title 21A of the King County Code, adopted on June 26, 1995 by City Ordinance No.11) until the review and adoption process is completed; and

WHEREAS, since the adoption of City Ordinance No. 170, the continued review of subdivision applications vested under previous regulations and proposing the creation of residential building lots smaller than 7200 square feet in area in the R-6 residential zone has led to additional concerns being expressed by citizens about their impact on established neighborhoods; and

WHEREAS, policy provisions of the City of Shoreline Comprehensive Plan support new residential development that is compatible with existing neighborhoods; and

WHEREAS, existing land use regulations do not provide development standards that require the integration of new residential development with existing neighborhoods; and

WHEREAS, the acceptance of development applications proposing the creation of residential building lots of less than 7200 square feet in area will potentially impose significant harm on the City by allowing land that is available for new residential development to be subdivided and developed in a manner that is incompatible with existing neighborhoods; and

WHEREAS, a six month extension of the present moratorium on certain subdivision activities will allow the City to preserve planning options and prevent a substantial change in the character of the City pending the final adoption of new development regulations; and

WHEREAS, the density level resulting from the creation of lots smaller than 7200 square feet in the R-4 and R-6 zones potentially conflicts with the Shoreline Comprehensive Plan Goals for public safety and public services (e.g. schools, emergency services, roadways, utilities); and

WHEREAS, the continued development of lots smaller than 7200 square feet in the R-4 and R-6 zones may make the effective protection of environmentally sensitive areas more difficult under both existing and future land development regulations; and

WHEREAS, the continued creation of such lots may be inconsistent with the City of Shoreline Comprehensive Plan goals for orderly growth and harmonious development; and

WHEREAS, the City Council has determined that the integrity of existing land uses, the Comprehensive Plan, and the State Growth Management Act planning process will suffer significant harm unless the moratorium preventing the creation of residential building lots smaller than 7200 square feet in area in the R-4 and R-6 zones is extended; and

WHEREAS, the potential adverse impacts upon the public health, safety, and welfare, as outlined herein, justify the declaration of an emergency;

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

Section 1. Finding of Fact. Based upon the testimony received at the public hearing held on November 23, 1998 on the adoption of City Ordinance No. 170, which are

incorporated herein as if fully set forth, the Findings of Fact in Ordinance No. 170 and the Findings of Fact set forth in this Ordinance, the City Council now makes the following Findings of Fact. The continued imposition of a moratorium on the creation of residential building lots smaller than 7200 square feet in area in the R-4 and R-6 residential zones will allow the City Council to proceed with the review and adoption of permanent development regulations that promote the creation of new residential development that is consistent with the character of established residential neighborhoods, is supported by adequate infrastructure, and protects key elements of the natural environment.

Section 2. Moratorium Extended. The moratorium adopted in Ordinance No. 170 upon the filing, acceptance, or approval of any application for the subdivision of land in the R-4 and R-6 zones which would result in the creation of any building lot of less than 7200 square feet in area, is hereby extended for a period of 180 days

Section 3. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing upon the moratorium extension established by this Ordinance shall be held within 60 days of the adoption of this Ordinance.

Section 4. Effective Period of Moratorium. This moratorium shall be effective immediately upon the expiration of the moratorium established by Ordinance No. 170, March 27, 1999, and shall thereafter continue in effect for 180 days.

Section 5. SEPA Exemption. Pursuant to Ordinance No. 52, Adopting King County SEPA regulations, and Washington Administrative Code Section 197-11-880, the City Council finds that an exemption under SEPA for this action is necessary to prevent an imminent threat to public health and safety and to prevent an imminent threat of serious environmental degradation through continued development under existing regulations. The City shall conduct SEPA review of any permanent regulations proposed to replace this moratorium.

Section 6. 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. Effective Date. This Ordinance, as an emergency ordinance necessary for the protection of the public health, safety and welfare, shall take effect and be in full force immediately upon its adoption.

old192

Section 8. Publication. This ordinance, or a summary thereof, shall be published in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON MARCH 22, 1999.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Bruce L. Disend
City Attorney

Date of Publication: March 25, 1999
Effective Date: March 22, 1999

old192

ORDINANCE NO. 170

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, IMPOSING A MORATORIUM FOR SIX MONTHS ON THE FILING, ACCEPTANCE OR APPROVAL OF ANY APPLICATION FOR THE SUBDIVISION OF LAND WITHIN R-4 AND R-6 ZONES WHICH WOULD RESULT IN THE CREATION OF ANY LOT WHICH CONTAINS LESS THAN 7,200 SQUARE FEET IN AREA, AND DECLARING AN EMERGENCY

WHEREAS, the City of Shoreline was incorporated on August 31, 1995; and

WHEREAS, following incorporation, the City had need to adopt an interim Comprehensive Plan and zoning code; and

WHEREAS, pursuant to RCW 35A.63, the City Council adopted King County's 1994 Comprehensive Plan (per Ordinance No. 10) as the City's interim comprehensive plan, and adopted King County Code, Title 21A, as the City's interim zoning code (per Ordinance No. 11); and

WHEREAS, in conformance with the State Growth Management Act, the City Council is in the process of developing a new Comprehensive Plan which will result in the adoption of a new zoning code and land use regulations consistent with the plan; and

