



PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, June 1, 2017
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Ave N
Seattle, WA 98122

| | <u>Estimated Time</u> |
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| 1. CALL TO ORDER | 7:00 |
| 2. ROLL CALL | 7:05 |
| 3. APPROVAL OF AGENDA | 7:07 |
| 4. APPROVAL OF MINUTES | 7:08 |
| a. April 6, 2017 Draft Minutes | |
| b. May 18, 2017 Draft Minutes (Joint Meeting with PRCS/Tree Board) | |

Public Comment and Testimony at Planning Commission

During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.

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| 5. GENERAL PUBLIC COMMENT | 7:10 |
| 6. Study Items: | 7:15 |
| a. Abatement Development Code Amendment | |
| • Staff Presentation | |
| • Public Comment | |
| 7. DIRECTOR'S REPORT | 8:00 |
| 8. UNFINISHED BUSINESS | 8:05 |
| 9. NEW BUSINESS | 8:06 |
| 10. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS | 8:07 |
| 11. AGENDA FOR JUNE 15, 2017 – MEETING CANCELLED | 8:08 |
| 12. ADJOURNMENT | 8:10 |

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236

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CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

April 6, 2017
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Craft
Vice Chair Montero
Commissioner Chang
Commissioner Maul
Commissioner Malek
Commissioner Mork
Commissioner Thomas

Staff Present

Paul Cohen, Planning Manager, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Julie Ainsworth Taylor, Assistant City Attorney
Nora Daley-Peng, Senior Transportation Planner
Carla Hoekzema, Planning Commission Clerk

CALL TO ORDER

Chair Craft called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Craft, Vice Chair Montero, and Commissioners Chang, Maul, Malek, Mork and Thomas.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of March 16, 2017 were adopted as corrected.

Commissioner Mork referred to the March 16th presentation by representatives from Salmon Safe and asked if the City would be applying for the program in conjunction with future park projects. If not, she asked why. Mr. Cohen agreed to investigate and report back to the Commission.

GENERAL PUBLIC COMMENT

There were no public comments.

STUDY ITEM: MASTER STREET PLAN UPDATE (TMP) – 2017 COMPREHENSIVE PLAN AMENDMENT

Staff Presentation

Ms. Daley-Peng explained that the Transportation Master Plan (TMP) was developed and adopted in 2011. It was adopted into the City's Comprehensive Plan in 2012, and the Master Street Plan (MSP) is an element of the TMP. She advised that in addition to the TMP, the City Council also adopted Guiding Principles for Light Rail Facilities Design. These principles set down policy to make the future station areas walkable communities. The proposed amendments are specifically connected to the 185th Street Station Subarea Plan. She reviewed the two proposed amendments to the TMP as follows:

- **Amendment 1 – Amenity Zones on Bridges.** Ms. Daley-Peng advised that Sound Transit's plan for the 185th Street Station identifies a re-channelized bridge that connects the parking lot (located west of Interstate 5) to the station (located east of Interstate 5). The intent is to promote pedestrian and bicycle access and improve vehicular movement between the two elements. She explained that working in coordination with Sound Transit's design development of the bridge, it came to staff's attention that the MSP does not have a specific design element for amenity zones on bridges. She further explained that because landscaping on bridges would have to be sustained with irrigation and would result in more weight on the bridge deck, the current code does not include a lot of specificity as to what must be included in amenity zones on bridge decks. However, the station development caused staff to take a deeper look and propose an amendment.

Ms. Daley-Peng explained that the MSP talks a lot about different varieties of what can happen in an amenity zone, starting off with the requirement that it be landscaped, but it does not specifically address bridges. Staff is proposing that the 2nd bullet in the 5th paragraph on Page 253 of the MSP (Appendix D) be amended by adding the following sentence at the end: "*Amenity zones that are along bridges do not need to include landscaping, but can include streetscape amenities such as hard surface design treatment, light poles, and/or signage.*" She explained that hard surface paving can be used to delineate the zones, and light poles, signs and banners can provide vertical delineation and help with placemaking and creating a human-scale experience to go over the bridge.

- **Amendment 2 – Coordination with Upcoming 185th Street Multimodal Corridor Strategy.** Ms. Daley-Peng advised that this amendment would change the MSP to include consideration of the 185th Street Multimodal Corridor Strategy when determining required right-of-way and planned curb-to-curb width along 185th Street. She provided a drawing that illustrates the 185th Street Conceptual Cross Section, noting that the proposed right-of-way is 76 feet, which is 10 feet beyond the current MSP standard of 66 feet. She explained that as the areas around the station grow, the City wants to provide more zone for pedestrians and bicyclists. She noted that the proposed 42 feet from curb-to-curb is consistent with the width required in the current MSP. She summarized that the proposed amendment points specifically to the upcoming 185th Street Multimodal Corridor Strategy that will look at the cross section on 185th Street with more specificity. The intent is to develop a preferred design treatment that will include more space for the amenity zones. She cautioned that the 185th Street Multimodal Corridor Strategy will begin in the summer or fall of 2017. The proposed amendment would require coordination with the upcoming strategy, which would provide more

4a. Draft Minutes from Thursday, April 6, 2017

amenity zone. Lastly, she advised that the proposed amendment would also remove language that currently exempts the 185th Street Bridge over Interstate 5 from required amenity zones.

Mr. Szafran recalled that the 185th Street Subarea Plan requires additional setbacks on 185th Street in anticipation of the corridor study. The intent is to ensure there is appropriate space within the right-of-way in the future to accommodate the intended improvements.

Ms. Daley-Peng said the next steps moving forward include a study session with the Planning Commission on June 15th, if needed. A study session with the City Council is scheduled for September or October. It is anticipated that the amendments would be adopted in November or December as part of the 2017 Comprehensive Plan amendments.

Public Comment

Dave Lange, Shoreline, noted that he previously submitted written comments relative to the proposed amendments. He asked that the option of allowing a 4-lane road on 185th Street be included at least until the corridor study has been completed. He recalled that when the 185th Street Subarea Plan was designed and the early corridor work was done, there was no concept that Sound Transit would run bus rapid transit (BRT) service on 185th Street. Now that Sound Transit has committed to this, he voiced concern that there is no plan to pick up pedestrians and commuters on 185th Street. That means that, in addition to the BRT buses that move from Aurora Avenue North to the station, a local bus will also need to come through to pick up pedestrians and commuters from the area. It is almost guaranteed that the slow buses will interrupt the speed of the BRT buses. He suggested the City should incorporate the extra width now until the corridor study has addressed the issue.

Ms. Daley-Peng advised that in her collaboration with Sound Transit and Community Transit, it is important to continue to have local bus service on 185th Street, especially connecting with the new transit hub. However, she has not heard or seen any plans for BRT service on 185th Street. Chair Craft commented that it would be challenging to provide BRT service on 185th Street, given the local bus service that would be required. He asked if there would be any opportunity to plan for or think about ways to mitigate that type of congestion. Ms. Daley-Peng answered affirmatively and added that the entire point of the study is to consider all possibilities moving forward to the future.

Planning Commission Discussion

Commissioner Thomas said she has similar concerns as those expressed by Mr. Lange. Even if there are no BRT stops along 185th Street, there will likely be bus stops for local service. If a 4-lane configuration is not an option, she suggested it might be possible to have bulbs where buses can pull off the street. Ms. Daley-Peng advised that the conceptual cross section that was prepared as part of the 185th Street Subarea Plan provides the ground work, but it is just the beginning. The scope of the study will include a deeper analysis on the traffic, land-projections, pedestrian activity, etc. Different scenarios will be reviewed as part of that work, including options to accommodate both local and BRT bus service.

