



PLANNING COMMISSION

REGULAR MEETING

AGENDA

Thursday, September 18, 2014
7:00 p.m.

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
a. Swearing In Ceremony for Newly Appointed Planning Commissioner, performed by City of Shoreline Deputy Mayor Chris Eggen	
2. ROLL CALL	7:05
3. APPROVAL OF AGENDA	7:06
4. APPROVAL OF MINUTES	7:07
a. September 4 Regular Meeting – Draft Minutes	

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.

5. GENERAL PUBLIC COMMENT	7:10
6. STUDY ITEM	7:15
a. Development Regulations for the 185th Street Light Rail Subarea Plan	
• Staff Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	8:30
8. UNFINISHED BUSINESS	8:40
9. NEW BUSINESS	8:45
10. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	8:50
11. AGENDA FOR September 29 & October 2, 2014:	
a. Monday, September 29: Joint Dinner meeting with Council	
b. Thursday, October 2nd: Phased Zoning	8:55
c. Also Coming Up: Thursday, October 9th: Design Workshop for 145th	
12. ADJOURNMENT	9:00

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

DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

September 4, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Scully
Vice Chair Craft
Commissioner Malek
Commissioner Maul
Commissioner Montero
Commissioner Moss

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Paul Cohen, Senior Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

CALL TO ORDER

Planning Commission Chair, Keith Scully, 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 Scully, Vice Chair Craft, and Commissioners Malek, Maul, Montero and Moss.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of August 7, 2014 were adopted as amended.

GENERAL PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

**STUDY ITEM: DEVELOPMENT REGULATIONS FOR 185TH STREET LIGHT RAIL
STATION SUBAREA PLAN**

The Commission and staff briefly discussed the process for the study session. They agreed that staff would provide a brief recap of the concepts introduced at the Commission's August 7th meeting and then

introduce two new topics: affordable housing and green building. The discussion would focus on the “Big Picture Questions” outlined in the Staff Report. They further agreed that the public should be invited to provide general comments prior to the staff presentation and again after the Commission has concluded its discussion regarding each of the “Big Picture Questions.”

Public Comment

Kayla Schott-Bresler, Policy Manager, Housing Development Consortium of King County (HDC), reviewed that the HDC is a non-profit, membership organization that represents over 100 organizations, government agencies and private businesses who are all working to solve affordable housing needs in King County. All members are dedicated to the vision that all people should have a safe, healthy and affordable home. They appreciate their partnership with the City of Shoreline over the past several years, and have been particularly inspired by the recent attention the Commission has devoted to affordable housing. She pointed out that 40% of the City’s residents already pay more for housing than they can afford, and rents and housing prices will likely increase when light rail comes to the community, particularly around the station areas. It’s imperative that station areas include plans for affordable housing to help avoid displacement and ensure that people of all incomes have access to high opportunity areas that are rich with jobs, transit and other important amenities for a healthy lifestyle.

Ms. Schott-Bresler pointed out that as the Commission considers development regulations for the 185th Street Station Area, they will have an opportunity to adopt strong, concrete affordable housing policies to serve the full range of housing needs in the community. Incentive or inclusionary zoning is a policy tool the HDC particularly favors, and she appreciates the attention City staff has exhibited in drafting early guidelines to implement this type of complex program. She said the HDC looks forward to continuing its partnership with the City as it works through the policy details in coming months to ensure that all people in Shoreline, regardless of income, have an opportunity to live in safe, healthy and affordable homes.

Verlon Fosner, Lead Pastor, Westminster Community Church, advised that the church is only weeks away from submitting plans to the City for a 24-unit, low-income residence hall built out of shipping containers. He said the church is in support of reducing the parking requirement. He briefly described the population the new units would serve, noting that most would not have vehicles and the significant amount of parking currently required by the code would be unnecessary. He also expressed support for reducing or waiving permit fees. The project will not be subsidized, and the church is working hard to reduce costs so the units can be more affordable.

Staff Presentation and Commission Discussion

Mr. Szafran reviewed that at their August 7th meeting, the Commission discussed zoning designations, bulk standards, uses, building and site design, and new permit types and procedures. Related to these issues, he asked the Commission to provide feedback regarding the following questions:

- **Minimum Densities**

Question: What are the Commissioners’ thoughts on minimum densities?

Mr. Szafran recalled that at their last meeting, the Commission discussed the concept of having minimum densities for the Mixed-Use Residential (MUR) 35, 48 and 85 zones. For example, the MUR-35 zone could have a minimum density of 8 dwelling units per acre (du/ac), with 18 in the MUR-48 and 48 in the MUR-85. He provided pictures to illustrate the difference between projects developed to the maximum densities allowed by each zone versus the minimum densities currently proposed.

Commissioner Maul suggested that a minimum density of 8 du/ac in the MUR-35 zone may be too low, given that some of the single-family zones allow a height limit of 35 feet, as well. Mr. Szafran explained that the MUR-35 zone is intended to increase the area that could be developed into town homes and provide a transition between the more intense MUR-85 and R-6 (Single-Family) zones. Director Markle commented that, currently, the properties zoned R-6 are developed at about three du/ac, and 8 du/ac would equate to approximately 4,000 square foot lots.

Chair Scully summarized the Commission's current and previous discussion that minimum densities are appropriate. Market analysis indicates there is a tremendous demand for town homes, and the Commission has expressed concern that increasing density without a minimum requirement would result in a field of town homes rather than the community's vision of a dense, urban core surrounded by progressively decreasing densities. However, he agreed with Commissioner Maul that 8 du/ac seems a bit low for the MUR-35 zone.

Mr. Cohen noted that the proposed minimum densities are approximately half of what staff thinks the maximum development potential would be. Mr. Szafran added that 85-foot heights is a product the City may not see for a long time, and 48 du/ac is above what you would get with a town home product. The MUR-48 zoning deletes the town home option and saves the land for something the City wants to see. The goal is not to preempt the type of development the City envisions, but still allow for development that is less than maximum to energize the area.

Commissioner Moss recalled that the Commission has also discussed the need for people with greater wealth to live in or near the subarea. She asked if someone who aggregates two 7,200 square foot lots in the MUR-35 zone would be required to develop at least to the minimum density. Mr. Szafran answered affirmatively.

- **Parking Requirements**

Question: Should the City consider reducing required parking "outright" by 25%, 50% or greater within ¼ mile (or other selected proximity) to the light rail station or should the existing parking standards and avenues for reduction apply?

Commissioner Moss asked if other jurisdictions in North King County and South Snohomish County (besides Seattle) have options for reduced parking standards. Mr. Szafran answered no. With the exception of Seattle, parking standards in other jurisdictions are typically greater than the City's normal parking standards. Commissioner Moss also asked if the City's zoning map defines the ¼

mile radius boundary. Mr. Szafran answered that the current code allows developers to reduce parking by 25% if they are within ¼ mile of a high-capacity transit corridor.

Commissioner Montero said he supports a 50% reduction in the parking requirement for affordable housing developments within a ¼ mile radius of the transit station. However, he would not support the additional parking reduction for market-rate housing.

Vice Chair Craft agreed that reducing the parking requirement would be a fantastic incentive for affordable housing. However, some have expressed concern that reducing the parking standards would result in more cars parking on the neighborhood streets. While he agreed that people living in the affordable units would have fewer cars and less need for parking, he is not convinced this would be true for market-rate housing and the community concerns would be realized.

Commissioner Malek questioned how the parking requirement would be applied to Point Wells, which is proposing one parking space per unit, with possibly a shuttle that would connect residents from the waterfront to the 185th Street Light Rail Station. Mr. Szafran explained that in order to qualify for the parking reduction, the properties would have to be located within ¼ mile of a high-capacity transit corridor. However, he reminded the Commission that the Point Wells development is not located within Shoreline and does not have to meet the City's code requirements. Director Markle explained that obtaining a parking reduction requires an administrative process. Because it is likely that staff would approve parking reductions for all properties within ¼ mile radius of the light rail station, the Commission may want to consider allowing an across the board parking reduction for these situations. The Commission expressed support for the concept.

Director Markle advised that staff has been working hard to learn about affordable housing; and Kayla Schott-Bresler from the HDC provided a lot of helpful information that was included in the Staff Report. In particular, staff explored all the strategies identified in the HDC's Workforce Housing Tool Kit. While they found that many of the tools are already in place, staff is proposing a few new tools for the Commission's consideration. She reviewed each of the tools and/or strategies and invited the Commissioners to comment:

- **Inclusionary Zoning**

Director Markle explained that "inclusionary zoning" simply means that affordable housing is included as a requirement of the Development Code for either home ownership or renting. Staff is currently proposing a traditional model that requires that affordable units be provided in return for a development bonus and/or incentive in the MUR-85 zone. She explained that staff originally proposed implementing a Master Use Permit (MUP) process for the MUR-85 zone. However, based on feedback from the City Council on August 25th, they are now proposing a Development Agreement, instead.

Director Markle said staff is currently proposing that 10% of the units be affordable at 60% Average Median Income (AMI) and 10% at 30% AMI. She referred to a handout provided by the HDC to illustrate what type of rents or home ownership would likely be within the various ranges of AMI. She voiced caution about how much housing at 30% AMI the City should require. It is a hard ask

and developers would be prone to utilize the fee-in-lieu option instead. She suggested that it might be more appropriate to require that 10% of the units be affordable at 60% AMI or less, which would be in line with what other jurisdictions in the area do. She referred to Attachment G of the Staff Report, which is a handout illustrating the incentives, bonuses, etc. that other jurisdictions offer.

Question: Should a percentage of new units in the MUR-85 zone be required to be affordable?

Chair Scully pointed out that the goals and policies in the City's Comprehensive Plan strongly favor requiring a certain percentage of the units to be affordable.

Questions: If so, for how long?

Director Markle pointed out that most jurisdictions have a cap of between 30 and 50 years. Commissioner Montero questioned why there should be a limit on the length of time a unit must remain affordable. Vice Chair Craft explained that as the housing stock ages and matures, the idea would be to trade the units into the market place for refurbishment to take advantage of rent at the highest level possible. Caps can be used as an incentive for future investment to maintain the aesthetics and rejuvenate neighborhoods.

Commissioner Moss recalled from previous discussions on other committees that in order to qualify for certain programs, the life expectancy of the affordable unit must be at least 50 years. Ms. Schott-Bresler advised that there are no government imposed long-term restrictions for affordable units that are created without public subsidy dollars, but the general requirements for public programs are between 30 and 50 years. Financing institutions typically require an end date, but the requirement can be renewed for another term when the buildings turn over. She summarized that while some jurisdictions have gone all the way to 99 years, most have established a cap of between 30 and 50 years. She agreed to do further research and follow up with City staff regarding her recommendation.

Vice Chair Craft recommended that the minimum cap should be 30 years. He reminded the Commission that the intent is to incentivize affordable units. While he cautioned against creating an artificial minimum, the City should not overburden what would be a potential opportunity to create more affordable housing.

Question: What should be the required household income level – 60% AMI, 30% AMI or use a sliding scale?

Ms. Schott-Bresler explained that if the City adopts the staff recommendation requiring that 10% of the units to be affordable at 60% AMI or less, most developers will choose the 60% because their goal is to make a profit and 60% is the easiest to comply with. A requirement of 50% to 60% AMI seems appropriate for the Shoreline community. It would encompass the workforce housing demographic rather than the working poor or poverty level, but there are other tools to further incentivize development for people with lower incomes. The Commission discussed options such as using a sliding scale. For example, the City could require that 10% of the units be affordable at 60% AMI, 6% of the units at 45% AMI or 3% of the units at 30% AMI. Although it is anticipated

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that the majority of developers will choose to develop at the 60% AMI level, the sliding scale may encourage a few to develop at the lower income level without having to rely on non-profit or government funding.

