



PLANNING COMMISSION

REGULAR MEETING

AGENDA

Thursday, November 6, 2014
7:00 p.m.

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
2. ROLL CALL	7:01
3. APPROVAL OF AGENDA	7:02
4. APPROVAL OF MINUTES	7:03
a. October 16, 2014 Meeting Minutes - Draft	

Public Comment and Testimony at Planning Commission

During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.

5. GENERAL PUBLIC COMMENT	7:05
6. STUDY ITEM	7:10
a. Development Regulations for 185th Street Station Area Planning	
• Staff Presentation	
• Public Testimony	
7. DIRECTOR'S REPORT	8:45
8. UNFINISHED BUSINESS	8:55
9. NEW BUSINESS	8:56
10. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	8:57
11. AGENDA FOR NOVEMBER 20, 2014	
a. Review of Final Environmental Impact Statement and Draft Subarea Policies	8:58
12. ADJOURNMENT	9:00

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236

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DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

October 16, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Vice Chair Craft
Commissioner Malek
Commissioner Maul
Commissioner Mork

Staff Present

Rachael Markle, Director, Planning and Community Development
Paul Cohen, Planning Manager, Planning and Community Development
Miranda Redinger, Senior Planner, Planning and Community Development
Brian Lee, Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

Commissioners Absent

Chair Scully
Commissioner Montero
Commissioner Moss

Others Present

Kayla Schott-Bresler, Policy Manager, Housing Development Consortium
Kelly Rider, Policy Director, Housing Development Consortium

CALL TO ORDER

Chair Pro Tem Craft called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Pro Tem Craft and Commissioners Malek, Maul and Mork. Chair Scully and Commissioners Montero and Moss were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of October 2, 2014 were adopted as submitted.

GENERAL PUBLIC COMMENT

Tom Poitras, Shoreline, explained that according to the proposed requirements, one intent of alleys near the 185th Street corridor is to preserve street appeal with regard to new construction. Street appeal

is also important for homes converted to commercial uses. He said that while he was unable to find this discussed in the Shoreline code, he did find a section of the City of Pasadena Zoning Code that would preserve neighborhood character and maintain the single-family residential look to some extent by requiring that there be no parking lots in the front yards of converted businesses. This is important because Northeast 185th Street and other arterials are predominantly single-family now and may remain so for a long time. A requirement similar to Pasadena's would be better for the aesthetics of the entire street, whether the conversion is near new construction or existing homes. He said it is presumed that the commercial use code would dictate the number of parking spaces required. For example, Shoreline's minimum off-street parking requirement for restaurants is one space per 75 square feet in dining and lounge areas. He read the following language from Pasadena's code:

“17.50.070 – Conversion of a Residential Structure to a Commercial Use

- A. Applicability.*** *The conversion of a residential structure to an allowed commercial use shall be in compliance with this section and the applicable provisions of this Zoning Code.*
- B. Location of off-street parking.*** *Off-street parking shall only be located behind the structure.*
- C. Maintenance of existing driveway.*** *The existing driveway width shall not be widened to accommodate the new commercial use.”*

Mr. Poitras commented that there are many requirements in the City's code designed to insure that new commercial and residential buildings are attractive, and he believes there should be a separate section of the code for converted homes. The language should indicate which requirements for new construction also apply to conversions, and which requirements would work for converted homes to improve their appearance and functionality.

Liz Poitras, Shoreline, said her comments are related to property zoned MUR-35 and MUR-45 that are located on arterials. Since this is the first time the City will be mixing residential and retail uses, she suggested the City needs to be careful and perhaps have more regulations. The City needs to consider the noise levels, hours of operation, outside activities and the nature of the retail businesses next door to single-family homes, especially those with children, whether they live in town homes, duplexes, or detached houses. She specifically expressed concern about drinking establishments, particularly hours of operation, outdoor activities, noise levels, odors, and inebriated folks wandering about the sidewalk. She asked if they would be allowed to stay open past 10 or 11 p.m., if outdoor activities would be allowed, and if they would have entertainment and speakers.

Ms. Poitras acknowledged that some of these problems can occur in other retail businesses, and her second thought went to tattoo parlors, smoke shops, taverns, sales of medical marijuana, dry cleaners using chemicals, etc. Some problems can be managed through ordinances such as how late a retail business can stay open when it abuts a totally residential building. However, there needs to be additional rules such as “businesses catering to mainly adults should not be allowed if there is residential still on either or both sides of the parcel.” As the block becomes mostly or all retail then maybe it would be okay. She summarized that some types of retail might not be appropriate ever where residences and businesses can mix in the same zone, and she does not think families will want to live in residences near some of this type of retail.

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

Chair Pro Tem Craft recommended that the public be invited to comment after the staff presentation and Commission discussion for each topic. The Commission agreed that would be appropriate.

Requirements to the MUR Zones

Mr. Cohen reviewed that the Commission has spent a great deal of time discussing the components and requirements for development agreements for development in the MUR-85 zone that exceeds the height limit. As part of this discussion, the Commission expressed interest in establishing specific requirements for the MUR-35, MUR-45 and MUR-85 zones, without a development agreement. For example, they discussed whether affordable housing should be required in all of the zones, and not just as a bonus for additional height in the MUR-85 zone.

Director Markle advised that, as currently proposed, affordable housing would be a mandatory element of a development agreement for development over 85 feet in the MUR-85 zone. However, there are opportunities to provide affordable housing in the MUR-45 and MUR-35 zones, as well. She explained that, to date, Shoreline's philosophy has been to create zones and regulations that implement the vision of the City and are in tune with market realities, and the City cannot build Vision 2029 without private investment. Currently, the development code defines the building envelope, dimensions, and specific design elements that are consistent with the City's vision, but it does not ask for anything in exchange except quality development.

Director Markle advised that the City's Comprehensive Plan includes goals and policies related to affordable housing, but state law does not allow the City to require affordable housing without providing some form of compensation. Most jurisdictions have accomplished this by offering increased development potential such as greater density. However, because the proposed new MUR zones use a form-based code approach, density bonuses would be irrelevant. She explained that just by rezoning the R-6 properties to MUR-35, MUR-45 and MUR-85, the City is creating a tremendous amount of development potential; more so than you would find in any type of density bonus. This additional development potential can be viewed as compensation for asking for affordable housing in all three of the MUR zones. One option is to include language that explains the policy direction and purpose in creating the new zones. In return, the City could require a percentage of the units to be affordable. A more traditional approach would be limit density and/or height in the MUR-35, MUR-45 and MUR-85 zones unless affordable housing is provided as part of a project. While the latter option is a tried and true method, it flies in the face of the form-based code approach; and developers may choose to limit development to the lower levels to avoid the affordable housing requirement, which would be inconsistent with the City's vision for the area.