WHEREAS, substantial concerns have arisen within the community relating to the zoning provision which permits subdivisions of land in R-4 and R-6 zones resulting in lots which contain less than 7,200 square feet in area; and

WHEREAS, one of the major concerns of Shoreline residents, and one of the major concerns of the City Council, is the impact of land use decisions on the Shoreline community; and

WHEREAS, the City Council needs time to study the existing and anticipated land use conditions within the City in order to finalize the Comprehensive Plan and to develop regulations necessary to implement the Plan; and

WHEREAS, as part of this planning process, the City Council needs time to determine whether subdivisions in the R-4 and R-6 zones which create lots which are less than 7200 square feet in area, either through the long plat or short plat process, will be consistent with the Comprehensive Plan and the regulations in support thereof; and

WHEREAS, RCW 35A.63.220 provides that the City Council may adopt ordinances establishing moratoria on land use development; and

WHEREAS, the Growth Management Act, RCW 36.70A.390, also provides that the City Council may adopt ordinances establishing moratoria on land use development; and

WHEREAS, a moratorium for six months on certain subdivision activities will allow time for the City Council to complete the adoption of the Comprehensive Plan and prevent a substantial change in the character of the City pending final adoption; and

WHEREAS, the City Planning Commission has studied the potential impacts of small lot development in the R-4 and R-6 zones upon the community and found that the density level resulting from the addition of lots smaller than 7200 square feet, prior to the development of adequate infrastructure, may conflict with the King County Plan goals for public safety and public services; and

WHEREAS, the Planning Commission has found that the level of density which could result from the addition of smaller lots in the R-4 and R-6 zones could reasonably be expected to conflict with the anticipated Shoreline Comprehensive Plan goals for public safety and public services (e.g. schools, emergency services, roadways, utilities); and

WHEREAS, the Planning Commission has found that King County regulations require protection of environmentally sensitive areas (e.g. wetlands, drainage basins, and steep slopes), and the City of Shoreline regulations enacted following adoption of the Comprehensive Plan will likely have similar requirements, the continued development in the R-4 and R-6 zones of lots which are smaller than 7200 square feet may make protection of such areas more difficult; and

WHEREAS, the Planning Commission has found that the level of density that could result from the addition of lots smaller than 7200 square feet may conflict with the King County Plan goals calling for development to provide for: a) economic, social and aesthetic advantages of orderly growth; b) harmonious groupings of compatible, complementary land uses; and c) the application of appropriate development standards in order to minimize adverse impacts of uses; and

WHEREAS, the Planning Commission has found that such lots may be inconsistent with anticipated future City of Shoreline goals for orderly growth, harmonious development, and/or standards which regulate development; and

WHEREAS, the City Council has determined that the City of Shoreline's land use integrity, and the State Growth Management Act planning process, will suffer significant harm unless immediate action is taken to impose a moratorium on the filing, acceptance or approval of applications for subdivisions of land in R-4 and R-6 zones that would result in lots which contain less than 7,200 square feet in area; and

WHEREAS, the City Council wishes to limit the imposition of a moratorium on the subdivision of land for a reasonable time, and in a reasonable manner, so that the City will have an opportunity to complete development of the Comprehensive Plan and to consider appropriate changes to the City's land use regulations; and

WHEREAS, the potential adverse impacts upon the public health, safety, and welfare, as outlined herein, justify the declaration of an emergency;

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

Section 1. Moratorium. Pursuant to RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby established on the filing, acceptance or approval of any application for the subdivision of land in R-4 and R-6 zones which would result in the creation of any lot which is less than 7,200 square feet in area.

Section 2. Effective Period of Moratorium. Pursuant to RCW 35A.63.220, and RCW 36.70A.390, the moratorium imposed hereby shall become effective immediately upon adoption of this Ordinance and shall continue in effect for six months following the effective date unless repealed, extended or modified by the City Council after a subsequent public hearing and entry of appropriate findings of fact.

Section 3. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing on the moratorium established by this Ordinance shall be held within sixty days of the adoption of this Ordinance.

Section 4. SEPA Exemption. Pursuant to Ordinance No. 52, adopting King County SEPA regulations, and the Washington Administrative Code (WAC 197-11-880), the City Council finds that an exemption under SEPA for this action is necessary to prevent an imminent threat to public health and safety and to prevent an imminent threat of serious environmental degradation through continued development under the existing regulations. SEPA review of any permanent regulations proposed during the course of this moratorium shall be conducted.

Section 5. Construction. This Ordinance shall not be construed or interpreted to invalidate any vested right of a completed application filed with the City prior to the effective date of this Ordinance.

Section 6. Severability. Should any section, sentence, clause or phrase of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date. This Ordinance, as an emergency ordinance necessary for the protection of the public health, safety and welfare, shall take effect and be in full force immediately upon its adoption.