Commissioner Montero referred to Attachment G and noted that many jurisdictions across the country have a dual scale that differentiates between units that are rented and owned. He suggested that the threshold be set a little higher for units that are owned. Setting the threshold too low could eliminate any incentive to build condominiums.

Question: What percent of the total units should be required to be affordable?

Director Markle commented that most jurisdictions have a 10% requirement. The Commission expressed general support for that option.

Question: Should affordable units be required in any of the other proposed zones?

Director Markle explained that, up to this point, the City has not considered requiring affordable housing without providing a bonus or incentive to developers. The requirement would only come into play if a developer wants to do something more. In the past, the City's development regulations have been straight forward, and this same thinking was used in the station areas, as well. She questioned if the Commission would support a requirement for affordable housing that is applicable to all development in the MUR-85 zone. She also questioned if the Commission would support some type of affordability requirement in the MUR-35 and MUR-45 zones, such as an impact fee for all new development within the station area.

Chair Scully observed that the City's intent is to not only encourage affordable housing, but encourage more development in the denser zones. Requiring affordable housing in the MUR-85 zone but not in the MUR-35 and MUR-45 zones would encourage developers to build market-rate housing outside of the denser zones and it would take even longer for the urban core development to be achieved.

Commissioner Moss said that while requiring affordable housing in the MUR-35, MUR-45 and MUR 85 zones is noble, it is also important to encourage development. These zones make up more than 90% of the entire station area, and she is concerned about the implications a minimum requirement would have in some areas, particularly smaller parcels in the MUR-35 and MUR 45 zones. She cautioned against setting the perception that the City wants to focus on affordable housing in every single place in the station area, which could inadvertently discourage development. Unlike the MUR-85 zone, there are fewer incentives the City can offer in the MUR-35 and MUR-45 zones to encourage affordable development.

Chair Scully observed that any requirement for affordable housing will discourage development. However, if the cost benefit is over and above what is required by other nearby jurisdictions, then developers will be encouraged to go elsewhere. He cautioned that there is a sweet spot of how much you can do to get affordable housing without closing the doors to development. If the City

establishes an affordable housing requirement for the MUR-35 and MUR-45 zones, they must also have a fee-in-lieu program for practicality purposes.

Director Markle explained that when they discussed development regulations for Town Center, North City, and Aurora Square, they were talking about creating zones and development for now. The station area plans are intended to go much further into the future. During the policy discussions, certain goals were identified and there seemed to be a willingness to increase the development potential around the station areas in order to achieve affordable housing, open space, etc. Rather than offering a number of bonuses or incentives to developers, staff is suggesting a more aggressive approach, with less “giving away,” to get the type of community the City envisions in the light rail station areas.

Director Markle agreed to research and provide more information about the legality of requiring affordable housing in the MUR-85 zone without offering incentives and/or bonuses. It is a new approach and there are not a lot of examples.

- **Fee in Lieu**

Question: Should the City consider an option that allows developers to pay a fee in lieu of constructing affordable units. If yes, in which zones should this provision be applied? How should the fee be derived?

Director Markle advised that Bellevue, Kirkland, Issaquah and Redmond all have a fee-in-lieu program, but the fee amounts vary. Affordable housing advocates have explained that the program is very attractive to developers. It is simple, and it cuts their tie to the management of the affordable unit. If the fee is set correctly, it can be used to leverage other affordable units and to support not-for-profit housing developers. In addition, the units can be built by entities with affordable housing experience, construction and management. On the other hand, establishing the correct fee and managing the funds can be difficult. The City does not currently have a housing department or a system to track housing and they have not been invited to participate in any regional groups. Many jurisdictions use an administrative process to come up with the fee amount.

While staff is interested in establishing a program, there is no funding at this time. In addition, it will take more time to get affordable units if money is collected over time as opposed to having them built as development around the station occurs.

Director Markle asked for direction from the Commission on whether or not staff should continue to work on the fee-in-lieu concept and whether it should apply to just the station areas or citywide.

Vice Chair Craft expressed support for a fee-in-lieu program as an important way to create a process to generate revenue for affordable housing. However, he acknowledged that setting the right fee amount will be difficult and it is important to set the fee high enough.

Chair Scully said he would like to consider an affordable housing requirement that could be applied to all MUR zones. This would require the City to have a fee-in-lieu program that would be

particularly applicable to smaller projects. However, he expressed concern that utilizing an administrative ordinance to establish the fee for each situation would be unpredictable and create unknowns for developers. He would like the City to have a formula that is oriented towards the actual cost of construction. Commissioner Montero said he would also prefer that the fee be based on a percentage of the actual construction costs.

Commissioner Moss agreed there is benefit to exploring the fee-in-lieu option for all zones, particularly for the MUR-45 and MUR-35 zones. Regardless of how the fee is established, it needs to be high enough to make developers question whether it is more cost effective to build the units themselves or pay into the fee.

- **Permit Fee Reductions and Waivers**

Director Markle explained that permit fee reductions and waivers are allowed by State Law, but the City does not currently have the ability in its code. She suggested the Commission consider whether this type of provision should apply only to the MUR zones or to other zones, as well. If the Commission is interested in pursuing this option, the first step would be for the City Council to conduct a public hearing and establish the qualifying income levels. At this time staff is recommending that the income level be set at 50% or less of the King County Median Income for rental units and 80% or less for owner units. This must be done by the City Council after a public hearing. She briefly reviewed how other jurisdictions have addressed the concept.

The Commission discussed that waiving or reducing permit fees would have budget implications that must be addressed by the City Council. They expressed support for the concept but requested more information about the potential impacts and what other cities are doing. They particularly agreed that the option could be part of a package of tools for encouraging affordable housing in the MUR-35 and MUR-45 zones. Commissioner Moss said it would be helpful for staff to provide real life examples of how the various concepts could be applied to potential development in the MUR-35, MUR-45 and MUR-85 zones.

Commissioner Malek asked if waiving the permit fee would allow the Westminster Community Church to move forward with its proposed 24-unit project. Pastor Fosner answered affirmatively. He said the project is intended to serve the population at or below 30% AMI. There is a high level of emergency for the project, which would immediately and profoundly affect the tenants' monthly budget.

Commissioner Montero commented that the average permit fee of between \$50,000 and \$75,000 for a 100-unit development is relatively small, and waiving the fee would not be a significant incentive for affordable housing as part of larger projects. However, the concept would be more meaningful for smaller projects.

- **Parking for Affordable Housing**

Director Markle reviewed that the code currently allows for a 25% reduction in the parking standards for projects that meet criteria such as proximity to transit. It also allows the Director to

approve a reduction of up to 50% for the portion of development providing low-income housing units at 60% of AMI or less. She requested the Commission provide feedback on eliminating the parking requirement for units affordable at 30% of AMI, but only under controlled management. For example, the code could be written to allow the Director to waive the parking requirement if the affordable housing project serves 30% AMI, is managed by an approved not-for-profit organization, and it is recorded on the title that none of the residents would have cars. The Commission could consider this option for the entire City or for just the station area as a pilot.

Commissioner Moss suggested it would be unfeasible to use the station area as a pilot because the zoning changes will happen long before there is light rail in the area to provide people who don't have cars with transportation. However, she felt the concept could have merit for application on a citywide basis. She supports eliminating the parking requirement for units affordable to 30% AMI in some instances, but they may also want to consider a partial reduction to address situations where people need parking space because there is inadequate public transportation available or they are transitioning from living in their car to housing.

Chair Scully observed that the proposed requirements would be impractical in many parts of the City. While he supports the concept for the station area, he knows that it would not be popular amongst property owners who worry about parking overflow into adjacent neighborhoods. The Commission concurred that if the concept is incorporated into the station area plan, there is likely to be a backlash from the community.

Commissioner Maul suggested that the concept could be explored for potential application citywide on a case-by-case basis. He pointed out that if the parking reduction only applies to the low-income units, then the rest of a large development's parking could absorb the impacts. However, if the project is strictly for 30% AMI and below, then eliminating the parking requirement altogether might not be appropriate.

Commissioner Moss cautioned that the pilot program needs to be managed carefully to avoid ostracizing people who are already struggling if neighbors get upset about the unintended consequences. She stressed the need for balance going forward, as opportunities for affordable housing might not always be new construction by a developer or an organization of faith.

- **Property Tax Exemption**

Question: Should Property Tax Exemptions (PTEs) be allowed in the station area? Should they include an affordable housing component? If so, what should the target be?

Director Markle explained that the Commission could forward a recommendation to the City Council that they be allowed in the station area and what the eligibility requirements should be. At this time, staff is recommending that the subarea plan include a requirement for a certain percentage of units to be affordable to households earning 60% or less of AMI.

Commissioner Moss suggested the Commission consider PTE's as a whole in the station area. She cautioned that as zoning changes and the area begins to redevelop, taxes on existing residential

properties will likely increase substantially. She is particularly concerned about how this might impact elderly residential property owners. Commissioner Montero pointed out that there is already a PTE exemption for seniors in place.

Commissioner Montero asked if the PTE concept has been used successfully in other areas of the City. Director Markle explained that PTE's in North City are allowed for units at 80% of AMI, and 100 affordable units have been built. However, the concept is applied as a development incentive versus an affordable housing incentive in the rest of the City to encourage economic development. A PTE was initiated on the "Bingo" site and the project's failure was not related to the PTE provision.

As a realtor, Commissioner Malek said he does not favor PTE's, particularly for as long as 12 years. He cautioned that PTE's can set a complicated precedence and expectation for future developers, and would not necessarily accomplish the City's long-term goal of improving business sales tax and the tax base in general. PTE's do not necessarily attract developers, and there are better incentives to accomplish this goal.

Chair Scully expressed support for using PTE's as a tool for affordable housing if the City's budget can bear it, but not for economic development. He pointed out that the cost of land and demand for housing, and not taxes, will drive future development.

- **Parcel Assembly**

Question: Should the City assemble parcels to promote affordable housing or other redevelopment goals?

Director Markle said that when asked what would be the most impactful action the City could take in the station areas to support the provision of affordable housing, numerous developers advised that the City should invest in parcel assembly. Staff is recommending that the subarea plan include a policy to investigate this opportunity and potentially establish mechanisms. For example, the fee-in-lieu fund could be used to assemble parcels around the station. The City could retain control of the interest and could either save the land for affordable housing or market it to developers who can meet the City's needs for affordable housing.

Vice Chair Craft asked if this parcel assembly would involve 'imminent domain.' Ms. Markle answered no; it would involve actually purchasing properties at market rate from willing sellers. Vice Chair Craft summarized that, essentially, the City would accrue larger lots to foster interest for bigger developments in the MUR-85 zone. She pointed out that there will be remnants of land available after the station has been developed. These will be located within close proximity to the parking garage and station, and will be a particularly good location for development to occur. Because the City anticipates land costs next to the station will go up once the station is finished, it would behoove them to reserve space for affordable units now.

Commissioner Montero requested more information about how a parcel assembly program would be funded. Director Markle clarified that, at this time, staff is simply proposing policy language that

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would allow the City to explore the option further. They do not have all the answers now. She pointed out that the City of Bothell successfully aggregated parcels of land in its downtown, and redevelopment is successfully moving forward. She said many cities with real town centers that are being developed own all or a large percentage of the property, and this allows them to control the vision.

Commissioner Moss said she supports the City purchasing and aggregating properties that adjoin parcels that Sound Transit has already purchased for the station or those that are publicly owned. However, she is not sure the concept should be applied throughout the entire MUR-85 zone.

Chair Scully summarized that the Commission was generally in favor of the concept of aggregating properties, but they had some reservations. They requested that staff provide more information for their continued discussion.

