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 Planning Commission Meeting Date: November 6, 2014

Agenda Item 6a

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**PLANNING COMMISSION AGENDA ITEM  
CITY OF SHORELINE, WASHINGTON**

<b>AGENDA TITLE:</b>	Development Regulations for 185 <sup>th</sup> Street Light Rail Station Subarea Plan	
<b>DEPARTMENT:</b>	Planning & Community Development	
<b>PRESENTED BY:</b>	Steven Szafran, AICP, Senior Planner Rachael Markle, AICP, Director Paul Cohen, Planning Manager Miranda Redinger, Senior Planner	

Public Hearing  
 Discussion

Study Session  
 Update

Recommendation Only  
 Other

**BACKGROUND**

This staff report is the culmination of Development Code regulation discussions from August 7, September 4, September 18, October 2, and October 16, 2014. This staff report also serves as an opportunity for staff to point out any changes/revisions to Development Code requirements that have been drafted since the Commission provided initial feedback. The Commission will get another chance to evaluate the final Development Code regulations at the December 18 study session and the January 15, 2015 public hearing. The draft Development Code regulations are included as **Attachment A**.

This staff report is organized into three sections: Proposed Development Code Regulations, Mandatory or Voluntary Regulations in either all MUR zones and/or the MUR-85 zone with a Development Agreement, and Revised and/or Updated Development Code Regulations. Based on our adoption schedule, we hope to have the Commission's final comments on the proposed development code regulations tonight without additional planning topics to be added.

**I. PROPOSED DEVELOPMENT CODE REGULATIONS**

In August, September, and October the Planning Commission reviewed and provided feedback to staff on regulations that will apply to the new zoning categories implemented by the 185th Street Station Subarea Plan (185SSSP). The regulations are summarized by the following sections:

### **Chapter 20.10 – General Provisions**

#### **20.10.020 – Purpose**

20.10.020 describes the purpose of the Development Code. The proposal is to strike the purpose “Avoid excessive concentrations of population” and replace it with “provide well planned areas of Transit-Oriented Communities around light rail stations and along other high-capacity transit corridors”. Staff believes this change is necessary to implement the direction of the Land Use policies in the Comprehensive Plan related to establishing areas around light rail stations as appropriate for greater community activity due to the proximity to light rail service and adjacent neighborhood amenities.

### **Chapter 20.20 – Definitions**

There are a number of definitions that must be added to Chapter 20.20 to implement development regulations for the 185<sup>th</sup> Street Light Rail Station Subarea Plan. Proposed definitions include:

- Affordable Housing
- Development Agreement
- Live/Work Dwelling
- Housing Expenses
- Household Income
- Median Income
- Light Rail Facilities and Services

### **Chapter 20.30 – Procedures and Administration**

Chapter 20.30 is the procedures and administration section of the Development Code and describes the types of permits the City requires for certain types of development and the way those permits are administered by Staff. A new addition to Chapter 20.30 is the inclusion of Development Agreements.

A Development Agreement is a contractual agreement between the City and developer to permit new projects that may include conditions or other special development requirements. Section 20.30.338 will add the purpose, contents, approval procedures, and criteria and requirements for a Development Agreement. The notice requirements, review authority, decision making authority, and target time limits for decisions for a Development Agreement will be added to Table 20.30.060. Table 20.30.060 is the review procedures for a Type L permit, which is a legislative decision I permit type. Type L permits typically go before the Planning Commission, which makes a recommendation to the City Council. Per RCW 36.70B.200, a Development Agreement must be approved through an ordinance or resolution.

The intent of the Development Agreement is to define the parameters of development that is allowed on sites zoned MUR-85 in exchange for more flexible development regulations or added development potential. The proposed language contained in Attachment A includes required and optional components to be contained within the Development Agreement that a developer may choose from.

### **Chapter 20.40 – Zoning and Use Provisions**

Chapter 20.40 is the section of the Development Code that explains the different zoning categories throughout the city, explains the purpose for each of the zones, and establishes the uses that are allowed in each of the zoning districts and regulations that govern the uses.

Three new multiple use residential zoning districts named Mixed-Use Residential (MUR-35, MUR-45, and MUR-85) are proposed to be added to the zoning table. The proposed zones differ from other residential zones that are typically defined by a dwelling unit density limit, such as Residential-12 units per acre (R-12) and Residential-18 units per acre (R-18). In contrast, the proposed MUR zones will be defined by height. MUR-35 has a 35-foot height limit, MUR-45 has a 45-foot height limit, and MUR-85 has an 85-foot height limit. There will be greater inclusion of other uses allowed entirely by right or as an accessory. It is also proposed that affordable housing be required in the MUR-85 zone. The City has implemented this type of regulation through the commercial zone consolidation project, which eliminated density requirements and defined the scale of development through height, bulk, and parking standards.

The primary reason for the new zoning classifications is to provide flexibility for developers to build the community envisioned by the Light Rail Station Area Land Use policies in concert with Vision 2029, and many other goals and policies found throughout the City's Comprehensive Plan and other implementing plans and strategies. Staff also sees a benefit of defining height and bulk standards rather than the number of units. The building size will be defined by height, setbacks, lot coverage, landscaping, and parking.

The second reason for new zoning classifications is that it is important to allow a mix of uses within the subarea to encourage the development of residential units with supporting retail or service uses. It is important to note that "mixed-use buildings" are not required, but a mix of uses throughout the Subarea is encouraged. This technique will be useful in creating more complete communities and activity with a "sense of place" that is desired within the station subarea.

This chapter also includes a new use table with uses that are complementary to the station and a Transit-Oriented Community where services and retail are within walking distance, thus requiring less reliance on cars and more on transit and non-motorized travel. This table lists land uses that are permitted, conditional, special, required, or accessory in each of the new zones. There are a number of new uses introduced, such as live/work units and mini-storage. The table also lists uses that have supplemental indexed criteria. For example, live/work units are permitted in the MUR-35 zone subject to supplemental use criteria that requires the project site to be located on a Collector or Arterial Street.

### **Chapter 20.50 – General Development Standards**

Chapter 20.50 covers density and dimension, design standards, tree regulations, parking, landscaping, and signs. There are a number of changes to this chapter, mostly

related to inserting the new zoning categories (MUR-35, MUR-45, and MUR-85) into relevant sections. Updates are generally listed below:

20.50.020 – Dimensional requirements. This table explains the dimensional and density standards for the proposed zones. The table includes new concepts such as no prescribed unit density maximums by lot size, increased height around the light rail stations, and minimum density requirements in the MUR-85 Zone.

20.50.140 – Multi-family parking and access. To encourage aesthetically pleasing design and to guard against the “canyon effect” of driveways to parking areas for serving multiple townhomes on a site (commonly referred to as “4-6 packs”), Section 20.50.140 includes a provision for landscaping along driveways that serves to “soften” the placement of driveways.

20.50.240 – Site design. The new zoning categories of MUR-35 through MUR-85 are proposed to be classified as residential zones. However, the design standards that would be applied are commercial design standards. This is intentional because the commercial design standards include design standards for multifamily buildings, which are much more thorough than the City’s multifamily design standards located in SMC 20.50 Subchapter 3.

Changes to 20.50.240 include building step-backs on Arterial Streets, access, and pedestrian amenities in public places. Another important provision added to this chapter is the requirement for alternative access when a project is located on 185th Street. It is the City’s proposed plan to make 185th Street a “Station Boulevard” that includes wide sidewalks, bicycle lanes, and increased bus access. It is the City’s preference to decrease the amount of curb cuts on 185th Street to increase mobility and reduce congestion along the corridor, and to provide increased safety for all users.