Director Markle said that in addition to a mandatory requirement for a minimum level of affordable housing, the City could offer a property tax exemption for up to 12 years for developments that include more affordable housing than the minimum required. For example, if 20% of the units in the MUR zones are required to be affordable at 70% of average median income (AMI) for King County, developers who provide units affordable at 60% AMI could be eligible for the 12-year property tax

exemption. This option would incentivize developers to go to the deeper affordability level, which is more difficult to finance.

If the Commission is not comfortable with a mandatory affordable housing requirement, the property tax exemption could be used to create an affordable housing program in the MUR zones. For example, the only way a developer could obtain a property tax exemption in the station area is by providing units that are affordable at a certain percent of AMI. She noted that property tax exemptions can be very valuable. She said other options for encouraging affordable housing include exemptions from transportation impact fees (already allowed by code), and waiving building permit fees for the portion of a project that is considered “affordable.”

Mr. Cohen provided a chart to illustrate how three recently developed projects were impacted by current permit fees, and how they would be impacted by the Transportation Impact Fee (TIF), which will be implemented in January 2015. The chart also illustrated the cost/savings associated with other concepts the Commission is considering for the MUR zones such as a 2% arts fee, Property Tax Exemption (PTE) for affordable housing, and TIF exemption. Taking into account both the development cost savings and the rent loss associated with building affordable housing, there would have been an overall savings if the City required affordable housing but offered TIF exemption and a PTE for a full eight years. He pointed out that paying a fee-in-lieu for the affordable housing requirement would have generally been the more costly approach.

Director Markle specifically asked the Commission to provide feedback on specific questions related to requirements for the MUR zones. Chair Pro Tem Craft noted that several Commissioners were absent. While they could discuss the questions and provide feedback, he suggested they have a follow up discussion at a future meeting. Director Markle agreed to incorporate the Commission’s feedback into the proposal for continued discussion at their next meeting. However, she emphasized that the Commission must complete its discussion regarding the Development Code by their last meeting in November, and then they will begin talking about the Final Environmental Impact Statement and the 185th Street Station Subarea Plan, itself. The entire package should be ready for a public hearing on January 15th. The Commission and staff discussed the questions as follows:

- **Should the proposal include a mandatory affordable housing requirement in the MUR zones? If yes, which zones?** Commissioner Maul said he supports a mandatory affordable housing requirement in the MUR-85 zone, but the requirement could be onerous for smaller developments in the MUR-35 and MUR-45 zones. Rather than a mandatory requirement for all MUR zones, he suggested that a PTE incentive could be used to encourage the use in the MUR-35 and MUR-45 zones. Chair Pro Tem Craft concurred that he is uncomfortable with the idea of mandating affordable housing, particularly in the MUR-35 and MUR-45 zones. However, he would support the idea of incentivizing it to attract more participants.

At the request of Commissioner Monk, Director Markle explained that a mandated affordable housing requirement would require developers to construct affordable housing units, but the City could offer a fee-in-lieu program, as well. Commissioner Monk asked if developers would be granted a PTE for putting money into a fee-in-lieu program. Director Markle explained that, as per the City’s commitment to create transit-oriented densities around the station, the proposal would

rezone numerous properties from R-6 to MUR. This would result in increased development potential, and in exchange, the City could ask developers to provide affordable housing. A PTE would be an additional incentive, but it would not be available for units that are paid-in-lieu. It would only apply to units that are built and taxed.

Director Markle summarized that the Commission would like staff to bring back a recommendation that has a mandatory program for the MUR-85 zone, as well as a voluntary program for a deeper level of affordability. The Commission could then choose which components would be mandatory and which would be voluntary. They could also have additional discussion about applying the requirement to the MUR-35 and MUR-45 zones.

- **Do you think the program should apply to rental and owner products?** Director Markle advised that in most cities, the program applies to both rental and owner products. Chair Pro Tem Craft agreed that would be appropriate, but he requested more details about what the appropriate range would be for both rental and owner properties. Director Markle said the Housing Development Consortium (HDC) provided this information, which was forwarded to the Commissioners in a previous packet. Typically, cities make the affordability level higher for ownership and lower for rental properties. She agreed to work with the HDC to come with a recommendation that is both competitive and comparative to other jurisdictions.

Commissioner Maul asked if the “affordable” requirement would only apply to the initial sale of an owner unit. He questioned how the City would control the cost of the unit after the first sale. Director Markle answered that a notice about the conditions of affordability would be recorded on the title for both the rental and owner units. Staff has been working on Development Code regulations that will manage the program, which will be presented to the Commission at their next meeting.

Kayla Schott-Bresler, Policy Manager, Housing Development Consortium, commented that the AMI number could increase as income levels and property values change. Commissioner Maul asked what would happen if the initial buyer triples his/her income, but the value of the home is locked into a specific percentage of AMI. **Kelly Rider, Policy Director, Housing Development Consortium**, advised that, typically, a person would own the home until he/she decides to sell it. However, she agreed to research this question more and provide additional information to the Commission. She noted that, oftentimes, models allow for adjustments for different units. If one owner is able to move into another unit, they could sell out the other home. However, the number of units that are required to be affordable would not change. This is particularly true for rental units.

- **What level of affordability should be considered for rental units and what percentage of the units should be affordable?** Director Markle advised that other Cities typically use 70% to 80% Average Median Income (AMI), but some go as low as 50% AMI.
- **How long should the units be affordable?** Director Markle recalled that from previous discussion, the Commission appears to support a 50-year term for how long the units must remain affordable.

- **Should the City offer a fee-in-lieu option? If so, should there be a per-foot cost per unit or should it be a per-unit cost.** Director Markle advised that the per-square-foot option may have some benefits because the City would not have to predetermine the mix of units. If the per-unit approach is used, the City must specify whether the units can be studio or if they must be one or two bedrooms. Perhaps the City could create a program that has fee-in-lieu for commercial space, and not just residential units. The Commission expressed support for a fee-in-lieu program in conjunction with a mandatory and/or voluntary affordable housing requirement.
- **Should the base fee be based on the cost to develop at market rate or the cost of affordable not-for-profit?** Director Markle explained that, typically, the cost of not-for-profit affordable housing is a little more. She agreed to identify potential fee-in-lieu rates for not-for-profit versus market-rate affordable housing. Chair Maul requested an explanation of the differences. Ms. Ryder explained that the difference in cost relates to efficiency. When a market redeveloper produces affordable housing on site, they gain some efficiency because they already have a basic building. On the other hand, a non-profit group must start the entire building over. If a developer only pays a fee that is equal to the cost of an affordable unit in his/her existing building, it would not be enough to produce the unit in an entirely new building.
- **Should the City offer a building permit fee reduction?** Commissioner Maul expressed support for reducing building fees, particularly for non-profit organizations. He noted that a non-profit group's upfront costs to get a project started have a bigger impact on the project moving forward, and a little extra incentive might have value. Chair Pro Tem Craft suggested that perhaps for-profit developers could be offered a smaller reduction.
- **Does the Commission want to discuss any other components that are currently proposed in the MUR-85 zone with a development agreement as a mandatory or incentive-based component in the MUR-35, MUR-45 and MUR-85 zones?** Director Markle referred to the list of potential components that was included in the Staff Report. Commissioner Maul pointed out that the Commission is considering the option of a development agreement in the MUR-85 zone to allow for additional height. He is not sure this same concept would be appropriate in the MUR-35 and MUR-45 zones. The current zoning proposal provides for a nice transition, and there would be very little MUR-85 zoning next to single-family residential. If additional height is allowed in the MUR-35 zone via a development agreement, the affect of the intended transition would be diminished. Perhaps it could be an option in the MUR-45 zone. The Commission agreed that additional height should not be allowed in the MUR-35 zone, but it could be appropriate via a development agreement in the MUR-45 zone in exchange for affordability, sustainability, parking, etc.