Section 8. Publication. This ordinance, or a summary thereof, shall be published in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 28, 1998.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Bruce L. Disend
City Attorney

Date of Publication: October 1, 1998
Effective Date: September 28, 1998

ORD170.DOC

Council Meeting Date: May 10, 1999 **Agenda Item: 9(a)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 195, Rules for the Use of City Park Facilities
DEPARTMENT:	Parks, Recreation and Cultural Services
PRESENTED BY:	Larry Bauman, Assistant City Manager LB Wendy Barry, Director of Parks, Recreation and Cultural Services Dept. WB

EXECUTIVE / COUNCIL SUMMARY

The City's first newly developed parks ordinance is being presented in revised form at this time for Council adoption, following staff review of Council questions from the April 5 workshop and the redrafting of several sections. This is the first City ordinance for our parks system since your Council adopted the King County Code for parks at the time of incorporation. However, this ordinance proposes very few substantive changes from the King County Code under which the City has operated for the past three and a half years. Furthermore, there is no intent on part of staff to diverge from current enforcement procedures, which are based on a complaint-response system. This means that staff typically does not seek out violations of the parks code but responds to complaints from citizens in order to make sure that violations of the code are not interfering with typical park uses.

The draft ordinance was developed by staff in consultation with the City's Parks, Recreation and Cultural Services Advisory Committee, the Shoreline Police Department and the City Attorney. Your Council reviewed its first draft of Ordinance 195, the Rules for the Use of City Parks Facilities, at its workshop session on April 5. During the April 5 workshop, your Council had questions concerning several sections and requested that staff provide additional information on these issues (as a result, changes have been made to the proposed ordinance and are provided in a strike-through/underlined version of Rules for Use of Shoreline Park Facilities in Attachment A):

- Should we in some instances (as proposed by the April 5 draft ordinance) require groups of 15 or more to obtain a permit for their use of parks and facilities?
  - ⇒ Staff has considered Council questions and comments about this section of the ordinance (see Attachment A, Section 8.12.040) and has entirely removed the previously drafted section in the code stating the City may require permits for groups of 15 or more. Because it was unclear to the Council how the 15-person threshold was to be used, the new language in the ordinance makes it clear that parks and facilities will be available whenever possible. However, when non-routine uses would conflict with other park users, a permit would be required. The new language for Section 8.12.040 requires user permits for "...any community special or private event involving more than

routine use of a park..." This new section provides the City with authority to control conflicting uses in a more general way than what had been in the "Religious services, group rallies or musical/theatrical presentations" section, which also has been removed.

- Does the City intend to revise its enforcement program (in regard to such matters as dogs off leash) in the parks as a result of adopting a new ordinance?
  ⇒ There is no intention to change the method of enforcing the ordinance. Enforcement is primarily based on complaints in order to minimize the amount of intervention for enforcement. As in the past, enforcement by our Police Department will primarily focus on resolving conflicts as identified by complaints. The "Pets in City park facilities" section (see Attachment A, 8.12.280) of the proposed ordinance is not changed from the existing King County ordinance under which we have been operating. Regarding a Council question about whether electronic collars fit the definition of pets on leash, the answer is that they do not. Dogs and other pets must be on a physical leash.

- Do we have duplicate definitions of liquor and alcohol?
  › The duplicate definition regarding liquor and alcohol has been removed (see Attachment A, Section 8.12.010 A *and* J.).

- Would it be preferable for the city to provide flexibility to allow the use of tents and shelters used for City-sponsored events and programs?
  → Yes, at the suggestion of Council, language has been inserted to provide the City with the flexibility to erect tents and shelters as needed, such as in the cases of City-sponsored events (see Attachment A, Section 8.12.230)

- Is it possible to control rugby in City parks only for "formal" as opposed to informal games?
  ⇒ The City Attorney has indicated that this is a legal standard that would be difficult to enforce because there is no effective way to distinguish formal from informal play unless the prohibition would apply only to organized league play (there have been no requests to establish a rugby league). As you may recall, at the April 5 meeting, staff provided new language that included administrative controls on the use of parks for rugby in addition to golf (rugby had inadvertently been left out of the draft ordinance). Rugby is often destructive to park turf. As a result, staff recommends keeping the draft language that gives the Department authority to control both golf and rugby (see Attachment A, Section 8.12.310) due to the facility damage that is caused by these activities.

The proposed Ordinance No. 195, Rules for the Use of Parks Facilities, is a basic set of rules upon which the City may build in future years as experience with our parks grows and we identify use-related problems that may need to be addressed. The proposed ordinance provides staff with the basis for new public information signage that will be accomplished through posting parks codes that have been the source of most enforcement problems. Such codes as where pets are permitted, prohibition against alcohol in the parks and park hours are the most common sources of problems and questions of park users.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 195, Rules for the Use of City Parks Facilities.

Approved By: City Manager LB City Attorney BP

BACKGROUND / ANALYSIS

History

Since 1995, the City has operated under the King County Code for Parks Facilities. Prior to the April 5 workshop your Council has not had the opportunity to review this code. The King County Code has served the immediate need of the City to enforce key rules regarding the use of City parks and facilities. However, staff had not wanted to change out signage in our parks regarding code issues until your Council reviewed the Parks Facilities Code and had an opportunity to make changes. Also, it is clear that due to the size and breadth of the King County parks system, a number of its codes were inappropriate for the City's parks system. For that reason, codes dealing with issues such as boating, airplanes, clothing and horseback riding have either been removed or modified to suit the City's park usage issues (see second set of bullets below for details).

