



PLANNING COMMISSION

REGULAR MEETING

AGENDA - REVISED

Thursday, October 2, 2014
7:00 p.m.

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
2. ROLL CALL	7:01
3. APPROVAL OF AGENDA	7:02
4. APPROVAL OF MINUTES	7:03
a. Draft Minutes from September 18, 2014 Regular Meeting	

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	7:05
6. STUDY ITEM	7:10
a. Development Regulations for 185th Street Station Area Planning	
• Staff Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	8:45
8. UNFINISHED BUSINESS	8:55
9. NEW BUSINESS	8:56
10. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:57
11. AGENDA FOR OCTOBER 16, 2014	
a. Development Regulations for 185th Street Station Area Planning	8:58
12. ADJOURNMENT	9:00

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CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

September 18, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Scully
Vice Chair Craft
Commissioner Malek
Commissioner Maul
Commissioner Montero
Commissioner Mork
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
Miranda Redinger, Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

CALL TO ORDER

Planning Commission Clerk, Lisa Basher, called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

SWEARING IN CEREMONY FOR NEWLY APPOINTED PLANNING COMMISSIONER

Deputy Mayor Eggen swore in new Planning Commissioner, Laura Mork.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Scully, Vice Chair Craft, and Commissioners Maul, Montero, Mork and Moss. Commissioner Malek arrived at 7:46 p.m.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of September 4, 2014 were adopted.

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

Chair Scully suggested that staff present each of the topics, followed by questions from the Commission and then public comment.

Staff Presentation

Mr. Szafran explained that the purpose of a development agreement is to require such things as affordable housing and to identify components that will add to the livability and aesthetics of the community by exchanging additional development capacity for community amenities. Development agreements can be applied citywide to define the development of property and they can also be used as a mechanism to negotiate increased development potential to provide for identified neighborhood amenities in the Mixed Use Residential (MUR-85) zone. He reminded the Commission that development agreements can be used by the City in accordance with State Law, but the City has not employed the tool to date. Rather than rely on State law, the Washington Cities Insurance Authority, the City's insurance provider, has recommended that the City formally adopt a development agreement process in its Development Code to avoid liability issues in the future.

Mr. Szafran referred to proposed language in Shoreline Municipal Code (SMC) 20.30.338, which applies to development agreements citywide and development agreement within the light rail station subareas. Subsection B lists components that development agreements must contain per State law and would apply to development agreements citywide. Subsection C lists components that would apply to property zoned MUR-85 within the subarea in order to increase development potential. As the Commission reviewed each of the topics, he suggested they consider the following questions:

- Is this something that should be considered as a component of a development agreement?
- Is this something that should be mandated in any of the Mixed Use Residential (MUR) zoning designations?
- Is this something that may be applicable citywide and should be considered outside of station subarea planning?

Staff presented the potential, and the Commission and public commented on each one as follows:

- **Affordable Housing**

Mr. Szafran reviewed that, at their September 4th meeting, the Commission favored using a sliding scale between 10% and 60% Average Median Income (AMI) and 5% at 30% AMI. They agreed that affordable housing should be mandatory as part of a development agreement rather than an option to choose.

Commissioner Moss asked if the intent is that all development agreements will require an affordable housing component. Mr. Szafran clarified that, as currently proposed, the requirement would only apply

to development within the MUR-85 zone that exceeds the 85-foot height limit. Director Markle clarified that the Commission has not yet discussed whether the concept should be applied citywide.

Commissioner Maul asked staff to explain why they are proposing that the development agreement process be applied citywide in order to reduce the City's liability. Director Markle explained that there is some liability risk associated with using development agreements without having a codified process in place. Since the City has been and wants to continue to use development agreements, they should codify the process and criteria rather than simply applying current State law.

Tom Jamieson, Shoreline, commended the Commission for offering an opportunity for public comment on each of the individual elements. He also asked that they allow the public to comment at the end of the presentation to voice concerns and raise questions that come to mind during the course of the study session regarding any of the elements.

- Jobs

Mr. Szafran advised that numerous citizens identified jobs as a desired amenity in the subarea, specifically living-wage jobs. The draft proposal would require commercial space of at least 30,000 square feet as a component of a development agreement in the MUR-85 zone. An example of this concept would be City Hall, where 30,000 square feet of space supports approximately 100 jobs.

Commissioner Maul suggested that for small sites, a 30,000 square foot requirement might be onerous. Mr. Szafran answered that staff calculated the land available in the subarea as a percentage of the City as a whole and the number of jobs the City must provide to meet the Growth Management Act (GMA) job growth targets. Dividing the percentage of area by the number of jobs got them to 100 jobs per 30,000 square feet. Based on current trend, per employee square footage is between 300 and 500. Commissioner Maul asked if it would be more appropriate to tie the number of jobs to the size of the parcel. Ms. Markle said the question is whether "jobs" should be a required component of a development agreement or one of the components an applicant could choose. Staff is recommending it be one component an applicant could choose, in which case, not every project would choose jobs. The concept could be applied based on parcel size, as suggested by Commissioner Maul, or based on a standard as outlined by Mr. Szafran.

Commissioner Moss observed that one inherent problem with a "jobs" component is the time it takes for a building to be permitted, developed and occupied. She asked what would happen if there is an economic downturn and previous commitments from commercial tenants are withdrawn between the time a building is permitted and developed. Mr. Szafran clarified that the proposal would mandate 30,000 square feet of commercial space, but it would not mandate occupancy. Mr. Cohen added that the intent is to bring in new jobs, and mandating a certain amount of commercial square footage would likely be accompanied by a strong desire to fill the space.

Chair Scully reminded the Commission that the City currently requires commercial uses on the street level in all commercial zones. However, the spaces can be used for residential uses on a short-term basis. He asked if this would also apply to commercial space that is required as part of the "jobs" component of a development agreement. Mr. Szafran answered no.

Tom Jamieson, Shoreline, cautioned that simply requiring a certain amount of commercial space reflects a brick and mortar bias. It does not account for the fact that, as the City moves further into the digital world, a lot of jobs can be provided with very little commercial space. He said he would like the code to take into account that the correlation between commercial space and jobs is rapidly changing and will continue to do so.

- Street Level Commercial

Mr. Szafran reviewed that the community identified street level commercial space as a desirable amenity, specifically eating and/or drinking establishments. The question is how big these areas should be. Should the requirement be based on a percentage of the street frontage? Should certain types of businesses be restricted? Should other types of street-level commercial uses be allowed?

Vice Chair Craft recognized the community's desire for commercial establishments that offer opportunities to eat and drink. However, from a practical standpoint, he is concerned about limiting the commercial uses to specifically eating and drinking establishments. While they are nice and effective uses for creating a community environment, requiring just those uses might be too limiting. Commissioner Maul agreed. It is hard enough to fill the required commercial spaces and limiting them to specifically eating and drinking establishments would be onerous. He felt the uses should be driven by the market demand.