Commissioner Thomas referred to the cross section that was provided by Ms. Daley-Peng and summarized that there would be a 7-foot pedestrian walkway, a 5-foot bicycle path, and a 5-foot amenity strip. The

4a. Draft Minutes from Thursday, April 6, 2017

remainder of the right-of-way would accommodate two lanes of traffic, with a center turn lane. She also referred to the chart that was provided by staff to illustrate the required right-of-way and planned curb-to-curb width for 185th Street. She noted that specific numbers are provided for the segment of roadway between 1st Avenue NE and 10th Avenue NE, but the numbers for the other two segments would be determined in conjunction with the corridor study. She asked if there is a reason for treating one segment of the roadway different than the other two. Are the numbers set in stone or could they also be adjusted based on the corridor study findings? Ms. Daley-Peng said the numbers may have something to do with the existing bridge deck's width. However, she agreed that the three segments could be treated the same to ensure that the design efforts are coordinated.

Vice Chair Montero said he understands the need to remove the landscaping requirement for amenity zones on bridges, but he asked if any consideration was given to adding opportunities for public art displays on the bridge. Ms. Daley-Peng agreed that would be an appropriate addition, since this element would definitely add to the beauty and human scale of the environment. She explained that the bridge is a program piece of the light rail station. Integrating art is directly related to the Guiding Principles for Light Rail Facilities Design that were mentioned earlier. A windscreen is another element that could also be part of the amenity zone on the bridge. At the direction of the Commission, she agreed to update the language to be more explicit to include public art and a windscreen. She commented that it is important to consider how the language might be applied to other bridges in the City in the future.

Chair Craft asked how a 4-lane roadway would impact the cross section drawing that was provided earlier by staff. Ms. Daley-Peng explained that although the City has some 12-foot travel lanes, the typical travel lane is 11-feet wide, and that is the City's goal. An 11-foot travel lane is wide enough to accommodate buses. The 42-foot right-of-way shown in the cross section would be two feet short of the width necessary for a 4-lane configuration. She reviewed that the purpose of holding the 42-foot curb-to-curb width was to preserve the existing trees along 185th Street. That is also the reason the bike lanes would be located between the amenity zone and the sidewalk. As they move into the corridor strategy, they can weigh the tradeoffs and consider a variety of cross sections.

Commissioner Maul said he is not completely convinced that it is appropriate to eliminate the landscape requirement for bridges. He noted that it is anticipated that the bridge will be widened once the station is in place. Ms. Daley-Peng answered that the intent is to work within the existing bridge deck's width. Commissioner Maul commented that if the bridge is engineered to carry double buses full of people and fire trucks full of water, it would not cost much more to engineer the bridge to carry the additional weight of landscaping. He suggested that there are also ways to work around the irrigation issue, as well. Ms. Daley-Peng said she appreciates the Commission's desire to incorporate landscaping. However, the bridge has certain constraints. For example, widening the bridge would trigger a full-seismic retrofit. While there is room on the bridge to consider repurposing opportunities such as more generous sidewalks, windscreens, lighting, and artwork, the City has not pushed forward the landscaping requirement based on maintenance and weight issues. Although trees would create significant weight, there could be opportunities to incorporate ground cover, vines, etc. The City would need to work with Sound Transit to determine how a landscaping requirement would tip the balance of all the pieces the City wants on the bridge. Mr. Szafran explained that a typical amenity zone is five feet, and staff felt it would be more beneficial to use that five feet to carry pedestrians and bicyclists. Commissioner Maul said his suggestion was based on whether or not Sound Transit plans to work within the existing width.

4a. Draft Minutes from Thursday, April 6, 2017

Mr. Cohen asked if the cross section that was provided for 185th Street is the same as the cross section that would be carried across the bridge. Ms. Daley Peng answered no. She explained that the bridge cross section identifies generous sidewalks (between 8 and 10 feet) and protected bike lanes that are adjacent to the sidewalks, and a barrier. Sound Transit must observe the crash area from cars going over the bridge, and they suggested that the cars on the bridge deck be secured within their zone and that an oasis for pedestrians and bicyclists be created. She felt this would be a good approach. A windscreen with art elements on the north side would also be appropriate. Light poles could be added to tie the parking area to the station and provide light for the pedestrians. There may also be an opportunity to add hanging baskets on the light poles, without the long-term irrigation requirements.

Commissioner Mork summarized that the bridge would feature a 2-lane road, with sidewalks and bike elements. There would also be a physical barrier. She said she supports the idea of protected bike lanes, and she is thrilled that the City is focusing design on pedestrian and bicycle accessibility.

Commissioner Thomas referred to the cross section drawing and asked what is intended for the area on the north side of the bridge that is identified as “improved bridge connection.” She asked if Sound Transit is considering adding additional width to the bridge or if the changes would be surface improvements to improve the bridge’s function. Ms. Daley-Peng clarified that it would not be an expansion, but the intent is to provide more generous sidewalk widths. The existing sidewalks are 5 to 6 feet wide, with no buffer from traffic, and the intent is to create 8 to 10-foot sidewalks.

Commissioner Mork asked if the bridge would be required to provide a barrier to keep people from throwing things off. Ms. Daley-Peng suggested that a windscreen could serve this purpose, but she has not seen any detailed design yet. She concluded that the City is interested in requiring elements that can serve multiple functions and also be beautiful.

Commissioner Thomas noted that the bridge will be an element of the City’s gateway as people come down Interstate 5. It is important that it be aesthetically pleasing without going into extensive cost. She felt that requiring landscaping (not trees) to provide a fresh green feeling on the bridge would be appropriate. It is important to have design criteria in place to make the bridge a pleasant experience for pedestrians and bicycles.

Commissioner Chang referred to the proposed cross section for 185th Street and asked how the right-of-way width would be obtained. Mr. Szafran advised that there is currently 66 feet of right-of-way and the 185th Street Subarea Plan requires special 15-foot setbacks on both sides of the Street. The intent was to be conservative with the setbacks in the subarea plan, hoping that the corridor study would result in greater specificity. The setbacks could possibly be changed in the future based on the study.

Chair Craft said it would be helpful to know what type of greenery might be appropriate for the bridge. While it should keep with the overall style, it should not be onerous, either. Mr. Szafran suggested that staff provide more examples of potential design elements. Chair Craft agreed that would be helpful, as would a cross section of the bridge, itself. Commissioner Thomas said it would also be helpful to have an aerial view from the point 100 feet west of Interstate 5 all the way to 10th Avenue NE. Chair Craft also suggested that staff provide lines on the drawing to illustrate the varying lane options.

DIRECTOR'S REPORT

Mr. Cohen reported that there has been a lot of permit activity, and staff has held a number of pre-application meetings. He suggested this is a sign of things to come. In particular, he noted that the City has received a couple of proposals for townhouse development in the 185th Street Subarea. One is currently being constructed in this area, as well. There is interest in excavating the post office site before the end of the year, and the proposal is for a 220-unit development. A number of single-family homes are also being constructed, many of them multiple units on a single lot with the potential to subdivide at a later time. More residential properties with critical areas are proposed to be expanded. As land area is being occupied, developers are looking to develop properties that are more challenging. There have been applications for a series of bulkhead repairs on 27th Avenue, as well.

Mr. Cohen reported that a new tracking system for permits has been implemented. Although it has taken some time to learn the new system, staff does not believe the permit process has been slowed down. He anticipates it will take a year of experience to smooth out all of the issues.

Mr. Cohen announced that the City's Critical Areas Map for Hazardous Slopes has been updated. The map is now much more definitive and accurate, and staff can tell property owners early on whether or not they have a critical area because of geohazards. This brings confidence to the property owners.

Vice Chair Montero asked for an update on potential redevelopment of the Westminster Triangle. Mr. Cohen said developers have expressed an interest, and staff has conducted several pre-application meetings. However, there has been no action in recent months. Staff will be contacting the owner soon regarding impending deadlines.

Commissioner Thomas said she heard that the post office was going to remain functional for a period of time. She asked if the proposal pertains to the entire site or just a portion of it. Mr. Cohen said the proposal pertains to the entire site, and the post office has a notice to stop work by October.

Commissioner Mork requested an update on Point Wells. Commissioner Thomas noted that the Commission received a public comment related to Point Wells, and she suggested that a follow up would be appropriate. Mr. Cohen said the person is requesting that it be put on the Commission's agenda for discussion. Commissioner Malek reported that the Traffic Corridor Study has not yet been completed. Assistant City Attorney Ainsworth-Taylor advised that Snohomish County has requested certain information in order to complete the Draft Environmental Impact Statement (DEIS), but the developer has not submitted the information to date.