20.50.400 – Reductions to minimum parking requirements. The proposed development regulations will apply all of the City’s existing parking requirements to new development within the 185<sup>th</sup> Street station subarea. The section has been updated to include only one difference, an automatic parking reduction by the Director for multifamily development within a ¼ mile of the light rail station.

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

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

### II. MANDATORY OR VOLUNTARY REGULATIONS

The Commission contemplated which requirements should be mandatory in all of the MUR zones (MUR-35, MUR-45, and MUR-85) and which requirements should be mandatory when an applicant applies for a Development Agreement in the MUR-85 Zone.

At the October 2 Commission meeting, the Commission expressed interest in applying three mandatory requirements; affordable housing, LEED, and structured parking in the MUR-85 zone as a requirement to obtain a Development Agreement.

At the October 16 meeting, the Commission contemplated requirements that applied to all of the MUR zones, including affordable housing as either a mandatory or voluntary component in all the MUR zones.

### III. REVISED AND/OR UPDATED DEVELOPMENT CODE REGULATIONS

These are items that staff believes are important changes and the Commission should weigh-in on these requirements.

- A new section in 20.40 includes indexed criteria for apartments. This section states where apartments are permitted in the MUR zones and makes clear that apartments do not include microhousing. The indexed criterion also includes a definition for microhousing.
- A phasing plan is written into Section 20.40.050. The Planning Commission generally agreed that a phased zoning approach should be considered. Some Commissioners believed that the boundaries of the proposed Phase 1 should expand slightly, while some Commissioners believed that phasing should not be considered at all. Also, the Commission as a whole believed that the only trigger for unlocking Phase 2 should be a date certain. For example, 10 or 20 years after the station opens. Staff has included the Phase 1 zoning map as **Attachment B**.
- Affordable Housing

At the October 16 meeting, the Commission contemplated requirements that applied to all of the MUR zones, including affordable housing in the MUR-85 zone. Attachment A has been updated to create an affordable housing program specific to the 185<sup>th</sup> Light Rail Station Subarea. The key components include:

1. Requiring 15% of all units for rent or sale in the MUR 85 zone to be affordable to households making 70% or less of the median income for King County adjusted for household size for rental units and 80% or less for individual for sale units for a minimum of 50 years in return for the increased development potential created through implementation of the subarea plan, Property Tax Exemptions and possible Impact Fee reductions;

2. Requiring 20% of all units for rent or sale in the MUR 85 with a Development Agreement to be affordable to households making 60% or less of median income for King County adjusted for household size; or 10% of the same units affordable to households making 50% or less of the median Income for King County in return for unlimited height, Property Tax Exemptions and Impact Fee reductions.
3. Developing a voluntary affordable housing incentive program in the MUR 35 and 45 zones.
4. Developing a fee in lieu of construction option for mandatory affordable housing.
5. Developing the procedural requirements for affordable housing.

The following Goals and Policies from the Housing Chapter of the City's Comprehensive Plan have guided the development of these requirements and incentives for affordable housing in the 185<sup>th</sup> Street Light Rail Station Subarea:

**Goal H III:** Preserve and develop housing throughout the city that addresses the needs of all economic segments of the community, including underserved populations, such as households making less than 30% of Area Median Income.

**Policy H2:** Provide incentives to encourage residential development in commercial zones, especially those within proximity to transit, to support local businesses.

**Policy H8:** Explore a variety and combination of incentives to encourage market rate and non-profit developers to build more units with deeper levels of affordability.

**Policy H9:** Explore the feasibility of creating a City housing trust fund for development of low income housing.

**Policy H11:** Encourage affordable housing availability in all neighborhoods throughout the city, particularly in proximity to transit, employment, and/or educational opportunities.

**Policy H12:** Encourage that any affordable housing funded in the city with public funds remains affordable for the longest possible term, with a minimum of 50 years.

**Policy H13:** Consider revising the Property Tax Exemption (PTE) incentive to include an affordability requirement in areas of Shoreline where it is not currently required, and incorporate tiered levels so that a smaller percentage of units would be required if they were affordable to lower income households.

**Policy H18:** Consider mandating an affordability component in Light Rail Station Areas or other Transit-Oriented Communities.

**QUESTION:** *Does the mandatory program for the MUR 85 zone implement the City's goals and policies? The percentages of units and affordability levels have been adjusted since the Commission last discussed affordable housing. Does*

*the Planning Commission have any concerns or recommended changes to the drafted language for affordable housing in the 185<sup>th</sup> Street Light Rail Station Subarea in preparation for the Public Hearing?*

### REMAINING TOPIC

Based on public comment and Commission request, staff researched Pasadena's regulations for commercial uses that address the potential nuisances and disturbances to adjoining residential neighborhoods and commercial areas that are in transition from single family residential to Mixed Use Residential (MUR) development.

The City of Pasadena more strictly regulates specified uses such as alcohol sales, arcades, home occupations, live entertainment, tobacco sales, live/work units that may cause an undue impact on nearby residential units. For example, these requirements:

1. Set distances from these uses from public parks, schools and churches;
2. Specify that these uses cannot interfere with pedestrian movement on sidewalks;
3. Define the provisions for litter and garbage receptacles;
4. Prohibit outdoor and limit interior waiting areas;
5. Limit alcohol sales;
6. Require the posting of "No Loitering" signs;
7. Require patron bathrooms;
8. Limit the scope, materials, and content of home occupations;
9. Limit entrances from facing residential uses; and
10. Limit types of entertainment with land uses approvals.

Shoreline has general regulations regarding noise, public nuisance, blocking sidewalks, bathrooms, and specific home occupation regulations. Pasadena's adopted regulations are typical when a commercial area has become popular with active problems, and in response targets specific regulations to those types of land uses.

*Question: Would the Commission like to pursue similar restrictions in the 185<sup>th</sup> Street Light Rail Station Area?*

### NEXT STEPS

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.

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 5<sup>th</sup> Thursday in January (29).

### ATTACHMENTS

Attachment A: Draft Development Regulations  
Attachment B: Phase 1 Zoning Map

## Housing 185<sup>th</sup> 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

#### 20.20.010 A definitions.

Affordable Housing: Housing reserved for occupancy to households whose annual income does not exceed a given percent of the King County median income, adjusted for household size, and have housing expenses no greater than thirty (30) percent of the same percentage of median income. For the purposes of Title 20, the percent of King County median income that is affordable is specified in SMC 20.40.235.

Comment [s1]: New for 11/6/14

#### 20.20.016 D definitions.

# Attachment A - Draft Development Regulations

## Development Agreement

Development Agreement means a contract between the City and a person having ownership or control of property, or a public agency which provides an essential public facility. The purpose of the Development Agreement is to set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of real property within the City for the duration specified in the agreement and consistent with the applicable goals and policies in the Comprehensive Plan.

## 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.

## **20.20.024 H definitions.**

Housing Expenses, Ownership Housing: Includes mortgage and mortgage insurance, property taxes, property insurances and homeowner's dues.

Housing Expenses, Rental Housing: Includes rent and appropriate utility allowance.

Household Income: Includes all income that would be included as income for federal income tax purposes (e.g. wages, interest income, etc.) from all household members over the age of eighteen (18) that reside in the dwelling unit for more than three (3) months of the year.

## **20.20.032 L definitions**

Light rail Transit Facility: means a structure, rail track, equipment, maintenance base or other improvement of a light rail transit system, including but not limited to ventilation structures, traction power substations, light rail transit stations parking garages, park-and-ride lots, and transit station access facilities.

Light Rail Transit System: means a public rail transit line that operates at grade or above grade level, and that provides high-capacity, regional transit service owned or operated by a regional transit authority authorized under Chapter 81.112 RCW.