The Commission noted that they did not get through all the items contained in the Staff Report. They agreed to continue their discussion on development regulations for the 185th Street Light Rail Station Subarea Plan at their next meeting on September 18th.

Public Testimony

Liz Poitras, Shoreline, voiced concern about the concept of parcel assembly, which she assumes means the City would purchase parcels and hold them until the neighboring ones become available so they can be aggregated and sold to a developer. She is worried about what will happen to the community in the meantime. Will the City maintain the existing houses and rent them out until such time as they are sold for redevelopment?

Tom Poitras, Shoreline, said that although he is not an expert on affordable housing, he has read that it is best for both low-income people and their neighbors if low-income housing is not concentrated into one area. Provisions that encourage affordable housing should be applied citywide and not just to the station area. There should be some effort to disperse affordable housing options throughout the City. He pointed out that low-income people need opportunities for affordable shopping; and it does not appear that either of the proposed subarea plans would encourage these uses. Land aggregation would be needed to accommodate a regular grocery store and/or mercantile within the subareas. While he agreed it is appropriate to concentrate certain demographics in the station areas, he questioned how many seniors and low-income people would use light rail. It is likely that enhanced bus service would be more appropriate for these people. Most people using light rail will be commuters.

DIRECTOR'S REPORT

Director Markle announced that Commissioner Strandberg has moved out of the area and resigned her position on the Commission. A new Commissioner, Laura Mork, has been appointed and will start at the next meeting.

Director Markle advised that the City Council supported the Planning Commission's recommendation on the preferred alternative for the 185th Street Station Area with just a few changes.

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Director Markle announced that the American Planning Conference will be at the Davenport Hotel in Spokane, Washington on October 16th and 17th. Interested Commissioners should contact staff as soon as possible so that appropriate arrangements can be made.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

There were no reports or announcements from Commissioners.

AGENDA FOR NEXT MEETING

There was no further discussion regarding the agenda for the September 18th meeting.

ADJOURNMENT

The meeting was adjourned at 9:01 p.m.

Keith Scully
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

TIME STAMP
September 4, 2014

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

GENERAL PUBLIC COMMENT:

**STUDY ITEM: DEVELOPMENT REGULATIONS FOR 185TH STREET LIGHT RAIL
STATION SUBAREA PLAN: 3:30**

Public Comment: 7:10

Staff Presentation: 13:46

Public Testimony: 1:57:44

DIRECTOR'S REPORT: 2:01:47

UNFINISHED BUSINESS: 2:03:21

NEW BUSINESS

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS:

AGENDA FOR NEXT MEETING:

ADJOURNMENT:

Planning Commission Meeting Date: September 18, 2014
Agenda Item

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: 185th Street Station Subarea Plan- Development Code Regulations

DEPARTMENT: Planning & Community Development

PRESENTED BY: Steve Szafran, AICP, Senior Planner, P&CD
Paul Cohen, Planning Manager, P&CD
Rachael Markle, AICP, Director, P&CD

Public Hearing
 Discussion

Study Session
 Update

Recommendation Only
 Other

BACKGROUND

This staff report is a continuation of the Development Code regulation discussions from August 7 and September 4, 2014. Staff has updated the proposed Development Code regulations in Attachment A to reflect discussions at the Planning Commission on September 4. Updated language since September 4 is shown in blue text. The topic for this meeting will be Development Agreements (DA) and potential station subarea policies. Staff has proposed a number of requirements and components of a DA that a developer may choose from in order to achieve greater development potential in MUR-85 zones. The discussion will focus on those components and whether the list reflects the goals and values identified by the community.

DEVELOPMENT AGREEMENTS

The purpose of a DA is to require affordable housing and to identify components that will add to the livability and aesthetics of the neighborhood surrounding the 185th station, by exchanging additional development capacity for community amenities. The community, through visioning, community meetings and public comment, has identified amenities for services, walking, biking, and a pleasing streetscape that connects Town Center, the station, and the North City Business District. Citizens also want to improve safety along the 185th Street corridor.

The DA process is being proposed for parcels zoned MUR-85 within the 185th Subarea. MUR-85 zoning would be allowed “outright”, but to achieve greater heights and flexibility a developer would apply for a DA. Staff has not proposed a maximum height allowed under a DA.

Development agreements can be used by the City in accordance with State law currently, but the City has not employed this tool to date. The proposed language in SMC 20.30.338 applies to DAs citywide and DAs within the light rail station subareas.

Approved By: Project Manager _____

Planning Director _____

SMC 20.30.338 (B) lists components that DAs must contain per State Law. Subsection B applies to DAs citywide. Subsection C lists components that apply to property zoned MUR-85 within the Subarea. Please see Attachment D of the September 4 packet for examples of other Development Agreement codes.

From the growing list of planning topics, staff recommends that the following are divided into **proposed requirements** and **components for community improvements** with regard to DAs, and **subarea policy topics** to recommend to the Council as part of the Station Subarea Plan to be studied because there is little information to implement these with code language.

Requirement:

- Affordable Housing – The Commission and the community have identified affordable housing as a need and are willing to trade development potential for more units that are affordable. Staff has proposed requiring a sliding scale between 10% of the units being affordable at 60% Area Median Income (AMI) and 5% of the units affordable at 30% AMI. The units must remain at this level of affordability for a minimum of 30 years.

Fee-in-Lieu - Alternatively, the City can collect fee-in-lieu to contribute to a housing trust fund that would eventually pay for the development of affordable housing. The amount ranges from the full cost of building a unit as a part of the development to a percentage of that cost. For example, the Artiste apartment at 202nd Street and Aurora Avenue is 6 stories with 148 units that were built 5 years ago for \$18.2 million. As a part of the overall development, each unit was built for \$123,000. (This amount is similar to per unit costs in the cities of Boulder and San Francisco.) If that development was doubled in size to 12 stories and 296 units in MUR-85 through a DA, then either 27 affordable units would be built or a fee-in-lieu of \$3,321,000 would be paid to a housing trust fund. Please refer to Attachment F and G of the September 4 packet for in-lieu fees from other jurisdictions around King County and the country.

Components:

Staff has revised this section of the code to emphasize improvements that the community can easily experience every day and to remove weak and hard to define components. These improvements should be physically and visually accessible from Rights-of-Way. Explanation and intent are included below; refer to proposed code language in Attachment A for specific recommendations.

- Jobs – Job creation is a priority to achieve the vision articulated in the Comprehensive Plan to become a full-service community. According to the Growth Management Act, Shoreline's target is 5,000 new jobs in the next 20 years, in addition to the existing 16,000 jobs within the city. Encouraging jobs into the community improves the local economy and supports transit-oriented development by reducing the need for cars. Instead of requiring a development to provide jobs, staff believes that it is more reliable to require a comparable amount of commercial

space. For example, City Hall is about 30,000 square feet (without the third floor) and has about 100 staff.

- **Street Level Commercial Uses** – The desire for restaurants and retail at the street level has been a repeated request from the community. Currently the Development Code design standards require commercially designed spaces on ground floor street frontage, but do not require actual commercial uses to locate there because the leasing market is currently weak and this allows developers to fill spaces as tenants become available. However, if the City wants these spaces to be occupied sooner, it may be appropriate to require an active use, rather than simply being built to commercial standards.
- **Public Parks and Art** – As the station subarea redevelops with additional population, parks are likely to be in greater demand. Currently, Shoreline has more park space per capita than the state standards dictate, and the Parks, Recreation, and Cultural Services (PRCS) Department is concerned about the maintenance and enhancement of existing parks, and would need additional resources to purchase and operate additional park lands. However, the proposed code amendment is qualified so that the PRCS Department can refuse a DA park space proposal in favor of another component such as public art, water features, playgrounds, or a fee-in-lieu of 2% of construction valuation for the project for park improvements or acquisition elsewhere in the subarea. This component is an expansion on the 1% for the Arts program associated with the public projects.
- **Regional Power Lines** – Seattle City Light maintains regional power lines behind the North City Mower Shop on NE 185th Street and down 8th Ave NE. The community considers these “eyesores”, however, undergrounding these transmission lines are unlikely to open up these corridors to development or public improvements other than what is currently allowed such as the Interurban Trail. Seattle City Light, as a policy, has not allowed any development that may impede their access or use of their Right-of-Way.
- **Street Frontage** – When development is required to install street frontage improvements, these are limited to their own property line. To double the linear footage of required frontage improvements contiguous and beyond the property line would accelerate the improvement of streets in the subarea. Currently, the City does not require individual developments to underground the power lines along frontage. However, when the City improved Aurora Avenue and North City, power lines were buried in order to enhance the streetscape.
- **Public Through-Access** – The community expressed the need for more public pedestrian walkways to provide short cuts across large blocks of property that connect street to street.
- **Transfer of Development Rights (TDR)** – TDR credits can be used to contribute to Landscape Conservation and Local Infrastructure Program (LCLIP) revenue sharing with the City to help fund infrastructure improvements while preserving rural and environmentally sensitive lands in the county. Shoreline Comprehensive Plan

Policy LU58 states, *“Support regional and state Transfer of Development Rights (TDR) programs throughout the city where infrastructure improvements are needed, and where additional density, height and bulk standards can be accommodated.”*

The 185th Street Station Subarea may be a suitable place to implement this goal. If approved by local ordinance, the City of Shoreline is eligible to receive TDR credits for example, as a means of allowing increased development potential within defined areas. The Commission may want to consider allowing increased development potential in the MUR-85 zone through a DA where a certain number of TDR credits are purchased.

In addition to the use of TDRs as an environmental preservation tool that saves forest and farmland by increasing development in urban areas like Shoreline, TDRs may be found as a viable, indirect source for capital funding for infrastructure in the Station Subarea. In 2014, the City received an LCLIP grant to study feasibility. Essential this is local tax increment financing that would capture King County’s portion of property taxes on new development in a defined area over a period of time, which could be used to fund public infrastructure, including place-making, landscaping, parks, and streets.

- Structured Parking – To enhance streetscape, the City has limited the amount of parking sited along front property lines. Current code limits surface parking to 65 feet along street frontage. However, if the City wants to raise the standard in exchange for increased development potential, all parking could be required to be screened or in a structure.

Does the Commission believe that the potential requirements above would encourage creation of amenities desired by the community as expressed through the visioning process? Are there amenities that are not included in this list?

Subarea Policy Topics: The following topics have been discussed by the community, Planning Commission, or the City Council as desirable or of interest, but have not been studied and developed enough to write model code language as DA standards. Many of these standards would require amending building codes, which has not been considered as part of the scope of the subarea planning process. Including policy language in the Subarea Plan would provide direction to research further into how these topics could be implemented following adoption.

Comprehensive Plan Policy NE10 states:

“Remove regulatory barriers and create incentives to encourage the use of sustainable building methods and materials (such as those specified under certification systems like LEED, Built Green, Salmon Safe, and Living Building Challenge) that may reduce impacts on the built and natural environment.”

Does the Commission want to further refine this policy to encourage pilot projects in the Station Subarea or recommend that the Council implement these policies citywide?

- Combined Heat and Power and District Energy- Innovative systems to capture waste heat or otherwise save energy at neighborhood, block, and building scales

will be studied as part of the 145th Street Station Subarea Plan. It is possible that information from this effort will translate into capital and building projects in the 185th Street Station Subarea.