UNFINISHED BUSINESS

There was no unfinished business.

4a. Draft Minutes from Thursday, April 6, 2017

NEW BUSINESS

Election of Chair and Vice Chair

Ms. Hoekzema briefly reviewed the procedure for electing officers and then opened the floor for nominations for Planning Commission Chair.

COMMISSIONER MALEK NOMINATED COMMISSIONER CRAFT TO CONTINUE TO SERVE AS PLANNING COMMISSION CHAIR. THERE WERE NO OTHER NOMINATIONS AND NOMINATIONS WERE CLOSED. THE COMMISSION UNANIMOUSLY ELECTED COMMISSIONER CRAFT AS CHAIR OF THE PLANNING COMMISSION.

Chair Craft opened the floor for nominations for Planning Commission Vice Chair

COMMISSIONER MALEK NOMINATED COMMISSIONER MONTERO TO CONTINUE TO SERVE AS PLANNING COMMISSION VICE CHAIR. THERE WERE NO OTHER NOMINATIONS AND NOMINATIONS WERE CLOSED. THE COMMISSION UNANIMOUSLY ELECTED COMMISSIONER MONTERO AS VICE CHAIR OF THE PLANNING COMMISSION.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

There were no reports or announcements from Commissioners.

AGENDA FOR NEXT MEETING

Mr. Cohen announced that there are no items on the agenda for the April 20th meeting, and the Commissioners agreed that the meeting should be cancelled. He advised that staff is working on a proposal for the Commission's discussion that would make green building standards at a lower level mandatory for multi-family and commercial development. However, the proposal will not be presented to the Commission until the City Council has made a decision on the Deep Green Program, which is scheduled for adoption on April 17th.

Commissioner Thomas referred to a public comment letter the Commission received regarding the requirement that development must be within a certain distance from essential services. Based on her research, this is a requirement for 5-Star or Emerald and the City's requirement for station areas is 4-Star. She suggested it is important for this to be clarified as the discussion moves forward.

Mr. Cohen advised that staff will present a Comprehensive Plan Amendment related to the Surface Water Master Plan on May 4th.

Commissioner Mork reminded the Commissioners of the Green Building Presentation that is scheduled for April 11th.

4a. Draft Minutes from Thursday, April 6, 2017

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Easton Craft
Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

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CITY OF SHORELINE

**JOINT MEETING OF THE
PLANNING COMMISSION
AND**

PARKS, RECREATION AND CULTURAL SERVICES (PRCS)/TREE BOARD

May 18, 2017
7:00 P.M.

Shoreline City Hall
Council Chamber

Planning Commissioners Present

Vice Chair Montero
Commissioner Chang
Commissioner Malek
Commissioner Mork
Commissioner Thomas

Planning Commissioners Absent

Chair Craft
Commissioner Maul

PRCS/Tree Board Members Present

Betsy Robertson, Chair
Cindy Dittbrenner
Bill Franklin
Katie Schielke
Christina Arcidy
Christine Southwick
Gillian Lauter
Natalia Sandico

PRCS/Tree Board Members Absent

John Hoey, Vice Chair

Staff Present

Paul Cohen, Planning Manager, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Eric Friedli, Director, Park, Recreation and Cultural Services
Carla Hoekzema, Planning Commission Clerk
Lynn Gabrieli, Administrative Assistant III

CALL TO ORDER

Vice Chair Montero called the joint meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Vice Chair Montero, and Commissioners Chang, Malek, Mork and Thomas. Chair Craft and Commissioner Maul were absent.

Upon roll call of the PRCS/Tree Board, the following Board Members were present: Chair Robertson and Board Members Dittbrenner, Franklin, Sandico, Schielke, Arcidy, Southwick and Lauter. Board Member Hoey was absent.

The Commissioners and Board Members spent a brief time introducing themselves.

APPROVAL OF AGENDA

The agenda was accepted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

STUDY ITEM: PARKS, RECREATION AND OPEN SPACE (PROS) PLAN

Staff Presentation

Mr. Friedli advised that the City has been working on the draft PROS Plan for a year and a half, and the PRCS/Tree Board has been involved through countless meetings, work sessions, and public outreach. The draft PROS Plan was presented to the Commission in March, and it is now being finalized to move forward to the City Council for adoption in July. He explained that the City is required to update its PROS Plan every six years in order to be eligible for grants, and the 6-year period ends at the end of July. In order for the City to be eligible for grant applications this fall, they must have a PROS Plan adopted by resolution. However, it is also important to keep in mind that the update will be formally adopted as part of the Comprehensive Plan amendments that will come before the Board and City Council later in the year.

Mr. Friedli advised that the PROS Plan is intended to be a blueprint for parks and recreation for the next six years, and it lays the ground work for many years beyond that. This is an evolutionary time for Shoreline, and parks have a critical role to play. If the City neglects places and opportunities for people to gather, play and build community, they really neglect the soul of the community. Two key things have provided inspiration for the PROS Plan: securing the City's foundation and shaping its future. The voters have invested millions of dollars via the 2006 Parks Bond to expand and improve parks and open spaces, and the City has a solid foundation of park facilities and recreation programs that need to be maintained, preserved and expanded upon. The PROS Plan identifies what is needed to secure that foundation.

Mr. Friedli said they also know that change is coming to Shoreline, and the City has been forward thinking in its preparation for the arrival of light rail stations, and the Planning Commission has been a leader in this effort. The City expects new housing, new people, new pressure on City services, and new demands on parks facilities and services. Both of the recreation center buildings date from the 1970s and are in need of replacement. The City does not sit back and wait for things to happen, and this is made evident by the transformation of Aurora Avenue, the preparation for light rail, planning for 145th Street, and the new City Hall and Police Station. The PROS Plan is intended to continue that tradition. The goal is to shape the PRCS into a future that meets the community's needs and desires. Investments made by previous generations are valued and will be maintained. If the City is successful in implementing the PROS Plan, the residents of Shoreline will have opportunities to play in new and creative ways, connect with nature close to where they live, breathe easier knowing that the urban forest is being actively tended

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4b. Draft Minutes from Thursday, May 18, 2017

to, enjoy cultural activities that include all people, and enjoy the beauty of their community through new public art.

Mr. Friedli summarized that if done right, the PROS Plan will secure the City's foundation and shape its future so that current residents and future generations will continue to have a great place to live, work and play. In order to accomplish this, they want to develop a plan that:

- Provides an accounting of all the things that PRCS provides to the City. It is important to document these because the City is dedicated to continuing them at the same high quality while looking for innovative ways to enhance and support the existing programs and services.
- Includes a set of clear actions that respond to the needs of the community. The actions are intended to be specific and measurable and will proactively move the City forward.

Mr. Friedli referred to the draft PROS Plan and recalled that when it was presented to the Commission in March, Commissioners expressed interest in Shoreline becoming a salmon-friendly city. An action step was added under Goal 1 that specifically addresses this concept.

Mr. Friedli reviewed the Strategic Action Initiatives (SAI), which are designed to set goals for the City's future, as follows:

1. **Build a Community/Aquatics Center.** The target would be to place a proposal for a new center before the voters sometime between now and 2020, and have a new facility open in 2022. An Aquatics and Community Center Feasibility Study has been done, which looks at potential siting locations and program plans. The City has developed a concept for an 82,000-square-foot facility that would have a recreational body of water, with splash pads, lazy rivers, etc., as well as a competition pool for people who want to do lap swims and exercise. The City completed an assessment of the Shoreline Pool in 2014, and it was updated in 2015. As part of the assessment, the City asked the consultant to identify the level of investment that would be needed to keep the pool operational until 2022 and for another 20 years beyond 2022. The City Council approved an investment of about \$750,000, and the work was done in 2016 to enable the pool to remain operational until 2022. While the 2022 date is not a precise science, it gives the City a target for when they need to have a new facility in place. In addition, the Shoreline School District has informally notified the City that they should plan to have a new recreation center somewhere else to replace the existing Spartan Recreation Center, which is located in the old high school gym at the Shoreline Center. However, he emphasized that the district has not indicated any specific dates or plans for the property to date. If the City Council were to bless the action initiative for a new Community/Aquatics Center, the next step would be looking in more detail at a funding strategy and identifying other partners that might want to invest in the new facility.
2. **Expand Opportunities to Connect with Nature.** The community was very interested in having opportunities to connect with nature. As a result, nature-based programming will be integrated into the new and existing recreation offerings so that at least 35% of them include a nature-based component. The City sponsors a number of nature programs, and last year it offered a 1-month summer camp at Hamlin Park. It was so successful that a 2nd summer camp will be added at Richmond Beach Salt Water Park. The collection of teen and senior programs identified in the plan also include a sizable nature-based element. There is not a lot of cost associated with this action item.