Analysis

The objective of the proposed ordinance is not to address every conceivable issue that may arise as an enforcement problem in the future. Instead, the objective is to create a basic set of codes that would address key issues, especially those that have been the biggest source of enforcement activity in the parks. The most constant enforcement problems identified by our Police Department have been the possession of alcohol in the parks and unauthorized presence in the parks after closure.

The proposed ordinance has been reviewed by the City's new Parks, Recreation and Cultural Services Advisory Committee, which contributed a number of suggested changes. The City Attorney and the Police Department have also reviewed the proposed ordinance for form, ease of interpretation and effectiveness of enforcement. A number of technical changes were made in response to their comments. City staff has also provided input derived from their own experience and from comments by park users who they contact during routine maintenance, recreation coordination and other duties in the parks. Finally, some additional changes were made following the questions and comments from Council during its April 5 review of the draft ordinance (for a full list of those questions and responses, see Executive/Council Summary). The following is a list of the key elements of the proposed ordinance including some of those that are revised from the King County Code:

- As provided in the King County Code, swimming is permitted only in designated areas. Currently no swimming areas are posted. Staff is in the process of reviewing locations where swimming may be permitted based upon water quality and overall safety. Those areas considered not to be unsafe will be posted to inform potential swimmers that lifeguards are not on duty and that swimming will be at the swimmer's risk. (See Sec. 8.12.320, Attachment A).

- No changes from the King County Code have been made in regard to pets in parks. Dogs, pets or domestic animals are permitted only in posted areas; however, in those posted areas, pets are not allowed off-leash (see Sec. 8.12.280, Attachment A). Currently, most parks have pre-existing King County signage that allows pets only on leash. No parks currently prohibit pets in any areas.

- The King County Code provided no restrictions for unscheduled groups to use our parks. The previous version of the proposed ordinance would have given staff discretion to require permits that permits for groups of 15 or more persons in order to prevent unscheduled large groups from dominating the use of a park or interfering with scheduled sports and other events. However, based upon Council concerns for clarity about how this would be administered, the ordinance has been rewritten to state that special use permits will be required only when a community special or private event would involve "...more than the routine use of a park..." (see Sec. 8.12.040, Attachment A). This revision gives the City needed flexibility to require permits for events that are not routine uses without setting an arbitrary threshold for permits based the number of people involved in these events.

- Skateboards, rollerblades—the Advisory Committee wanted to prevent the use of skateboards and rollerblades on walkways, trails, tennis courts, etc. in order to preserve safe use of these facilities for other users. The Committee, however, wanted to permit bicycles with the understanding that pedestrian trails (e.g. Richmond Beach Saltwater Park Bluff, Boeing Creek and Hamlin Park trail systems) will be marked as off limits for bicycles. In response to Council concerns about the specifics of prohibiting skateboards and rollerblades in areas where in the future the City may want to encourage their use, staff has revised this section. Instead of banning skateboards and rollerblades on "walkways, trails, tennis courts or other park facilities," this section has been simplified to state only that they are not permitted in park facilities unless otherwise designated by the Department (see Sec. 8.12.330, Attachment A). This section allows these activities in our facilities that are designed and posted for their use. It will have the effect of limiting facility damage and reducing the liability of the City.

- Park hours have been revised from the King County Code and simplified. The current rules under the County Code allow opening one half hour before sunrise and closing one hour after sunset. The proposed ordinance would allow opening 45 minutes before sunrise and closing 45 minutes after sunset. The 45-minute period was used to include the twilight times prior to sunrise and following sunset. The Advisory Committee and staff also recommended this change as a way to provide a simpler standard for hours that may be easier for park users to remember (see Sec. 8.12.350, Attachment A).

- A specific prohibition in the County Code against loitering was reviewed and considered by the City Attorney to be unconstitutional. It is impossible to judge whether a single person sitting on a park bench or a number of individuals gathered in a park area could be considered loitering, since the purposes of parks include passive and active recreation. The existing prohibition against being in a park after the closure hour as specified in the section mentioned above (see Sec. 8.12.350, Attachment A) addresses the core issue of preventing loitering after hours.

- The scope of the littering prohibition was enlarged at the request of the Advisory Committee to prohibit park users from littering on adjacent private property as well as on park property. This would prohibit park users from dropping trash "over the fence" onto private property (see Sec. 8.12.340, Attachment A).

As mentioned above, some of the King County Code sections were considered to be irrelevant to the nature of Shoreline's parks and facilities or not enforceable. As a result, King County Code sections removed from the proposed ordinance include:

- Commercial watercraft prohibited—no docks, landings or boat ramps exist in City parks and therefore no potential commercial watercraft usage.

- Aircraft—as with watercraft, no landing strips or airports exist in City parks, making this section unnecessary.

- Expulsion from parks—this section was removed because the Administrative Sanctions Code (see Sec. 8.12.550, Attachment A) provides authority for the City to revoke park privileges of those who fail to comply with the Code.

- Horseback riding—while we have retained a section prohibiting horseback riding (see Sec. 8.12.300, Attachment A), we have removed sections allowing horseback riding on specific trails or other posted areas, since no horse trails exist now or are likely to exist in the future in any City parks.

