

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Development Regulations for 185th Street Light Rail Station Subarea Plan

DEPARTMENT: Planning & Community Development

PRESENTED BY: Steven Szafran, AICP, Senior Planner

Public Hearing

Discussion

Study Session

Update

Recommendation Only

Other

Introduction

The purpose of this study session is to:

- Review the Development Code regulations for the proposed 185th Street Light Rail Station Subarea Plan;
- Inform the Planning Commission of topics that require greater study;
- Provide information and solutions for issues identified by staff;
- Ask direction on options for certain Development Code regulations;
- Respond to questions regarding the proposed development regulations;
- Gather public comment.

Amendments to Shoreline Municipal Code (SMC) Title 20 (Development Code) are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission will be the review authority for the 185th Street Station Subarea Plan which will include amendments to the Comprehensive Plan; zoning map amendments; and these implementing Development Code regulations. The Planning Commission will be responsible for holding an open record Public Hearing on the package of Development Code amendments along with the 185th Street Light Rail Station Subarea Plan and making recommendations to the City Council on the entire package.

Background

The City began working on light rail station subarea planning in fall 2011 with the adoption of Light Rail Station Area Planning Framework Policies for Shoreline. The framework policies guide the City's future discussions and decisions regarding the planning and development of the areas surrounding the two light rail stations.

After adoption of the framework policies, the City began working on the update of the entire Comprehensive Plan. The Comprehensive Plan merged the framework policies into 23 policies related to light rail station areas and identifies light rail station study boundaries on the Comprehensive Plan Land Use Map. The update to the

Approved By: Project Manager _____

Planning Director _____

Comprehensive Plan goals and policies, map, and station study areas were adopted in December 2012 (see www.cityofshoreline.com/home/showdocument?id=15882).

The City and its residents have been working on the 185th Street Station Subarea Plan since spring 2013 to create a land use, transportation, and infrastructure framework for a livable, equitable, and sustainable transit-oriented community in Shoreline.

In addition to supporting the regional investment on high-capacity transit, the subarea plan implements Shoreline's 2012 Comprehensive Plan goals and policies and the City's Vision 2029 (see www.cityofshoreline.com/home/showdocument?id=9651). The subarea plan will expand community choices related to land use, housing and transportation. Regulations will be used to promote a variety of housing styles and increased levels of affordability; enhanced pedestrian, bicycle, transit, and motor vehicle connectivity; greater mobility and safety; neighborhood-serving employment opportunities and businesses; and other desired amenities.

Development Code Amendments

New Zones

The proposed development regulations are intended to implement the goals and policies identified in the Comprehensive Plan. The light rail station area policies can be found in the Land Use Element under LU20 through LU43 (see Attachment 2).

Staff has proposed creating new zones that will implement the 185th Street Station Subarea Plan. The new zones create a more form based regulatory approach that is flexible enough to allow for a mix of compatible uses and styles as supported by the market and controlled using simple bulk and scale requirements.

A secondary reason for the creation of new zoning designations is to provide increased areas for multi-family housing. The City currently has four (4) percent of its land area devoted to multifamily zoning. The market study prepared for the 185th Street station indicates a demand for multifamily housing around the station and also notes a lack of multifamily zoning to provide future demand.

Staff recommends that these Development Code amendments be integrated into the existing code organization rather than a separate district or overlay. The Development Code amendments include sections that are changing. If certain sections are not addressed, it is assumed that the existing code provisions will apply. The proposed Development Code amendments for the 185th Street light rail station subarea plan are described below by Development Code section.

20.10 – General Provisions

20.10.020 – Purpose

20.10.020 describes the purpose of the Development Code. The proposal is to strike the bullet "Avoid excessive concentrations of population" and replace the bullet with "provide well planned areas of Transit-Oriented Communities around light rail stations and along other high-capacity transit corridors". Staff believes this change is necessary

to incorporate the direction of the Land Use policies in the Comprehensive Plan related to establishing areas around light rail stations as appropriate for increasing population due to the proximity to light rail service and adjacent neighborhood serving amenities.

20.20 - Definitions

20.20.016 – D definitions

Development Agreement

A definition for development agreements is proposed to be added to the “D” definitions section of the code. A development agreement is a new concept in the City and is proposed to be a new permit type in 20.30 – Procedures and Administration.

20.20.016 – D definitions

Dwelling, Live/Work unit

A definition for live/work units is proposed to be added to the “D” definitions section of the code. A live/work unit is a new concept in the City and is proposed to be a new land use in 20.40 – Zoning and Use Provisions.