Director Markle said a few other cities that have a mandatory affordable housing program also offer an incentive to get development to occur more rapidly in certain places. For example, the first 300 units that are developed in the MUR-85 zone would not be required to provide affordable housing or a much lower level of affordable housing would be required. The goal of this incentive is to get pioneer development that will, in turn, bring in other projects for which the affordability component would apply. This speaks to previous comments from Sound Transit about the need to incentivize certain development around the station and near the Shoreline Center. Commissioner Maul indicated support

for the concept, given that it would provide flexibility to get redevelopment started. The Commission agreed that staff should refine the concept for further discussion.

Dan Dale, Shoreline, said that with all due respect to the schedule, the Commission is covering a lot of material in a short amount of time and more information is needed. While the Commissioners are giving it their best effort, nearly half of their members are absent. He suggested the Commission needs more real-world examples and additional insight from the HDC. They need to ask more questions and become more informed before making a recommendation to the City Council.

Merissa Reed, Shoreline, agreed with Mr. Dale. As a citizen, she is concerned that decisions are being made too quickly. She suggested they consider changing the time table, as making the right decision should take priority. She asked if the Commission has talked about “passive” or “net zero” building and creating eco-districts. She suggested the Commission consider taking the incentive concept to a new level. They have a great opportunity to impact future development, and green building is not quite as cost prohibitive now, particularly for larger developments. She also said she supports the concept of phasing the zoning to maintain the urban village feel rather than urban sprawl. She recalled that, at the last Commission meeting, she spoke out against apodments and microhousing, which is not what she believes the neighborhood would best benefit from. Similarly, creating a situation where people can redevelop existing single-family properties with mega mansions instead of affordable housing options seems counter to the intent of the subarea plan.

Yoshiko Saheki, Shoreline, asked that as the Commission considers the proposed MUR zones, they keep in mind that the proposed MUR zones are complicated, with a variety of defining attributes. This is unlike the current zoning that most of the property owners in the subarea fall into (R-6 or R-8), and they are easy to understand. She has heard that no matter how the neighborhoods may be rezoned, change will not happen overnight. However, in talking with and listening to others, by and large, the MUR zones are unpopular among those whose homes will be in the MUR zones.

Ms. Saheki expressed her belief that the MUR zones have suffered from bad public relations; they have been badly packaged and poorly introduced to the communities. If at all possible, she would like a win-win out of the rezoning; something that not only the City leaders can support, but a plan that can be embraced as a positive change by property owners. She suggested that the Commission throw out the MUR zones and start over. By doing so, they could reuse all of the things in the proposed MUR zones, but they could be packaged differently and called something else. Specifically, she suggested that the R-6 and R-8 nomenclature be retained, but allow for additional permitted uses by creating zones named R-6A, R-6B, etc. Perhaps R-6A could allow for some attached housing, with clear intent that the maximum number of dwellings in an acre will exceed six. An R-6B could include all that is allowed in R-6A plus additional features such as home-based businesses. More permitted uses could be added with subsequent letters so that by the time you get to R-6ZZ, the zoning could have the 85-foot height and microhousing to boot.

Ms. Saheki expressed her belief that expanding additional permitted uses is a more constructive approach to rezoning than eliminating or “grandfathering” current uses. For staff to say “non-conforming does not mean not allowed” is a waste of energy. Staff should expend its energy explaining the positive outcomes of rezoning and not be placed in a defensive position. She asked that the

Commission recommend that the single-family, detached housing be retained as a permitted use in all light rail station subareas. The way to convince property owners that rezoning is in their best interest is by expanding rather than diminishing their possibilities. People understand R-6 and R-8, so it makes sense to start with that and expand on them. MUR is too different for most people to digest easily, and the City can get to the same end by taking a different path. Since change will not happen overnight, retaining single-family, detached housing as a permitted use in all zones is the best way to keep all neighborhoods vibrant and healthy in the near future and beyond.

Kelly Rider, HDC, said the HCC appreciates the Commission taking affordable housing seriously and trying to figure out how best to fit affordable housing into the rezone. They realize the issue is extremely complicated and new. She reminded the Commission that once this value is given away in the increased density, they cannot go back. She asked the Commission to keep in mind what the City wants, how they ask for it, and how they give developers the value in return that they need. She noted that, across the King County region, they are typically looking at steel and concrete development at the 85-foot level. This is a much more complicated and costly type of development. It is easier and less costly to put the affordable housing units in the lower buildings; and that is where the majority of affordable housing is created. She reminded the Commission that near the transit station is where low-income individuals will be able to access the transit they need to get to work. They are the most dependent on transit, so whatever the Commission can do to make sure affordable housing gets built in the subarea will be great for Shoreline and its community.

Transit Way Development Agreements

Director Markle advised that staff has had discussions with Sound Transit regarding regulations that would apply to the stations, parking and the rail line, itself. Staff has also researched what other cities have done. The goal is to have a defined process in place when Sound Transit is ready to move forward with permitting and agreements. She reminded the Commission that the current Development Code has a general development agreement process, and the Commission is proposing a separate development agreement process for the MUR-85 zone. Staff is currently advocating that the general development agreement process be used to define how the City will regulate the light rail uses.

Director Markle explained that the City still has a lot to learn about how all of the different agreements will work, particularly since all cities have different mixes where light rail is located. The concept was included in the Staff Report as an introduction of one way the City could address the tracks, station, parking garage, support facilities, stormwater, utilities and other structures related to the light rail facility. If the Commission supports this approach, staff will continue discussions with Sound Transit to come up with the best proposal for the Commission to consider at their November 6th meeting. The Commission agreed that would be appropriate.