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3. **Expand Recreation Facility Opportunities.** Chapter 4 of the plan contains some detailed analysis on the increases needed to maintain the level of service based on population. Many of the population-based needs will extend further into the future, and there will be some financial constraints. However, the goal by 2023 is to provide at least one community garden, two basketball courts, two multi-purpose/pickleball courts, one playground, one swing set, one paved loop path, one spray park and one adventure playground with some nature-based features. If they go to the voters, some of these projects might be included. Other projects can be done through regular park upgrades.
4. **Serve the Full Spectrum of Aging Adult Recreation Needs.** The community indicated that this was a high priority. The City was not in a position to address all of the questions via this process, but the SAI calls for developing a strategic plan by 2019 for meeting the needs of the aging adult population. The intent is for the City to work with the Shoreline/Lake Forest Park Senior Center to conduct a community-wide assessment of the needs. The assessment will also inform a program plan for the aquatic/community center.
5. **Ensure Adequate Parkland for Future Generations.** Based on population projections, the City will need to add 95 acres of new parkland in order to maintain the current level of service, and this will be virtually impossible given the level of development already in Shoreline. They will need to build different types of parks in different places. These will likely be maintained differently for a higher intensity of use. In addition, the goal is to add five acres of new parkland by 2023 and 20 additional acres by 2030. The City will need to develop a funding plan that might well include some citizen-voted funding. King County is considering a land conservation initiative that might provide funding to local jurisdictions for land acquisition, and many of their grant sources will require matches. The plan does not specify the mix of what would need to be active recreation land and passive natural open space.
6. **Maintain, Enhance and Protect the Urban Forest.** The goal of the plan is to consolidate other plans. Having too many plans can result in none of them being implemented or followed. The City adopted an Urban Forest Strategic Plan in 2014, and the goals and milestones identified in the plan were incorporated into the PROS Plan. The SAI calls for restoring 10 acres of degraded forest land by 2023 and/or convert appropriate parkland into nature areas by 2023. The intent is to ensure that the urban forests remain healthy.
7. **Enhance Walkability In and Around Parks.** This was also a major preference of the community, and walking is one of the main ways that the existing parks are used. The goal is to create two miles of new nature trails within the parks and 2 miles of enhanced pedestrian access to parks by 2023.
8. **Support Diverse Communities.** Shoreline is diversifying, and it is already a very diverse community. The intent is to keep up with this change in a conscious and proactive way. The target is to make sure that participation in City-sponsored special events reflects the diversity of the community.
9. **Enhance Place Making Through Public Art.** Through this process, a public art plan was developed that the City Council adopted in March. A key piece of the plan is to install at least one permanent, significant piece of art by 2019, three permanent smaller pieces of public art by 2023, and provide

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temporary graphic or performing arts annually in the City's neighborhoods. Currently 1% of certain investments made by the City goes into an art fund, which has been used to pay for some pieces of art. Money has been consciously saved in this fund, and the City plans to invest \$100,000 to \$150,000 in a significant piece of art within the next year or two. Local art is also important, as are temporary and graphic performing arts.

10. **Secure Sustainable Funding.** There are a lot of projects and programs in the PROS Plan, as well as other important ones that are not in the plan yet. Figuring out how to fund the projects will take a fair amount of work and deliberation. It is likely the City will have to rely on the voters, but there are also grant opportunities the City can actively explore.

11. **Ensure Administrative Excellence.** The City hopes to do a number of things, and the PRCS Department can be a catalyst or leader. However, the department cannot do everything on its own. They will continue to rely on the community, other City departments, and volunteers for support. Mr. Friedli expects that the voters will be asked to participate in some way, as well. It is important that the community knows that the PRCS Department is run to the highest and best standards possible. The goal is to attain certification from the Commission for the Accreditation of Parks and Recreation Agencies (CAPRA). This will require the City to meet 153 standards in order to obtain accreditation, and there are only three other jurisdictions in the State of Washington that have CAPRA accreditation. It will likely take 2 to 3 years to complete the process.

Mr. Friedli provided a table that identifies all of the capital improvement projects identified in the plan. The top priority projects are intended to secure the City's foundation. A PRCS/Tree Board subcommittee went through a process of developing criteria for prioritizing capital improvement projects. Ecological restoration and minor repair and replacement projects were identified as high priorities. Top priority maintenance needs include replacing the synthetic turf fields at Twin Ponds, improving Boeing Creek/Shoreview Park Trails, repairing or replacing the Richmond Beach Community Park Wall, installing a fire-suppression line across the railroad tracks to the beach at Saltwater Park, and the aquatic/community center.

Mr. Friedli said the next set of projects are those intended to enhance existing parks. The 2006 levy funded a lot of park improvements, but not improvements in all the parks. There is a list of amenities the City would like to add to parks that did not get attention via the 2006 levy. The subcommittee identified parks that would benefit from improvements. In addition, they heard from the community that the Briarcrest Neighborhood does not have a neighborhood park that gives it an identity. The idea is to convert the Upper Hamlin Park into something that is focused more on the Briarcrest Neighborhood. He noted that there is also a line item for park facility recreation amenities planning, which is a long name for doing some conceptual-level master planning for all the parks that are identified below the line item. They are looking to link the timing of the Hillwood Park Master Plan with the Shoreline School District's renovation of the middle school. The intent is to do renovations in the park while the district is doing renovations that are already funded via a bond at the adjacent middle school.

Mr. Friedli referred to the revenue section of the PROS Plan, noting that the lines that are filled in identify projects that have historically been funded. At the bottom of the list are projects that could be funded by future voter-approved funding. The items below the red line are primarily acquisitions and development

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

of newly acquired parkland. This list will be pertinent in the Board and Commission's next discussion about Park Impact Fees.

Mr. Friedli provided a draft map he prepared to identify the location of parks and park improvements, with the dollar amounts. It also identifies locations where acquisitions are proposed.

Vice Chair Montero asked about the cost beyond 2022 for operation of the community/aquatic center (SAI 1). Mr. Friedli said the expense to operate the facility will be approximately \$2.5 million per year, and anticipated revenue is estimated to be about \$1.8 million. However, it is important to note that the difference between revenues and expenses would actually be less with a new center than with existing facilities. Currently, the general fund contributes about \$1.2 million per year to subsidize operations for the existing pool and Spartan Recreation Center. The new center would require a subsidy of about \$600,000.

Commissioner Chang asked about the outlook for the other two parks that belong to the school district. Mr. Friedli said Paramount Park and Sunset Park are both owned by the district. The joint-use agreement has a provision that allows the district to take back the land if needed for school purposes. The district has not indicated any plans in that direction. Commissioner Chang asked if the City has a back-up plan to acquire more land in those areas. Mr. Friedli explained that, with the bond that just passed, the district will rebuild two middle schools, and 6th graders will be moved from the elementary schools to the middle schools. This will add enough capacity in the elementary schools that they do not project needing additional schools within their current projection period. He pointed out that the Spartan Recreation Center is a different situation because it is the closest district building to the 185th Street Station, and at some point, they will want to do something else with the property. In addition, the district also owns the land that the pool is on, and the City owns the building.

Commissioner Mork asked if the aquatics center would be included in the 5 acres of new parkland. Mr. Friedli said the aquatics center would be in addition to the 5 acres of new parkland. The schematic designs for the new facility indicated that the facility would occupy about 5 acres of land.