20.20.016 – D definitions

Dwelling, Microhousing unit

Microhousing is a relatively new concept in the City and we have had one microhousing project proposed on Aurora Avenue. The proposed definition is based on materials submitted by the developer and staff research used to prepare an Administrative Order related to the project.

20.30 – Procedures and Administration

Table 20.30.060 – Summary of Type C Actions and 20.30.338 – Development Agreement

A Development Agreement is a new concept in the City of Shoreline but used extensively in other jurisdictions for defined development including station areas. Section 20.30.338 will add the purpose, contents, approval procedures, and criteria and requirements for a Development Agreement. The notice requirements, review authority, decision making authority, and target time limits for decisions for a Development Agreement will be added Table 20.30.060. Table 20.30.060 is the review procedures for a Type C permit which is a quasi-judicial permit type. Type C permits typically go before the Hearing Examiner for a public hearing. The Hearing Examiner makes a recommendation to the City Council. Per RCW 36.70B.200, a Development Agreement must be approved through an ordinance or resolution.

The intent of the Development Agreement is to define the parameters of development that is allowed on sites zoned Mixed-Use Residential 140 in exchange for more flexible development regulations or added development potential. The proposed language contained in Attachment 1 is the starting point for the required elements to be contained within the Development Agreement. Staff is seeking a balance between development potential and public benefits. Staff’s proposal contains two parts to a Development Agreement - items that are required and items that a developer may choose from. Is the City offering enough development bonuses to require a specified list of amenities in

combination with some optional amenities? Are there too many requirements that may deter any development from occurring in the proposed MUR zones?

RCW 36.70B.170 lists elements that must be contained within a Development Agreement. These items include a project description, site plan, permitted uses, site design, bulk and building standards, open space, capital facilities, utilities, and other public services. Staff has included a requirement for the provision of affordable housing as well.

The second section of the Development Agreement lists optional items that a developer may choose to include within a proposed development. Staff has proposed amenities such as net zero-energy, on-site waste management, jobs, public art, senior housing and universal design, green building, and significant tree retention. These items will be an expanded menu during the Planning Commission meetings in September with definitions, model codes from other jurisdictions, and pros and cons of each requirement. The language included in Attachment 1 includes possibilities and staff is not necessarily making a recommendation on this particular list. The draft language is a starting point for discussion and the final list may look completely different from this proposal.

Justification –Development Agreements provide a developer the flexibility to create an interesting development project around the light rail station while giving the City the opportunity to require amenities that may not be possible to obtain in other types of development. The Development Agreement will in some ways act as a Master Development Plan Permit where the developer can dictate the development regulations for a particular project while the City can negotiate specific amenities that the community has identified as being important in the neighborhood.

Comprehensive Plan Support – The establishment of a Development Agreement is supported by the following Comprehensive Plan Goals:

- Goal LU I – Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods;
- Goal H V – Integrate new development with consideration to design and scale that compliments existing neighborhoods and provides effective transitions between different uses and intensities;
- Goal T V – Protect the livability and safety of the neighborhoods from the adverse impact of the automobile;
- Goal ED III – Facilitate private sector economic development through partnerships and coordinating funding opportunities; and
- Goal NE I – Minimize adverse impacts on the natural environment through leadership, policy, and regulation, and address impacts of past practices where feasible.

Note: Further justification for codifying Development Agreement procedures was presented to the City as a result of an audit of the City’s Development Code by

the Washington City’s Insurance Authority (WCIA). The WCIA audit included a finding recommending the City adopt procedures for Development Agreements to reduce liability.

20.40 – Zoning and Use Provisions

20.40.010 – Purpose. An addition to this section will add the purpose of the mixed-use residential (MUR) zones.

20.40.020 – Zoning and map designations. Four (4) new multiple use residential zoning districts named MUR-35, MUR-45, MUR-85, and MUR-140 are proposed to be added to the zoning table. The proposed zones differ from other residential zones that are typically defined by a dwelling unit density limit such as R-12 and R-18. In contrast, the proposed MUR zones will be defined by height. MUR-35 is a 35-foot height limit, MUR-45 is a 45-foot height limit, MUR-85 is an 85-foot height limit, and MUR-140 is a 140-foot height limit. There will be greater inclusion of other uses allowed entirely by right or as an accessory. The City has implemented this type of regulation through the commercial zone consolidation project which eliminated density requirements and defined development perimeters through height and bulk standards (see Ordinance 654).