Alleys

Mr. Cohen said alleys seem to be a desirable component to building communities, especially along Northeast 185th Street. One significant benefit is that alleys reduce the number of curb cuts needed along arterials within the subarea. He reviewed that the North City Business District zoning included a requirement that alleys be established as development occurred. The requirement was unsuccessful and

later eliminated because 15th Avenue has such long blocks. Because of the shortness of the blocks along Northeast 185th Street, staff considered this option as a possibility in the 185th Street Station Subarea. However, they felt that allowing alleys to be constructed on a site-by-site basis as properties develop would not work well in this situation, either. Another option would be for the City to actually purchase land and build the alleys as rights-of-way, but this would be a costly and controversial undertaking. If the Commission is interested in pursuing this option, they could recommend that this policy be added to the subarea plan.

Mr. Cohen said staff believes that the best option for getting the desired product without requiring the City to actually acquire land to build alleys would be to include provisions in the Development Code that require properties with side streets (corner lots) to have access from the side streets. Properties without side streets could be required to have an administrative review if the developer wants to place the access mid block. In addition, garages and parking would have to be located in the rear of the parcel and may eventually lead to a through-alley. He noted that this requirement would be more restrictive than the current commercial zone, which allows a small amount of parking on the back side of the sidewalk.

Tom Poitras, Shoreline, asked if property owners who decide to retain their residential homes would be required to give up a portion of their land for an alley easement. Mr. Cohen emphasized that the requirement would only pertain to new development. Ms. Redinger emphasized that the City's transportation planners have not expressed an interest in developing alleyways. The question before the Commission is whether the subarea plan should include a policy for the City Council to dedicate funding to study the alleyway concept as part of the Route Development Plan.

Commissioner Maul expressed support for minimizing curb cuts on Northeast 185th Street, and they should definitely consider not allowing new parking along the frontage of Northeast 185th Street. However, they must also recognize that the driveways and parking areas for existing homes can be maintained. He acknowledged that alleys that extend the entire block would likely only occur with full-block developments, and he would hesitate to require all development to provide an alleyway. However, he supports the concept of requiring corner lots to access via the side streets.

The Commission agreed it would be appropriate to limit curb cuts for new development and create a mechanism by which access to properties on Northeast 185th Street could come through alleyways or other non-arterial streets.

Commissioner Maul requested more information about why the alleyway requirement was not successful in North City. Mr. Cohen explained that the requirement was too general and difficult to administer and implement. Staff did the best they could, but additional policy direction was needed.

Pedestrian/Street Front Amenities

Mr. Cohen advised that, in addition to the general required street frontage improvements, staff has considered ideas for enhancing private property development that fronts on a street. The existing commercial zoning includes a requirement for public plazas that are visible and accessible from the public sidewalks. It also discourages parking and car usage between the buildings and the sidewalks.

However, other than a size requirement and a requirement that the public space be used for pedestrians or people sitting, the code is not very specific.

Mr. Cohen referred to proposed language that would provide more direction regarding amenities, such as plantings, artwork, fountains, etc. The requirement would apply to all development on arterial streets in the MUR zones. In addition, staff is proposing a step back requirement for all development on arterials in the MUR-85 zone in order to avoid a “canyon effect.” Because properties zoned MUR-85 are primarily adjacent to MUR-45 zones, staff is proposing that a 10-foot step back occur at 45 feet before continuing up to the height limit.

Commissioner Mork asked if the City would offer an incentive for developers to provide the street front amenities. Mr. Cohen answered that, as proposed, the amenities would be a requirement for developing in the MUR zones. Ms. Redinger recalled the Commission’s earlier discussion about whether or not transition area standards should apply between the various MUR zones. She pointed out that the transition area standards work well in some areas of the City, such as along Aurora Avenue North, which is a major arterial with single-family residential homes within a couple of blocks. However, the proposed zoning in the subarea is boxy and blocky, especially if a phased approach is implemented, and they could end up with buildings that are odd shaped and overly expensive. A member of the 145SCC suggested that development along major arterials could be stepped back to enhance the pedestrian feel, and staff provided some sketches at the recent design workshop to illustrate the concept further.

Chair Pro Tem Craft said he supports a step back requirement. He also supports more specific standards for street front amenities. The remaining Commissioners concurred. Mr. Cohen clarified that, as proposed, the higher standards would apply to all commercial zones in the City, and not just the MUR zones.

Microhousing

Mr. Lee provided a chart representing census data for household sizes for the past 40 years in the United States. He noted that the number of single-person households has steadily increased (from 17.1% to 27.4%), while the number of larger households has decreased (from 20.9% to 9.6%). Single and two-person households now represent the largest segments.

Micro units can be compared to a studio apartment. They range anywhere from slightly more than 100 square feet to several hundred square feet in size. They can have their own kitchen and bathroom facilities, or they can have shared facilities. He provided a layout of a typical, self-sustained micro unit, as well as pictures depicting micro units that have recently been constructed. He also provided examples of model microhousing developments, and described the unique features of each one. He noted that micro apartment buildings are becoming more popular, but they can also be controversial.

Mr. Lee reviewed recent controversy in the City of Seattle, which resulted in a moratorium on microhousing for a good portion of the year. While the City of Seattle never had development regulations in place to address microhousing, it did have regulations related to congregate residences (groups of sleeping rooms with shared kitchens and restroom facilities). The Seattle City Council recently took action that allows congregate residences in high-density urban zones only. They also

created a new terminology called “small efficiency dwelling units” that will be allowed in all zones. The minimum size requirement would be 220 square feet, and the units must be self-contained. In addition, Seattle will now require design review for all congregate and small efficiency developments.

Mr. Lee asked the Commission to provide specific feedback about whether micro-housing should be allowed and regulated in the City, and specifically in the subarea. If the Commission would like to consider allowing microhousing with more detailed standards, staff recommends the use be prohibited in the subarea until additional work can be completed in 2015.

Dan Dale, Shoreline, said a developer friend of his has constructed several microhousing developments. They are inexpensive because there are no parking requirements. While the concept is very beneficial to developers, it can hurt the surrounding community because they do not have any realistic parking. While Utopia says that everyone living in the units will use public transportation and not own cars, that reality is quite far away. Before recommending that microhousing be allowed in Shoreline, and specifically the subarea, he suggested the Commission take time to dive deeper into the issue. He noted that most of the citizens in the neighborhoods surrounding the subarea are very cautious, if not against, this type of development.

Commissioner Maul expressed his belief that microhousing is an excellent option for providing housing at affordable rates. He suggested that the negative connotation that has developed is because there were loop holes in Seattle’s code that allowed the units to be developed without any parking requirement. While there may be locations where this is appropriate (near universities or colleges), there should be some parking requirement for most buildings that are exclusively micro units. However, if micro units are included in a larger project that provides parking for the rest of the tenants, there may not be a need for additional parking to serve the micro units, particularly if the development is located adjacent to a light rail station. He reminded the Commission that parking increases the cost of development, and there needs to be a balance. Again, he suggested that the negative attitude regarding the use comes from units that were constructed in single-family neighborhoods with no parking whatsoever. These situations have definitely burdened the neighborhoods.