Commissioner Thomas asked if the partnerships referenced by Mr. Friedli would be public/private partnerships or partnerships with other jurisdictions. Mr. Friedli said the City would consider partnerships with other jurisdictions, including the district. The district actively uses the Shoreline pool for swim team meets, and the proposed schematic design includes elements that would not be part of a general parks and recreation pool. These extra elements would only be provided if needed by the district for their programs. The City has also been approached a number of times by Shoreline Community College about the possibility of agreement that allows their students to have access to the pool at a reduced rate. Commissioner Thomas asked if the City has considered partnering with private organizations, and Mr. Friedli answered no.

Commissioner Thomas asked if the community/aquatics center project hinges on the City's ability to obtain grant funding. Mr. Friedli said there are no federal grants for local community centers. The state has some specific grants that the City will apply for, but they will not be sizable.

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

Commissioner Thomas asked if the expanded recreational amenities (SAI 3) would be scattered throughout the various parks. Mr. Friedli answered affirmatively. For example, one place where additional amenities could be provided is in the Westminster Triangle. He referred to Eagle Scout Park in Lake Forest Park, which is smaller in size than the Westminster Triangle. Lake Forest Park is currently renovating it into a playground area.

Commissioner Malek referred to SAI 5 and asked if 95 acres of new parkland is a general target given density projections. Mr. Friedli cautioned against calling it a target because he believes it is unrealistic to set a target that high. However, it does provide a measure of the need. It is important to keep in mind that the demand for 95 acres will likely have to be accommodated on 40 acres, at most.

Board Member Southwick referred to the 95 acres of parkland that is identified in SAI 5 and noted that not all of the new parkland would have to be on the ground. They could be creative by using rooftop gardens, plazas, etc. Mr. Friedli pointed out that green streets, street rights-of-way and street ends can also be used to provide recreational space. While they cannot meet the goal of 95 acres of new parkland, the idea is to be more creative with the public spaces. Board Member Southwick noted that swales could also be considered open space. These would help with salmon and stormwater runoff, and they are amenable for people who enjoy walking.

Commissioner Mork asked about the City's relationship with Sound Transit as far as public art and additional parkland. Mr. Friedli responded that there will be some significant pieces of art associated with Sound Transit's project, and the City's Public Art Coordinator has participated in a process to select the artists for the two light rail stations. This artwork will be in addition to the money set aside by the City for a significant art piece.

Mr. Friedli said the City staff has been able to work productively with Sound Transit. He reviewed that the proposed light rail line will eliminate some of Ridgecrest Park. Sound Transit will be required to replace the parkland that will be eliminated with parkland elsewhere. They are purchasing two single-family properties adjacent to the entrance to Ridgecrest Park, which will be added to the park. This represents a win for the City, since the sliver of land they are taking for the rail line is low quality and does not add a lot to the park. The Sound Transit project will also impact wetlands in various places along the rail line. The City has been working with them to do improvements at Ronald Bog Park, and they are proposing a sizable wetland restoration and recreation project. There have been community meetings to address both of these topics.

Mr. Friedli said they are still waiting to see if parks will benefit from Sound Transit's impact on trees. The trees are located on Washington State Department of Transportation (WSDOT) property, and WSDOT supports the mitigation for their right-of-way. He is hopeful that some will also spill over and benefit parks, as well.

Commissioner Thomas referred to SAI 6, which deals with urban forest health. She noted that trees come up regularly at Commission meetings, but there are no tree codes for commercial properties. She asked Mr. Friedli to talk about the process of protecting or replacing the urban canopy. While some important functions can be replaced by rooftop gardens and green spaces, how would the City mitigate for other functions that would be lost? Mr. Friedli answered that it is difficult to mitigate for impacts that occur on

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

commercial properties. Being a recipient of trees from developers is probably the best way to help from a commercial development standpoint.

Regarding street trees and trees in rights-of-way, Mr. Friedli explained that it is important to know that the City is doing some significant sidewalk improvements. One of the roles of the Tree Board is to give guidance to the Parks Director relative to right-of-way trees. The more active the Tree Board is in the early discussions, the better they can advocate for the tree canopy. Street trees are well loved and beautiful, but they don't live forever and there are other competing needs for the public right-of-way. Many of the trees that were planted in the 1970s and 1980s are now damaging the sidewalks, and some of them will need to be removed. Going forward, they need to design streetscapes in a different way to accommodate trees and be more thoughtful about planting the right trees in the right places.

Commissioner Thomas noted that many of the trees that will be lost to accommodate the Sound Transit project are mature. She asked if the PRCS Department will work with them to require that the replacement trees are of a substantial size. Mr. Friedli answered affirmatively for those trees the City has control or influence over. However, there are numerous trees that will not fall into that category.

Vice Chair Montero asked where the \$82 million bond number came from, and Mr. Friedli answered that it represents the difference between the cost of implementing all of the projects and programs on the wish list and how much money the City expects to have. It probably should be labeled "to be determined" rather than "future voted approved park bond," since the City will need to adjust the scale and scope of the projects to get a more realistic number.

Commissioner Moss asked if the land in the bottom section of the map provided by Mr. Friedli is intended to generally identify where the City needs to acquire land to meet the projected future needs or are they targeted pieces of land the City is seeking to acquire. Mr. Friedli answered that it is intended to identify the general need, and no specific parcels have been targeted.

Public Comment

John Lombard, Seattle, said he was present to represent the Thornton Creek Alliance, which has more than 120 members, many of whom live in Shoreline. The Alliance has interests across the entire Thornton Creek Basin, which is 12 square miles and the largest basin in both the City of Shoreline and City of Seattle. He thanked those who worked on the PROS Plan, which contains the SAIs that the Alliance has supported all along. They were especially happy to see that Paramount Open Space acquisition was listed as the #2 priority citywide for capacity expansion, but concerned that it was not listed 2nd among the capacity expansion options. Mr. Friedli clarified that the options are not listed in order of priority.

Mr. Lombard reported that the Alliance completed a GIS analysis of the entire Thornton Creek Basin in both Seattle and Shoreline for best acquisition opportunities. Within the City of Shoreline, the top candidates were around the Paramount Open Space. He summarized that the Alliance's priorities line up with those identified in the PROS Plan. Paramount Open Space includes what may be the nicest wetland complex within the entire Thornton Creek area. With the zoning decision the City made recently for the NE 145th Street Subarea Plan, the existing densities around the Paramount Open Space will remain the same, and this will complement the habitat values of the open space over time. Meanwhile, the expanded

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

Paramount Open Space would provide a very nice amenity to the neighboring areas that will be closer to the actual station where considerable density will occur in the future.

Mr. Lombard said the Alliance also supports the park impact fee proposal, which will come before them later on the agenda. Shoreline has the opportunity to lead the City of Seattle by example in establishing a reasonable park impact fee to help growth pay for growth and its associated needs. He said the Alliance is hopeful that the PROS Plan and the park impact fee proposal will both be adopted.

Janet Way, Shoreline, agreed with Mr. Lombard's comments, and she appreciates that the Paramount Park Open Space is highly rated in the plan. She recalled the first PROS Plan in 1997 was very small, and no where did it include the word "tree." They have come a long way since that time, and they have a lot of potential. It is a critical time for the City and it is important not to squander these opportunities. She recalled that the City received Kehoe Park as mitigation for covering Thornton Creek with the bus barn, which was not exactly a good deal. She suggested the City can do better than that and make real progress improving and expanding existing parks.

Ms. Way asked for information about the projects identified as acquisition and development of property at 5th and 165th Streets for a total of \$8 million. She also asked why the City has to pay \$10 million for the light rail acquisition. She suggested that the City should be getting something from Sound Transit for the damage that will be done. She noted that the Cedarbrook acquisition is a positive potential, also, since this area needs an actual park.