Mr. Szafran reminded the Commission that, as currently proposed, limiting commercial space to eating and drinking establishments would only be applicable to development that exceeds the 85-foot height limit in the MUR-85 zone. Commissioner Moss recalled that the Commission discussed applying some of the development agreement concepts for the MUR-85 zone to the MUR-45 zone, as well. Chair Scully suggested the Commission focus specifically on development agreement components for the MUR-85 zone first. Then they could consider their applicability to other zones in the subarea and citywide. Mr. Szafran said it is also important for the Commission to identify the components that should be required versus those that are choices.

Chair Scully said he supports stating a preference for eating and drinking establishments as a goal in the Comprehensive Plan, but he questioned the constitutionality of limiting commercial uses to just these two types. Director Markle advised that there is some precedent for the requirement. For example, the Overlake Subarea Plan actually calls out hotels as specific uses, and a developer can obtain additional development potential by providing hotel space of more than 100 rooms. She acknowledged that limiting commercial uses to eating and drinking establishments is very narrow, and she questioned if developers would be interested in trading for additional development.

Vice Chair Craft said he believes it is important to create more attractive social settings. If the City is looking to incentivize a developer who wants to exceed the 85-foot height limit, it is important to do things like that. However, there may be opportunities to widen the definition to allow different types of commercial uses while sticking with the spirit the community requested.

Commissioner Montero asked if the eating and drinking establishments would also count as part of the square footage requirement for the “jobs” component. Mr. Szafran said he had thought they would be separate components.

Chair Scully said his recollection was that the public was interested in gathering places, and eating and drinking was just one component. Perhaps they could define it more broadly to include gathering spaces that are open to the public in some capacity.

Tom Jamieson, Shoreline, said he is in favor of having more public gathering places. He asked the Commission to give specific attention to providing places that allow citizens to promote initiatives and referendums that are a viable part of the local government.

- Public Parks and Art

Mr. Szafran said public parks and art were also identified as desirable by the community. As proposed, the draft criteria would require 2% building construction valuation dedicated to fund parks and/or art. The money could be used for new park space, amenities for existing parks, or new art installations. He commented that, at this time, there is no identified need for new park space; but there is a need for money to enhance existing parks. This will be particularly important given the anticipated increases in density around the light rail stations.

Commissioner Maul asked if developers could include public parks and/or art components in their projects or if they would simply be asked to give money to the City. Mr. Szafran said the park and/or art component could be addressed as part of the project, but it would have to be open and accessible to the public.

Chair Scully said he strongly supports a parks and/or art component. While there may not be an identified need for additional park space, it is important to keep in mind that they are proposing a lot of development within the subareas where there are no central or public gathering places. Building this concept into development agreements would take some of the load off of the City. Mr. Szafran said that, as currently proposed, the component would require that 2% of the building construction valuation must be used for public parks, open space, art or other recreational opportunities that are open and accessible to the public within the station subarea.

Commissioner Moss pointed out that the City already has open space requirements for developments over a certain size. However, there is no requirement that the space be open to the general public. She asked if the proposed component would be an additional requirement for open space. Mr. Szafran answered that the requirement for public parks and/or art would be in addition to the general open space requirement.

David Higgs, Shoreline, suggested that rather than requiring a developer to allocate a set amount of money on a one-time basis, the requirement should focus on long-term maintenance costs associated with park facilities.

- Regional Power Lines

Mr. Szafran said the public expressed support for undergrounding regional power lines, as an aesthetic amenity. Undergrounding the Seattle City Light transmission lines at 185th Street and 10th Avenue Northeast would free up land for potential usable open space. A representative from Seattle City Light indicated that underground transmission lines in this location would be allowed. They are also agreeable to rerouting the lines to a different location.

The Commission discussed that undergrounding the transmission lines would be very costly, and the proposal does not indicate how much of the existing lines must be underground in order to meet the requirement. Ms. Redinger agreed that underground transmission lines would add a significant cost to a project, and the tradeoff to offset the cost of providing the amenity would be more development potential. She acknowledged that staff does not know how realistic the idea is and how much additional development capacity would be required to make it pencil out. She also acknowledged that staff does not have answers yet about how the requirement would be applied and/or funded.

The Commission agreed that undergrounding the transmission lines would be desirable. However, if it is not a realistic amenity for a developer to accomplish, the City should find some other way to accomplish the goal. They requested further information about whether or not it would be financially feasible to make undergrounding a request of developers. Director Markle suggested the Subarea Plan could include a policy that the City explore mechanisms for undergrounding the lines. The Commission agreed that would be appropriate.

Commissioner Malek arrived at the meeting at 7:46 p.m.

Tom Jamieson, Shoreline, recalled that the City previously adopted an ordinance that required all power lines in the City to be underground within 15 years, but the ordinance was repealed just a few months before it expired. He cautioned that looking at the installation cost in isolation will not provide an accurate picture. They must consider the total cost of ownership associated with overhead lines versus underground lines.

- Street Frontage

Mr. Szafran said this is another aesthetic amenity identified by the community. The draft criteria would double the linear footage of improvements required. For example, a site with 100 feet of frontage would be required to provide 200 feet of frontage improvements. He provided an example of typical frontage improvements with a sidewalk, amenity zone, curb and gutter.

Commissioner Maul raised concern that there may be legal issues associated with requiring a developer to expand the frontage improvements beyond his/her property line. Mr. Szafran responded that this should not be an issue because the frontage improvements would occur within the City's right-of-way. Chair Scully pointed out that because the code requires frontage improvement with any new development, all frontage improvements would eventually be done anyway. He said he is skeptical about the public benefit of accomplishing the improvements faster by doubling the requirement versus some of the other amenities the City will not get unless they ask for it in a development agreement. Mr. Cohen said the idea is to accelerate the street improvements, and the intent is for developers to be

responsible for building the frontage improvements, including the necessary purchase of property. He noted that proposed language for the street frontage component would also require that utility lines running parallel to the street be placed underground.

Ms. Redinger said staff has had discussions with the City's Transportation Planners about the ideal time to make frontage improvements. At some point in the future, the City will adopt a route development plan for 185th Street, similar to what is currently underway for 145th Street. This plan will likely call for elimination of curb cuts and require access from side streets to relieve traffic congestion. The intent is to let developers make some of these improvements and eliminate as many curb cuts as possible before the City begins a major capital project.

Commissioner Moss questioned how a developer of a parcel located mid block would be able to underground utility lines when no one else on the block has done so. Ms. Redinger said one option would be to require developers to deposit money into a fund that could be used to accomplish the task blocks at a time.