Chair Pro Tem Craft said he has heard enough concern that he would like to prohibit microhousing in the subareas until they can have a larger, citywide debate to understand the issue better. He felt the discussion should focus on a citywide scale rather than just the two station areas. He noted that a microhousing development has already been proposed on Aurora Avenue North. While there may be benefits to this type of use, there are still many questions and concerns. Mr. Cohen clarified that while the use is not outright allowed, it is not specifically prohibited in the City. He said it appears that Chair Pro Tem Craft is suggesting that the use be explicitly prohibited in the 185th Street Station Subarea until the concept can be studied further.

Commissioner Malek asked if there are examples where microhousing has been integrated into projects that include larger units or if they tend to be stand alone projects. Mr. Lee said the example he provided of a development in California is comprised of a combination of different types of units. He is not sure if Seattle or anywhere else in King County has that type of a mixed development, but he could certainly look into it.

Commissioner Malek requested more information about the current application on Aurora Avenue North. Mr. Lee said the City has received an application for a microhousing development at 17020 Aurora Avenue North. Commissioner Maul advised that he is working on this proposal, which would have 11 pods, each with six to eight rooms off a common area. The four-story complex would require just shy of ½ parking stall per bedroom or suite. The developer is working with Shoreline Community College, who has a strong interest in pre-renting a number of units and providing a shuttle to and from the campus.

Chair Pro Tem Craft said he is not taking the position that the use should be outright banned in Shoreline at this time. He is suggesting that the concept needs to be talked about on a larger, citywide scale. Again, he recommended that the use be prohibited in the MUR zones for now, while the Commission has a much broader discussion of what the standards should be. While microhousing can offer benefits, it can also create a great deal of consternation and disruption to neighborhoods.

Townhome Design Standards

Mr. Cohen reviewed that townhome design standards are mostly addressed in the existing multi-family design standards in the Development Code. However, concern has been raised about the potential canyon affect that can be created by access drives between 4, 6 and 8-pack developments in the MUR-35 zone. In some cases, these areas are paved right up to the back of the buildings. Staff is recommending that the design standards be tweaked to require either 5 feet of landscaping or a 5-foot sidewalk along one side of the driveway.

Mr. Cohen said concern was also expressed about fences in the front yard with hardly any yard behind them. In these situations, there would be no entry or yard visible from the street. He noted that this concern can be addressed via the current multi-family design standards, which limits fence height to 3 feet and requires that entries be located on the street front.

The Commission supported the changes as proposed by staff.

Recap of Discussion

Mr. Cohen provided the following recap of the Commission's previous discussions regarding development regulations for the 185th Street Light Rail Station Subarea Plan:

- Some Commissioners were in favor of a phased-zoning approach, and some were not. He referred to an updated map, which illustrates the proposed boundaries for Phase 1. He noted that the map incorporates the Commission's recommendation to expand the MUR-85 zone both north and south.
- The Commission previously agreed that transitions in the form of zoning designations are appropriate in the subarea, and no additional standards are needed.
- The Commission discussed that new single-family, detached development should be allowed in MUR-35 and MUR-45 zones. However, their direction was unclear about whether this same concept should apply in the MUR-85 zone.

- The Commission recommended not using minimum densities in the MUR-35 and MUR-45 zones, but they did not provide clear direction about whether it should be required in the MUR-85 zone.

Mr. Cohen announced that the topics of discussion at the November 6th meeting will include a follow up on transit way development standards, affordable housing, and the pioneering incentive. The intent is for the Commission to wrap up its review of the Development Regulations on November 6th. The November 20th meeting will include a review of the final Environmental Impact Statement and draft subarea policies. On December 4th, the Commission's discussion will focus on the Subarea Plan and Planned Action, and any outstanding issues will be carried to the December 18th meeting. A public hearing is scheduled for January 15th.

DIRECTOR'S REPORT

Director Markle did not have any items to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Maul reported on his attendance at last week's 145th Street Station Area Design Workshop, which was well attended. The key feedback from attendees was that smaller is better. Other issues were related to Thornton Creek and tree preservation.

AGENDA FOR NEXT MEETING

There was no additional discussion related to the November 6th agenda.

ADJOURNMENT

The meeting was adjourned at 8:59 p.m.

Easton Craft
Chair Pro Tem, Planning Commission

Lisa Basher
Clerk, Planning Commission

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 Planning Commission Meeting Date: November 6, 2014

Agenda Item 6a

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

AGENDA TITLE:	Development Regulations for 185 th Street Light Rail Station Subarea Plan	
DEPARTMENT:	Planning & Community Development	
PRESENTED BY:	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 185th 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 185th 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 185th 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 185th 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 185th 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 185th 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 5th Thursday in January (29).

ATTACHMENTS

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

Housing185th 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.

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 ⁽¹⁾	City Council	20.30.340
2. Amendments to the Development Code	PC ⁽¹⁾	City Council	20.30.350
3. Development Agreements	PC ⁽¹⁾	City Council	20.30.355

⁽¹⁾PC = Planning Commission

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

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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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.

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

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 185th and NE 145th Streets.

20.40.020 Zones and map designations.

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

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

20.40.046 Mixed-use residential zones.

A. The purpose of the mixed-use residential zones (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.

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. 185th Street Light Rail Station Subarea Plan. The 185th 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
Residential				
	<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>

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	<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>
<u>Commercial</u>				
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR 85</u>
	<u>Book and Video Stores/Rental (excludes Adult Use Facilities)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P-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>
<u>Government</u>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>

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>
<u>Health</u>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<u>P (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>
<u>Other</u>				
	<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.

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

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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<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>Incentives provided: Eligible for Property Tax Exemption Program; and entitlement of 85 foot height and no density limits.</p> <p>Bonus incentive: 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>Incentive: 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>

		<p>affordable families making 80% or less of the median income for King County adjusted for household size.</p> <p>Incentive: 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. Eligible for Property Tax Exemption Program.</p> <p>Incentive: 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:

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).

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

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

*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.