- Net-Zero Buildings – These technologies represent a step beyond green building, where buildings are designed and constructed to generate their own power and/or water, and dispose of their own waste on-site. The Carbon Wedge Analysis, currently being undertaken by the City and Climate Solutions New Energy Cities program will likely recommend that if Shoreline is to meet greenhouse reduction target commitments adopted through the 2013 Climate Action Plan, all new construction should strive to meet Net Zero standards by 2030.
- Living Building Challenge (LBC) - A more holistic version of Net Zero is the Living Building Challenge (LBC). The Bullitt Center in Seattle is the best local example. This is a building certification program that defines the most advanced measure of sustainability for buildings and landscapes possible today, and is comprised of seven performance categories called Petals: Place, Water, Energy, Health and Happiness, Materials, Equity, and Beauty. Staff will continue to research common code barriers to Net Zero or LBC buildings. It is unlikely that an LBC project would request heights in excess of 85 feet due to LBC requirements for on-site energy generation and water purification and disposal, so staff is not recommending it as an optional component of DA. In order to allow LBC projects in the subarea or city, it is likely that the City will have to flex some of its codes to accommodate innovative technologies. Please refer to Attachment I of the September 4 packet for Living Building Challenge code language adopted by the City of Seattle.
- Universal Design – This strategy requires building and unit design that increases the ability for people to “age in place”. This can include design features like wider hallways and doorways, and wiring ground-level garages in multi-story townhomes for plumbing in case they needed to become a living area. However, because these standards are embedded in the Building Code, rather than the Development Code, and pertain to single-family, the City may have limited authority to implement, except through development agreements.
- Solarize Program– This strategy promotes installation of photovoltaic systems for power generation and hot-water heating within the city. A strategy that may come out of the Carbon Wedge Analysis is to partner with NW SEED, the Shoreline Community College, NW Mechanical, and Solar Shoreline to promote local resources and increase installation of solar panels. Staff is following the work of cities that are pioneering processes to reduce permitting hurdles and researching funding mechanisms for initiatives like Community Solar Projects.
- Green Modular Housing- A new trend in housing style and building technology is modular units that are engineered and constructed with sustainability and affordability as foundational design principles. They tend to be smaller in size, which means they usually have innovative design solutions for storage, use

sustainably-sourced materials, incorporate passive solar lighting, and capture and store stormwater, which means many models are certified as green buildings. Construction of pre-fabricated homes creates much less waste than building on-site, and also reduces time and costs. Many builders have customizable options that could be selected from a base plan, including primary residences, Accessory Dwelling Units, home offices, etc. This would allow the City to consider pre-approving plans for expedited permitting as an incentive for this housing style.

- Large-Scale Stormwater Management – The City has identified areas where stormwater control is needed. Instead of providing drainage for a single building or development, a developer may set aside land for regional or neighborhood stormwater control facilities that not only benefit the developer, but the neighborhood as a whole.
- 185th Route Development Plan – According to the Environmental Impact Statement (EIS) analysis for this subarea, redevelopment would necessitate future right-of-way improvements along 185th Street, and possibly 10th Ave NE and NE 180th into North City. A more conceptual cross-section was created as part of the Design Workshops, but Transportation Planners and Traffic Engineers would need to perform additional analysis, engineer designs, and codify standards before the project could be included in the Capital Improvement Plan funded by the City. An RDP could also examine strategies to create alleys that would further reduce congestion on 185th Street. An RDP is currently underway for NE 145th Street.

October 2 Upcoming Topics

Single-family Detached – In an effort to encourage station subarea redevelopment that reserves land near the station for future Transit-Oriented Development at higher heights and densities rather than developing in the interim with townhouses and apartments, staff has proposed minimum density standards for MUR-85. Minimum density standards have also been proposed for MUR-35 and -45 to encourage transit-supportive densities within a half-mile of the future station. To support this, proposed use tables for MUR-45 and -85 do not include single-family detached as a permitted use. The City has general, citywide development code for nonconforming uses and structures in SMC 20.30.280, which currently allows legal, nonconforming uses to continue and even expand unless abandoned for more than a year

Should the City allow single-family to be a permitted use in MUR-85 and -45 zones? Should there be a defined date (for example, once light rail service is operational in 2023) at which point single-family uses become nonconforming?

- Micro-Housing - Micro-housing is a relatively new form of housing that can have various configurations where individual bedrooms in a suite share some combination of common space, kitchen or bathroom facilities so that no bedroom is a complete unit. The City has allowed and refined this type of housing per Administrative Order (September 4 staff report, Attachment B), but has not

explicitly defined it in the Development Code. As per SMC 20.40.160, micro-housing could offer a housing choice at rents that are more affordable and often include utilities. Because micro-housing relies mainly on small unit size to control price, rather than subsidy or incentive, there would be no monitoring requirement to ensure continued affordability. Micro Housing, also called “Apodments” or residential suites, is still an emerging and controversial concept in the Puget Sound area. The City of Seattle has allowed micro-housing for several years but now has repealed it in favor of Efficiency Apartment units mostly because of the parking impacts that they create on adjacent neighborhoods. Seattle can require between 0 and 1 parking stall per unit depending on the zoning.

Shoreline resident, Liz Poitras provided testimony at the August 25 City Council meeting regarding questions she has about this housing type. Her comments are found in Attachment C of the September 4 packet.

Should micro-housing be a Station Area or a city-wide code amendment?

- Proposed Station Area policies – based on the Commission’s direction these policies will be developed from the Subarea Policy Topics above.

ATTACHMENT

Attachment A: Development Code Regulations

185th Street Light Rail Station Development Regulations

Chapter 20.10 General Provisions

20.10.020 Purpose.

It is the purpose of this Code to:

- Promote the public health, safety, and general welfare;
- Guide the development of the City consistent with the Comprehensive Plan;
- Carry out the goals and policies of the Comprehensive Plan by the provisions specified in the Code;
- Provide regulations and standards that lessen congestion on the streets;
- Encourage high standards of development;
- Prevent the overcrowding of land;
- Provide adequate light and air;
- Provide for planned areas of Transit Oriented Communities around light rail stations and along other high-capacity transit corridors. ~~Avoid excessive concentration of population;~~
- Facilitate adequate provisions for transportation, utilities, schools, parks, and other public needs;
- Encourage productive and enjoyable harmony between man and his environment;
- Promote efforts which will prevent or eliminate damage to the environment and biosphere;
- Protect the functions and values of ecological systems and natural resources important to the public; and
- Encourage attractive, quality construction to enhance City beautification. (Ord. 324 § 1, 2003; Ord. 238 Ch. I § 2, 2000).

Chapter 20.20 Definitions

20.20.016 D definitions.

Development Agreement

A legal agreement between the City and a person having ownership or control of property in which that person is allowed to develop a parcel or parcels of land consistent with applicable development regulations. A development agreement must set forth the development standards and other provisions that shall apply to and

govern and vest the development, use, and mitigation of the development for the duration specified in the agreement.

Dwelling, Live/Work

Live-work unit means a structure or portion of a structure: (1) that combines a commercial activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; (2) where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and (3) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

Dwelling, Microhousing

A structure that contains single room living spaces with a minimum floor area of 120 square feet and a maximum floor area of 350 square feet. These spaces contain a private bedroom and may have private bathrooms and kitchenettes (microwaves, sink, and small refrigerator). Full scale kitchens are not included in the single room living spaces. These single room living spaces share a common full scale kitchen (stove, oven, full sized or multiple refrigeration/freezers); and may share other common areas such as bathroom and shower/bath facilities; recreation/eating space.

Chapter 20.30 Procedures and Administration

20.30.060 Quasi-judicial decisions – Type C.

These decisions are made by the City Council or the Hearing Examiner, as shown in Table 20.30.060, and involve the use of discretionary judgment in the review of each specific application.

Prior to submittal of an application for any Type C permit, the applicant shall conduct a neighborhood meeting to discuss the proposal and to receive neighborhood input as specified in SMC [20.30.090](#).

Type C decisions require findings, conclusions, an open record public hearing and recommendations prepared by the review authority for the final decision made by the City Council or Hearing Examiner. Any administrative appeal of a SEPA threshold determination shall be consolidated with the open record public hearing on the project permit, except a determination of significance, which is appealable under SMC [20.30.050](#).

There is no administrative appeal of Type C actions.

Table 20.30.060 – Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision ^{(3), (4)}	Review Authority, Open Record Public Hearing	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
Type C:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	HE ^{(1), (2)}	City Council	120 days	20.30.410
2. Rezone of Property and Zoning Map Change	Mail, Post Site, Newspaper	HE ^{(1), (2)}	City Council	120 days	20.30.320
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	HE ^{(1), (2)}		120 days	20.30.330
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE ^{(1), (2)}		120 days	20.30.333
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE ^{(1), (2)}		120 days	20.30.336
6. Final Formal Plat	None	Review by Director	City Council	30 days	20.30.450
7. SCTF – Special Use Permit	Mail, Post Site, Newspaper	HE ^{(1), (2)}		120 days	20.40.505

8. Street Vacation	Mail, Post Site, Newspaper	HE ^{(1), (2)}	City Council	120 days	See Chapter 12.17 SMC
9. Master Development Plan	Mail, Post Site, Newspaper	HE ^{(1), (2)}		120 days	20.30.353
<u>10. Development Agreement</u>	<u>Mail, Post Site,</u> <u>Newspaper</u>	<u>HE ^{(1), (2)}</u>	<u>City</u> <u>Council</u>	<u>120 days</u>	<u>20.30.338</u>

⁽¹⁾ Including consolidated SEPA threshold determination appeal.

⁽²⁾ HE = Hearing Examiner.

⁽³⁾ Notice of application requirements are specified in SMC [20.30.120](#).

⁽⁴⁾ Notice of decision requirements are specified in SMC [20.30.150](#).

(Ord. 621 § 2, 2011; Ord. 591 § 1 (Exh. A), 2010; Ord. 581 § 1 (Exh. 1), 2010; Ord. 568 § 2, 2010; Ord. 534 § 2, 2009; Ord. 507 § 4, 2008; Ord. 406 § 1, 2006; Ord. 324 § 1, 2003; Ord. 309 § 3, 2002; Ord. 299 § 1, 2002; Ord. 238 Ch. III § 3(c), 2000).

20.30.338 Development Agreement (Type C).

A. Purpose: The purpose of a development agreement is to define the development of property in order to implement framework goals to achieve the City's adopted vision as stated in the Comprehensive Plan .

B. Development Agreement Contents (General): Each Development Agreement approved by the City Council shall contain the following:

1. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;

2. The amount of payment of impact fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;

3. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;

4. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features;

5. Parks and open space preservation;

6. Phasing of development;

7. Review procedures and standards for implementing decisions;

8. A build-out or vesting period for applicable standards;

9. Any other appropriate development requirement or procedure; and

10. Affordable Housing Units.

C. Development Agreement Contents for Property Zoned MUR 85: Each Development Agreement approved by the City Council for property zoned MUR 85 shall contain the following:

1. 10 percent of the housing units constructed onsite shall be affordable to those earning less than 60 percent of King County area median income for a period of no less than 30 years. The number of affordable housing units may be decreased to 5 percent if the level of affordability is increased to 30 AMI. An in lieu of fee may be paid into the City's affordable housing program instead of constructing affordable housing units onsite. The fee-in-lieu shall be agreed upon through the Development Agreement and shall be no less than the total cost of construction for the unit as part of the entire development.

2. Development Agreements in MUR-85 shall include at least two (2) of the following components:

a. Entire site uses combined heat and power infrastructure or district energy.

b. Entire development is built to LEED Gold standards.

c. Commercial space of at least 40,000 square feet.

d. Ground floor commercial space that includes an eating or drinking establishment.

e. 2 percent of the building construction valuation shall be used for public parks, open space, art, or other recreational opportunities open and accessible to the public within the station subarea.

f. Undergrounding regional power lines.

g. Double the linear footage of frontage improvements beyond the subject property's. This requirement also includes undergrounding local power lines.

h. Providing street-to-street dedicated public access.

i. Transfer of Development Rights. 1 TDR credit equals 1 additional dwelling unit and 9,000 square feet of floor area above 85 feet.

j. Structured parking for at least 50 percent of the required parking spaces for a development. Structured parking includes underground parking, under-building parking and above-ground parking garage. Unstructured parking shall be located interior to the site.