Commissioner Maul cautioned that if they want to move forward with the street frontage and underground utility requirements, the Commission must talk about all utilities and not just power lines. While he supports the goal, implementation seems complicated.

Commissioner Malek asked if the double street frontage requirement would be applied half on either side of the property. Mr. Cohen said the developer and City could negotiate how the extension would be split to provide cohesion and connect improvements together.

Commissioner Montero asked how the street frontage requirement would be applied on properties where improvements have already been done by an adjacent property owner. Ms. Redinger said the developer could either do improvements in the opposite direction or choose a different option. Chair Scully pointed out that frontage improvements are required for all development, regardless of whether or not the applicant is requesting additional development capacity. He questioned if changes are needed elsewhere in the code to require a developer to contribute money into a fee-in-lieu fund if frontage improvements have already been done. Mr. Cohen explained that the benefit of a development agreement is that some things can be specific and others can be negotiated with the City. For example, if frontage improvements have already been done, a developer could negotiate to pay into a fee-in-lieu fund, and the money could be used to build frontage improvements elsewhere. He explained that the street frontage component can be a negotiating tool for the City's benefit, and there are a variety of possibilities. However, if a developer cannot completely fulfill the requirements, the City can require him/her to choose a different component from the list. Mr. Szafran added that development agreements must meet the decision criteria and be approved by the City Council.

Commissioner Maul cautioned that if a developer chooses the street frontage component, and extends the street frontage improvements beyond his/her property, they must recognize that the improvements may have to be redone if and when the adjacent property is redeveloped to meet the needs of the new use.

Commissioner Moss expressed concern that underground utilities would only occur on some parcels in the station area. She suggested the City's ultimate goal should be to underground all utilities. Rather than offering underground utilities as an incentive, perhaps it should be considered as a standard for the entire City.

Chair Scully agreed that the goal is to encourage underground utilities. However, he is not convinced that the current proposal would be workable. He suggested the concept needs more work, and the remainder of the Commission concurred.

Liz Poitras, Shoreline, expressed concern that a street improvement requirement could impact adjacent residential property owners. While some streets have deep rights-of-way that allow sufficient space for bike trails, sidewalks, vegetation, etc., many do not. She reminded the Commission that most of the properties in the subarea are already developed, and it may be necessary to acquire additional right-of-way in order to complete the required street frontage improvements. She also reminded the Commission that residential property owners will already be impacted by large developments that are allowed to exceed the height limit. Requiring a developer to do improvements in front of adjacent properties might make property owners nervous and annoyed.

Tom Poitras, Shoreline, cautioned about the safety issues involved with relocating the high-voltage power lines underground. Additional land may be required to make the area safe.

- Public Thru-Access

Mr. Szafran said the community also identified public thru-access and more connectivity as desirable amenities. The draft criteria is to provide street-to-street, dedicated public access. Staff is seeking feedback from the Commission about whether this public access should be a pedestrian/bicycle connection, for cars, or both. He provided a diagram to illustrate potential block-to-block access, which could be alleys, pedestrian paths, etc. As an example, Ms. Redinger pointed out that if the Shoreline Center were to redevelop, the walkshed to the station would decrease if a diagonal path were provided to connect the southeast corner to the northwest corner. Alleyways is a topic for another conversation, and would probably be more appropriate along the 185th Corridor where they want to reduce congestion on the road and pull cars off of sidewalks.

Commissioner Moss asked what would happen if a developer chooses this option but the property owner behind does not want to allow through access. Mr. Szafran said this option would only be available to a developer if street-to-street through access could be provided.

- Transfer of Development Rights

Mr. Cohen said both the Comprehensive Plan and the community support the Transfer of Development Right (TDR) concept, which would allow developers to purchase development right credits in exchange for increased development potential within defined areas. TDR's can be used to save forest and farmland by increasing development in urban areas like Shoreline. In addition, TDR's may be a viable, indirect source for capital funding for infrastructure in the subarea. The key issue for the Commission to consider is how many TDR credits would need to be purchased in the MUR-85 zone to be a component

of a development agreement and how much additional development potential would a developer be allowed to have for each credit. To give the Commission an idea of the relative power of using the TDR credit system, he provided aerial photographs of two, 107-unit housing developments, one in King County and another in Shoreline. He also provided aerial photographs to show what the property looked like before it was developed. He emphasized that it would take a much smaller area to provide the same number of housing units in the MUR-85 zone as opposed to the rural and forested areas in King County.

Chair Scully pointed out that, currently, the TDR program is in crisis. While plenty of property owners in the rural areas are willing to sell and leave their land undeveloped, cities have not come up with effective programs to get developers to purchase the credits. He cautioned against arbitrarily setting a number for how many credits must be purchased. The program is typically administered on a one (unit) to one (credit) basis.

While he supports the TDR idea and understands there are plenty of property owners trying to sell land in the County, Commissioner Maul questioned what benefit the City would receive from selling TDR credits to save rural and/or forested property in the County. Mr. Szafran responded that while some of the potential Development Agreement components would have a direct benefit to the people who live next to the MUR-85 zone, others actually have a larger, environmental picture. If the community is concerned about impacts on the rural and wilderness areas, they may choose to support the TDR concept as a way to protect these properties from future development.

Director Markle advised that the Landscape Conservation and Local Infrastructure Program (LCLIP) was adopted two years ago, and the City received a \$60,000 grant to study the feasibility of Shoreline's participation in a TDR program. She explained that, essentially, the program would allow the City to participate in local tax increment financing opportunities if a certain number TDR credits are purchased. At this time, Shoreline is allowed to receive 235 TDR credits, and the money can be used to fund public infrastructure, including place-making landscaping, parks and streets. Chair Scully recalled that Council Member Hall requested that TDR's be included as a possible component as a placeholder so the concept could be studied further.

- **Structured Parking**

Mr. Szafran said the public has expressed support for structured parking as an aesthetic amenity. The draft criteria would require that at least 50% of a development's parking must be structured. He invited the Commissioners to comment on whether or not 50% is an appropriate number. As an example, he referred to the Echo Lake Development, where the majority of parking is structured.

Vice Chair Craft commented that it may not be necessary to incentivize structured parking since the development in the MUR-85 zone will occupy the majority of the land and structured parking will be needed to meet the parking requirement. Chair Scully agreed that structured parking is ideal and noted that there is already economic incentive to provide structured parking given the high land values in the MUR-85 zone. The Commission discussed that if structured parking is offered as an incentive option to exceed the 85-foot height limit, the percentage should be much higher.