Continued Commission/Board Discussion

Board Member Dittbrenner commented that it would be a missed opportunity if the City of Shoreline did not try to partner with the City of Seattle to acquire at least a portion of the Jackson Park Golf Course, which is located along the freeway just south of 145th Street in the City of Seattle, for future parkland. She noted that Forterra assisted in a similar effort with the Wayne Golf Course in Bothell. Commissioner Chang asked about the status of the Jackson Park Golf Course. Mr. Friedli said the City of Seattle does not have any plans to change it from a golf course. Board Member Dittbrenner observed that it might not be able to remain a golf course when the land is rezoned and property taxes go up.

Although she recognized it is outside of the PRCS/Tree Board's realm of influence, Board Member Dittbrenner raised the concept of making stormwater retention facilities into parks or using rights-of-way creatively to provide small park spaces. The PRCS/Tree Board viewed some very creative designs that provided trails, etc. around water-detention areas. She also raised the concept of requiring developers to leave a certain amount of green that could be publicly accessible.

Vice Chair Montero asked the City's process for converting a stormwater area into a park. Mr. Friedli answered that the City has never done this, and he would need to research the issue further. However, the Surface Water Utility has surface water features in a lot of Shoreline Parks, for which the utility pays the City to offset the maintenance costs. He said he does not anticipate that expanding that to include other surface water features will be a difficult conversation. Commissioner Malek commented that this would be more difficult for the smaller development that is likely to occur in Shoreline. However, the concept

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

is being utilized in areas where there is land available for larger developments. For example, stormwater vaults have been covered with playgrounds, which are also required elements of larger developments.

Commissioner Malek asked if the City has considered relocating the Shoreline Center to the Fircrest site, which is about 80 acres in size. Mr. Friedli answered that when reviewing the siting criteria for location of the new aquatics/community center, Fircrest fell lower on the list because it did not meet the criteria of having access to local transit. If the State offered the City a good deal on the land, the City would definitely reconsider. However, Fircrest has not been interested in having conversations with the City about the possibility.

Commissioner Mork recalled that there has been conversation about having a collective stormwater arrangement at Shoreline Place. She asked if the PRCS Department has considered this as an option for locating additional parkland on top of the facility. Mr. Friedli said the City has been involved in the conversations, but not to the point where a park is being planned there yet.

Commissioner Mork announced that there will be a speaker series on June 8th about Salmon Safe. She asked Mr. Friedli to provide more explanation about how the PROS Plan was amended to incorporate the Salmon Safe Program. Mr. Friedli said it was added as an implementation strategy under Goal 1.

Chair Robertson pointed out that the reason the PRCS/Tree Board has not provided a lot of comment is because they have been involved in the process for the past year and a half. They appreciate the Commission's questions and what the staff has been able to do. The PRCS/Tree Board is proud of the culmination of the work, which she felt is close to completion. She expressed her belief that the community will benefit from the work for many years to come.

Commissioner Thomas requested more information about plans for Rotary Park improvements and the Cedarbrook Park acquisition. Mr. Friedli said Rotary Park is located at the corner of 185th and 10th, and is actually located in the right-of-way where there is a fairly wide curve. The park is a hub of open space, and the plan is to install a few picnic tables and benches. Seattle City Light owns the property and transmission lines run diagonally through it. He anticipates there will be some discussion about building a park adjacent to or under high power lines, but it is a large open space that is used now for informal recreation activities. There are a number of single-family parcels to the north and west, so taking advantage of this publicly-owned open space to create a significant park on the east side of the 185th Street Station is the goal.

Mr. Friedli explained that the Shoreline School District closed the Cedarbrook Elementary school about 20 years ago, and the building has been leased for various uses since that time. The district's plan is to demolish the building, and informal discussions indicate that this may be the one property the district might be interested in selling. The full purchase price was not listed in the PROS Plan because the property is bordered by both Lake Forest Park and Shoreline. Perhaps the City should partner with Lake Forest Park to acquire the site since their residents will benefit as much as or more than Shoreline residents. There is also a stream running through the property, so much of it is likely wetland. Perhaps there will be opportunities for land conservation grants the City could pursue. Commissioner Thomas noted that the PROS Plan lists the City's contribution for the acquisition at 25%, which is what staff believes would be

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

an appropriate contribution from the City. To clarify, Mr. Friedli noted that Cedarbrook School is located on Perkins Way, south of Ballinger Way.

Board Member Sandico recalled that two of the goals of the PROS Plan is to look for opportunities to acquire more parkland and install new art pieces. In talking with her fellow students, she came up with the idea of installing a work of art that kids could play on. This option would take up space and save a lot of money. It would also provide a space for youth to interact, and provide a great place for people to take pictures.

Vice Chair Montero asked staff to provide an explanation on the assumptions that were made for each year in the capital budget. Mr. Friedli explained that, starting in 2018, the capital budget assumes a 3% compounded cost increase through 2023. There is no real magic on how they decided what the capital budget would be each year. With all the parks, there is an acquisition line and a development line, and the acquisition was always budgeted before development, which was phased in. For example, the 145th Street Station Area Acquisition Project is not to purchase land for the station, but to purchase parkland within the 145th Street Station Subarea. Rather than purchasing a single, large piece of property, the acquisition would likely be phased over a number of years as the City purchases smaller parcels throughout the subarea. He further explained that the capital budget is based on a combination of future funding sources (bonds and park impact fees). It is anticipated that the items at the bottom of the list would be prime candidates for park impact fee funding. However, even if a park impact fee program is adopted, there won't be enough money coming into the program to start paying for a high level of purchases for a number of years.

Commissioner Malek referred to Cama Beach on Camano Island, which was purchased from two women who were going to sell to either the community or a developer. A commercial element was developed on the site for kayak rentals, etc. He asked if there is an opportunity for the City to do something similar in an effort to reclaim some of the bond funding or operational costs. Mr. Friedli answered that there will be opportunities for the cost sharing concept. For example, as the 145th Street Station is developed, the City could purchase parkland that connects some of the superblocs, and allows an adjacent restaurant's outdoor seating to spill out into the park area for a fee. Another option is to use City investments to be a catalyst for cost and revenue sharing opportunities.

Although current pace of development is quite slow in the station areas, Commissioner Chang said she anticipates that it will pick up at some point. She asked if there is any reason for the City to move forward with property acquisition in the station areas now rather than later. Mr. Friedli answered affirmatively. Property owners in the subareas are definitely thinking about redevelopment opportunities. If Shoreline wants to take advantage of these opportunities, it needs to be forward thinking and spend money now for acquisition. The land will no longer be affordable at some point in the future. However, he cautioned that it will be costly and difficult. Commissioner Chang said this sense of urgency was not clear in the timeline of the plan. Mr. Friedli said part of this was intentional because the idea of the City buying individual parcels for parkland can be sensitive. However, he agreed that the City should have a sense of urgency when it comes to acquiring parkland, particularly in the station subareas.

STUDY ITEM: PARK IMPACT FEE STUDY

DRAFT

City of Shoreline Joint Meeting
Planning Commission and
Parks, Recreation and Cultural Services/Tree Board
May 18, 2017 Page 11

Staff Presentation

Mr. Friedli presented a brief staff report, noting that the Park Impact Fee Report contains all of the calculations and background data. He explained that park impact fees can pay for system improvements in the adopted Capital Facilities Plan (CFP) and Capital Improvement Plan (CIP) that expand capacity based on growth. Park impact fees cannot pay for project improvements or for replacement, repair or renovations that do not add capacity.

Mr. Friedli explained how the proposed park impact fee was calculated based on the growth forecast (residents, employees, and visitors to businesses), cost of parks per person, rate comparisons, and revenue forecasts. He summarized that the equivalent growth population by 2035 is anticipated to be 15,982, and the City's current park system is valued at \$357 million. When divided by the current population, the capital value per equivalent population in 2018 will be \$5,388. If the population increases by 15,982 people, the City will need to add \$86 million worth of value to the parks system in order to maintain the current level of service. If the City continued to invest in parks at the same level it has for the past 10 years, it would spend about \$7 million. Since the City already plans to spend that amount to accommodate growth, it cannot be included as part of the impact fee calculation. That means that \$79 million would need to be paid for by new growth, and this equates to about \$4,944 per person. When this number was adjusted for consistency with the CFP, the growth cost would be \$4,150.16 per person. Assuming there would be about 2+ people in each single-family dwelling unit, the park impact fee per unit would be \$9,894 per single-family unit, \$6,489.93 per multi-family unit, and \$5.51 per square foot for non-residential development.