D. Decision Criteria. A Development Agreement shall be granted by the City only if the applicant demonstrates that:

1. The project is consistent with goals and policies of the Comprehensive Plan. If the project is located within a Subarea Plan, then the project must implement the goals and policies of the Subarea Plan.

2. The proposed development uses innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design.

3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

5. The development agreement proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards that minimize conflicts and create transitions between the proposal site and property zoned R-4, R-6, R-8 or MUR 35.

E. Development Agreement Approval Procedures: The City Council may approve Development Agreements through the following procedure:

1. A Development Agreement application incorporating the elements stated in subsection B of this section may be submitted by a property owner with any additional related information as determined by the Director. After staff review and SEPA compliance, the Hearing Examiner shall conduct a public hearing on the application. The Hearing Examiner shall then review the application pursuant to the criteria set forth in SMC 20.30.353(B) and the applicable goals and policies of the Comprehensive Plan. Within 10 days of the public hearing, the Hearing Examiner shall make a recommendation to the City Council. The City Council shall approve, approve with additional conditions, or deny the Development Agreement. The City Council shall approve the Development Agreement by ordinance or resolution;

2. Recorded Development Agreement: Upon City Council approval of a Development Agreement under the procedure set forth in subsection C of this section, the City and property owner shall execute and record the Development Agreement with the King County Recorder's Office to run with the land and bind and govern development of the property.

**Chapter 20.40
Zoning and Use Provisions**

20.40.010 Purpose.

The City is divided into zones established in this Code for the following purpose:

A. To provide for the geographic distribution of land uses into zones those reflect the goals and policies of the Comprehensive Plan.

B. To maintain a stability in land use designation with similar characteristics and level of activity through the provisions of harmonious groupings of zones together.

C. To provide and efficient and compatible relationship of land uses and zones. (Ord. 238 Ch. IV § 1(A), 2000).

D. To facilitate the redevelopment of the light rail station subareas to encourage a mix of residential, jobs and uses to support the stations at NE 185th and NE 145th Streets.

20.40.020 Zones and map designations.

B. The following zoning and map symbols are established as shown in the following table:

ZONING	MAP SYMBOL
RESIDENTIAL	
(Low, Medium, and High Density)	R-4 through 48, (Numerical designator relating to base density in dwelling units per acre) <u>Mixed-Use Residential 35, 45, and 85 (MUR-35, MUR-45, and MUR-85)</u>
NONRESIDENTIAL	
Neighborhood Business	NB
Community Business	CB
Mixed Business	MB
Campus	CCZ, FCZ, PHZ, SCZ ¹
Town Center District	TC-1, TC-2, TC-3, TC-4
Planned Area	PA

20.40.046 Mixed-use residential zones.

A. The purpose of the mixed-use residential zones (MUR35, MUR45, and MUR85) is to provide for a mix of predominantly multi-family residential buildings ranging in height from 35 feet to 85 feet in appropriate locations with other non-residential uses that are compatible and complementary.

B. Specific mixed-use residential zones have been established to provide for single-family residential, low-rise multi-family residential, mid-rise multi-family residential and high-rise multi-family residential. The mixed use zones also provide for accessory commercial uses, retail, and other compatible uses within the light-rail station subareas.

C. All development within the MUR85 zone that seeks additional height and alternative development standards shall be governed by a development agreement pursuant to SMC 20.30.060 and 20.30.338.

Table 20.40.160 Station Area Uses

<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR 85</u>
<u>Residential</u>				
	<u>Accessory Dwelling Unit</u>	<u>P-j</u>	<u>P-j</u>	<u>P-j</u>
	<u>Affordable Housing</u>	<u>P-j</u>	<u>P-j</u>	<u>P-j</u>
	<u>Apartment</u>		<u>P-j</u>	<u>P-j</u>
	<u>Duplex, Townhouse, Rowhouse</u>	<u>P-j</u>	<u>P-j</u>	<u>P-j</u>

	<u>Home Occupation</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
NAICS #	SPECIFIC LAND USE	MUR35	MUR45	MUR 85
	<u>Live/Work</u>	<u>P-i</u>	<u>P</u>	<u>P</u>
	<u>Micro-Housing</u>		<u>P</u>	<u>P</u>
	<u>Single-Family Attached</u>	<u>P-i</u>	<u>P-i</u>	
	<u>Single-Family Detached</u>	<u>P</u>	<u>P-i</u>	<u>P-i</u>
	<u>Boarding House</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Bed and Breakfasts</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Hotel/Motel</u>			<u>P</u>
	<u>Tent City</u>		<u>P-i</u>	<u>P-i</u>
	<u>Animals, Small, Keeping and Raising</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
<u>Commercial</u>				
NAICS #	SPECIFIC LAND USE	MUR35	MUR45	MUR 85

	<u>Book and Video Stores/Rental (excludes Adult Use Facilities)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P</u>	<u>P</u>
	<u>Houses of Worship</u>	<u>C</u>	<u>C</u>	<u>P</u>
	<u>Daycare I Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Daycare II Facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Eating and Drinking Establishments (Excluding Gambling Uses)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P</u>	<u>P</u>
	<u>General Retail Trade/Services</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P</u>	<u>P</u>
	<u>Individual Transportation and Taxi</u>			<u>P -A</u>
	<u>Kennel or Cattery</u>			<u>C -A</u>
	<u>Mini-Storage</u>		<u>P -A</u>	<u>C -A</u>

	<u>Professional Office</u>	<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>	<u>P</u>
	<u>Research, Development and Testing</u>			
	<u>Veterinary Clinics and Hospitals</u>			<u>P-i</u>
	<u>Wireless Telecommunication Facility</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
<u>Education, Entertainment, Culture, and Recreation</u>				
	<u>Amusement Arcade</u>		<u>P -A</u>	<u>P -A</u>
	<u>Bowling Center</u>		<u>P</u>	<u>P</u>
	<u>College and University</u>			<u>P</u>
	<u>Conference Center</u>		<u>P</u>	<u>P</u>
	<u>Elementary School, Middle/Junior High School</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Library</u>		<u>P</u>	<u>P</u>
	<u>Museum</u>		<u>P</u>	<u>P</u>
	<u>Outdoor Performance Center</u>		<u>P -A</u>	<u>P -A</u>

	<u>Parks and Trails</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Performing Arts Companies/Theater (excludes Adult Use Facilities)</u>		<u>P -A</u>	<u>P -A</u>
	<u>School District Support Facility</u>		<u>C</u>	<u>C</u>
	<u>Secondary or High School</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Specialized Instruction School</u>		<u>P</u>	<u>P</u>
	<u>Sports/Social Club</u>		<u>P</u>	<u>P</u>
	<u>Vocational School</u>		<u>P</u>	<u>P</u>
<u>Government</u>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Public Agency Office/Yard or Public Utility Office/Yard</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Utility Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Health</u>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>

	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<u>P</u>	<u>P</u>
	<u>Nursing and Personal Care Facilities</u>		<u>P</u>	<u>P</u>
<u>Other</u>				
	<u>Transit Park and Ride Lot</u>		<u>S</u>	<u>S</u>
	<u>Transit Station and Related Facilities</u>			<u>P</u>
	<u>Unlisted Uses</u>		<u>P-i</u>	<u>P-i</u>

<p><u>P = Permitted Use</u> <u>C = Conditional Use</u></p> <p><u>S = Special Use</u> <u>-i = Indexed Supplemental Criteria</u></p> <p><u>R = Required</u></p> <p><u>A= Accessory = 30 percent of the gross floor area of a building or the first level of a multi-level building.</u></p>

20.40.230 Affordable housing.

A. Provisions for density bonuses for the provision of affordable housing apply to all land use applications, except the following which are not eligible for density bonuses: (a) the construction of one single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation, (b) provisions for accessory dwelling units, and (c) projects which are limited by the critical areas requirements.

1. Density for land subject to the provisions of this section may be increased by up to a maximum of 50 percent above the underlying base density when each of the additional units is provided for households in these groups:

- a. Extremely low income – 30 percent of median household income;
- b. Very low income – 31 percent to 50 percent of median household income;
- c. Low income – 51 percent to 80 percent of median household income;
- d. Moderate income – 80 percent of median household income;
- e. Median household income is the amount calculated and published by the United States Department of Housing and Urban Development each year for King County.

(Fractions of 0.5 or greater are rounded up to the nearest whole number).

2. Residential Bonus Density for the Development of For-Purchase Affordable Housing. Density for land subject to the provisions of this section may be increased above the base density by the following amounts: (fractions of 0.5 or greater are rounded up to the nearest whole number):

- a. Up to a maximum of 50 percent above the underlying base density when each of the additional units or residential building lots are provided for households in the extremely low, very low, or low income groups.

3. A preapplication conference will be required for any land use application that includes a proposal for density bonus.

4. Residential bonus density proposals will be reviewed concurrently with the primary land use application.

5. All land use applications for which the applicant is seeking to include the area designated as a critical area overlay district in the density calculation shall satisfy the requirements of this Code. The applicant shall enter into a third party contract with a qualified consultant and the City to address the requirements of the critical area overlay district chapter, Chapter [20.80](#) SMC, Critical Areas.

B. The affordable units constructed under the provisions of this chapter shall be included within the parcel of land for which the density bonus is granted. Segregation of affordable housing units from market rate housing units is prohibited.

C. Prior to the final approval of any land use application subject to the affordable housing provisions, the owner of the affected parcels shall deliver to the City a duly executed covenant running with the land, in a form approved by the City Attorney, requiring that the affordable dwellings that are created pursuant to those sections remain affordable housing for a period of 30 years from the commencement date. The commencement date for for-purchase units shall be the date of settlement between the developer and the first owner in one of the applicable income groups. The commencement date for rental units shall be the date the first lease agreement with a renter in one of the applicable income groups becomes effective. The applicant shall be responsible for the cost and recording of the covenant.

D. When dwelling units subject to this section will be constructed in phases, or over a period of more than 12 months, a proportional amount of affordable housing units must be completed at or prior to completion of the related market rate dwellings, or as approved by the Director.

E. If a project is to be phased, the proportion of affordable units or residential building lots to be completed with each phase shall be determined as part of the phasing plan approved by the Director.

F. In subdivisions where the applicant intends to sell the individual unimproved lots, it is the responsibility of the applicant to arrange for the affordable units to be built.

G. In single-family developments where there are two or more affordable units, side yard setbacks may be waived to allow for attached housing units for affordable units only. The placement and exterior design of the attached units must be such that the units together resemble as closely as possible a single-family dwelling. (Ord. 462 § 1, 2007; Ord. 238 Ch. IV § 3(B), 2000).

[H. Parking for onsite managed affordable housing facilities for residents making less than 30% AMI may be reduced to 0 for residents within a half-mile of high capacity transit stops.](#)

20.40.436 Live/Work

Live/work units may be located in the MUR35 zone only if the project site is located on a Collector/Arterial Street.

20.40.506 Single-family detached dwellings.

A. Single-family detached dwellings are permitted in the MUR45 and MUR85 zones up until the light rail station begins operation or until the year 2023, whichever occurs first.

B. After light rail service begins, single-family detached dwellings will be considered legal nonconforming and must comply with the provisions of SMC 20.30.280 Nonconformance.