- **Green Development for Development Agreements**

Ms. Redinger reviewed three green development incentives (district energy/utilities such as stormwater facilities, renewable power generation, etc.; requiring that a certain percentage of the units be built to universal design standards; and LEED Gold) the Commission could consider for possible mandatory or optional components of development agreements in the station subareas. She also reviewed a list of other green development incentives that would not necessarily be appropriate components for development agreements in the MUR-85 zone. For example, green modular housing would not require the taller height limits, but an incentive for that housing style might be expedited permitting. Living Building Challenge and Net Zero projects would probably not benefit from additional height either, particularly given the requirement for the development to produce its own power. Solarized power would be a great green building program to promote in the City, particularly in the subarea, but it is not necessarily something that is appropriate for a development agreement.

Ms. Redinger advised that the intent is to codify as many mechanisms as possible in the window of time they have allotted to the process. However, some items will be more complicated and require more research such as financing and parcel aggregation for affordable housing and the 185th Street Route Development Plan. For these items, it may be appropriate to create policy language so that the concepts can be considered at some point in the future.

At the request of the Commission, Ms. Redinger explained that universal design mandates such things as minimum-sized hallways to allow wheelchair access so occupants of the units can age in place. The goal is to allow residents to modify their lifestyles as required without having to totally remodel. Commissioner Moss added that universal design calls for providing the infrastructure that allows the flexibility for units to be modified at some point in the future to meet the residents' changing needs.

Ms. Redinger explained that there are several levels of LEED standard. If Shoreline is to meet its greenhouse gas emission reduction targets the Council has agreed to by 2030, all new construction needs to be LEED Platinum. However, it is important to keep in mind that this is a long-range plan, and they may not see this level of construction until after the 2030 deadline. Mr. Szafran pointed out that the City Hall Building was developed to LEED Gold standard.

Commissioner Maul expressed his belief that it would be appropriate to make district energy/utility and LEED Gold mandatory requirements for large developments. Chair Scully concurred and commented that LEED Gold is not an onerous requirement for properties that develop via a development agreement. Perhaps they could offer credits for going beyond the top LEED Standard or for doing universal design.

Commissioner Maul acknowledged it is important to encourage universal design, but perhaps it should be an option rather than a mandated requirement. He noted that all the examples provided by Commissioner Moss were problems facing people who live in town houses and single-family homes that are not ADA accessible. The current discussion is whether or not universal design should be a mandated or optional requirement for development agreements in the MUR-85 zone. Once an elevator is installed in a building, everything else has to be accessible so the City would not gain anything from offering this incentive.

Tom Jamieson, Shoreline, cautioned that the proposed Subarea Plan is intended to be a 100-year plan, and it is not likely the City will get it right. Therefore, the plan needs to be easily adaptable. He encouraged them to choose the cautious alternative that will allow the City to adapt if a mistake is made.

Ms. Redinger clarified that it was not the City's intent to create a plan to span 100 years. Based on the zoning that was adopted as part of the preferred alternative, it would take 100 years to reach potential build out if the growth rate continues as anticipated. She encouraged the Commission to focus on what is likely in 20 years, and they may find that some of the concepts being discussed will not be applicable. She agreed that it is important to allow flexibility, but also provide some guidelines. The criteria can be reexamined periodically, as necessary.

Chair Scully recommended that rather than placing arbitrary numbers on each of the components, he would like to provide general guidelines and allow staff the flexibility to negotiate with developers. Each property is unique and neighborhoods will change. The goal of a development agreement is to negotiate to meet the needs of the parcel and the neighborhood.

David Higgins, Shoreline, suggested that, in addition to the topics discussed by the Commission, they should also consider including incentives for not-for-profit groups, community groups, public health clinics, etc. More business is great, but more community services are also important. The Commissioners agreed it is important to encourage uses that benefit the overall community.

Mr. Cohen summarized that the items presented by staff offer a wide range of components that are intended to reach the goals and ideas put forth by the community. He encouraged the Commissioners to add their ideas, as well.

Ms. Redinger announced that the Commission would meet jointly with the City Council on September 29th to discuss phased zoning and transition areas. If they come to an agreement that phased zoning is an approach they would like to examine, the Commission could jump right into the discussion at their October 2nd meeting. If not, potential topics for discussion on October 2nd include whether or not detached single-family residential uses should be permitted in the MUR-45 and MUR-85 zones, at least until the station opens. Other topics of discussion include alleys and frontage amenities, underground power lines in the MUR-45 and MUR-35 zones, and microhousing in the 185th Station Subarea and/or citywide.

Ms. Redinger said staff anticipates the Commission will wrap up their discussion about the main pieces of the development regulations before they start focusing on the Environmental Impact Statement (EIS), subarea plan policies, and planned action ordinance. She invited them to provide direction about their highest priorities. The Commission indicated a desire to discuss development regulations for the MUR-35, MUR-45 and MUR-85 zones outside of the development agreement, such as whether or not affordable housing should be a mandatory requirement.

DIRECTOR'S REPORT

Director Markle announced that Community Transit is sponsoring a workshop on September 25th from 8:30 to 11:30 a.m. at which Gil Penalosa, Executive Director of 8-80 Cities, will talk about how to build vibrant communities that benefit residents and businesses.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Moss noted that the Commission's October 16th meeting will conflict with the American Planning Association Conference in Spokane, Washington. She and Mr. Szafran indicated their plans to attend the conference. However, it was confirmed that a quorum of Commissioners would be present at the meeting.

AGENDA FOR NEXT MEETING

There was no further discussion regarding the agenda for the October 2nd meeting.

ADJOURNMENT

The meeting was adjourned at 8:42 p.m.

Keith Scully
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

**TIME STAMP
September 18, 2014**

CALL TO ORDER:

ROLL CALL:

**SWEARING IN CEREMONY FOR NEWLY APPOINTED PLANNING COMMISSIONER:
1:02**

APPROVAL OF AGENDA: 2:43

APPROVAL OF MINUTES: 2:50

GENERAL PUBLIC COMMENT: 3:00

**STUDY ITEM: DEVELOPMENT REGULATIONS FOR 185TH STREET LIGHT RAIL
STATION SUBAREA PLAN: 3:35**

DIRECTOR'S REPORT: 1:39:10

UNFINISHED BUSINESS: 1:39:47

NEW BUSINESS:

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:39:52

AGENDA FOR NEXT MEETING:

ADJOURNMENT:

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Planning Commission Meeting Date: October 2, 2014

Agenda Item

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: 185 th Street Station Subarea Plan- Development Code Regulations		
DEPARTMENT: Planning & Community Development		
PRESENTED BY: Steve Szafran, AICP, Senior Planner, P&CD		
Miranda Redinger, Senior Planner, P&CD		
Paul Cohen, Planning Manager, P&CD		
Rachael Markle, AICP, Director, P&CD		
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only
<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other

BACKGROUND

This staff report is a continuation of the Development Code regulation discussions from August 7, September 4, and September 18, 2014. The main topics for this meeting will be phased zoning, transition area requirements, and detached single-family homes in MUR-45 and MUR-85 zones. Phased zoning was discussed at a joint meeting between the Council and Commission on Monday, September 29, and the documents from that meeting can be found here:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/dinner/092914Dinner.pdf>.