- Clothing—the County Code included a requirement for park patrons to wear clothing "sufficient to conform to community standards" that the City Attorney believed could not be enforced due to its vagueness and as a result this section was entirely removed. Existing state laws provide sufficient basis for enforcement of public indecency, including nudity and indecent exposure.

- False alarm of drowning prohibited—since no lifeguards are posted in any areas, the issue of a false drowning alarm is not relevant to City parks operations. This portion of the County Code was apparently created after some youths had pretended to be drowning at swimming areas where lifeguards were on duty.

The primary purposes of the rules in the proposed ordinance are to protect the rights of park users to mutually enjoy the City's facilities, to ensure that public and private property is respected and to preserve the park properties from damage by users. It is important to read the attached ordinance with enforcement in mind. While some code sections we have recommended deal with ongoing problems (e.g. alcohol or presence in parks after closure), other sections are included in the proposed ordinance but will probably be needed less often. These codes exist to ensure our Police Department has specific tools to deal with the variety of problems that may occasionally arise in the parks.

For example, it would continue be illegal under the proposed ordinance to deposit household or commercial garbage in a park (see Sec. 812.12.430, Attachment A). It is expected that most people would understand it is improper to use a park as a personal garbage dump, but this can occasionally be a problem in that old tires, appliances, etc. are sometimes deposited in parks. It is also illegal to possess a firearm or weapon in a park (see Sec. 8.12.490, Attachment A). Again, while this problem is not likely to occur often, it is important for the Police Department to have a clear code to prohibit anyone possessing such weapons, including concealed weapons with permits, in our parks. The Police Department has authority to enforce the Code. Our Police Officers will use this ordinance to enforce our rules in the parks, and when necessary, cite park users for specific code violations.

A new City ordinance would also allow staff to proceed with developing new signage for our parks that would highlight key enforcement problems and inform the public about these codes. The purpose of this signage is not to create a long laundry list of "don'ts" as people enter our parks. Instead, the purpose will be to draw attention to a relatively few code sections that we believe are the source of the greatest number of problems. Codes do not need to be listed on

signs in order to be enforced. However, these signs are useful as public information in the process of gaining voluntary compliance with the rules for our parks and facilities. The process of identifying specific codes most useful for each park or facility, designing the signs, selecting a vendor for their production and installing them would proceed following Council adoption of a new ordinance.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 195, Rules for the Use of City Parks Facilities.

ATTACHMENTS

A: Proposed Ordinance No. 195, Rules for Use of City of Shoreline Park Facilities

Attachment A: Proposed Ordinance No. 195, Rules for Use of City of Shoreline Park Facilities

(This is a strike-through version showing changes made since the April 5 draft. The strikes show language that has been removed and underlines show new language that has been inserted since the April 5 draft. When the final code is published, following Council adoption, it will not include the stricken language or the underlines.)

ORDINANCE NO. 195

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ADOPTING RULES FOR THE USE OF PARK FACILITIES AND REPEALING ORDINANCE NO. 48

WHEREAS, the City of Shoreline intends to provide its parks and park facilities for the mutual enjoyment of all users; and

WHEREAS, the City wishes to adopt a Park Code that reflects the needs of Shoreline parks and to regulate activities occurring within the City, and

WHEREAS, upon incorporation the City of Shoreline adopted by reference Chapter 7.12 of the King County Code, Use of Park Facilities, which will now be repealed;

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

Section 1. **Adoption of Park Code.** A new section 8.12 of the Shoreline Municipal Code, Rules for Use of City of Shoreline Park Facilities, attached hereto as Exhibit A, is hereby adopted.

Section 2. **Repeal.** Ordinance No. 48 is hereby repealed.

Section 3. **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 4. **Effective Date and Publication.** This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall become effective five days after publication.

PASSED BY THE CITY COUNCIL ON MAY , 1999.

_____ _____
Scott Jepsen, Mayor

ATTEST:

_____
Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

_____
Bruce L. Disend, City Attorney

Date of Publication:
Effective date:

8.12
RULES FOR USE OF CITY OF SHORELINE PARK FACILITIES

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~~8.12.040 Permits for groups or individuals~~

~~8.12.040~~8.12.050 Special use permits

8.12.050 Cancellation of permit

~~8.12.060 Religious services, group rallies or musical/theatrical presentations.~~

8.12.060 Building facilities' and outdoor field lights hours

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VI - MISCELLANEOUS PROVISIONS

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I - GENERAL

8.12.010 Definitions- as used in this chapter

A. "Alcoholic beverages" or "liquor" shall be defined as set forth in RCW 66.04.010 and shall include alcohol, spirits, wine and beer.

B. "Associated marine area" means any water area within one hundred feet of any City of Shoreline trail, open space, park area or marine facility such as a dock, pier, float, buoy, log boom, or other object which is part of a City of Shoreline park area, provided that such area does not include private property.

C. "Camping" means erecting a tent or shelter or arranging bedding or both for the purpose of, or in such a way as will permit, remaining overnight; or, parking a trailer, van, recreational vehicle, bus, camper, or other vehicle for the purpose of remaining overnight.