The primary reason for the new zoning classifications is to provide flexibility to the development community. Staff also sees a benefit of defining the height and bulk standards or the part of the building that is visible to the surrounding community rather than the number of units. The building size will be defined by height, setbacks, lot coverage, landscaping, and parking.

The second reason for the new zoning classifications is it is important to allow a mix of uses within the subarea to encourage the development of residential units with supporting retail or service uses. This technique will be useful in creating the “sense of place” that is desired within the station subarea.

20.40.046 – Mixed-use residential zones. SMC 20.40.046 is a new section that explains the purpose of the mixed-use residential zones.

Table 20.40.160 – Station Area Uses. The proposed use table tries to include uses that are complimentary to the station and a Transit-Oriented Community where services and retail are within walking distance and require less reliance on cars and more on transit and non motorized travel.

This is a new table that will immediately follow Table 20.40.150 – Campus Uses. This table lists land uses that are permitted, conditional, special, required, or accessory in each of the new zones. There are a number of new uses introduced such as microhousing, live/work units, and mini-storage. The table also lists uses that have supplemental indexed criteria. For example, live/work units are permitted in the MUR-35 zone subject to supplemental use criteria that requires the project site to be located on a Collector or Arterial Street.

Justification – The creation of the Mixed-Use Residential zones will provide flexibility for developers to develop a mix of low and mid-rise residential structures with an appropriate mix of neighborhood commercial uses. The City is lacking the type of zoning that will allow townhome, rowhouse, and other types of multi-family housing. This is shown in the supporting analysis of the Comprehensive Plan which states only four (4) percent of the land area in Shoreline is zoned for multi-family.

Comprehensive Plan Support – The establishment of new zoning categories are supported by the following Comprehensive Plan Goals:

- Goal LU III – Create plans and strategies that implement the City’s Vision 2029 and Light Rail Station Area Planning Framework Goals for transit supportive development to occur within a ½ mile radius of future light rail stations;
- Goal LU VI – Encourage pedestrian-scale design in commercial and mixed-use areas;
- Goal H II – Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations; and
- Goal ED VII – Encourage multi-story buildings for efficient land use.

20.50 – General Development Standards

20.50.020 – Dimensional requirements. This table explains the dimensional and density standards for the proposed zones. The table includes new concepts such as no prescribed unit density maximums by lot size, increased height around the light rail stations, and minimum density requirements.

20.50.240 – Site design. The new zoning categories of MUR-35 through MUR-140 are proposed to be classified as residential zones. However, the design standards that would be applied are commercial design standards. This is intentional because the commercial design standards include design standards for multifamily buildings and the commercial design standards are much more thorough than the City’s multifamily design standards that are located in SMC 20.50 Subchapter 3.

Another important provision added to this chapter is the requirement for alternative access when a project is located on 185th Street. It is the City’s proposed plan to make 185th Street a “Station Boulevard” which includes wide sidewalks, bicycle lanes, and increased bus access. It is the City’s preference to decrease the amount of curb cuts on 185th Street to increase mobility along the corridor and to provide increased safety for future users.

20.50.400 – Reductions to minimum parking requirements. The proposed development regulation will apply all of the City’s existing parking requirements to new development within the 185th Street station area. The only difference being proposed is an additional opportunity to reduce parking spaces if the development is within a ¼ mile walkshed of the light rail station.

Staff researched what other jurisdictions have required for parking in their station areas. A majority of the jurisdictions require one (1) parking space per unit with the ability to

reduce parking standards based on specific criteria. One city, Seattle, does not require any parking within their station areas. The City of Shoreline currently requires .75 parking spaces for studio and 1-bedroom units and 1.5 parking spaces for units with 2 or greater bedrooms. Staff believes having the ability to reduce parking standards in close proximity to the light rail station may be appropriate in certain situations and in certain distances from the light rail station.

Justification – The City currently allows parking reductions approved by the Director based on specific criteria listed in the Development Code. Staff believes the ability to reduce parking requirements for developments close to the future light rail station will promote TOD development, promote a healthy city, and increase the amount of developable area for mixed-use buildings throughout the Station Subarea.

Comprehensive Plan Support – Reduction of parking standards can be supported by the following Comprehensive Plan Goals:

- Goal LU II – Establish land use patterns that promote walking, biking and transit to access goods, services, education, employment, and recreation; and
- Goal T VI – Encourage alternative modes of transportation to reduce the number of automobiles on the road, promote a health city, and reduce carbon emissions.

20.50.540 – Sign design. The only addition here is adding the proposed zones to the existing sign code.