PHASED ZONING

The Planning Commission and Council will likely have discussed whether phased zoning would be beneficial for the 185th Street Station Subarea; and if so, what areas should be included in Phase 1, what thresholds would trigger implementation of Phase 2 zoning, and the process to make this change. However, if phased zoning is determined to be a beneficial tool in the subarea, additional conversation will probably be necessary to work through details; staff will identify questions to facilitate Commission discussion. The draft Phase 1 zoning map that was introduced on September 29 is included in Attachment A, which may have been amended during the dinner meeting. If so, staff will provide the most current version during the presentation.

Over the next 20 years and beyond, it is important that the station subarea redevelop as a cohesive, connected community that is supportive of transit, but also that residents and potential developers have some predictability about when market forces are likely to support redevelopment of different areas. Phased zoning is one tool that could be used to manager redevelopment over time.

Approved By:

Project Manager *MR*

Planning Director *pm*

TRANSITION AREA STANDARDS

Transition area standards regulate the bulk of development, provide landscape buffers, and control vehicle access and traffic impacts adjacent to single family zoning (R-4, R-6, and R-8). The purpose of transition area standards to increase compatibility between existing single-family homes and new housing styles that may be more dense or bulky by providing set-backs, step-backs, and landscape buffering. The Planning Commission recently considered transition area standards through the commercial code consolidation project.

Transition area standards are currently mandatory when development occurs in the Neighborhood Business (NB), Community Business (CB), Mixed Business (MB), and Town Center (TC) 1 through 3 zones, and abuts or is directly across the street from parcels zoned R-4, R-6, or R-8. Current transition area standards are included in Attachment B.

The Commission has the option to adopt the current transition area standards for development in the MUR-35, MUR-45, and/or MUR-85 zones. The Commission may also choose not to recommend applying transition area standards for development in the MUR zones, or to include certain components of existing transition area standards, but not others (for example, set-backs and landscaping buffers, but not step-backs). Current draft Development Code language (Attachment C) proposes that standards apply in MUR-85 zones adjacent to R-6 zones, but not MUR-35 and 45.

Transition area standards may have greater significance in the short term if the phased zoning concept is pursued, which is why staff scheduled this topic to follow the Council/Commission discussion of phasing. Phase 1 may place MUR-85 zoning abutting or across the street from zones that would remain single-family until Phase 2.

In which MUR zones, if any, should transition area standards be required? If so, should all current standards apply? Should application of transition area standards be based on current or future zoning?

DETACHED SFR IN THE MUR-45 AND MUR-85

Proposed use tables for MUR-45 and -85 do not include single-family detached as a permitted use. This has created confusion and apprehension in the community because people think this means that single-family homes would not be allowed. The point cannot be overemphasized that non-conforming does not mean not allowed.

Non-conforming status (grandfathering) in Shoreline is not as prohibitive as in other jurisdictions. Non-conforming uses/structures are protected in that they do not have to conform to current code, even when substantially modified or rebuilt entirely, and may even expand slightly, provided that the use is not abandoned for a period of 12 months.

However, the intent of rezoning areas near the station is so that as properties redevelop, NEW structures house more residents that will be attracted to the amenity of light rail. This point of the discussion is to figure out how to balance property rights of existing single-family and changes they may want to make in the future with the housing

styles that will be encouraged in new zoning. Allowing time for property owners to understand this change, and remodel or add accessory structures while these uses are allowed by-right is one reason the Commission may recommend delaying this provision until 2023 or once light rail is operational.

Should single-family detached homes be permitted out-right in MUR-35, -45, and/or -85 zones? If not, should this change occur upon adoption of the 185SSSP, when light rail becomes operational, or another time?

What about remodels and accessory uses; should remodels of existing single-family homes and accessory used (ex. detached garage or ADU) be allowed to apply the new density and dimensions standards intended for multi-family housing? or Should this follow non-conforming status of single-family generally?

What is the best way to balance property rights of existing homeowners, while encouraging NEW residential units and commercial uses to support higher density?

MINIMUM DENSITIES

In an effort to reserve land near the future station for Transit-Oriented Development at higher heights and densities than the market would currently support, 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 support transit and neighborhood-serving businesses along the 185th Street corridor. At the September 15 Council meeting, Councilmember Hall suggested using 12 units per acre as a minimum in MUR-35, as opposed to the 8 units per acre that is currently included in draft Development Code regulations. He stated that R-12 zoning would be more likely to promote attached units, which are more energy-efficient.

Does the Commission support the use of minimum densities as proposed? Assuming that the Commission continues to support a minimum density for MUR-35, should it be 8 or 12 units per acre?

MICROHOUSING

Microhousing has not been identified as a type of housing to be promoted in the Station subarea. Microhousing is a development style that can be constructed throughout the City in zones that allow multi-family development. This is an emerging housing style and represents an area that is not yet well defined in Shoreline's Development Code. Therefore, staff is recommending that this topic be discussed in 2015 for possible amendments to the Development Code to address this issue citywide.

SUMMARY OF DISCUSSION TO DATE

Up to this point, the Commission has considered proposed amendments to Chapter 20.20 – Definitions, Chapter 20.30 – Procedures and Administration, Chapter 20.40 – Zoning and Use Provisions, and Chapter 20.50 – General Development Standards. The

most current draft of the proposed Development Code regulations is included in Attachment C.

Subjects have included:

- New zoning categories – MUR-35, -45, and -85
 - Including dimensional standards, minimum densities, and allowed uses
- Housing styles
 - Including Live/Work, Microhousing, and Mixed-Use
- Design standards for site and buildings
 - Including transition area standards and Universal Design
- Affordable Housing
 - Including inclusionary zoning and fee-in-lieu, fee waivers or reductions, parking, property tax exemption, surplus property agreements, and parcel assembly
- Green Building
 - Including Net-Zero, Living Building Challenge, LEED Certification, District Energy, Combined Heat and Power, Green Modular Housing, and a potential Solarize program
- Transfer of Development Rights
- Development Agreements
 - Summarized below
- Phased Zoning

DEVELOPMENT AGREEMENTS

Chapter 20.30 includes the process and contents of a general Development Agreement anywhere in the city, and specifically within the MUR-85 zone. On September 18, the Commission considered potential required and optional components for a Development Agreement within the MUR-85 zone. Below is a summary list of direction provided. Staff requests clarity that this summary accurately reflects Commission direction, and has included clarifying questions where there was uncertainty.