20.40.570 Unlisted use.

A. Recognizing that there may be uses not specifically listed in this title, either because of advancing technology or any other reason, the Director may permit or condition such use upon review of an application for Code interpretation for an unlisted use (SMC [20.30.040](#), Type A Action) and by considering the following factors:

1. The physical characteristics of the unlisted use and its supporting structures, including but not limited to scale, traffic, hours of operation, and other impacts, and
2. Whether the unlisted use complements or is compatible in intensity and appearance with the other uses permitted in the zone in which it is to be located.

B. A record shall be kept of all unlisted use interpretations made by the Director; such decisions shall be used for future administration purposes. (Ord. 238 Ch. IV § 3(B), 2000).

**Chapter 20.50
General Development Standards**

**Subchapter 1.
Dimensions and Density for Development**

20.50.010 Purpose.

The purpose of this subchapter is to establish basic dimensional standards for development at a range of densities consistent with public health and safety and the adopted Comprehensive Plan.

The basic standards for development shall be implemented in conjunction with all applicable Code provisions. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 1(A), 2000).

20.50.020 Dimensional requirements.

Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<u>STANDARDS</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR85(10)</u>
<u>Base Density:</u> <u>Dwelling</u> <u>Units/Acre</u>	<u>Based on bldg.</u> <u>bulk limits</u>	<u>Based on bldg.</u> <u>bulk limits</u>	<u>Based on bldg.</u> <u>bulk limits</u>
<u>Min. Density</u>	<u>8 du/ac</u>	<u>18 du/ac</u>	<u>48 du/ac</u>
<u>Min. Lot Width</u> <u>(2)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Min. Lot Area</u> <u>(2)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Min. Front Yard</u> <u>Setback (2) (3)</u> <u>See 20.50.021</u>	<u>0 if located on</u> <u>an Arterial</u> <u>Street</u> <u>10ft</u>	<u>10ft min</u> <u>15ft max</u>	<u>0</u> <u>10ft min if</u> <u>adjacent to</u> <u>185th</u>
<u>Min. Rear Yard</u> <u>Setback (2) (4)</u> <u>(5)</u> <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>

<u>Min. Side Yard Setback (2) (4) (5)</u> <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Base Height (9)</u>	<u>35ft</u>	<u>45ft</u>	<u>85ft</u>
<u>Max. Building Coverage (2) (6)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Max. Hardscape (2) (6)</u>	<u>85%</u>	<u>90%</u>	<u>95%</u>

Exceptions to Table 20.50.020(1) and Table 20.50.020(2):

(1) Repealed by Ord. 462.

(2) These standards may be modified to allow zero lot line developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.

(3) For single-family detached development exceptions to front yard setback requirements, please see SMC [20.50.070](#).

(4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC [20.50.080](#).

(5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC [20.50.130](#).

(6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.

(7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.

(8) For development on R-48 lots abutting R-12, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.

(9) Base height for high schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.

10) Dimensional standards in the MUR 85 zone may be modified with a Development Agreement.

20.50.021 Transition areas.

Development in commercial zones: NB, CB, MB and TC-1, 2 and 3, and MUR-85 abutting or directly across street rights-of-way from R-4, R-6, or R-8 zones shall minimally meet the following transition area requirements:

A. From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for 10 feet horizontally from the required building setback, then an additional 10 feet of height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet, up to the maximum height allowed in the zone.

B. Type I landscaping (SMC [20.50.460](#)), significant tree preservation, and a solid, eight-foot, property line fence shall be required for transition area setbacks abutting R-4, R-6, or R-8 zones. Twenty percent of significant trees that are healthy without increasing the building setback shall be protected per SMC [20.50.370](#). The landscape area shall be a recorded easement that requires plant replacement as needed to meet Type I landscaping and required significant trees. Utility easements parallel to the required landscape area shall not encroach into the landscape area. Type II landscaping shall be required for transition area setbacks abutting rights-of-way directly across from R-4, R-6 or R-8 zones. Required tree species shall be selected to grow a minimum height of 50 feet.

C. All vehicular access to proposed development in commercial zones shall be from arterial classified streets, unless determined by the Director to be technically not feasible or in conflict with state law addressing access to state highways. All developments in commercial zones shall conduct a transportation impact analysis per the Engineering Development Manual. Developments that create additional traffic that is projected to use local

streets may be required to install appropriate traffic-calming measures. These additional measures will be identified and approved by the City's Traffic Engineer. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 609 § 10, 2011; Ord. 560 § 1 (Exh. A), 2009).

Subchapter 3. Multifamily and Single-Family Attached Residential Design

20.50.120 Purpose.

The purpose of this subchapter is to establish standards for multifamily and single-family attached residential development in TC-4, PA3, and R-8 through R-48 and the MUR 35 zone when located on a Local Street as follows:

- A. To encourage development of attractive residential areas that is compatible when considered within the context of the surrounding area.
- B. To enhance the aesthetic appeal of new multifamily residential buildings by encouraging high quality, creative and innovative site and building design.
- C. To meet the recreation needs of project residents by providing open spaces within the project site.
- D. To establish a well-defined streetscape by setting back structures for a depth that allows landscaped front yards, thus creating more privacy (separation from the street) for residents.
- E. To minimize the visual and surface water runoff impacts by encouraging parking to be located under the building.
- F. To promote pedestrian accessibility within and to the buildings. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 3(A), 2000).

20.50.125 Thresholds – Required site improvements.

The purpose of this section is to determine how and when the provisions for full site improvement standards apply to a development application in TC-4, PA3, and R-8 through R-48 zones and the MUR35 zone when located on a Local Street. Site improvement standards of signs, parking, lighting and landscaping shall be required:

A. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing land and structure(s) on the parcel. This shall include all structures on other parcels if the building under permit review extends into other parcels; or

B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581 § 1 (Exh. 1), 2010; Ord. 515 § 1, 2008; Ord. 299 § 1, 2002).

Subchapter 4. Commercial Zone Design

20.50.220 Purpose.

The purpose of this subchapter is to establish design standards for the MUR35 zone when not on a Local Street, MUR45, and MUR85 and all commercial zones – neighborhood business (NB), community business (CB), mixed business (MB) and town center (TC-1, 2 and 3). Some standards within this subchapter apply only to specific types of development and zones as noted. Standards that are not addressed in this subchapter will be supplemented by the standards in the remainder of Chapter [20.50](#) SMC. In the event of a conflict, the standards of this subchapter will prevail. (Ord. 654 § 1 (Exh. 1), 2013).

20.50.230 Threshold – Required site improvements.

The purpose of this section is to determine how and when the provisions for site improvements cited in the General Development Standards apply to development proposals. Full site improvement standards apply to a development application in commercial zones NB, CB, MB, TC-1, 2 and 3 and the MUR35 zone when not located on a Local Street, MUR45, and MUR85. Site improvements standards of signs, parking, lighting, and landscaping shall be required:

A. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing land and structure(s) on the parcel. This shall include all structures on other parcels if the building under permit review extends into other parcels; or

B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013).

20.50.240 Site design.

A. Purpose.

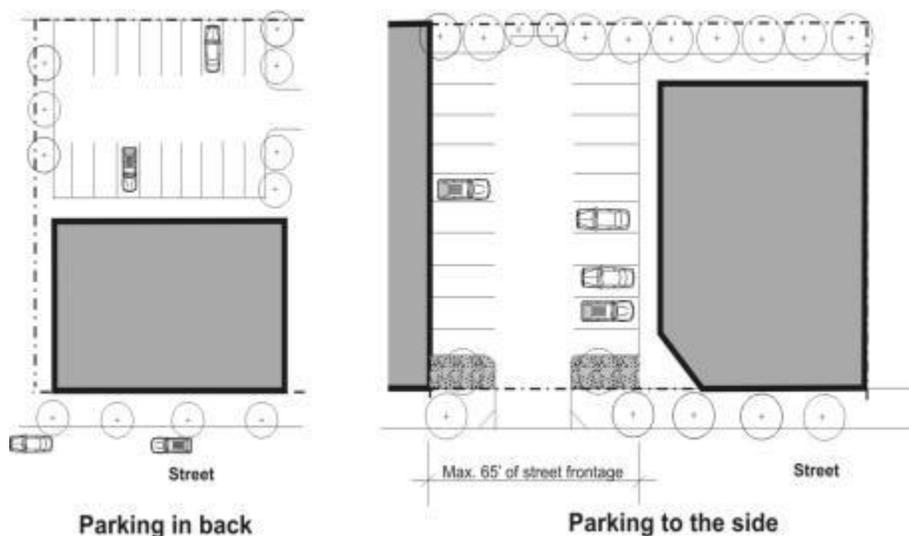
1. Promote and enhance public walking and gathering with attractive and connected development.
2. Promote distinctive design features at high visibility street corners.
3. Provide safe routes for pedestrians and people with disabilities across parking lots, to building entries, and between buildings.
4. Promote economic development that is consistent with the function and purpose of permitted uses and reflects the vision for the town center subarea as expressed in the Comprehensive Plan.

B. Overlapping Standards. Site design standards for on-site landscaping, sidewalks, walkways, public access easements, public places, and open space may be overlapped if their separate, minimum dimensions and functions are not diminished.

C. Site Frontage.

1. Development abutting NB, CB, MB, TC-1, 2 and 3 and the MUR35 zone when not located on a Local Street, MUR45, and MUR85 shall meet the following standards:
 - a. Buildings shall be placed at the property line or abutting public sidewalks if on private property. However, buildings may be set back farther if public places, landscaping and vehicle display areas and future street widening is required are included or a utility easement is required between the sidewalk and the building;
 - b. Minimum space dimension for building interiors that are ground-level and fronting on streets shall be 12-foot height and 20-foot depth and built to commercial building code. These spaces may be used for any permitted land use;
 - c. Minimum window area shall be 50 percent of the ground floor façade for each front façade which can include glass entry doors;
 - d. A building's primary entry shall be located on a street frontage and recessed to prevent door swings over sidewalks, or an entry to an interior plaza or courtyard from which building entries are accessible;

- e. Minimum weather protection shall be provided at least five feet in depth, nine-foot height clearance, and along 80 percent of the facade where over pedestrian facilities. Awnings may project into public rights-of-way, subject to City approval;
- f. Streets with on-street parking shall have sidewalks to back of the curb and street trees in pits under grates or at least a two-foot wide walkway between the back of curb and an amenity strip if space is available. Streets without on-street parking shall have landscaped amenity strips with street trees; and
- g. Surface parking along street frontages in commercial zones shall not occupy more than 65 lineal feet of the site frontage. Parking lots shall not be located at street corners. No parking or vehicle circulation is allowed between the rights-of-way and the building front facade. See SMC [20.50.470](#) for parking lot landscape standards.



Parking Lot Locations Along Streets

- h. New structures on N. 185th Street shall access parking areas from a side street or alley. New structures shall provide an easement or dedication for access.

2. Rights-of-Way Lighting.

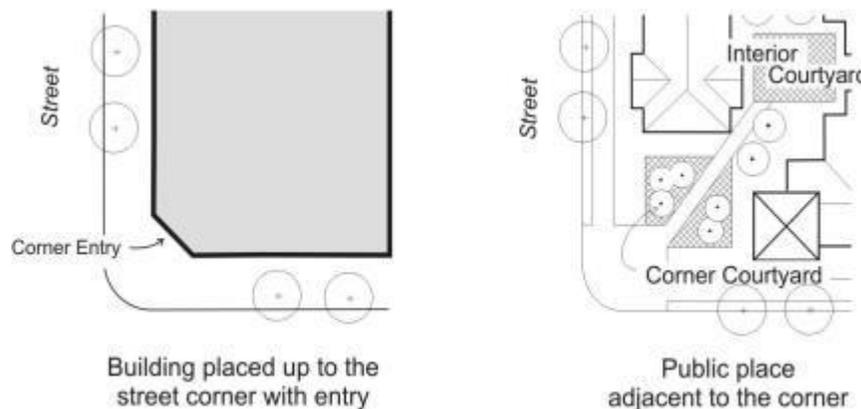
- a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.

