

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Workshop on required Pedestrian Improvements and Associated Fee In-Lieu Program
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Jeff Forry, Permit Services Manager

SUMMARY

The purpose of this meeting is a presentation of the current standards and policies regarding required sidewalk improvements within the City, an overview of fees collected and sidewalks constructed in 2004, and to respond to questions and comments the Commission may have.

The Shoreline City Council adopted Ordinance # 303 on May 16, 2002, that created a voluntary payment program that offered payment in-lieu of required sidewalk and frontage installation for single family construction only. The ordinance established Section 20.70.030 of the Shoreline Municipal Code (SMC) (shown in **Attachment I**)

This report reviews permit activity in 2004 and shows how the fee in-lieu program was utilized for that time period by presenting those projects where fees were collected and those where sidewalk was constructed.

TIMING

This workshop has been scheduled as a result of Planning Commission inquiries for more information on the administration of the City of Shoreline fee in-lieu program. A future work program may be developed as the result of this workshop.

STAFF RECOMMENDATION

As this is an informational workshop, no action is required of the Planning Commission at this time.

INTRODUCTION

Residential curb, gutter and sidewalk improvements are regulated under SMC 20.70.030 (shown in **Attachment I**). Included in these regulations is the voluntary payment in-lieu of construction program option. This enables the City and the developer to enter into an agreement to use the funds the developer would otherwise spend on frontage improvements to supplement a public improvement project. These funds must be used to fund pedestrian facilities improvement projects located in the vicinity of the development activity. The intent of this program is to promote connectivity of sidewalks and drainage improvements on a City-wide basis, and to help avoid the piecemeal installation of frontage improvements that provide no connectivity to other pedestrian facilities.

WHEN REQUIRED

Currently, the installation of drainage and pedestrian facility improvements are required for residential projects if the project is one of the following:

- A long or short subdivision
- The construction of a new single family residence
- A large scale remodel or addition where the work being done exceeds 50% of the assessed valuation of the property plus improvements before the addition (the King County Assessors valuation is used).

AUTHORITY

RCW 82.02 (**Attachment II**) authorizes the voluntary payments by developers in-lieu of the construction of required improvements.

BACKGROUND

On March 7, 2002 a Public Hearing on the addition of the fee-in-lieu program as a Development Code Amendment was held by the Planning Commission and the Commission forwarded a recommendation of approval to the City Council. Following this, Ordinance No. 303 was adopted by City Council on May 13, 2002 revising SMC 20.70.030 to allow for the payment in-lieu-of required improvements. A copy of the May 13, 2002 Council Staff Report which includes a copy of Ordinance No. 303 and the March 7, 2002 Planning Commission Public Hearing Minutes are included as **Attachment III**. The May 13, 2002 City Council minutes are included as **Attachment IV**.

FEE CALCULATION

If a developer decides to participate in the fee-in-lieu program he or she completes the "REQUEST TO PAY FEES IN-LIEU OF CONSTRUCTING SIDEWALK IMPROVEMENTS" (see **Attachment V**). Once the request is made, the City's development review engineer completes a site visit to ensure there are no special circumstances on site, and verifies cost estimates provided by the developer. If both the applicant and the engineer agree on the estimates, then fees are collected as part of the building permit.

2004 FEE-IN-LIEU PROGRAM ACTIVITY

In 2004 the City of Shoreline issued permits for construction at 28 locations that triggered required improvements. Of these 28 locations (some of these locations include cottage housing or multiple unit constructions and have several building permits related to one parcel or subdivision) 24 are new construction and 4 are major remodels. Of these 28 locations, 16 have either been required to build* or have opted to build the frontage improvements, 10 have volunteered to pay the fee in-lieu, and 2 have not finalized their building permits. Because frontage improvements are required as a condition of Certificate of Occupancy (CO), developers or home owners are not required to indicate if they will be requesting a fee-in-lieu, or if they will be applying for a Right of Way permit to construct the improvements prior to building permit issuance. They are only required to comply with the standard by bonding for the improvement, applying for and receiving a ROW permit, or paying the fee in-lieu to receive a CO (finalize the

permit). See **Attachment VI** for a map citing these activities in relation to the City CIP forecast.

**SMC 20.70.030(1) allows for a fee payment in-lieu of required frontage improvements if volunteered for by the applicant and agreed to by the City. The City Public Works department has not agreed to a payment in-lieu of improvements for those parcels that are on corner lots. In most cases, when the development activity is situated on a corner lot, the exemption to required frontage improvements has not been granted because corner lots serve as a point of origin for future expansion projects and provide the largest function of public safety.*

FEES COLLECTED

As a result of development activity at the 28 locations that required frontage improvements in the year 2004, the City of Shoreline has collected \$53,849 through the fee in-lieu of program. (Some of these fees have been collected subsequent to 2004 when a CO was requested by the applicant.)

STAFF RECOMMENDATION

No action is required of the Planning Commission at this time. Planning Commission should review the information presented, develop any questions regarding the current program and its administration, and determine if future work is needed regarding this issue.

ATTACHMENTS

Attachment I: Section 20.70.030 of the Shoreline Municipal Code

[Link to Attachment I](#)

Attachment II: RCW 82.02

[Link to Attachment II](#)

Attachment III: May 13, 2002 Council Staff Report

[Link to Attachment III](#)

Attachment IV: May 13, 2002 Council Meeting Minutes

[Link to Attachment IV](#)

Attachment V: Fee in-lieu Request Form

[Link to Attachment V](#)

Attachment VI: Map of sidewalk activity

[Link to Attachment VI](#)