Required Components –

- 10 percent of the housing units constructed onsite shall be affordable to those earning less than 60 percent of King County Area Median Income (AMI) 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 percent AMI. An in lieu of fee may be paid into a City affordable housing fund, which would need to be established and administered, instead of constructing affordable housing units onsite. The fee-in-lieu shall be negotiated through the Development Agreement process and shall be no less than the total cost of construction for the unit as part of the entire development.
- Entire development built to LEED Gold standards- This requirement may need to be amended over time to accommodate for evolving standards in the State Energy Code, cost-competitiveness of green building, new technologies and certification

systems, and market trends, but LEED Gold currently represents a high standard in green building.

- At least 90 percent of the required parking spaces for a development must be structured parking, which could include underground parking, under-building parking, or an above-ground parking garage. Unstructured parking shall be located interior to the site.

Optional Components –

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

Is this the right number of optional components required?

- a. Entire site uses Combined Heat and Power infrastructure or District Energy.
- b. Commercial space of at least 40,000 square feet.

Is this the best way to promote job creation? Other ideas?

- c. Ground floor neighborhood amenities that may include areas open and accessible for the community, space for non-profit organizations, eating or drinking establishments, or other areas that may be used for community functions or gathering places.
- d. Two (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. If not provided directly on-site, a fee-in-lieu could potentially be established to provide these amenities at another location within the station subarea.
- e. Double the linear footage of frontage improvements beyond the subject property boundaries. This requirement could also include undergrounding local power lines.

Should this component be included given potential complications discussed by the Commission on September 18? More information about undergrounding power lines will be included in the October 16 staff report.

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

Should this be for pedestrians and bicyclists only, or should vehicular through access be included as well?

At the September 18 meeting, Commission expressed interest in discussing what, if any, components listed above should be required in the MUR-85, MUR-45, and/or MUR-35 zones outright, without a Development Agreement.

Question – What components should be included as mandatory in the MUR zones?

NEXT STEPS

Below is a list of Commission meetings dates for the remainder of the 185SSSP process and potential topics of discussion.

October 16- The Planning Commission will be considering the last group of topics for the proposed Development Code, including alleys, frontage amenities, and undergrounding power lines.

November 6- Will be reserved as a wrap-up meeting where the Commission will go through the proposed Development Code page-by-page to make sure staff captured all the issues and amendments the Commission has recommended.

November 20- Review Final Environmental Impact Statement (EIS) and discuss how this could impact potential zoning to be adopted as part of 185SSSP. Potentially discuss policies to be included in Subarea Plan or other components.

December 4- Discuss Subarea Plan and Planned Action Ordinance.

December 18- Any unresolved topics or possible study session leading up to public hearing.

Do Commissioners anticipate being able to attend this meeting?

January 1- This meeting will be cancelled because of the New Year holiday.

January 15- Public Hearing on full 185SSSP package, which will consist of Subarea Plan (including policies, prioritized capital projects, Comprehensive Plan Land Use and zoning designations), Development Code regulations, Final EIS, and Planned Action Ordinance.

If the Commission is able to make a final recommendation to Council following the public hearing, the full 185SSSP package will be forwarded for final revisions and adoption. If not, the public hearing will be continued to the next regular meeting (February 5) or possibly the 5th Thursday in January (29).

ATTACHMENTS

Attachment A: Phase 1 zoning map discussed a joint Council/Commission dinner meeting on September 29

Attachment B: Current transition area standards

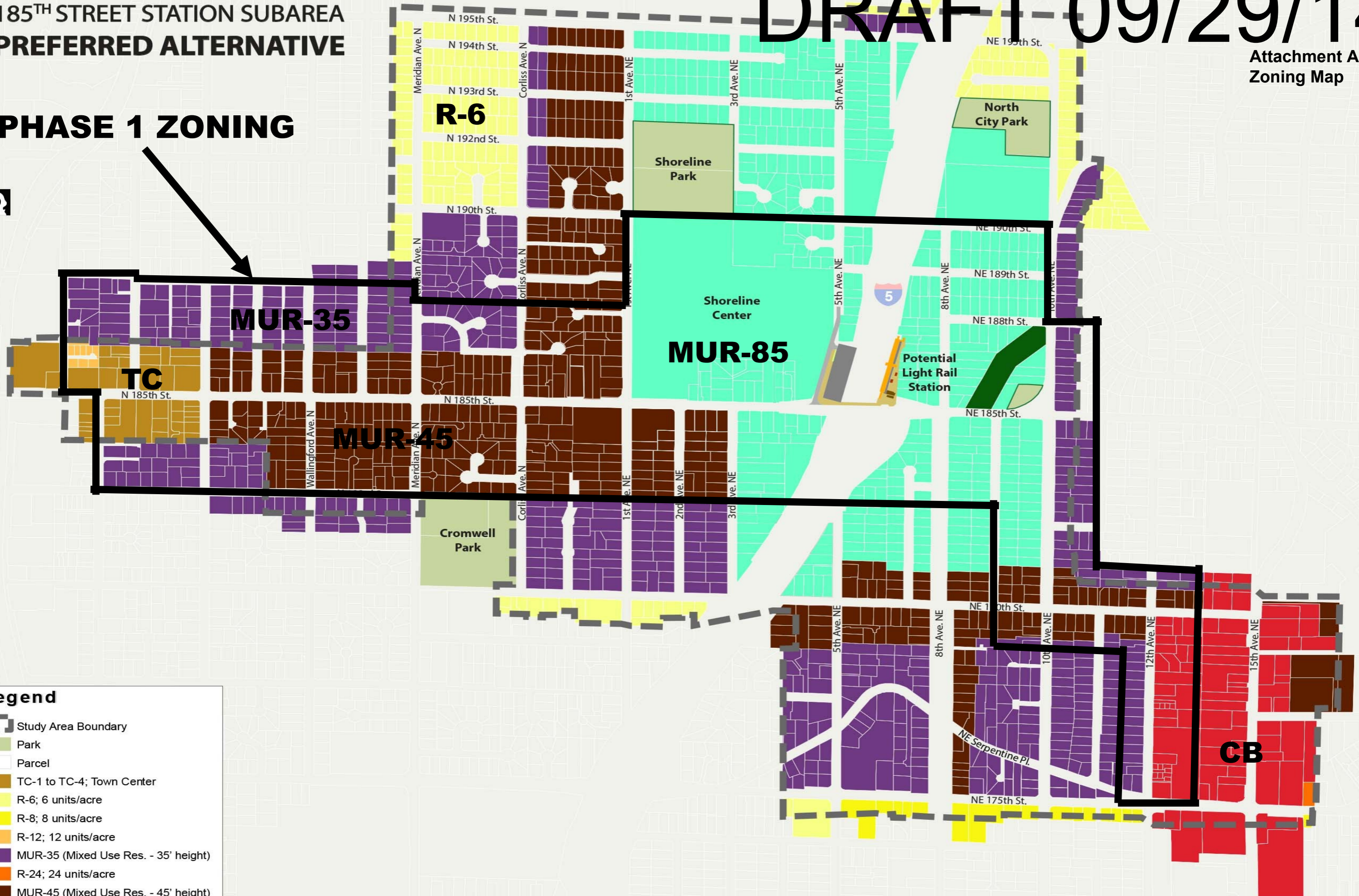
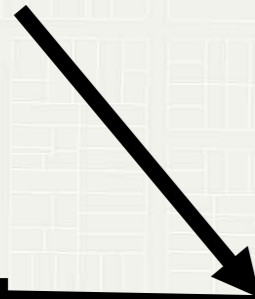
Attachment C: Current draft Development Code language