## **20.20.034 M definitions.**

Median Income: The median income for King County as most recently determined by the Secretary of Housing and Urban Development (HUD) under Section 8(f)(3) of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median income figures for the Seattle MSA or King County, the Director may estimate the King County median income, adjusted for household size in such manner as the Director shall determine.

**Comment [s2]:** New for 11/6/14

## Chapter 20.30 Procedures and Administration

### 20.30.070 Legislative decisions.

These decisions are legislative, nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands.

**Table 20.30.070 – Summary of Legislative Decisions**

Decision	Review Authority, Public Hearing	Decision Making Authority (in accordance with State law)	Section
1. Amendments and Review of the Comprehensive Plan	PC <sup>(1)</sup>	City Council	20.30.340
2. Amendments to the Development Code	PC <sup>(1)</sup>	City Council	20.30.350
3. Development Agreements	PC <sup>(1)</sup>	City Council	20.30.355

<sup>(1)</sup> PC = Planning Commission

Legislative decisions include a hearing and recommendation by the Planning Commission and action by the City Council.

# Attachment A - Draft Development Regulations

The City Council shall take legislative action on the proposal in accordance with State law.

There is no administrative appeal of legislative actions of the City Council but they may be appealed together with any SEPA threshold determination according to State law. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 406 § 1, 2006; Ord. 339 § 5, 2003; Ord. 238 Ch. III § 3(d), 2000).

**Comment [s3]:** Development Agreements are now categorized as Legislative actions. This provides the City Council with the ability to more widely engage the public in the decision making process about the proposal and associated regulations.

## **20.30.355 Development Agreement (Type L).**

A. Purpose: 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): 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 of the real property for the duration specified in the agreement (RCW 36.70B.170). Each Development Agreement approved by the City Council shall contain the development standards applicable to the subject real property. For the purposes of this section, "development standards" includes, but is not limited to:

**Comment [4]:** Updated to reflect language contained in State Law. Updated for 11/6/14.

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. Affordable Housing Units.

6. Parks and open space preservation;

# Attachment A - Draft Development Regulations

7. Phasing of development;

8. Review procedures and standards for implementing decisions;

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

10. Any other appropriate development requirement or procedure; and

C. Development Agreement Contents for Property Zoned MUR 85 in order to achieve increased development potential: Each Development Agreement approved by the City Council for property zoned MUR 85 shall contain the following:

**Comment [s5]:** New language inserted for Nov 6

1. 20 percent of the housing units constructed onsite shall be affordable to those earning less than 60 percent or less of the median income for King County adjusted for household size for a period of no less than 50 years. The number of affordable housing units may be decreased to 10 percent if the level of affordability is increased to 50% of the median income for King County adjusted for household size. A fee in lieu of constructing the units may be paid into the City's affordable housing program instead of constructing affordable housing units onsite. The fee is specified in SMC Title 3.

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**Deleted:** King County area

**Comment [6]:**  
See RCW 36.70A0561

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**Deleted:** 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.

# Attachment A - Draft Development Regulations

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 (General Development Agreement and Development Agreements for increased development potential) shall be granted by the City only if the applicant demonstrates that:

**Comment [s7]:** New language inserted for Nov 6

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

# Attachment A - Draft Development Regulations

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 Planning Commission shall conduct a public hearing on the application. The Planning Commission shall then review the application pursuant to the criteria set forth in SMC 20.30.355(D) and the applicable goals and policies of the Comprehensive Plan. The City Council shall approve, approve with additional conditions, or deny the Development Agreement. The City Council shall approve the Development Agreement by ordinance or resolution;

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

## **Chapter 20.40 Zoning and Use Provisions**

### **20.40.010 Purpose.**

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

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

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

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

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

# Attachment A - Draft Development Regulations

## 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 <sup>1</sup>
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 (MUR-35, MUR-45, and MUR-85) is to provide for a mix of predominantly multi-family development ranging in height from 35 feet to 85 feet in appropriate locations with other non-residential uses that are compatible and complementary.

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

C. Affordable housing is required in the MUR-85 zone.

D. 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.

**Comment [s8]:** The Commission recommended that affordable housing be mandatory in the MUR-85 zone.

# Attachment A - Draft Development Regulations

## 20.40.050 Special districts.

A. **Planned Area (PA).** The purpose of the PA is to allow unique zones with regulations tailored to the specific circumstances, public priorities, or opportunities of a particular area that may not be appropriate in a City-wide land use district.

1. **Planned Area 3: Aldercrest (PA 3).** Any development in PA 3 must comply with the standards specified in Chapter 20.93 SMC. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 609 § 8, 2011; Ord. 598 § 5, 2011; Ord. 507 § 4, 2008; Ord. 492 § 4, 2008; Ord. 338 § 3, 2003; Ord. 281 § 5, 2001; Ord. 238 Ch. IV § 1(E), 2000).

B. **185<sup>th</sup> Street Light Rail Station Subarea Plan.** The 185<sup>th</sup> Street Light Rail Station Subarea Plan establishes two zoning phases. Phase 1 is delineated and shown on the City's official zoning map. Phase 2 is shown by an overlay. Phase 2 will be automatically rezoned 10 years after the light rail station opens.

**Comment [s9]:** Phasing plan explained in this section.

**Table 20.40.160 Station Area Uses**

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

# Attachment A - Draft Development Regulations

	<u>Home Occupation</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Hotel/Motel</u>			<u>P</u>
	<u>Live/Work</u>	<u>P-i</u>	<u>P</u>	<u>P</u>
	<u>Single-Family Attached</u>	<u>P-i</u>	<u>P-i</u>	
	<u>Single-Family Detached</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Tent City</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
<b><u>Commercial</u></b>				
<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-i (Adjacent to Collector or Arterial Street)</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>P</u>	<u>P</u>	<u>P</u>

**Comment [r10]:** P-i in all existing zones.

**Comment [r11]:** Changed from "C" to match all similar existing zones.

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	<u>Eating and Drinking Establishments (Excluding Gambling Uses)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>General Retail Trade/Services</u>	<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P (Adjacent to Collector or Arterial Street)</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 (Adjacent to Collector or Arterial Street)</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>

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<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 (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>College and University</u>			<u>P</u>
	<u>Conference Center</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Elementary School.</u> <u>Middle/Junior High School</u>	<u>C</u>	<u>C</u>	<u>P</u>
	<u>Library</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Museum</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Outdoor Performance Center</u>		<u>P -A</u>	<u>P -A</u>

**Comment [r12]:** Schools are permitted in other similar existing zones.

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	<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>P</u>
	<u>Specialized Instruction School</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Sports/Social Club</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Vocational School</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
<b><u>Government</u></b>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>

**Comment [r13]:** Changed from "C". Permitted in similar existing zones.

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	<u>Public Agency Office/Yard or Public Utility Office/Yard</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Utility Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b>Health</b>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Nursing and Personal Care Facilities</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
<b>Other</b>				
	<u>Animals, Small, Keeping and Raising</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Light Rail Transit System/Facility</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Transit Park and Ride Lot</u>		<u>S</u>	<u>P</u>
	<u>Unlisted Uses</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>

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Comment [r14]: Changed from "S". Permitted in existing similar zones.

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

**20.40.235 Affordable housing, Light Rail Station Subareas.**

A. The purpose of this index criterion is to implement the goals and policies adopted in the Comprehensive Plan to provide housing opportunities for all economic groups in the City's Light Rail Station Subareas. It is also the purpose of this criterion to:

1. Ensure a portion of the housing provided in the City is affordable housing;
2. Create an affordable housing program that may be used with other local housing incentives authorized by the City Council, such as a multifamily tax exemption program, and other public and private resources to promote affordable housing;
3. Use increased development capacity created by the Mixed Use Residential zones to develop voluntary and mandatory programs for affordable housing.