- b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

D. Corner Sites.

1. All development proposals located on street corners (except in MUR35) shall include at least one of the following design treatments on both sides of the corner:

- a. Locate a building within 15 feet of the street corner. All such buildings shall comply with building corner standards in subsection (D)(2) of this section;
- b. Provide a public place at the corner leading directly to building entries;
- c. Install 20 feet of depth of Type II landscaping for the entire length of the required building frontage;
- d. Include a separate, pedestrian structure on the corner that provides weather protection or site entry. The structure may be used for signage.



Street Corner Sites

2. Corner buildings using the option in subsection (D)(1)(a) of this section shall provide at least one of the elements listed below to 40 lineal feet of both sides from the corner:

- a. Twenty-foot beveled building corner with entry and 60 percent of the first floor in non-reflective glass (included within the 80 lineal feet of corner treatment).

b. Distinctive facade (i.e., awnings, materials, offsets) and roofline designs beyond the minimum standards identified in SMC [20.50.250](#).

c. Balconies for residential units on all floors above the ground floor.



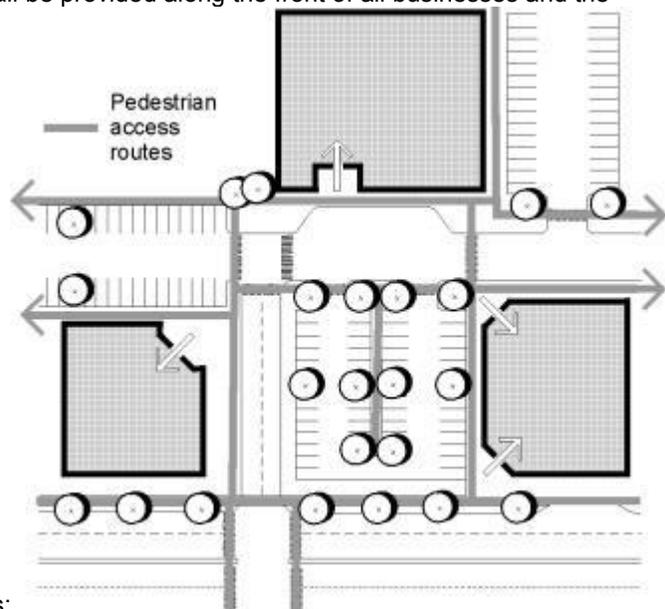
Building Corners

E. Site Walkways.

1. Developments shall include internal walkways that connect building entries, public places, and parking areas with the adjacent street sidewalks and Interurban Trail where adjacent; (except in the MUR35 zone).

a. All buildings shall provide clear, illuminated, and six-inch raised and at least an eight-foot wide walkways between the main building entrance and a public sidewalk;

b. Continuous pedestrian walkways shall be provided along the front of all businesses and the

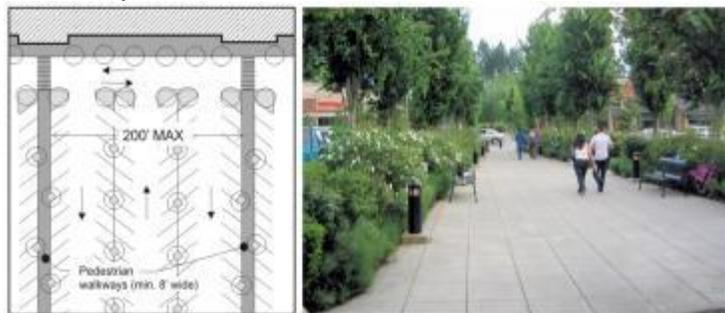


entries of multiple commercial buildings;

Well-connected Walkways

c. Raised walkways at least eight feet wide shall be provided for every three, double-loaded aisles or every 200 feet of parking area width. Walkway crossings shall be raised a minimum three inches above drive surfaces;

d. Walkways shall conform to the Americans with Disabilities Act (ADA);



Parking Lot Walkway

e. Deciduous, street-rated trees, as required by the Shoreline Engineering Development Manual, shall be provided every 30 feet on average in grated tree pits if the walkway is eight feet wide or in planting beds if walkway is greater than eight feet wide. Pedestrian-scaled lighting shall be provided per subsection (H)(1)(b) of this section.

F. Public Places.

1. Public places are required for the commercial portions of development at a rate of 4 square feet of public space per 20 square feet of net commercial floor area up to a maximum of 5,000 square feet. This requirement may be divided into public places with a minimum 400 square feet each.
2. Public places may be covered but not enclosed unless by subsection (F)(3) of this section.
3. Buildings shall border at least one side of the public place.
4. Eighty percent of the area shall provide surfaces for people to stand or sit.
5. No lineal dimension is less than six feet.
6. The following design elements are also required for public places:
 - a. Physically accessible and visible from the public sidewalks, walkways, or through-connections;

- b. Pedestrian access to abutting buildings;
- c. Pedestrian-scaled lighting (subsection (H) of this section);
- d. Seating and landscaping with solar access at least a portion of the day; and
- e. Not located adjacent to dumpsters or loading areas.



Public Places

G. Multifamily Open Space.

- 1. All multifamily development shall provide open space;
 - a. Provide 800 square feet per development or 50 square feet of open space per dwelling unit, whichever is greater;

- b. Other than private balconies or patios, open space shall be accessible to all residents and include a minimum lineal dimension of six feet. This standard applies to all open spaces including parks, playgrounds, rooftop decks and ground-floor courtyards; and may also be used to meet walkway standards as long as the function and minimum dimensions of the open space are met;
- c. Required landscaping can be used for open space if it does not obstruct access or reduce the overall landscape standard. Open spaces shall not be placed adjacent to service areas without full screening; and
- d. Open space shall provide seating that has solar access at least a portion of the day.



Multifamily Open Spaces

H. Outdoor Lighting.

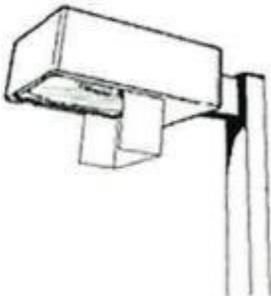
- 1. All publicly accessible areas on private property shall be illuminated as follows:
 - a. Minimum of one-half footcandle and maximum 25-foot pole height for vehicle areas;
 - b. One to two footcandles and maximum 15-foot pole height for pedestrian areas; and
 - c. Maximum of four footcandles for building entries with the fixtures placed below second floor.
- 2. All private fixtures shall be shielded to prevent direct light from entering neighboring property.
- 3. **Prohibited Lighting.** The following types of lighting are prohibited:

- a. Mercury vapor luminaries.
- b. Outdoor floodlighting by floodlight projection above the horizontal plane.
- c. Search lights, laser source lights, or any similar high intensity light.
- d. Any flashing, blinking, rotating or strobe light illumination device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel.

Exemptions:

- 1. Lighting required for emergency response by police, fire, or medical personnel (vehicle lights and accident/crime scene lighting).
- 2. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
- 3. Signs and sign lighting regulated by Chapter [20.50](#) SMC, Subchapter 8.
- 4. Holiday and event lighting (except for outdoor searchlights or strobes).
- 5. Sports and field lighting.
- 6. Lighting triggered by an automatic emergency or security alarm system.

DO THIS

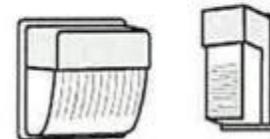


External Shield

DON'T DO THIS



**Unshielded
PAR Floodlights**



**Unshielded Wallpacks
& Unshielded or
Poorly-shielded Wall
Mount Fixtures**

I. Service Areas.

1. All developments shall provide a designated location for trash, composting, recycling storage and collection, and shipping containers. Such elements shall meet the following standards:

- a. Located to minimize visual, noise, odor, and physical impacts to pedestrians and residents;
- b. Paved with concrete and screened with materials or colors that match the building; and
- c. Located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, nor require a hauling truck to project into public rights-of-way.

d. Refuse bins shall not be visible from the street;



Trash/Recycling Closure with Consistent Use of Materials and Landscape Screening

J. Utility and Mechanical Equipment.

1. Equipment shall be located and designed to minimize its visibility to the public. Preferred locations are off alleys; service drives; within, atop, or under buildings; or other locations away from the street. Equipment shall not intrude into required pedestrian areas.



Utilities Consolidated and Separated by Landscaping Elements

2. All exterior mechanical equipment, with the exception of solar collectors or wind power generating equipment shall be screened from view by integration with the building's architecture through such elements as parapet walls, false roofs, roof wells, clerestories, equipment rooms, materials and colors. Painting mechanical equipment strictly as a means of screening is not permitted. (Ord. 663 § 1 (Exh. 1), 2013; Ord. 654 § 1 (Exh. 1), 2013).

20.50.250 Building design.

A. Purpose.

1. Emphasize quality building articulation, detailing, and durable materials.
2. Reduce the apparent scale of buildings and add visual interest for the pedestrian experience.
3. Facilitate design that is responsive to the commercial and retail attributes of existing and permitted uses.

B. Building Articulation.

1. Commercial buildings fronting streets other than state routes shall include one of the two articulation features set forth in subsections (B)(2)(a) and (b) of this section no more than every 40 lineal feet facing

a street, parking lot, or public place. Building facades less than 60 feet wide are exempt from this



standard.

Building Facade Articulation

2. Commercial buildings fronting streets that are state routes shall include one of the two articulation features below no more than every 80 lineal feet facing a street, parking lot, or public place. Building facades less than 100 feet wide are exempt from this standard.

a. For the height of the building, each facade shall be offset at least two feet in depth and four feet in width, if combined with a change in siding materials. Otherwise, the facade offset shall be at least 10 feet deep and 15 feet wide.

b. Vertical piers at the ends of each facade section that project at least two inches from the facade and extend from the ground to the roofline.

3. Multifamily buildings or residential portions of a commercial building shall provide the following articulation features at least every 35 feet of facade facing a street, park, public place, or open space:

a. Vertical building modulation 18 inches deep and four feet wide, if combined with a change in color or building material. Otherwise, the minimum depth of modulation is 10 feet and the minimum width for each modulation is 15 feet. Balconies may be used to meet modulation; and

b. Distinctive ground or first floor facade, consistent articulation of middle floors, and a distinctive roofline or articulate on 35-foot intervals.



Multifamily Building Articulation

Multifamily Building Articulation

4. Rooflines shall be modulated at least every 120 feet by emphasizing dormers, chimneys, stepped roofs, gables, or prominent cornices or walls. Rooftop appurtenances may be considered a modulation. Modulation shall consist of a roofline elevation change of at least four feet every 50 feet of roofline.

5. Every 150 feet in building length along the street front shall have a minimum 30-foot-wide section that is offset by at least 20 feet through all floors.



Facade Widths Using a Combination of Facade Modulation, Articulation, and Window Design

6. Buildings shall recess or project individual windows above the ground floor at least two inches from the facade or use window trim at least four inches in width.



Window Trim Design

7. Weather protection of at least three feet deep by four feet wide is required over each secondary entry.



Covered Secondary Public Access

8. Materials.

a. Metal siding shall have visible corner moldings or trim and shall not extend lower than four feet above grade. Masonry, concrete, or other durable material shall be incorporated between the siding and the grade. Metal siding shall be factory finished with a matte, nonreflective surface.