D. "Department" means the City of Shoreline Parks, Recreation and Cultural Services Department.

E. "Facility" or "Facilities" means any building, equipment, sign, material, shelter, swimming pool, or other physical property including but not limited to administered trees, shrubs, plants, lawns, play equipment, picnic areas, athletic fields, trails, or structures, by the City of Shoreline Parks, Recreation and Cultural Services Department.

F. "Department employee" means a duly appointed City of Shoreline Parks, Recreation and Cultural Services Department employee.

G. "City of Shoreline open space, trail or park area" means any area under the ownership, management, or control of the City of Shoreline Parks, Recreation and Cultural Services Department.

H. "Director" means the Department Director of the City of Shoreline Parks, Recreation and Cultural Services Department or his or her designee.

I. "City" means City of Shoreline, Washington. ~~J. "Liquor" shall be defined as set forth in RCW 66.04.010 and shall include alcohol, spirits, wine and beer.~~

J. "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps or similar type four-wheel drive vehicles, and snowmobiles, whether or not they can be legally operated upon the public highways.

K. "Person" means any individual, group, firm, partnership, corporation or club.

L. "Rocket" means any device containing a combustible substance which when ignited propels the device.

M. "Trail" means any path, track, or right-of-way designed for use by pedestrians, bicycles, or other non-motorized modes of transportation.

8.12.020 Program - Purpose. The facilities and programs of the Department are established by the City for public recreation purposes.

II - ADMINISTRATION / FACILITY USE PERMITS

8.12.030 Administrative rules - hours and operation. The Director shall promulgate rules establishing the times facilities will be open and closed for use by the public.

~~**8.12.040 Permits for groups or individuals.** The Department may grant permits to groups or individuals to meet or conduct activities in the Department's facilities if the Department does not otherwise require such facilities. Groups of fifteen or more persons may be required to obtain a permit. A fee is charged in accordance with the Department's fee ordinance.~~

8.12.040 Special use permits. Park and recreation facilities are available for public use whenever possible, without conflicting with City programs. Special use permits or scheduling of use of facilities is required for any community special or private

event involving more than routine use of a park and is done by contacting the Parks and Recreation Department office. Permission for use for amplifying devices must be obtained in advance from the Department

Groups or individuals that desire to use the City Park facilities, swimming pool, or City programs may be granted special use permits by the Department, and may be charged a fee. Where appropriate, special conditions of use will be established by the Department and so noted on the special use permit. Charges for special services in the City recreational facilities will be established by the Department with the approval of the Shoreline City Council.

8.12.050 Cancellation of permit. The Department reserves the right to cancel a permit for cause or to meet the needs of the Department. Notice of cancellation for priority in order to meet the needs of the Department shall be given at least twenty-four hours in advance. Notice of cancellation for cause may be given at any time.

~~**8.12.060 Religious services, group rallies or musical/theatrical performances.** Religious services, group rallies, or musical/theatrical performances may be permitted in City park areas where facilities are adequate, and where such activities will not conflict with normal park usage. To avoid conflict, permission for such activities must be obtained in advance from the Department. Permission for use of amplifying devices by groups must be obtained in advance from the Department.~~

8.12.060 Building facilities' and outdoor field lights hours. Use of facilities Sunday through Thursday shall cease at 10:00 p.m. unless otherwise approved in the use permit. Use of facilities on Fridays or Saturdays shall cease at 12:00 a.m. unless otherwise approved in the use permit. Outdoor lights shall cease at 10:30 pm at park athletic fields unless otherwise designated.

8.12.070 Cleanup. All persons using a building facility must leave the facility in a clean and neat condition considered satisfactory to the Department.

8.12.080 Liability - Persons using facilities by permit will be required to protect, save and hold the City of Shoreline, its elected and appointed officials and employees, harmless from and against all claims, demands and causes of action of any kind or character, including the cost of defense thereof, arising out of the use of facilities.

8.12.090 Liability insurance. During all periods of use, persons using facilities by permit shall, except when a waiver is obtained from the Department, obtain and maintain public liability insurance acceptable to the City and/or other insurance necessary to protect the public and the City on the premises to be used, with limits of liability not less than:

$500,000 each person personal injury;

$500,000 each occurrence personal injury;

$250,000 each occurrence property damage; or combined single limit personal injury and/or property damage liability $1,000,000 per occurrence.

Persons shall provide a certificate of insurance or, upon written request of the City, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be canceled or reduced without prior written notice to the City at least ten days in advance of the cancellation.

8.12.100 Adults to accompany minors. When facilities are used by permit, and children are present, adults must be present and responsible at all times.

8.12.110 Storage of equipment - liability of City. Persons using facilities should not expect storage space for equipment necessary for their activity. If temporary storage is provided, the City of Shoreline shall not be held responsible for loss or damage.

8.12.120 Equipment regulations - failure to perform. The misuse of a park facility or the failure to conform with regulations, the instructions of Department employees, or the conditions of a permit will be sufficient reason for canceling a permit and/or denying any future permits.

8.12.130 Facility use - sale of goods or services. The use of park facilities for financial gain shall be allowed only through concession contracts secured by the

City's competitive bid process, negotiated concession contracts or by special use permit issued by the Department.