<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

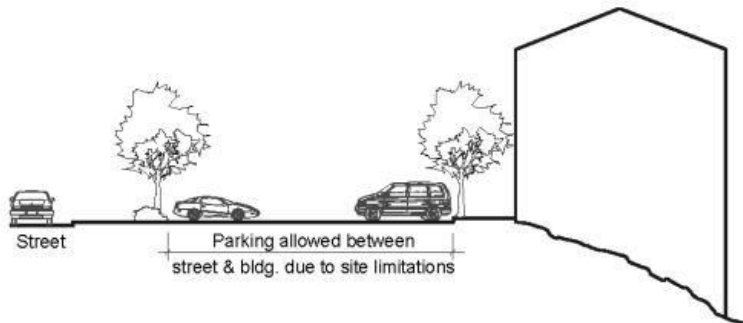
B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581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

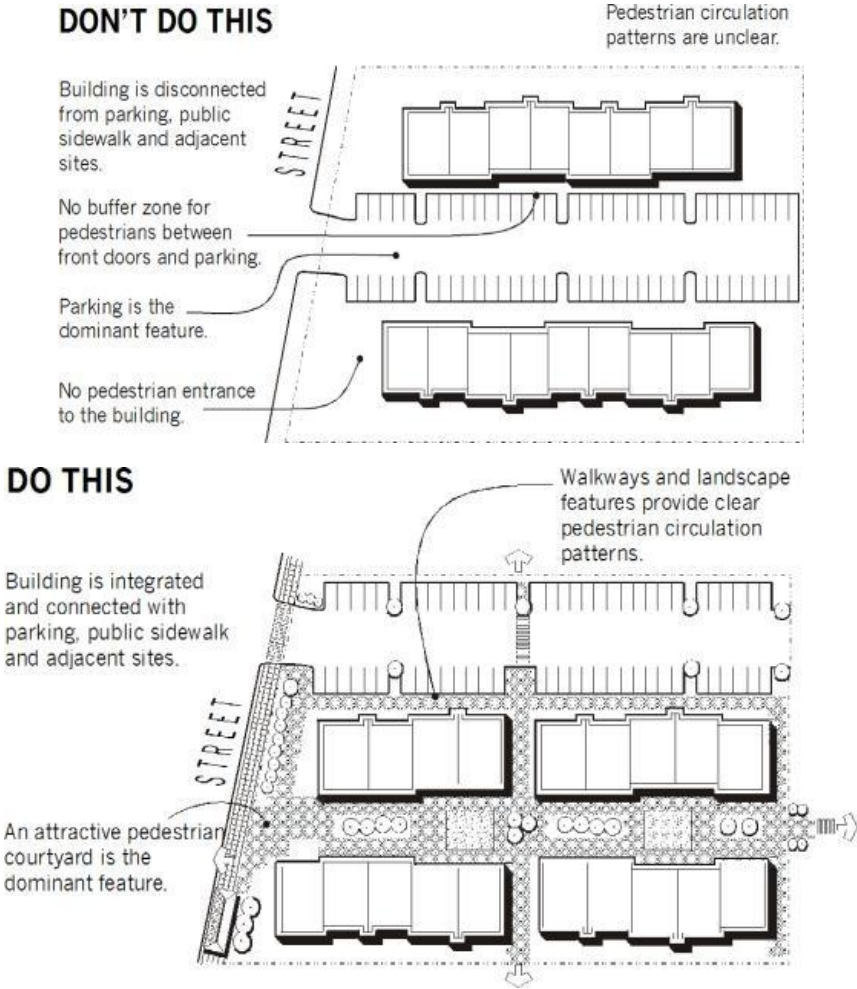


Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.

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.

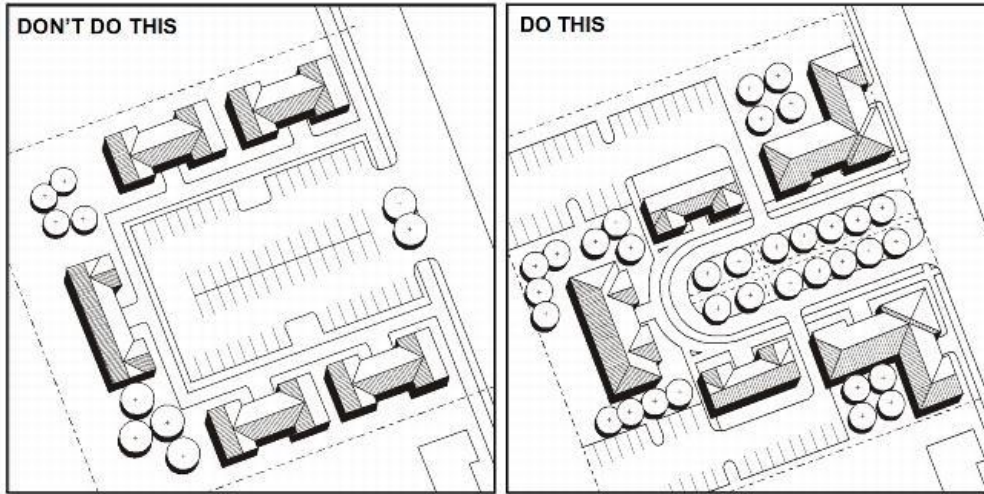


Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.

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.

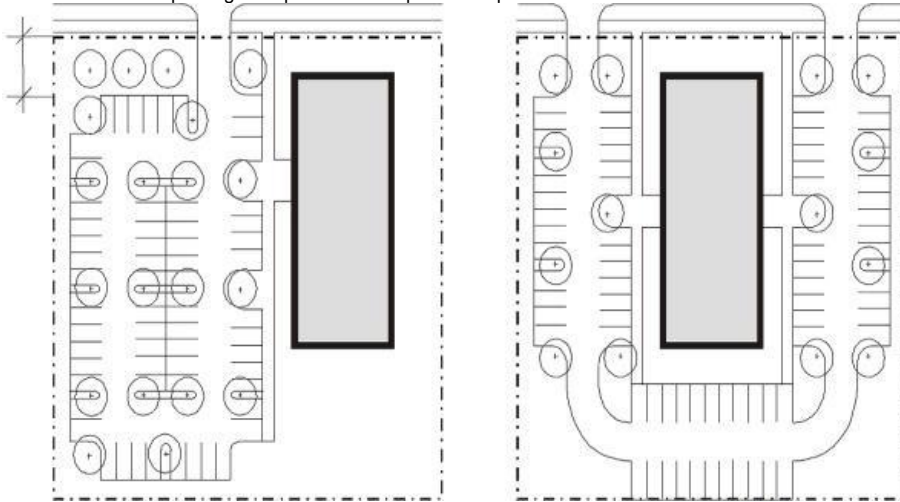


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

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.