B. Affordable housing is permitted and voluntary in MUR 35 and 45. Affordable housing is required in MUR 85. The following provisions shall apply to all affordable housing units required by, or allowed through, any provisions of the Shoreline Municipal Code:

1. The City provides various incentives and other public resources to promote affordable housing. Specific regulations providing for affordable housing are described below:

<u>Location</u>	<u>Use</u>	<u>Targeted Affordability Level and Incentives</u>	<u>Mandatory or Voluntary Program</u>
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# Attachment A - Draft Development Regulations

<p>Mixed Use Residential - 85</p>	<p>Residential</p>	<p>15% of rental units are affordable to families making 70% or less of the <u>median income</u> for King County adjusted for household size; or 15% of all owned units are affordable to households earning 80% or less of the <u>median income</u> for King County adjusted for household size.</p> <p><b>Incentives provided:</b> Eligible for Property Tax Exemption Program; and entitlement of 85 foot height and no density limits.</p> <p><b>Bonus incentive:</b> 10% of the rental units affordable to households earning 80% or less the <u>median income</u> for King County adjusted for household size; or 10% of individual for sale/ownership units affordable to households earning 90% the <u>median income</u> for King County adjusted for household size for the first 300 units in the MUR 85 zone.</p>	<p>Mandatory*</p>	<p>Deleted: <u>M</u> Deleted: <u>I</u></p> <p>Deleted: <u>M</u> Deleted: <u>I</u></p> <p>Deleted: <u>M</u> Deleted: <u>I</u></p>
<p>Mixed Use Residential - 45</p>	<p>Residential</p>	<p>15% of rental units are affordable to households earning 60% or less of the <u>median income</u> for King County adjusted for household size. 15% of all for sale/individual ownership units are affordable to households earning 80% or less of <u>median income</u> for King County adjusted for household size.</p> <p><b>Incentive:</b> Eligible for: Property Tax Exemption Program; Permit Fee reduction.</p>	<p>Voluntary</p>	<p>Deleted: <u>M</u> Deleted: <u>I</u></p> <p>Deleted: <u>M</u> Deleted: <u>I</u></p>
<p>Mixed Use Residential – 35</p>	<p>Residential</p>	<p>10% of rental units are affordable to families making 60% or less of the <u>median income</u> for King County adjusted for household size. 10% of all for sale/individual ownership units are</p>	<p>Voluntary</p>	<p>Deleted: <u>M</u> Deleted: <u>I</u></p>

# Attachment A - Draft Development Regulations

		<p>affordable families making 80% or less of the median income for King County adjusted for household size.</p> <p><b>Incentive:</b> Eligible for: Property Tax Exemption Program; permit fee reduction.</p>	
<p>Mixed Use Residential – 85 w/ Development Agreement</p>	Residential	<p>4020% of housing units constructed for rent or sale/individual ownership on site that are affordable to households earning 60% or less of the median income for King County adjusted for household size; or 510% of housing units constructed for rent or sale/individual ownership on site that are affordable to households earning 50% of the King County adjusted for household size. <del>Eligible for Property Tax Exemption Program.</del></p> <p><b>Incentive:</b> Height may be increased above 85 foot limit; eligible for Property Tax Exemption Program.</p>	Mandatory*

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\* Payment in lieu of constructing mandatory units is available. See SMC 20.40.235(E)(1)

**C. Mixed Use Residential Zone Affordable housing requirements.** The following provisions shall apply to all affordable housing units required by, or created through, any incentive established in the Shoreline Municipal Code unless otherwise specifically exempted or addressed by the applicable code section for specific affordable housing programs or by the provisions of an approved development agreement:

1. Duration: Affordable housing units shall remain affordable for a minimum of fifty (50) years from the date of initial owner occupancy for ownership affordable housing. At the discretion of the Director a shorter affordability time period, not to be less than thirty (30) years, may be approved for ownership affordable housing units in order to meet federal financial underwriting guidelines.

2. Designation of Affordable Housing Units: The Director shall review and approve the location and unit mix of the affordable housing units, consistent with the following standards, prior to the issuance of any building permit:

# Attachment A - Draft Development Regulations

a. Location: The location of the affordable housing units shall be approved by the City, with the intent that they are generally mixed with all other dwelling units in the development.

b. Tenure: The tenure of the affordable housing units (ownership or rental) shall be the same as the tenure for the rest of the housing units in the development.

c. Size (Bedroom): The affordable housing units shall consist of a range of the number of bedrooms that are comparable to the units in the overall development.

d. Size (Square Footage): Affordable housing units shall be the same size as market housing units with the same number of bedrooms unless approved by the Director. The Director may approve smaller units when: (a) the size of the affordable housing is at least ninety (90) percent of the size of the market housing in the project with the same number of bedrooms; and (b) the affordable units are not less than five hundred (500) square feet for a studio unit, six hundred (600) square feet for a one (1) bedroom unit, eight hundred (800) square feet for a two (2) bedroom unit and one thousand (1,000) square feet for a three (3) bedroom unit.

3. Timing/Phasing: The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development unless the requirements of this section are met through SMC 20.40.235(E), Alternative compliance. The affordable housing agreement provided for in SMC 20.40.235(D) shall include provisions describing the phasing of the construction of the affordable units relative to construction of the overall development. If the development is phased, the construction of the affordable units shall be interspersed with the construction of the overall development.

#### 4. Development Standards:

a. Off-Street Parking: Off-street parking shall be provided for the affordable housing units consistent with SMC 20.50.390 unless reduced by the Director in accordance with SMC 20.50.400.

b. Recreation Space: The recreation/open space requirements for housing units affordable to families making 60% or less of Adjusted Median Income for King County shall be calculated at fifty (50) percent of the rate required for market housing.

5. Depending on the level of affordability provided the affordable housing units may be eligible for transportation impact fee waivers as provided in SMC 12.40.070(G).

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6. In the event of a fractional affordable housing unit, payment in lieu in accordance with SMC 20.40.235(E)(1) is allowed for the fractional unit.

**D. Affordable housing agreement.** An affordable housing agreement shall be recorded with the King County Recorder's Office prior to the issuance of a building permit for any development providing affordable housing pursuant to the requirements or incentives of the Shoreline Municipal Code.

1. The recorded agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant.

2. The agreement shall be in a form approved by the Director and the City Attorney and shall address price restrictions, homebuyer or tenant qualifications, affordability duration, phasing of construction, monitoring of affordability and any other topics related to the provision of the affordable housing units.

3. The agreement may, at the sole discretion of the City, establish a monitoring fee for the affordable units. The fee shall cover the costs to the City to review and process documents to maintain compliance with income and affordability restrictions of the agreement.

4. The City may, at its sole discretion, agree to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.

**E. Alternative compliance.** The City's priority is for residential and mixed use developments to provide the affordable housing on site. The Director, at his/her discretion, may approve a request for satisfying all or part of a project's on-site affordable housing with alternative compliance methods proposed by the applicant. Any request for alternative compliance shall be submitted at the time of application and must be approved prior to issuance of any building permit. Any alternative compliance must achieve a result equal to or better than providing affordable housing on site.

1. Payment in Lieu of constructing mandatory affordable units – Payments in lieu of constructing mandatory affordable housing units are subject to the following requirements:

a. Payments in lieu of constructing for sale/individual ownership units shall be based on the difference between the price of a typical market rate unit, and the price an income constrained household as defined in SMC 20.40.235(B)(1) can pay for the same unit adjusted for household size. Payments in lieu of construction for rental units shall be based on the present net value of the difference between the

# Attachment A - Draft Development Regulations

market and affordable rents as defined in SMC 20.40.235(B)(1) for the same units adjusted for household size. The fee shall be updated in the fee ordinance as part of the City's budget process.

b. The payment obligation shall be due prior to issuance of any certificate of occupancy for the project. Collected payments shall be deposited in the City's Housing Trust Fund account.