III - RULES GOVERNING USE OF FACILITIES – (PART I)

8.12.140 Food waste, washing of clothes or animals. No person shall clean fish, or other food, or wash any clothing or other articles for personal or household use, or any dog or other animal except at designated areas.

8.12.150 Parking lots and roadways - games prohibited. Games of any kind are prohibited in parking lots and roadways of all facilities.

8.12.160 Motor vehicles - parking. No operator of any motor vehicle, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any City park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a Department employee. No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an event authorized by the Department. In addition to the penalties found in Part V of this chapter, any vehicle found in violation of S.C.C. 8.12.180. may be towed away at the owner's expense. This section shall not apply to maintenance and emergency vehicles or vehicles authorized by the Department.

8.12.170 Motor vehicles on roads and trails. No person shall operate any motor vehicle on a trail in any City park, unless such trail has been specifically designated and posted for such use. No person shall operate a motor vehicle within the boundaries of a City park area except on roads, streets, highways, parking lots, parking areas, or where otherwise permitted by proper posting. This section shall not apply to emergency, maintenance or authorized vehicles.

8.12.180 Motor vehicles - speed limits. No person shall drive a motor vehicle within any park at a speed greater than fifteen (15) miles per hour or as otherwise posted, having due regard for traffic, surface and width of the road, and in no event at a speed which endangers the safety of persons, property, or wildlife; provided, however, that in no event shall a vehicle be driven at a speed greater that fifteen (15) miles per hour in picnic, utility, or headquarters areas, or in a public assemblage.

8.12.190 Washing of vehicles. No person shall clean or wash any automobile or other vehicle in any park area except in areas specifically designated for that use.

8.12.200 Motor vehicles - trucks and commercial vehicles. No person shall cause a truck or other vehicle while being used for commercial purpose to enter upon, use, or traverse any portion of any City park area or any park road except with the express permission of a Department employee provided, that the provisions of this section shall not apply to City roads, county roads or state highways.

8.12.210 Trail use. A. For the purposes of this section "Travel" shall be construed to include all forms of movement or transportation on a trail, including but not limited to foot, bicycle, horse, skateboard, roller skates and roller blades,.

B. Trails are open to all non-motorized users unless otherwise designated and posted. Trail restrictions may be posted at park entrances, trailheads or, in some cases, on individual trails.

C. Every person traveling on a trail shall obey the instructions of any official traffic control device or trail sign unless otherwise directed.

D. No motorized vehicles shall be allowed on City of Shoreline trails. For the purposes of this section "motorized vehicles," means any form of transportation powered by an internal combustion or electric motor. This includes but is not limited to motor vehicles, golf carts, mopeds and all terrain vehicles. This section shall not apply to wheelchairs powered by electric motors, or authorized maintenance, police or emergency vehicles.

8.12.220 Camping. No person shall camp in any park area.

8.12.230 Tents and shelters in parks. Unless authorized by the Department, no person shall erect, maintain, use or occupy a temporary tent or shelter in any park area unless there is an unobstructed view through such tent or shelter from at least two sides; provided however, that nothing in this section shall be construed to authorize overnight camping.

8.12.240 Overnight moorage. No person shall moor, anchor or dock a boat or other object overnight in Richmond Beach Saltwater Park or other bodies of water in other City park area without authorization from the Department.

8.12.250 Ice. No person shall go out onto ice in any park area. This includes but is not limited to lakes, ponds, streams and other bodies of water.

8.12.260 Game fish. All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in park areas. No person may fish for, or possess any fish taken from any lake, pond, stream or other body of water which is posted with a sign prohibiting fishing.

8.12.270 Shellfish and food fish. All laws, rules and regulations of the State Department of Fisheries relating to season, limits, and methods of taking, are applicable to the taking of shellfish or food fish in City park area, and in addition to such laws, the City of Shoreline park system may, close certain City park area to the taking of shellfish for specific periods of time. Such closed areas shall be posted with appropriate signs.

8.12.280 Pets in City park facilities. A. Dogs, pets, or domestic animals are not permitted on any designated beach, picnic area, tennis courts or play area in any park or in any building unless specifically permitted by posting. This section shall not apply to animal guides.

B. In posted areas, dogs or other pets or domestic animals must be kept on a leash no greater than fifteen feet in length, and under control at all times.

C. Any person whose dog or other pet is in any City park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area.

8.12.290 Disturbances by animals prohibited. No person shall allow his or her dog or other pet or domestic animal to bite, disturb or harass any park users, wildlife or other pets. No person shall permit his or her dog or other pet or domestic animal to bark or make noise continuously or otherwise disturb the peace and tranquillity of the park. No person shall permit dogs, pets or domestic animals to damage, destroy or remove park vegetation.

8.12.300 Horseback riding. Horses are not permitted in any park area.

8.12.310 Golf and Rugby. Golf and Rugby activities shall not be permitted in any park area unless permission is obtained in advance from the Department.

8.12.320 Swimming. Swimming shall only be permitted in posted areas.

8.12.330 Skateboards and rollerblades - in designated areas only. No person shall be permitted to skateboard or rollerblade ~~on walkways, trails, tennis courts, or~~ in park facilities unless otherwise designated by the Department.