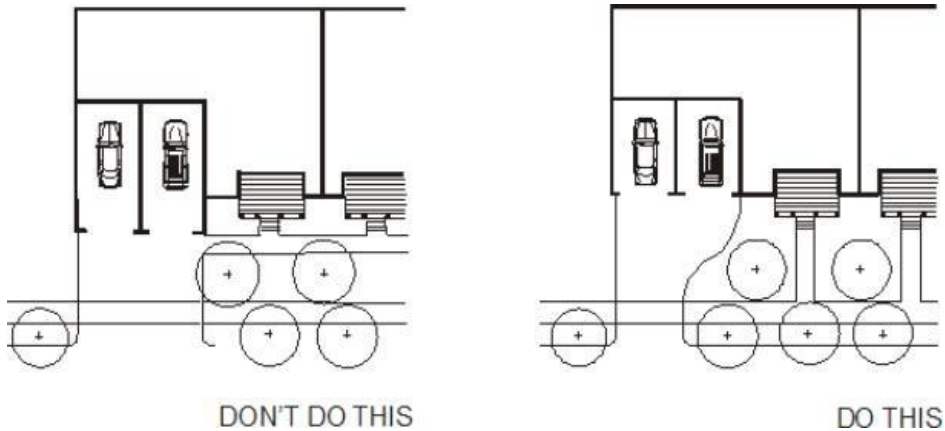


Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.

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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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;

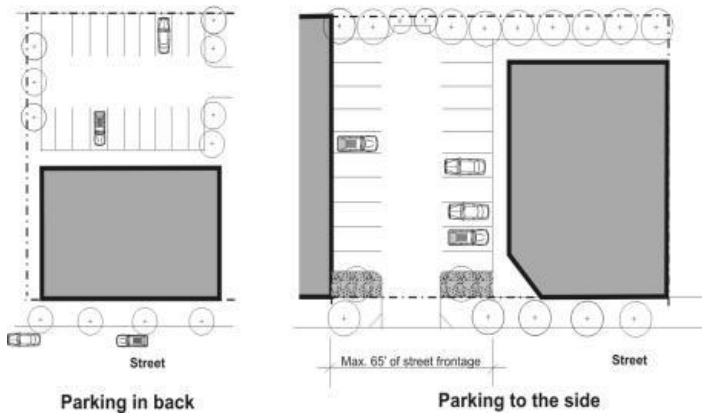
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g. Streets with on-street parking shall have sidewalks to back of the curb and street trees in pits under grates or at least a two-foot wide walkway between the back of curb and an amenity strip if space is available. Streets without on-street parking 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.185th Street shall be rear-loaded.

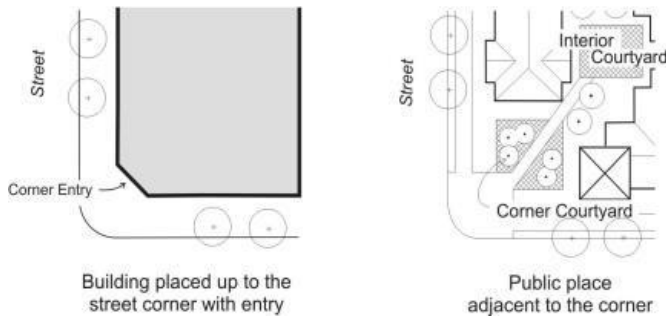
2. Rights-of-Way Lighting.

- 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.



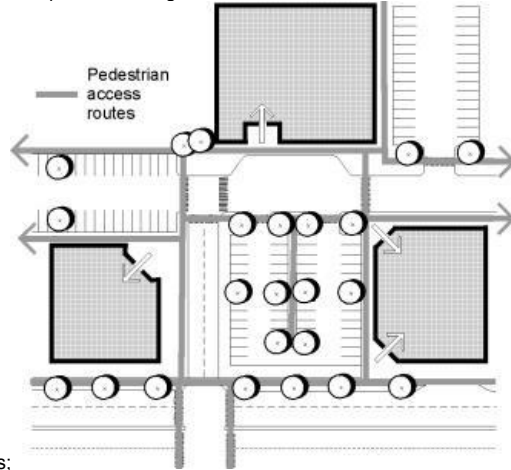
Building Corners

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

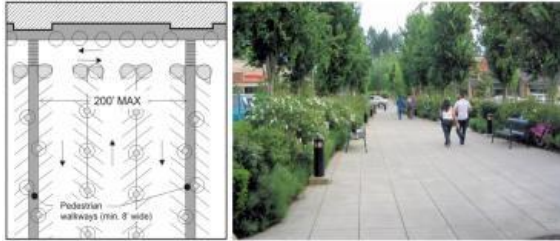


entries of multiple commercial buildings;

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.

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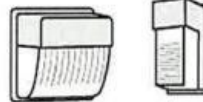


External Shield

DON'T DO THIS



**Unshielded
PAR Floodlights**



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

I. Service Areas.

1. All developments shall provide a designated location for trash, composting, recycling storage and collection, and shipping containers. Such elements shall meet the following standards:
 - a. Located to minimize visual, noise, odor, and physical impacts to pedestrians and residents;
 - b. Paved with concrete and screened with materials or colors that match the building; and
 - c. Located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, nor require a hauling truck to project into public rights-of-way.

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



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

J. Utility and Mechanical Equipment.

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



Utilities Consolidated and Separated by Landscaping Elements

2. All exterior mechanical equipment, with the exception of solar collectors or wind power generating equipment shall be screened from view by integration with the building's architecture through such elements as parapet walls, false roofs, roof wells, clerestories, equipment rooms, materials and colors.

Painting mechanical equipment strictly as a means of screening is not permitted. (Ord. 663 § 1 (Exh. 1), 2013; Ord. 654 § 1 (Exh. 1), 2013).

20.50.250 Building design.

A. Purpose.

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

B. Building Articulation.

1. Commercial buildings fronting streets other than state routes shall include one of the two articulation features set forth in subsections (B)(2)(a) and (b) of this section no more than every 40 lineal feet facing a street, parking lot, or public place. Building facades less than 60 feet wide are exempt from this



standard.

Building Facade Articulation

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

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

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

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

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

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



Multifamily Building Articulation

Multifamily Building Articulation

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

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



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

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



Window Trim Design

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



Covered Secondary Public Access

8. Materials.

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



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

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



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



- d. The following exterior materials are prohibited:
- i. Chain-link fencing that is not screened from public view. No razor or barbed material shall be allowed;
 - ii. Corrugated, fiberglass sheet products; and

iii. Plywood siding. (Ord. 654 § 1 (Exh. 1), 2013).

Subchapter 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.

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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.

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

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:

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. ¹
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

20.50.400 Reductions to minimum parking requirements.

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

1. On-street parking along the parcel's street frontage.
2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.
4. Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.

5. High-capacity transit service available within a one-half mile radius.
6. A pedestrian public access easement that is eight feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.
7. Concurrence with King County Right Size Parking data, census tract data, and other parking demand study results.
8. The applicant uses permeable pavement on at least 20 percent of the area of the parking lot.

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

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

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

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

F. Parking reductions for affordable housing may not be combined with parking reductions identified in Subsection A above.