2. Any request for alternative compliance shall:

a. Include a written application specifying:

i. The location, type and amount of affordable housing; and

ii. The schedule for construction and occupancy;

b. If an off-site location is proposed, the application shall document that the proposed location:

i. Is within a ¼ mile radius of the project triggering the affordable housing requirements or the proposed location is equal to or better than providing the housing on site or in the same neighborhood;

ii. Is in close proximity to commercial uses, transit and/or employment opportunities; and

c. Document that the off-site units will be the same type and tenure as if the units were provided on site; and

d. Include a written agreement, signed by the applicant, to record a covenant on the housing sending and housing receiving sites prior to the issuance of any construction permit for the housing sending site. The covenants shall describe the construction schedule for the off-site affordable housing and provide sufficient security from the applicant to compensate the City in the event the applicant fails to provide the affordable housing per the covenants and the Shoreline Municipal Code. The intent is for the affordable housing units to be provided before, or at the same time as, the on-site market housing. The applicant may request release of the covenant on the housing sending site once a certificate of occupancy has been issued for the affordable housing on the housing receiving site.

**20.40.245 Apartment**

Apartments are allowed in the MUR zones. Microapartments are not allowed in the MUR zones.

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

**Comment [s15]:** Updated for Nov 6

#### **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.**

Single-family detached dwellings are permitted in the MUR-35 and MUR45 zones subject to the R-6 development standards in SMC 20.50.020

**Comment [16]:**  
The indexed criteria for detached single-family homes has been updated based on Commissions direction provided at the October 2 meeting.

#### **20.40.440 Light Rail Transit System/Facility**

A Light Rail Transit System/Facility shall be approved through a Development Agreement as specified in SMC 20.30.355(B) General, (D) and (E).

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**Comment [17]:**  
Updated for Nov 6

#### **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**

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*Subchapter 1.  
Dimensions and Density for Development*

**20.50.010 Purpose.**

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

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

**20.50.020 Dimensional requirements.**

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

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

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

**Comment [18]:** Minimum Densities have been removed in the MUR-35 and MUR-45 Zones. This is based on direction provided by the Commission to allow detached single-family homes within the station subarea.

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

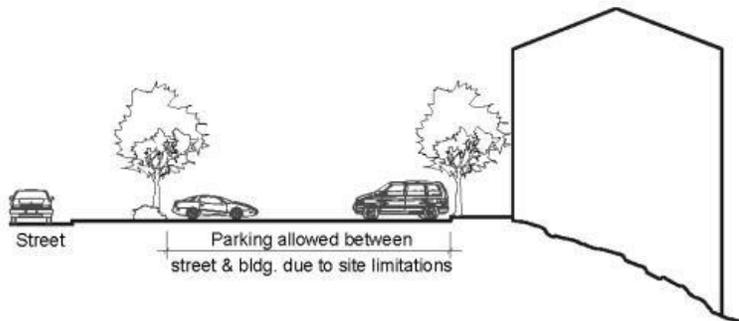
B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581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

#### **20.50.140 Parking – Access and location – Standards.**

A. Provide access to parking areas from alleys where possible.

B. For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

C. Above ground parking shall be located behind or to the side of buildings. Parking between the street property line and the building shall be allowed only when authorized by the Director due to physical limitations

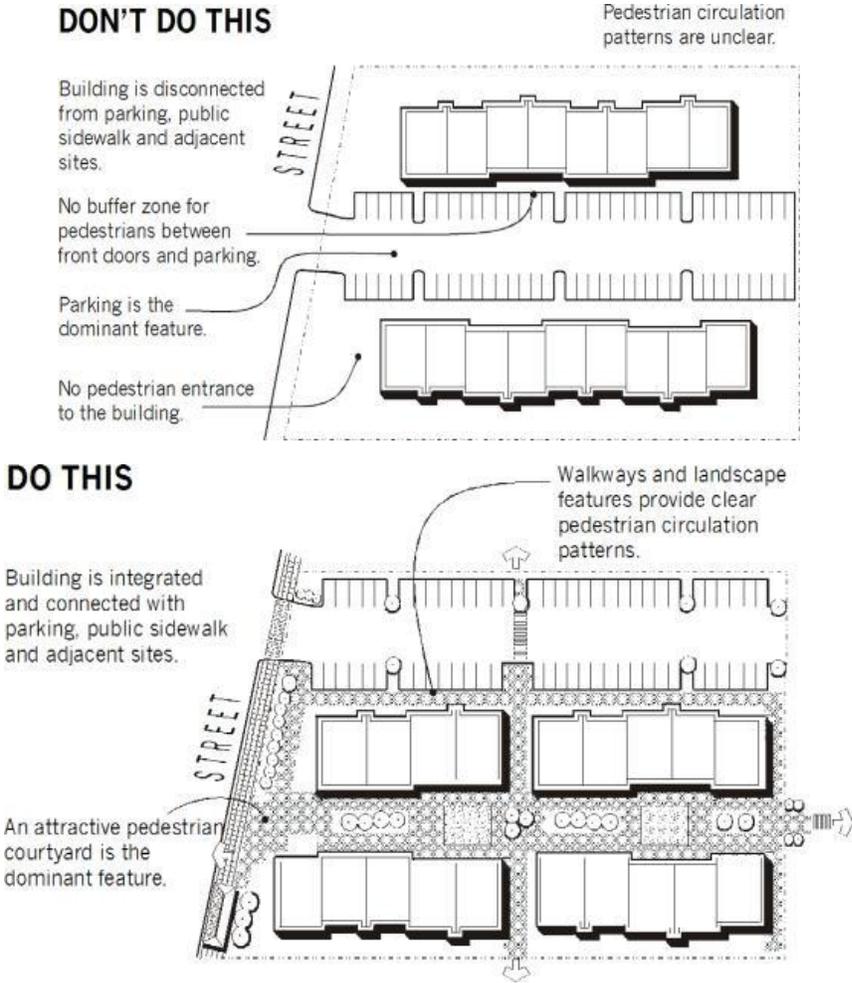


of the site.

**Figure 20.50.140(C): Example of parking location between the building and the street, which is necessary due to the steep slope.**

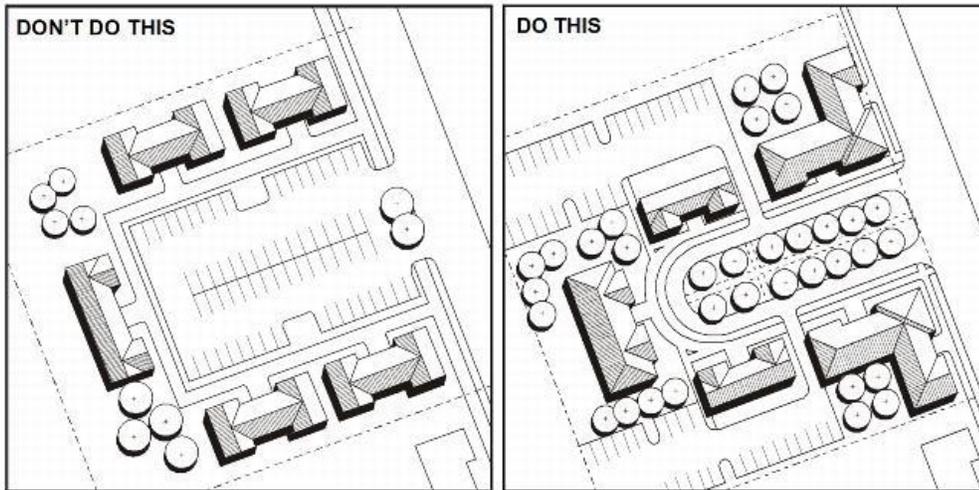
D. Avoid parking layouts that dominate a development. Coordinate siting of parking areas, pedestrian connections and open space to promote easily accessible, centrally located open space. Parking lots and access drives shall be lined on both sides with either 5-foot wide walks and/or landscaping.