185TH STREET STATION SUBAREA
PREFERRED ALTERNATIVE

DRAFT-09/29/14

Attachment A
 Zoning Map

PHASE 1 ZONING



- Legend**
- Study Area Boundary
 - Park
 - Parcel
 - TC-1 to TC-4; Town Center
 - R-6; 6 units/acre
 - R-8; 8 units/acre
 - R-12; 12 units/acre
 - MUR-35 (Mixed Use Res. - 35' height)
 - R-24; 24 units/acre
 - MUR-45 (Mixed Use Res. - 45' height)
 - CB; Community Business
 - MUR-85 (Mixed Use Res. - 85' height)
 - Utility Corridor
 - Potential Sound Transit Parking Garage

NORTH

0 500 1000 Feet

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20.50.021 Transition areas.

Development in commercial zones: NB, CB, MB and TC-1, 2 and 3, 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).

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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.

**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

Attachment C Development Regulations

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

Attachment C Development Regulations

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. Entire development is built to LEED Gold standards.

3. Structured parking for at least 90 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.

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

c. Ground floor neighborhood amenities that may include; areas open and accessible for the community, office space for non-profit organizations, an eating or drinking establishment, or other space that may be used for community functions.

d. Two (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.

e. Provide frontage improvements that connect a proposed development to amenities near the subject project. Amenities may include transit stops, block to block frontage improvements, light rail station, commercial uses, etc.

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

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.

Attachment C Development Regulations

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.

Attachment C Development Regulations

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-j</u>	<u>P-j</u>	<u>P-j</u>
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR 85</u>
	<u>Live/Work</u>	<u>P-j</u>	<u>P</u>	<u>P</u>
	<u>Single-Family Attached</u>	<u>P-j</u>	<u>P-j</u>	
	<u>Single-Family Detached</u>	<u>P</u>	<u>P-j</u>	<u>P-j</u>

Attachment C Development Regulations

	<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>				
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR 85</u>
	<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>

Attachment C Development Regulations

	<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>

Attachment C Development Regulations

<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>

Attachment C Development Regulations

	<u>Sports/Social Club</u>		P	P
	<u>Vocational School</u>		P	P
<u>Government</u>				
	<u>Fire Facility</u>		C-i	C-i
	<u>Police Facility</u>		C-i	C-i
	<u>Public Agency Office/Yard or Public Utility Office/Yard</u>	S	S	S
	<u>Utility Facility</u>	C	C	C
<u>Health</u>				
	<u>Hospital</u>	C	C	C
	<u>Medical Lab</u>	C	C	C
	<u>Medical Office/Outpatient Clinic</u>		P	P
	<u>Nursing and Personal Care Facilities</u>		P	P
<u>Other</u>				
	<u>Transit Park and Ride Lot</u>		S	S

Attachment C Development Regulations

	<u>Transit Station and Related Facilities</u>			P
	<u>Unlisted Uses</u>	P-i	P-i	P-i

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

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: Dwelling Units/Acre</u>	<u>Based on bldg. bulk limits</u>	<u>Based on bldg. bulk limits</u>	<u>Based on bldg. 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 (2)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>

<u>Min. Lot Area</u> (2)	<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>	0 if located on an Arterial Street 10ft	<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> (5) <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Min. Side Yard</u> <u>Setback (2) (4)</u> (5) <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</u> <u>Coverage (2) (6)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Max. Hardscape</u> (2) (6)	<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.

Attachment C Development Regulations

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.

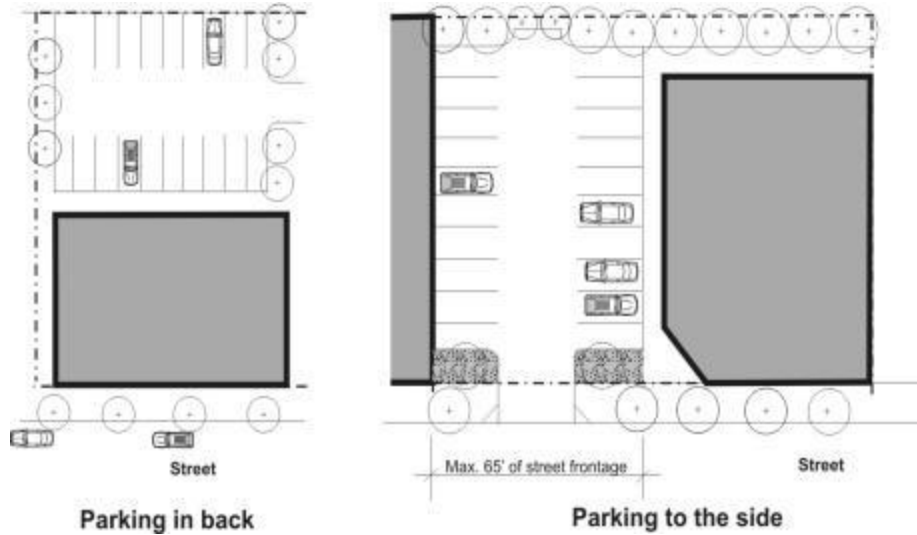
B. **Overlapping Standards.** Site design standards for on-site landscaping, sidewalks, walkways, public access easements, public places, and open space may be overlapped if their separate, minimum dimensions and functions are not diminished.

