

## ITEM 8.A - ATTACHMENT IV

\* Taken from May 13<sup>th</sup> 2002 Council Meeting Minutes. For complete minutes visit:  
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# CITY OF SHORELINE

## SHORELINE CITY COUNCIL

### SUMMARY MINUTES OF REGULAR MEETING

Monday, May 13, 2002  
7:30 p.m.  
Shoreline Conference Center  
Mt. Rainier Room

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

ABSENT: Councilmember Montgomery

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

(a) Ordinance No. 303 adopting a voluntary payment-in-lieu-of construction program

Tim Stewart, Planning and Development Services Director, said this amendment addresses the "sidewalk to nowhere" problem. It allows developers to choose to donate funds to be allocated to a Capital Improvement Project in the general neighborhood rather than build a sidewalk in front of their project that does not connect to other sidewalks.

**Councilmember Hansen moved to adopt Ordinance No. 303. Deputy Mayor Grossman seconded the motion.**

Councilmember Chang suggested that the developer should be required to ask the whole block to participate in an LID. Only if the residents decline, would the developer place the money in the fund. This would mean the improvement would be done immediately, rather than waiting up to five years. It would contribute to an upgrade of the whole block, and, if it happened everywhere, to the entire city.

Mr. Stewart said the Development Code allows for an exemption to making an improvement or donating to the CIP if the street will be improved as a whole through an LID within five years of project approval.

Councilmember Chang said the developer should have to go out to the community to initiate the LID, rather than the City.

Councilmember Gustafson was concerned about the flexibility allowed by the ordinance. Mr. Stewart said this was extensively debated by the Planning Commission. The Planning Commission wanted to be sure that participation in the program was not discouraged by requiring a larger contribution to the in-lieu-of program than it would cost to build the improvement. The ordinance requires the developer and the applicant to agree on the

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amount of the payment, and it must be based on the construction costs of the improvement required.

Councilmember Gustafson was pleased to see that, in addition to sidewalks, the program includes bikeways, trails, etc.

Responding to Councilmember Ransom's concern about having to expend the money in five years, City Attorney Ian Sievers said this is statutorily regulated. However, the money can be spent for design as well as construction, which allows some additional time.

**A vote was taken on the motion, and Ordinance No. 303, amending the Development Code, Chapter 20.70.030 Zoning and Use provisions to authorize the usage of a voluntary payment in-lieu-of construction program for certain frontage improvements that do not connect to other facilities, was passed unanimously.**