**Comment [19]:**  
Proposed October 16, 2014



**Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.**

E. Break large parking areas into smaller ones to reduce their visual impact and provide easier access for pedestrians. Limit individual parking areas to no more than 30 parking spaces.



**Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.**

Exception to 20.50.140(E): Surface parking areas larger than 30 parking stalls may be allowed if they are separated from the street by a minimum 30 foot wide landscaped buffer, and the applicant can demonstrate

that a consolidated parking area produces a superior site plan.

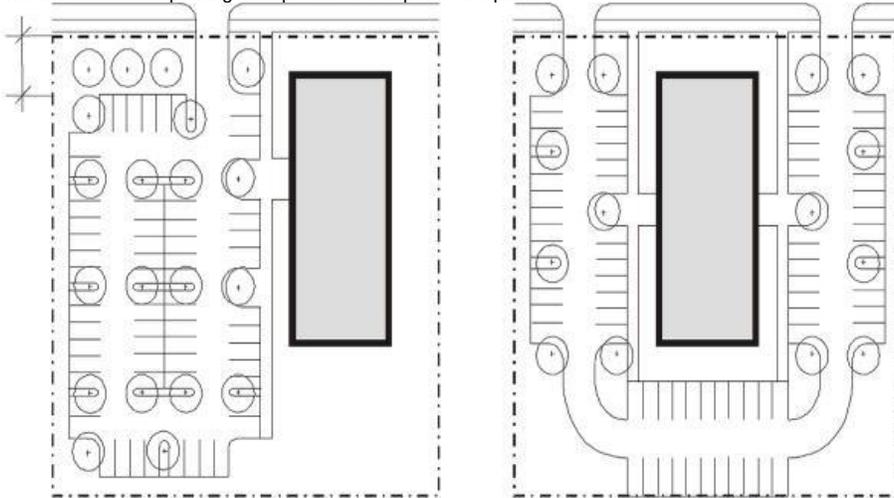
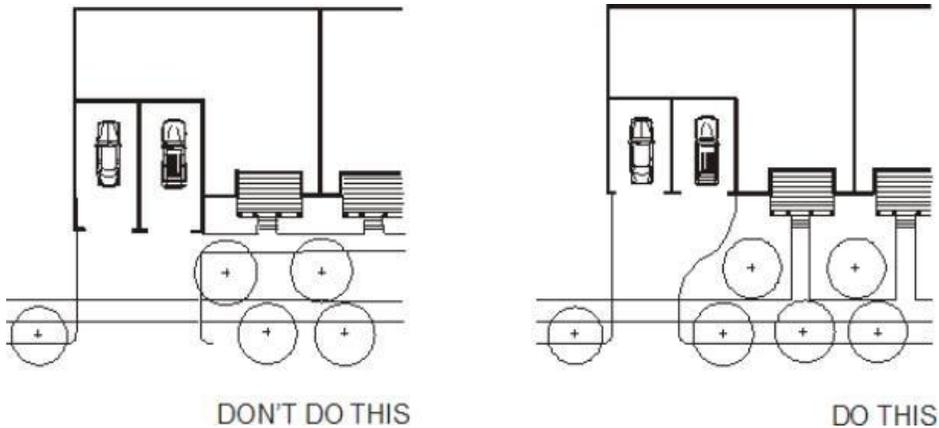


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

F. Minimize the impact of individual garage entrances where they face the street by limiting the curb cut width and visually separating the garage entrance from the street with landscaped areas. Emphasize pedestrian entrances in order to minimize the garage entrances.



**Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.**

G. Garages or carports either detached from or attached to the main structure shall not protrude beyond the front building facade. (Ord. 299 § 1, 2002; Ord. 238 Ch. V § 3(B-2), 2000).

#### Subchapter 4. Commercial Zone Design

##### **20.50.220 Purpose.**

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

##### **20.50.230 Threshold – Required site improvements.**

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

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

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

##### **20.50.240 Site design.**

###### **A. Purpose.**

1. Promote and enhance public walking and gathering with attractive and connected development.

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

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

**C. Site Frontage.**

1. Development abutting NB, CB, MB, TC-1, 2 and 3 and the MUR35 zone when not located on a Local Street, MUR45, and MUR85 shall meet the following standards:

a. Buildings shall be placed at the property line or abutting public sidewalks if on private property. However, buildings may be set back farther if public places, landscaping, vehicle display areas are included or future street widening or a utility easement is required between the sidewalk and the building;

b. All building facades in the MUR-85 zone fronting on Arterial streets and directly across the street from MUR-45 zoning shall be stepped backed a minimum of 10 feet for that portion of the structure above 45 feet in height.

c. 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. This requirement does not apply when developing a residential only building in the MUR-35 and MUR-45 zones;

d. Minimum window area shall be 50 percent of the ground floor façade for each front façade which can include glass entry doors. This requirement does not apply when developing a residential only building in the MUR-35 and MUR-45 zones;

**Comment [20]:**  
Proposed October 16, 2014.

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# Attachment A - Draft Development Regulations

e. 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;

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f. 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;

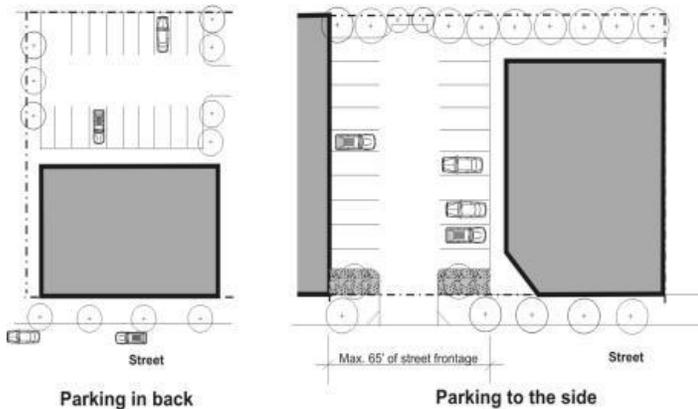
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g. Streets with on-street parking shall have sidewalks to back of the curb and street trees in pits under grates or at least a two-foot wide walkway between the back of curb and an amenity strip if space is available. Streets without on-street parking shall have landscaped amenity strips with street trees; and

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h. 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.

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**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.

i. Garages and/or parking areas for new structures on N.185<sup>th</sup> Street shall be rear-loaded.

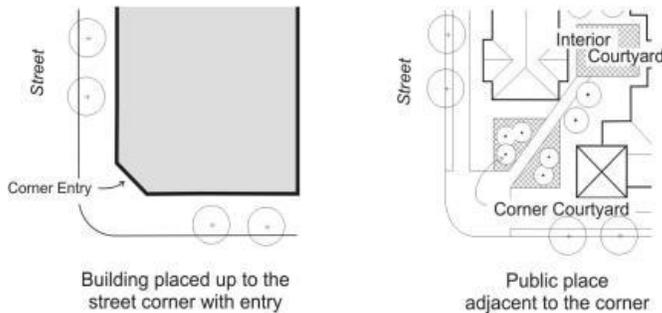
## 2. Rights-of-Way Lighting.

- a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.
- b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

## D. Corner Sites.

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

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



**Street Corner Sites**

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

- a. Twenty-foot beveled building corner with entry and 60 percent of the first floor in non-reflective glass (included within the 80 lineal feet of corner treatment).
- b. Distinctive facade (i.e., awnings, materials, offsets) and roofline designs beyond the minimum standards identified in SMC [20.50.250](#).
- c. Balconies for residential units on all floors above the ground floor.