Masonry or Concrete Near the Ground and Proper Trimming Around Windows and Corners

b. Concrete blocks of a singular style, texture, or color shall not comprise more than 50 percent of a facade facing a street or public space.



c. Stucco must be trimmed and sheltered from weather by roof overhangs or other methods and shall be limited to no more than 50 percent of facades containing an entry. Stucco shall not extend below two feet above the grade.



d. The following exterior materials are prohibited:

- i. Chain-link fencing that is not screened from public view. No razor or barbed material shall be allowed;
- ii. Corrugated, fiberglass sheet products; and
- iii. Plywood siding. (Ord. 654 § 1 (Exh. 1), 2013).

Subchapter 6.
Parking, Access and Circulation

20.50.390 Minimum off-street parking requirements – Standards.

A. Off-street parking areas shall contain at a minimum the number of parking spaces stipulated in Tables 20.50.390A through 20.50.390D.

Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
Single detached/townhouse:	2.0 per dwelling unit
Apartment:	Ten percent of required spaces in multifamily and residential portions of mixed use development must be equipped with electric vehicle infrastructure for units where an individual garage is not provided. ¹
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit
<u>Microhousing</u>	<u>.5 per bedroom or “sleeping room”</u>

20.50.400 Reductions to minimum parking requirements.

A. Reductions of up to 25 percent may be approved by the Director using a combination of the following criteria:

1. On-street parking along the parcel’s street frontage.
2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.

4. Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.

5. High-capacity transit service available within a one-half mile radius.

6. A pedestrian public access easement that is eight feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.

7. Concurrence with King County Right Size Parking data, census tract data, and other parking demand study results.

8. The applicant uses permeable pavement on at least 20 percent of the area of the parking lot.

B. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing.

C. The Director may impose performance standards and conditions of approval on a project including a financial guarantee.

D. Reductions of up to 50 percent may be approved by Director for the portion of housing providing low-income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development. (Ord. 669 § 1 (Exh. A), 2013; Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 6(B-2), 2000).

[E. A parking reduction of 25 percent will be approved by the Director for multi-family development within ¼ mile of the light rail station.](#)

[F. Parking reductions for affordable housing may not be combined with parking reductions identified in Subsection A above.](#)

20.50.540 Sign design.

A. Sight Distance. No sign shall be located or designed to interfere with visibility required by the City of Shoreline for the safe movement of pedestrians, bicycles, and vehicles.

B. Private Signs on City Right-of-Way. No private signs shall be located partially or completely in a public right-of-way unless a right-of-way permit has been approved consistent with Chapter [12.15](#) SMC and is allowed under SMC [20.50.540](#) through [20.50.610](#).

C. Sign Copy Area. Calculation of sign area shall use rectangular areas that enclose each portion of the signage such as words, logos, graphics, and symbols other than nonilluminated background. Sign area for signs that project out from a building or are perpendicular to street frontage are measured on one side even though both sides can have copy.

D. Building Addresses. Building addresses should be installed on all buildings consistent with SMC [20.70.250](#)(C) and will not be counted as sign copy area.

E. Materials and Design. All signs, except temporary signs, must be constructed of durable, maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted for permanent signage. For example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted for permanent signage.

F. Illumination. Where illumination is permitted per Table 20.50.540(G) the following standards must be met:

1. Channel lettering or individual backlit letters mounted on a wall, or individual letters placed on a raceway, where light only shines through the copy.
2. Opaque cabinet signs where light only shines through copy openings.
3. Shadow lighting, where letters are backlit, but light only shines through the edges of the copy.
4. Neon signs.
5. All external light sources illuminating signs shall be less than six feet from the sign and shielded to prevent direct lighting from entering adjacent property.



Individual backlit letters (left image), opaque signs where only the light shines through the copy (center image), and neon signs (right image).

G. Table 20.50.540(G) – Sign Dimensions.

A property may use a combination of the four types of signs listed below.

	All Residential (R) Zones, MUR35 , Campus, PA3 and TC-4	MUR45, MUR 85 , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
MONUMENT Signs:			
Maximum Area Per Sign Face	4 sq. ft. (home occupation, day care, adult family home, bed and breakfast) 25 sq. ft. (nonresidential use, residential subdivision or multifamily development) 32 sq. ft. (schools and parks)	50 sq. ft.	100 sq. ft.
Maximum Height	42 inches	6 feet	12 feet
Maximum Number Permitted	1 per street frontage	1 per street frontage Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs on same property.	1 per street frontage
Illumination	Permitted	Permitted	
BUILDING-MOUNTED SIGNS:			

	All Residential (R) Zones, MUR35 , Campus, PA3 and TC-4	MUR45, MUR 85 , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Maximum Sign Area	Same as for monument signs	25 sq. ft. (each tenant) Building Directory 10 sq. ft. Building Name Sign 25 sq. ft.	50 sq. ft. (each tenant) Building Directory 10 sq. ft. Building Name Sign 25 sq. ft.
Maximum Height	Not to extend above the building parapet, soffit, or eave line of the roof. If perpendicular to building then 9-foot clearance above walkway.		
Number Permitted	1 per street frontage	1 per business per facade facing street frontage or parking lot.	
Illumination	Permitted	Permitted	Permitted
UNDER-AWNING SIGNS			
Maximum Sign Area	6 sq. ft. (Nonresidential uses, schools, residential subdivision or multifamily development)	12 sq. ft.	
Minimum Clearance from Grade	9 feet		
Maximum Height (ft.)	Not to extend above or beyond awning, canopy, or other overhanging feature of a building under which the sign is suspended		
Number	1 per business	1 per business per facade facing street frontage or	

	All Residential (R) Zones, MUR35 , Campus, PA3 and TC-4	MUR45, MUR 85 , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Permitted		parking lot.	
Illumination	Prohibited	Permitted	
DRIVEWAY ENTRANCE/EXIT:			
Maximum Sign Area	4 sq. ft. (Nonresidential uses, schools, residential subdivision or multifamily development)	8 sq. ft.	
Maximum Height	42 inches	48 inches	
Number Permitted	1 per driveway		
Illumination	Permitted	Permitted	

Exceptions to Table 20.50.540(G):

(1) The monument sign standards for MB, TC-1, and TC-2 apply on properties zoned NB, CB, and TC-3 where the parcel has frontage on a State Route, including SR 99, 104, 522, and 523.

(2) Sign mounted on fence or retaining wall may be substituted for building-mounted or monument signs so long as it meets the standards for that sign type and does not increase the total amount of allowable signage for the property.

H. Window Signs. Window signs are permitted to occupy maximum 25 percent of the total window area in zones **MUR45, MUR 85**, NB, CB, MB, TC-1, TC-2, and TC-3. Window signs are exempt from permit if non-illuminated and do not require a permit under the building code.

I. A-Frame Signs. A-frame, or sandwich board, signs are exempt from permit but allowed only in the MUR45, MUR 85, NB, CB, MB, and TC-1, TC-2, and TC-3 zones subject to the following standards:

1. Maximum one sign per business;
2. Must be directly in front of the business with the business' name and may be located on the City right-of-way where the property on which the business is located has street frontage;
3. Cannot be located within the required clearance for sidewalks and internal walkways as defined for the specific street classification or internal circulation requirements;
4. Shall not be placed in landscaping, within two feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps;
5. Maximum two feet wide and three feet tall, not to exceed six square feet in area;
6. No lighting of signs is permitted;
7. All signs shall be removed from display when the business closes each day; and
8. A-frame/sandwich board signs are not considered structures.

J. Other Residential Signs. One sign maximum for home occupations, day cares, adult family homes and bed and breakfasts which are located in residential (R) zones, MUR35 or TC-4 not exceeding four square feet in area is exempt from permit. It may be mounted on the residence, fence or freestanding on the property, but must be located on the subject property and not on the City right-of-way or adjacent parcels. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 4 (Exh. A), 2009; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(B), 2000).

20.50.550 Prohibited signs.

A. Spinning devices; flashing lights; searchlights, electronic changing messages or reader board signs.

Exception 20.50.550(A)(1): Traditional barber pole signs allowed only in MUR45, MUR 85, NB, CB, MB and TC-1 and 3 zones.

Exception 20.50.550(A)(2): Electronic changing message or reader boards are permitted in CB and MB zones if they do not have moving messages or messages that change or animate at intervals less than 20 seconds, which will be considered blinking or flashing and are not allowed.

B. Portable signs, except A-frame signs as allowed by SMC [20.50.540\(l\)](#).

C. Outdoor off-premises advertising signs (billboards).

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

G. Pennants; swooper flags; feather flags; pole banners; inflatables; and signs mounted on vehicles. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 631 § 1 (Exh. 1), 2012; Ord. 560 § 4 (Exh. A), 2009; Ord. 369 § 1, 2005; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(C), 2000).

20.50.560 Monument signs.

A. A solid-appearing base is required under at least 75 percent of sign width from the ground to the base of the sign or the sign itself may start at grade.

B. Monument signs must be double-sided if the back is visible from the street.

C. Use materials and architectural design elements that are consistent with the architecture of the buildings. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-1), 2000).

20.50.570 Building-mounted signs.

A. Building signs shall not cover building trim or ornamentation.

B. Projecting, awning, canopy, and marquee signs (above awnings) shall clear sidewalk by nine feet and not project beyond the awning extension or eight feet, whichever is less. These signs may project into public rights-of-way, subject to City approval. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 4 (Exh. A), 2009; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-2), 2000).

20.50.580 Under-awning signs.

These signs may project into public rights-of-way, subject to City approval. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-3), 2000).

20.50.590 Nonconforming signs.

A. Nonconforming signs shall not be altered in size, shape, height, location, or structural components without being brought to compliance with the requirements of this Code. Repair and maintenance are allowable, but may require a sign permit if structural components require repair or replacement.

B. Outdoor advertising signs (billboards) now in existence are declared nonconforming and may remain subject to the following restrictions:

1. Shall not be increased in size or elevation, nor shall be relocated to another location.
2. Shall be kept in good repair and maintained.
3. Any outdoor advertising sign not meeting these restrictions shall be removed within 30 days of the date when an order by the City to remove such sign is given. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(E), 2000).

20.50.600 Temporary signs.

A. General Requirements. Certain temporary signs not exempted by SMC [20.50.610](#) shall be allowable under the conditions listed below. All signs shall be nonilluminated. Any of the signs or objects included in this section are illegal if they are not securely attached, create a traffic hazard, or are not maintained in good condition. No temporary signs shall be posted or placed upon public property unless explicitly allowed or approved by the City through the applicable right-of-way permit. Except as otherwise described under this section, no permit is necessary for allowed temporary signs.

B. Temporary On-Premises Business Signs. Temporary banners are permitted in zones [MUR45](#), [MUR 85](#), NB, CB, MB, TC-1, TC-2, and TC-3 to announce sales or special events such as grand openings, or prior to the installation of permanent business signs. Such temporary business signs shall:

1. Be limited to not more than one sign per business;
2. Be limited to 32 square feet in area;
3. Not be displayed for a period to exceed a total of 60 calendar days effective from the date of installation and not more than four such 60-day periods are allowed in any 12-month period; and
4. Be removed immediately upon conclusion of the sale, event or installation of the permanent business signage.

C. Construction Signs. Banner or rigid signs (such as plywood or plastic) identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is intended. Total signage area for both new construction and remodeling shall be a maximum of 32 square feet. Signs shall be installed only upon City approval of the development permit, new construction or tenant improvement permit and shall be removed within seven days of final inspection or expiration of the building permit.

D. Temporary signs in commercial zones not allowed under this section and which are not explicitly prohibited may be considered for approval under a temporary use permit under SMC [20.30.295](#) or as part of administrative design review for a comprehensive signage plan for the site. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(F), 2000).