New Concepts

The following concepts were raised during the public process as ideas to consider for the station subarea. These items will be discussed at length at the Commission's meetings on September 4 and September 18. Staff wanted to give the Commission early notice of these and will present model code language and analysis at the September meetings.

- Affordable Housing. Preserving and creating affordable housing near light rail stations and other high capacity transit services has consistently been a part of the local conversations regarding the 185th Street Light Rail Station Subarea Plan. . Staff has proposed requirements of some level of affordable housing in the Development Agreement section of code as a starting point.

Affordable housing is a goal identified in the Comprehensive Plan and PSRC's Growing Transit Communities Strategy. The Strategy states most new market-rate housing that is accessible to transit is unaffordable to those who make less than 80 percent of the area median income. Building mixed-income communities will require improved strategies to minimize displacement, and preserve and produce diverse housing types affordable to a full range of incomes.

Pros – Affordable housing is a goal of the City that is identified in both the Comprehensive Plan and during the 185th Street Light Rail Station Subarea planning process. The City has a lack of housing that is affordable to those

earning less than 50 percent of King County median income and especially to those earning less than 30 percent of King County median income.

Cons – Requiring developers to include affordable housing is still economically challenging. If affordable housing is a mandatory requirement, a developer may develop in a location where affordable housing is not required (ex. Mountlake Terrace; Seattle) and/or rents for new units are higher such as Seattle.

- The MUR 140 zone. Staff has suggested that sites zoned MUR 140 be required to apply for a Development Agreement to develop. If the development community is not ready to develop the site to 12 stories, should there be a fall back zone that will allow development such as MUR 85? Or should sites zoned MUR 85 be allowed to apply for a Development Agreement to increase the development potential of a site up to MUR 140?

Pros – Zoning specific parcels MUR 140 will indicate to developers that the City is ready for intense development near the light rail station.

Cons – The market research report indicated that development over 5-stories is not feasible in the short term. It is expected that development in the short term (the next 10-20 years) will include buildings up to 3-stories and be primarily townhouse/rowhouse type units. If the City requires higher, TOD type development with minimum densities, the City may not see development occur for a long time nor the amenities that the development agreement seeks.

- Should green building, LEED certification, Net-zero, and other progressive environmental features be incorporated in development standards for the subarea?

Pros – Requiring green building measures will meet goals and policies of the Comprehensive Plan, Sustainability Strategy, and the Climate Action Plan.

Cons – The more requirements the City places on development, the less likely development will occur if those requirements are too costly for a developer especially if competing jurisdictions do not have the same requirements and can rent the units for a higher rate.

- Single-family detached homes. The proposed Development Code amendments do not allow detached single-family homes as a permitted use in the MUR zones. Existing single-family homes may be reconstructed, repaired, maintained, and in some cases expanded per the nonconformance requirements of SMC 20.30.280. The intent of excluding detached single-family homes in the Station Subarea is to comply with the Comprehensive Plan Land Use Policies LU20 through LU43 which encourages densities of at least 48 dwelling units per acre within ¼ mile of the light rail station and densities of at least 18 dwelling units per acre within ½ mile of the light rail station.

- Which amenities should be the City's priorities? What is the balance in our development market (time) and development potential? Are we willing to wait until we get the development we want if we require progressive development regulations? What is the "sweet spot" where development begins to attract development, the population increases to support the amenities that create that place everyone wants to occupy/be a part of, rents increase and it becomes economically feasible for development to fund the amenities the Community has identified as being a vital part of the new 185th Street light rail Station Subarea?

Pros - The more amenities the City can provide to current and future residents the better. The City has heard comments from a wide range of interests through visioning, open houses, and public comment. The community believes the station subarea should be a transit "village" with small businesses, a variety of housing choices, pedestrian friendly streets, and visually interesting features such as art installations, parks, and quality building design.

Cons – Competing interests will make it difficult to provide amenities everyone wants. For example, art and open space will make development of housing more expensive thus making affordable housing choices less likely. Competing for development dollars will be difficult if the City's regulations are too restrictive and greater than adjacent jurisdiction's.

Next Steps

The meeting on August 21 is reserved for continuation of the discussion of these "core" development regulations.

The meetings of September 4 and September 18 will present Development Code topics such as affordable housing, universal design, green building, and trees. These topics may evolve into additional Development Code amendments to be added to the "core" amendments discussed on August 7 and August 21. The Planning Commission may also direct staff to research other topics not identified by staff for incorporation into the Development Code.

Attachments

Attachment 1 – Proposed 2014 Development Code Amendments
Attachment 2 - Comprehensive Plan Policies LU20 through LU43