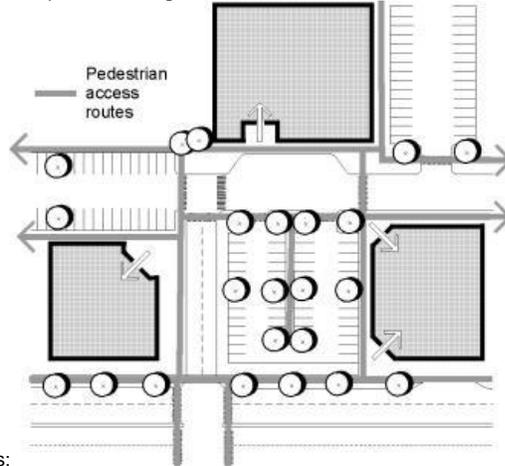
**Building Corners**

## **E. Site Walkways.**

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

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

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

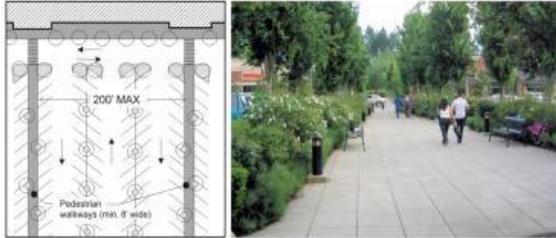


entries of multiple commercial buildings;

### Well-connected Walkways

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

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

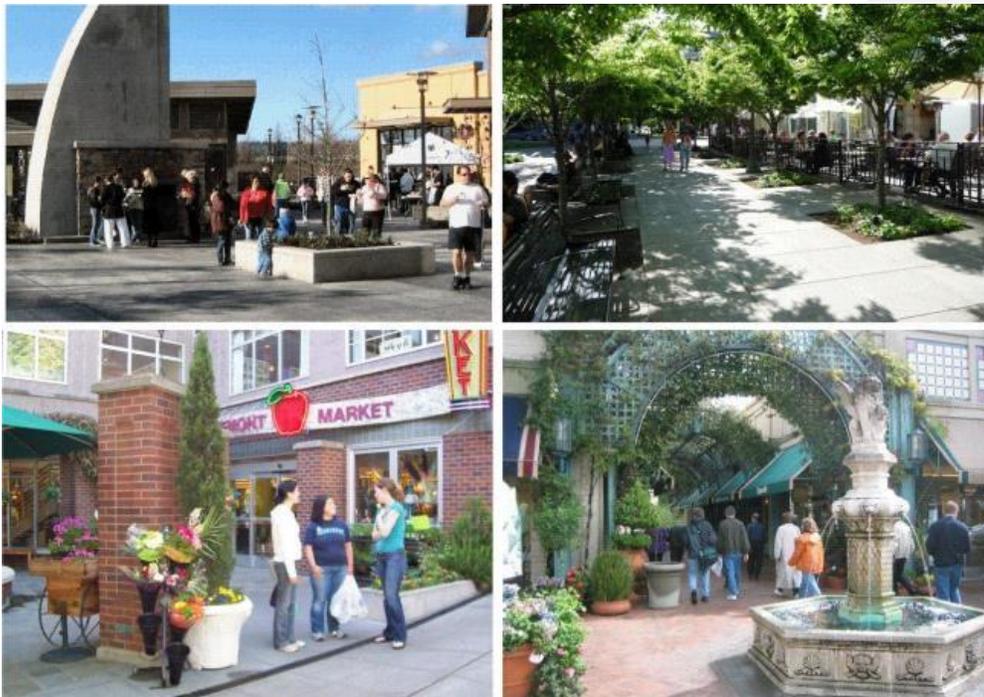


### Parking Lot Walkway

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

## F. Public Places.

1. Public places are required for the commercial portions of development at a rate of 4 square feet of public space per 20 square feet of net commercial floor area up to a maximum of 5,000 square feet. This requirement may be divided into public places with a minimum 400 square feet each.
2. Public places may be covered but not enclosed unless by subsection (F)(3) of this section.
3. Buildings shall border at least one side of the public place.
4. Eighty percent of the area shall provide surfaces for people to stand or sit.
5. No lineal dimension is less than six feet.
6. The following design elements are also required for public places:
  - a. Physically accessible and visible from the public sidewalks, walkways, or through-connections;
  - b. Pedestrian access to abutting buildings;
  - c. Pedestrian-scaled lighting (subsection (H) of this section);
  - d. Seating and landscaping with solar access at least a portion of the day; and
  - e. Not located adjacent to dumpsters or loading areas.
  - f. Public art, planters, fountains, interactive public amenities, hanging baskets, irrigation, decorative light fixtures, decorative paving and walkway treatments, and other items that provide a pleasant pedestrian experience along Arterial Streets.



## 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**

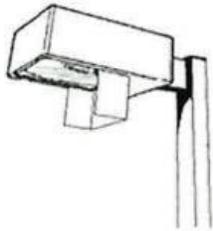
## H. Outdoor Lighting.

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**

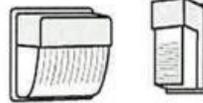


**External Shield**

## **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 A - Draft 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.

# Attachment A - Draft Development Regulations



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 5. Tree Conservation, Land Clearing and Site Grading Standards**

### **20.50.310 Exemptions from permit.**

A. **Complete Exemptions.** The following activities are exempt from the provisions of this subchapter and do not require a permit:

1. Emergency situation on private property involving danger to life or property or substantial fire hazards.

a. **Statement of Purpose.** Retention of significant trees and vegetation is necessary in order to utilize natural systems to control surface water runoff, reduce erosion and associated water quality impacts, reduce the risk of floods and landslides, maintain fish and wildlife habitat and preserve the City's natural, wooded character. Nevertheless, when certain trees become unstable or damaged, they may constitute a hazard requiring cutting in whole or part. Therefore, it is the purpose of this section to provide a reasonable and effective mechanism to minimize the risk to human health and property while preventing needless loss of healthy, significant trees and vegetation, especially in critical areas and their buffers.

b. For purposes of this section, "Director" means the Director of the Department and his or her designee.

c. In addition to other exemptions of SMC 20.50.290 through 20.50.370, a request for the cutting of any tree that is an active and imminent hazard such as tree limbs or trunks that are demonstrably cracked, leaning toward overhead utility lines or structures, or are uprooted by flooding, heavy winds or storm events. After the tree removal, the City will need photographic proof or other documentation and the appropriate application approval, if any. The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation.

2. Removal of trees and/or ground cover by the City and/or utility provider in situations involving immediate danger to life or property, substantial fire hazards, or interruption of services provided by a utility. The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation.

# Attachment A - Draft Development Regulations

3. Installation and regular maintenance of public utilities, under direction of the Director, except substation construction and installation or construction of utilities in parks or environmentally sensitive areas.

4. Cemetery graves involving less than 50 cubic yards of excavation, and related fill per each cemetery plot.

5. Removal of trees from property zoned NB, CB, MB and TC-1, 2 and 3, and MUR-85 unless within a critical area of critical area buffer.