8.12. 340 **Littering.** No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, food, waste paper, cans, green waste or other rubbish in a City park area, except in a garbage can or other receptacle designed for such purpose. Park patrons shall not dispose of litter on any adjacent property without express written permission.

8.12.350 **Presence in City parks during hours when the park is closed.** No person shall enter or be present in a City park area during hours the park is closed except persons using park facilities as part of an event authorized by the Department. Park areas are closed forty-five (45) minutes after sunset and open forty-five (45) minutes before sunrise unless another closing and/or opening time is established for a particular park by the Director.

8.12.360 **Trespassing.** No person except an authorized City employee, or other person duly authorized pursuant to law, shall enter or go upon any area which has been designated and posted as a "No Admittance" or "No Trespassing" area or during any time during which the park is posted as being closed to the public.

8.12.370 **Fires.** No person shall ignite or maintain any fire or participate in igniting, maintaining or using any fire within a park except in a designated barbecue unit or in a designated fire unless authorized by the Department.

8.12.380 **Sound amplification.** No person shall use, operate or play in any park facility, any radio, tape player, disc player, television, musical instrument, record

player or any other machine or device producing sound at a volume that is audible at a distance of over thirty (30) feet there from except pursuant to a permit issued by the Department.

8.12.390 Games in parks. Activities including, but not limited to, sports and physical play, which interfere or tend to interfere with or endanger other park users are prohibited.

IV- RULES GOVERNING USE OF FACILITIES – (PART II)

8.12.400 Damage to property. No person shall remove, damage, or destroy park "facility" as that term is defined in Section 8.12.010.

8.12.410 Damage to wildlife. Except for fishing and shell fishing in authorized area and subject to rules promulgated by Washington State Fish and Wildlife Commission, it is unlawful in any park to capture, attempt to capture, tease, annoy, disturb, or strike any bird or animal, or to throw or otherwise propel any object at or in the vicinity of any bird or animal.

8.12.420 Removal of property. No person shall move any City property, from its original position in any park area without the permission of the Department.

8.12.430 Outside household or commercial waste. No person shall bring in or deposit household or commercial garbage, refuse, waste, or rubbish which is brought in such form from any private property, in any park area garbage can or other receptacle.

8.12.440 Waste from vehicles. No person shall drain or dump refuse or waste from any trailer, camper, automobile or other vehicle in any park area.

8.12.450 Use of marine heads. No person shall flush any marine head into, an associated marine area, nor cause any human or animal waste to be deposited into an associated marine area or when entering or leaving the area.

8.12.460 Dumping in water prohibited. No person shall deposit any waste or refuse of any nature, including human or animal waste, into any stream, lake or other body of water running in, through, or adjacent to any park area.

8.12.470 Solicitation. No person shall solicit, sell, or peddle any goods, services, food or drink, or distribute or post any handbills, circulars, or signs, or use any loud speaker or other amplifying device, in any park area, except by concession contract or by special use permit issued by the Department.

8.12.480 Fireworks. No person shall possess, discharge, or cause to be discharged, in any park area, any firecracker, torpedo, rocket, firework, explosive, or similar device unless so authorized by the Department.

8.12.490 Firearms, weapons. No person except duly authorized law enforcement personnel shall possess a firearm, bow and arrow, crossbow, or air or gas weapon in a City park. No person shall discharge across, in, or onto any park area a firearm, bow and arrow, crossbow, air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property.

This section shall not apply where the Department has authorized, in writing, a special recreational activity upon finding that it is not inconsistent with park use.

8.12.500 Alcoholic beverages. No person shall posses any alcoholic beverage or liquor in any City park area, including unopened beverage containers, except in designated areas approved by the Director or his or her designee and under the following conditions:

The sale and/or consumption of alcoholic beverages is permissible indoors at the Richmond Highland Recreation Center by special use permit, provided that the activities conform to the requirements of Washington State Liquor Control Board and state law. A state liquor permit must be displayed in the area where the activity is to be conducted.

8.12.510 Intoxication. Being in any park, facility, or associated marine area while in a state of intoxication is prohibited.

8.12.520 Interference with trails. No person shall place, deposit, or otherwise locate any object, structure or device, whether natural or artificial, that threatens or endangers any trail, or that threatens or endangers any person traveling thereon.

This section shall not apply to City employees in the performance of their duties or to persons acting pursuant to written direction of the City of Shoreline.

V - PENALTIES

8.12.530 Infractions

A. Violation of any provision of Section III of this Chapter shall be a civil infraction.

B. Any person cited for a violation of Part III of this Chapter, shall be subject to the applicable Justice Court Rules and bail schedules.

C. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed $500.00, or shall make restitution for any damage caused to park facilities, or shall be subject to both a monetary penalty and restitution.

8.12.540 Misdemeanors. Violation of any provision of Section IV of this Chapter shall be a misdemeanor

8.12.550 Administrative sanctions. In addition to any prescribed penalty, any person failing to comply with any provision of this chapter shall be subject to the loss of park or recreation facility use privileges.

VI - MISCELLANEOUS PROVISIONS

8.12.560 Severability- Should any section, subsection, paragraph, sentence, clause, or phrase of this chapter be determined to be a court of competent jurisdiction, such determination shall not effect the validity of the remaining portions of this chapter.