Mr. Friedli summarized that the forecasted impact fee, based on historical trends in development, would result in \$66 million of impact fees being collected between 2018 and 2035. However, the impact fee schedule identified above is likely higher than staff will propose and what the City Council will approve. When compared to impact fees around the region, the numbers are substantially higher. All of these cities went through a similar study, and they all ended up with reduced numbers. He advised that the City Council will review the report and consider what is reasonable and fair, and then adopt an impact fee that they feel is the right number. The numbers provided should be considered the maximum allowable park impact fee the City could charge.

Commissioner Malek asked if sales tax revenues could be used to offset park costs. Mr. Friedli answered that sales tax revenue is included in the money the City already plans to spend to accommodate growth.

Commissioner Mork asked what type of development permits would require a park impact fee. Mr. Friedli said the park impact fee would apply only to new construction (whatever adds new population). Replacement and expansion of a single-family home would not require a park impact fee unless an additional unit is added.

Board Member Franklin asked if an Accessory Dwelling Unit (ADU) or backyard cottage would require a park impact fee. If so, would it be similar to the traffic impact fee, and fall into the multi-family category? Mr. Friedli answered that is likely the case, but the proposal does not specifically address this level of detail. Board Member Franklin said he sees a lot of value in backyard cottages and how they can fit into the community, and the City should do what it can to encourage this type of development. He was

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

pleased to see that the traffic impact fee for an ADU would be less than for a new single-family home, and he would also like the same approach to apply to the park impact fee.

Because an ADU could potentially add capacity to a household, Commissioner Thomas asked if they would be subject to a fee or could they be exempt. Mr. Friedli said he is not sure if it would be possible to exempt ADU's from the impact fee.

Chair Robertson asked if the park impact fee would be in place in perpetuity or would a time limit be set to review the rates again. Mr. Friedli answered that a time limit would be set for reviewing the rates, but the City does not have to set a time limit for sunseting the impact fees program, itself.

Board Member Schielke voiced concern that the park impact fees should benefit the people who are actually being impacted by a development. Mr. Friedli explained that, as currently proposed, the City would collect impact fees from all new development in Shoreline and it could be spent anywhere in the City. The thought is that the City is compact enough that any park could be impacted by any development anywhere in the City. It becomes a policy decision by the City Council to choose the projects that would be funded via impact fees. This decision would be made separately from adoption of the impact fee proposal. Board Member Schielke voiced concern that the impact fee funding should be focused in the rezoned areas where most of the new development will take place.

Commissioner Thomas asked if the impact fee funds could be used to renovate an area that is already owned by the City but is surplus and made available for parkland. For example, could the existing police station property be repurposed using impact fee funds when the police station relocates. Mr. Friedli said this property is owned by the City's general fund, and changing it into a park would probably not qualify for an impact fee expenditure. However, improvements that expand the capacity of a property to meet the growth needs could potentially be funded with park impact fees.

Vice Chair Montero recalled that when the Commission was considering the 145th and 185th Street Subarea Plans, there were corresponding open space requirements for larger developments. There was also some discussion about allowing a developer who could not do open space to contribute money to a fund to provide the open space elsewhere. Mr. Szafran answered that each private development would be required to provide its own open space for the project. Vice Chair Montero asked if this open space would count as part of the 95 acres of parkland the City needs to accommodate growth, and Mr. Szafran answered no.

Commissioner Malek reviewed that the City of Redmond is very similar to the City of Shoreline in population and size, and they have about 150,000 to 200,000 people in their city during the middle of the day and back down to 55,000 to 56,000 people during the evening. It strikes him that their impact fee is considerably lower than the numbers identified for the City of Shoreline even though the density is similar and their use would be substantially higher. He said it would be interesting to learn more about the data that their impact fee is based upon. Mr. Friedli agreed to research this further.

Public Comment

No one in the audience indicated a desire to provide comment.

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Continued Board/Commission Discussion

Mr. Friedli advised that following the Board/Commission discussion, the proposal will be updated to address the questions that have been raised. The intent is to present a final proposal to the City Council in July. The City Council will conduct a public hearing and, hopefully, adopt the proposal by the end of July. If approved by the City Council, the intent is for the park impact fee to become effective in late 2017 or early 2018.

Chair Robertson referred to the information that was provided to compare park impact fees for selected cities in the region. She observed that the City has some catching up to do, and she does not see that any of the other cities have been on the cusp of such dramatic change as the City of Shoreline is about to face. They are anticipating a significant increase in population, which will increase the need for parkland and facilities. She said she is in favor of setting the park impact fee as high as possible, and she appreciates the justification provided by staff.

Commissioner Chang cautioned that it is also important to keep in mind that one of the City's current focuses is on economic development. Although she does not know how development costs in Shoreline compare with developments costs in other jurisdictions in the region, she is concerned about establishing such a high impact fee for commercial development. The City's Economic Development Manager is working hard to attract businesses to Shoreline, and a significantly higher impact fee could make it too costly to develop in Shoreline. Mr. Friedli advised that the City's Economic Development Manager is in the process of updating a study that was done several years ago when the City was considering a transportation impact fee, looking at all the costs of doing development in Shoreline.

Board Member Dittbrenner agreed with Chair Robertson and pointed out that the cities that were used for comparison will not have light rail stations. Because the rail stations will provide a huge amenity, she suspects that businesses and homeowners will be willing to pay a higher fee.

Board Member Franklin agreed that the parks system could benefit from a large park impact fee right away, but it is important to realize that there is currently no impact fee. Going immediately to \$10,000 seems like a big hit. He suggested the City should consider a graduated approach. He said he also likes how the City of Bothell bases its fee on how large a development is.

Commissioner Mork said her understanding is that the proposed impact fee would only apply to development that adds density. It would not apply to a situation where someone replaces a small home with a larger home. Most of the density will occur in the station areas. Mr. Szafran said it would also apply to properties that are subdivided to create more single-family lots.

Commissioner Thomas agreed with Board Member Franklin and suggested that perhaps the impact fee should be based on the number of bedrooms. Commissioner Malek voiced concern that this approach could end up discouraging development, and people would likely find creative ways to game the system. He likes the existing system that bases the impact fee on new construction only, and felt it would be easier to implement. He said he would be opposed to an impact fee that burdens those who are trying to improve the value of their properties. When an older home is replaced with a new home, it does not necessarily add more people.

DRAFT

4b. Draft Minutes from Thursday, May 18, 2017

Commissioner Mork said she would prefer a program that applies to a broader spectrum of people rather than hitting a few with a large dollar. Totally replacing a smaller home with a large home should constitute some level of park impact fee.

Mr. Friedli said he would share the concerns raised by the Board and Commission with the consultant. Their comments would also be presented to the City Council when the impact fee proposal and PROS Plan are presented to them in June and July.

Board Member Southwick commented that there must be some way to retain the trees when lots are redeveloped with larger homes. Approximately 71% of the City's tree canopy is located on private property, and there must be some way for the City to ensure that it is protected. It is not enough to simply preserve the trees that are located in parks.

Commissioner Malek applauded the PRCS staff and PRCS/Tree Board for being very proactive in tackling the issues early and considering the bigger picture. They have done fantastic work.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

William Montero
Vice Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission

Betsy Robertson,
Chair, Parks, Recreation and Cultural Services/Tree Board

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6a - Staff Report - Abatement Development Code Amendment

Planning Commission Meeting Date: June 1, 2017

Agenda Item 6a.

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Development Code Amendment to Expand Use of Civil Penalties and Other Fees Collected

DEPARTMENT: Planning & Community Development

PRESENTED BY: Paul Cohen, Planning Manager
Steven Szafran, AICP, Senior Planner

☐ Public Hearing

☐ Discussion

☒ Study Session

☐ Update

☐ Recommendation Only

☐ Other

BACKGROUND

Currently, the Development Code SMC 20.30.777 (A) states that civil penalties and abatement funds must be used for abatement of code violations. Staff recommends that the code be amended to expand potential uses of this fund to include other code enforcement activities in support of Shoreline's code enforcement program. The City's abatement fund contains more money than is required to address abatement needs annually and could be used in support of these other code enforcement activities.