6. Within City-owned property, removal of noxious weeds or invasive vegetation as identified by the King County Noxious Weed Control Board in a wetland buffer, stream buffer or the area within a three-foot radius of a tree on a steep slope is allowed when:

a. Undertaken with hand labor, including hand-held mechanical tools, unless the King County Noxious Weed Control Board otherwise prescribes the use of riding mowers, light mechanical cultivating equipment, herbicides or biological control methods; and

b. Performed in accordance with SMC 20.80.085, Pesticides, herbicides and fertilizers on City-owned property, and King County best management practices for noxious weed and invasive vegetation; and

c. The cleared area is revegetated with native vegetation and stabilized against erosion in accordance with the Department of Ecology 2005 Stormwater Management Manual for Western Washington; and

d. All work is performed above the ordinary high water mark and above the top of a stream bank; and

e. No more than 3,000 square feet of soil may be exposed at any one time.

**B. Partial Exemptions.** With the exception of the general requirements listed in SMC 20.50.300, the following are exempt from the provisions of this subchapter, provided the development activity does not occur in a critical area or critical area buffer. For those exemptions that refer to size or number, the thresholds are cumulative during a 36-month period for any given parcel:

**Comment [s21]:** MUR-85 is proposed to be exempt from the provisions of the City's tree code. MUR-35 and MUR-45 is not exempt and must comply with the provisions of B below and the rest of SMC 20.50.320

1. The removal of up to a maximum of six significant trees (excluding trees greater than 30 inches DBH per tree) in accordance with Table 20.50.310(B)(1) (see Chapter 20.20 SMC, Definitions).

**Table 20.50.310(B)(1) – Exempt Trees**

Lot size in square feet	Number of trees
Up to 7,200	3
7,201 to 14,400	4
14,401 to 21,780	5
21,781 and above	6

2. The removal of any tree greater than 30 inches DBH, or exceeding the numbers of trees specified in the table above, shall require a clearing and grading permit (SMC 20.50.320 through 20.50.370).

3. Landscape maintenance and alterations on any property that involves the clearing of less than 3,000 square feet, or less than 1,500 square feet if located in a special drainage area, provided the tree removal threshold listed above is not exceeded. (Ord. 695 § 1 (Exh. A), 2014; Ord. 640 § 1 (Exh. A), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 560 § 4 (Exh. A), 2009; Ord. 531 § 1 (Exh. 1), 2009; Ord. 434 § 1, 2006; Ord. 398 § 1, 2006; Ord. 238 Ch. V § 5(C), 2000).

## 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

Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
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. <sup>1</sup>
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

# Attachment A - Draft Development Regulations

signs that project out from a building or are perpendicular to street frontage are measured on one side even though both sides can have copy.

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

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

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

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



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

G. Table 20.50.540(G) – Sign Dimensions.

# Attachment A - Draft Development Regulations

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

	All Residential (R) Zones, <b>MUR35</b> , Campus, PA3 and TC-4	<b>MUR45, MUR 85</b> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
MONUMENT Signs:			
Maximum Area Per Sign Face	4 sq. ft. (home occupation, day care, adult family home, bed and breakfast)  25 sq. ft. (nonresidential use, residential subdivision or multifamily development)  32 sq. ft. (schools and parks)	50 sq. ft.	100 sq. ft.
Maximum Height	42 inches	6 feet	12 feet
Maximum Number Permitted	1 per street frontage	1 per street frontage  Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs on same property.	1 per street frontage
Illumination	Permitted	Permitted	
BUILDING-MOUNTED SIGNS:			
Maximum Sign Area	Same as for monument signs	25 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25	50 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25 sq. ft.

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

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

Exceptions to Table 20.50.540(G):

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

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

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

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

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

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

**20.50.550 Prohibited signs.**

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

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

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

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

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

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

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

#### **20.50.560 Monument signs.**

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

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

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

#### **20.50.570 Building-mounted signs.**

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

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

#### **20.50.580 Under-awning signs.**

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

#### **20.50.590 Nonconforming signs.**

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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.

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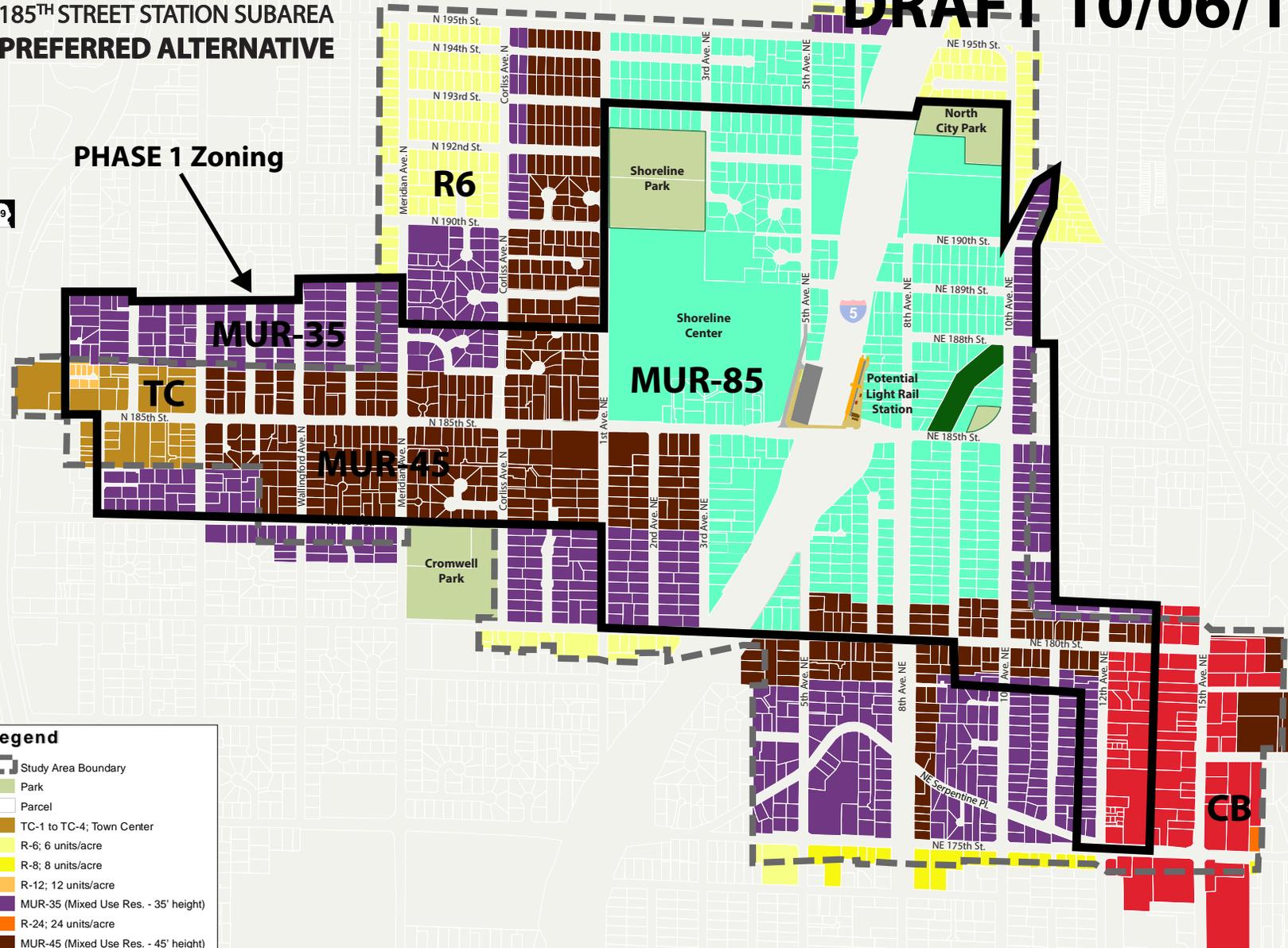
C. Construction Signs. Banner or rigid signs (such as plywood or plastic) identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is intended. Total signage area for both new construction 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).

**185<sup>TH</sup> STREET STATION SUBAREA  
PREFERRED ALTERNATIVE**

**DRAFT 10/06/14**

**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