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:

Attachment C Development Regulations

- 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. If new development is unable to gain access from a side street or alley, an applicant may provide alternative access through an Administrative Design Review.](#)

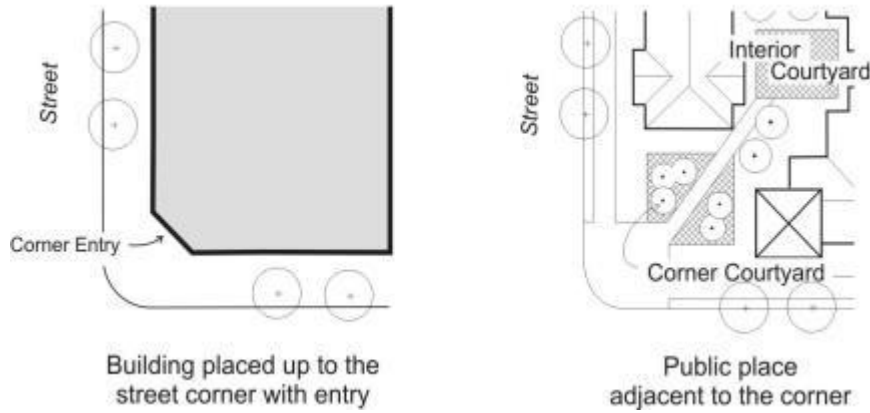
2. Rights-of-Way Lighting.

- 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

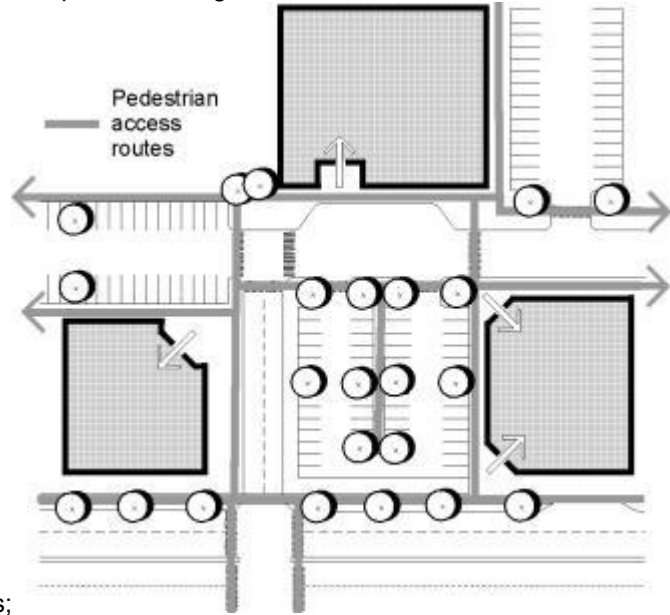
E. Site Walkways.

Attachment C Development Regulations

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);

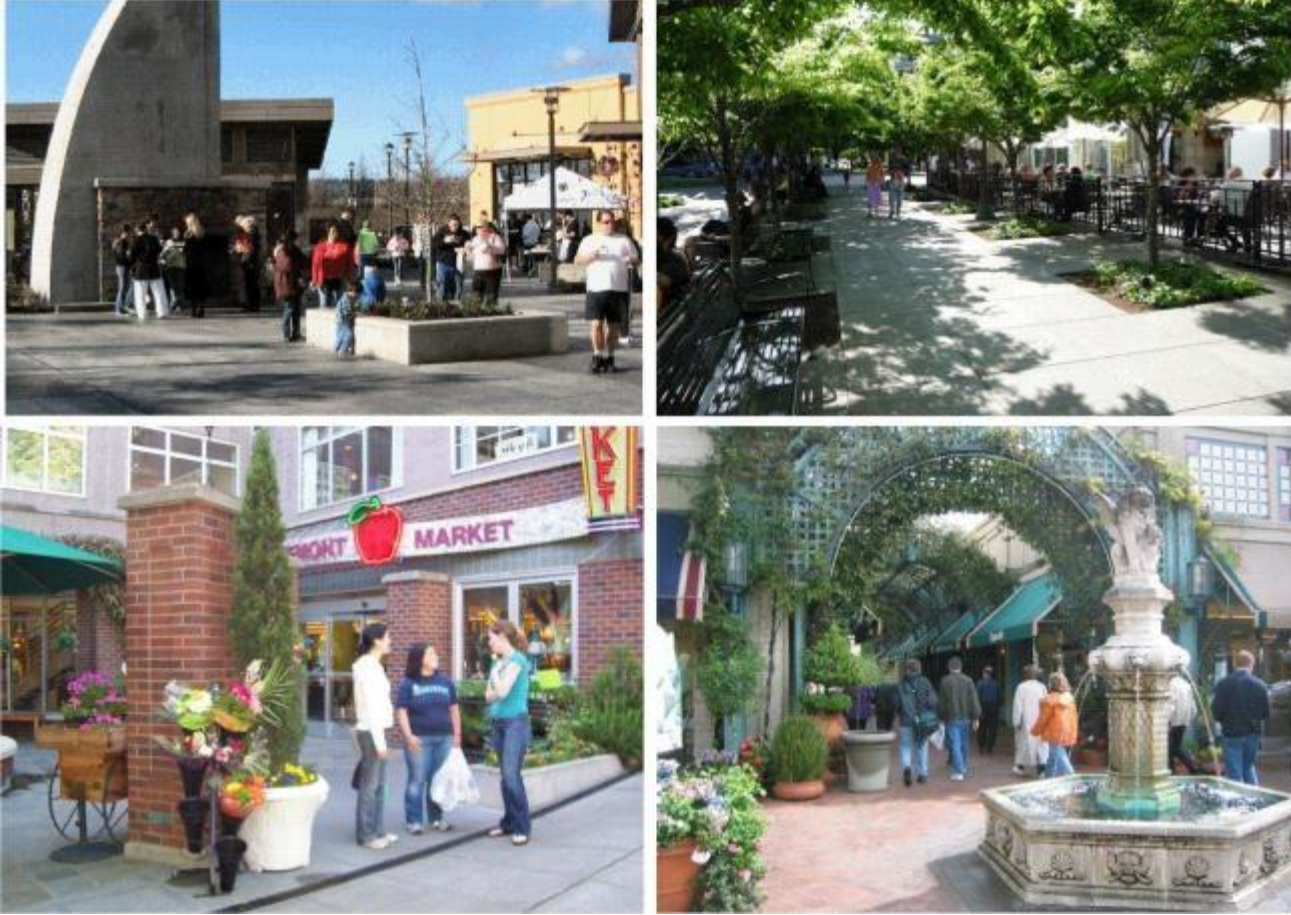


Parking Lot Walkway

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

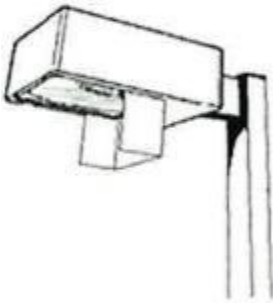
H. Outdoor Lighting.

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.

Attachment C Development Regulations

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

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.

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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	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	

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	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
		other signs on same property.	
Illumination	Permitted	Permitted	
BUILDING-MOUNTED SIGNS:			
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.	

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	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
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 Permitted	1 per business	1 per business per facade facing street frontage or 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.

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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).