The code defines "Abate" as:

To repair, replace, remove, destroy or otherwise remedy a condition which constitutes a Code Violation by such means, in such a manner, and to such an extent as the Director determines is necessary in the interest of the general health, safety and welfare of the community and the environment. (Ord. 406 § 1, 2006).

DISCUSSION

The City typically budgets \$100,000 a year for the abatement fund. The City may expend these funds to resolve public nuisances on private or public property. These funds expended by the City to address public nuisances on private property are billed to the property owner. Typical abatement projects include: boarding up of vacant nuisance structures; removal of accumulated refuse in extreme cases; payment of relocation assistance funds to tenants displaced by code violations; and removal of junk vehicles from private property. In some cases, the property owner pays the abatement bill from the City upon receipt. If the property owner does not pay the bill for the abatement, the City instructs the County Assessor to recoup the abatement costs by an

Approved By:

Project Manager 

Planning Director


PLC for
RM 25

6a - Staff Report - Abatement Development Code Amendment

assessment against the real property to be collected as taxes by the King County Treasury. Eventually, the cost of abatement is repaid to the City and deposited back into the abatement fund.

Civil penalties are separate from abatement costs. The City collects civil penalties as described in SMC 20.30.770:

D. Civil Penalties.

1. *A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500.00. The total initial penalties assessed for notice and orders and stop work orders pursuant to this section shall apply for the first 14-day period following the violation of the order, if no appeal is filed. The penalties for the next 14-day period shall be 150 percent of the initial penalties, and the penalties for the next 14-day period and each such period or portion thereafter shall be double the amount of the initial penalties.*

2. *Any responsible party who has committed a violation of the provisions of Chapter [20.50](#) SMC, General Development Standards (tree conservation, land clearing and site grading standards), or Chapter [20.80](#) SMC, Critical Areas, will not only be required to restore unlawfully removed trees or damaged critical areas, insofar as that is possible and beneficial, as determined by the Director, but will also be required to pay civil penalties in addition to penalties under subsection (D)(1) of this section, for the redress of ecological, recreation, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:*

a. For violations within critical areas and required buffers, an amount determined pursuant to SMC [20.80.130](#)(E); or

b. For violations not located within critical areas and required buffers, an amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:

i. The resulting increase in market value of the property; and

ii. The value received by the responsible party; and

6a - Staff Report - Abatement Development Code Amendment

- iii. The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and*
 - c. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.*
 - 3. An additional penalty of \$2,000 if the violation was deliberate, the result of knowingly false information submitted by the property owner, agent, or contractor, or the result of reckless disregard on the part of the property owner, agent, or their contractor. The property owner shall assume the burden of proof for demonstrating that the violation was not deliberate.*
 - 4. A repeat violation means a violation of the same regulation in any location within the City by the same responsible party, for which voluntary compliance previously has been sought or any enforcement action taken, within the immediate preceding 24-consecutive-month period, and will incur double the civil penalties set forth above.*
 - 5. Under RCW [59.18.085](#), if, after 60 days from the date that the City first advanced relocation assistance funds to displaced tenants, the landlord does not repay the amount of relocation assistance advanced by the City, the City shall assess civil penalties in the amount of \$50.00 per day for each tenant to whom the City has advanced a relocation assistance payment.*
 - 6. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance with the notice and order. For purposes of assessing civil penalties, a violation shall be considered ongoing until the responsible party has come into compliance with the notice and order and has notified the Director of this compliance, and an official inspection has verified compliance and all assessed penalties and costs have been paid to the City.*
 - 7. a. Civil penalties will be waived by the Director or will be reimbursed to the payer by the Director, with the concurrence of the Administrative Services Director, under the following documented circumstances:*
 - i. The notice and order were issued in error; or*
 - ii. The civil penalties were assessed in error; or*

6a - Staff Report - Abatement Development Code Amendment

iii. Notice failed to reach the property owner due to unusual circumstances.

b. Civil penalties accrued under subsection (D)(1) of this section will be reduced by the Director to 20 percent of accrued penalties if voluntary compliance is achieved and the City is reimbursed its reasonable staff and professional costs incurred in enforcing the notice and order.

8. Deep Green Incentive Program.

a. Failure to submit the supplemental reports required by SMC [20.50.630](#)(F) by the date required – within six months and two years of issuance of the certificate of occupancy – is subject to civil penalties as specified in subsections (D)(1) and (D)(4) of this section.

b. If the project does not meet the requirements after two years of occupancy as detailed under SMC [20.50.630](#)(F)(6)(a) through (c), the applicant or owner will be required to pay the following:

i. Failure to demonstrate compliance with the provisions contained in SMC [20.50.630](#)(F)(6)(a) through (c) is subject to a maximum penalty of five percent of the construction value set forth in the building permit for the structure. This fee may be reduced at the discretion of the Director based on the extent of noncompliance.

ii. In addition, the applicant or owner shall pay any permit or other fees that were waived by the City.

Civil penalties are a tool used by the City to provide incentive to property owners and other responsible parties (ex. tenants) to voluntarily correct code violations in a timely fashion. Civil penalties are also used to penalize certain actions that are particularly egregious such as illegal tree removal; damage to critical areas or critical area buffers (See SMC 20.80.130.E); deliberate violations; repeat violations.

Conclusion

In the past five years, the most the City spent annually on abatement was \$27,246. Because each year the City passes the remaining fund into the next year, the annual fund has increased. At the end of 2016, the abatement fund contained \$167,938. It would be beneficial to the code enforcement program to broaden the ability to use these

6a - Staff Report - Abatement Development Code Amendment

funds to include more than just abatement. Staff recommends broadening the use of the civil penalties collected and abatement funds to include other activities to support the code enforcement program. These activities could include education, additional inspection, hiring of specialized resources (ex. hiring of noise expert), training (ex. how to use a sound level meter) and outside legal assistance in addition to abatement activities.

TIMING AND SCHEDULE

Planning Commission Public Hearing – July 6

City Council Study Session – July 31

City Council Decision – August 14

ATTACHMENT

Attachment A – Proposed Amendment to SMC 20.30.775 Collection of penalties and costs.

Attachment A - Proposed Amendment to SMC 20.30.775

20.30.775 Collection of penalties and costs.

A. All monies collected from the assessment of civil penalties, costs, and for abatement reimbursements recovered from violators resulting from code enforcement actions and work shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of a fund or other appropriate accounting mechanism in the Department issuing the notice and order under which the abatement occurred shall be deposited in a code enforcement/abatement fund and utilized for future code enforcement action expenses. Eligible expenses shall include, but not be limited to, all costs for abatement whether or not the responsible party is identified, education and outreach, and one-time expenses associated with a specific case necessary for obtaining code compliance.

B. The amount of cost of repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Director shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. For the purposes of this section, the cost of vacating and closing shall include (1) the amount of relocation assistance payments advanced to the tenants under RCW [59.18.085](#) that a property owner has not repaid to the City, and (2) all penalties and interest that accrue as a result of the failure of the property owner to timely repay the amount of these relocation assistance payments under RCW [59.18.085](#).

Upon certification by the City Finance Director of the assessment amount being due and owing, the County Treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW [84.56.020](#), as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City.

If the dwelling, building, structure, or premises is removed or demolished by the Director, the Director shall, if possible, sell the materials from such dwelling, building, structure, or premises and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Director, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property, which shall be of equal rank with State, county and municipal taxes.

C. In addition to, or in lieu of, the provisions set forth in this subchapter, the City may commence a civil action in any court of competent jurisdiction to collect for any such charges incurred by the City to obtain

Attachment A - Proposed Amendment to SMC 20.30.775

compliance pursuant to this chapter and/or to collect any penalties that have been assessed. (Ord. 466 § 4, 2007; Ord. 391 § 4, 2005; Ord. 238 Ch. III § 10(f), 2000).