20.50.540 Sign design.

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

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

C. Sign Copy Area. Calculation of sign area shall use rectangular areas that enclose each portion of the signage such as words, logos, graphics, and symbols other than nonilluminated background. Sign area for

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

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

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

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

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



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

Attachment A - Draft Development Regulations

	All Residential (R) Zones, MUR35 , Campus, PA3 and TC-4	MUR45, MUR 85 , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
		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	

Attachment A - Draft Development Regulations

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

Exceptions to Table 20.50.540(G):

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

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

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

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

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

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

20.50.550 Prohibited signs.

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

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

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

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

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

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

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

20.50.560 Monument signs.

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

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

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

20.50.570 Building-mounted signs.

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

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

20.50.580 Under-awning signs.

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

20.50.590 Nonconforming signs.

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

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

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

20.50.600 Temporary signs.

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

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

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

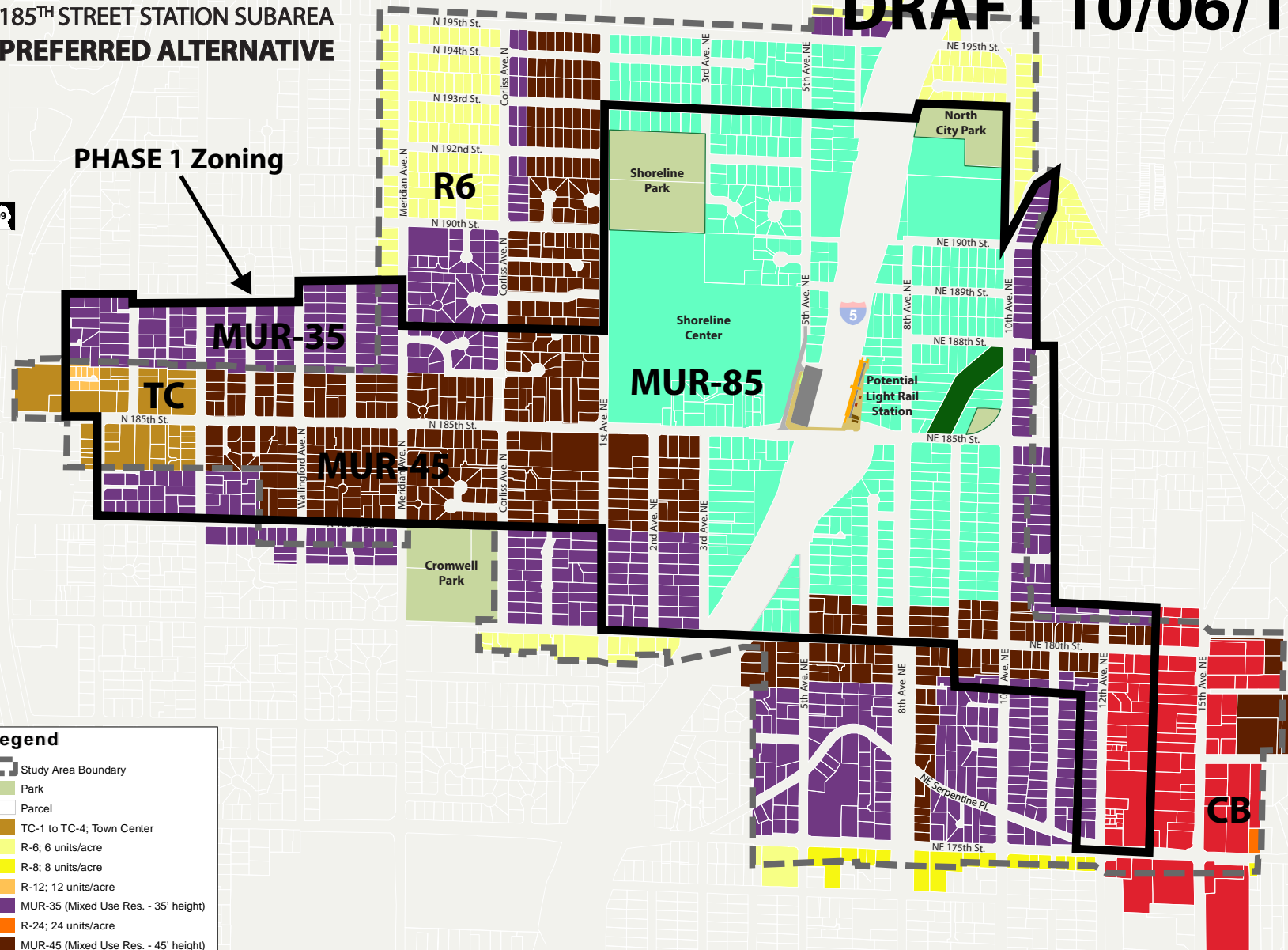
C. Construction Signs. Banner or rigid signs (such as plywood or plastic) identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is intended. Total signage area for both new construction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

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

**185TH STREET STATION SUBAREA
PREFERRED ALTERNATIVE**

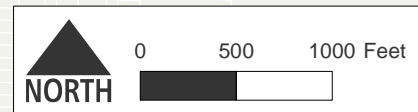
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PHASE 1 Zoning



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



DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

October 16, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Vice Chair Craft
Commissioner Malek
Commissioner Maul
Commissioner Mork

Staff Present

Rachael Markle, Director, Planning and Community Development
Paul Cohen, Planning Manager, Planning and Community Development
Miranda Redinger, Senior Planner, Planning and Community Development
Brian Lee, Planner, Planning and Community Development
Lisa Basher, Planning Commission Clerk

Commissioners Absent

Chair Scully
Commissioner Montero
Commissioner Moss

Others Present

Kayla Schott-Bresler, Policy Manager, Housing Development Consortium
Kelly Rider, Policy Director, Housing Development Consortium

CALL TO ORDER

Chair Pro Tem Craft called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Pro Tem Craft and Commissioners Malek, Maul and Mork. Chair Scully and Commissioners Montero and Moss were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of October 2, 2014 were adopted as submitted.

GENERAL PUBLIC COMMENT

Tom Poitras, Shoreline, explained that according to the proposed requirements, one intent of alleys near the 185th Street corridor is to preserve street appeal with regard to new construction. Street appeal

is also important for homes converted to commercial uses. He said that while he was unable to find this discussed in the Shoreline code, he did find a section of the City of Pasadena Zoning Code that would preserve neighborhood character and maintain the single-family residential look to some extent by requiring that there be no parking lots in the front yards of converted businesses. This is important because Northeast 185th Street and other arterials are predominantly single-family now and may remain so for a long time. A requirement similar to Pasadena's would be better for the aesthetics of the entire street, whether the conversion is near new construction or existing homes. He said it is presumed that the commercial use code would dictate the number of parking spaces required. For example, Shoreline's minimum off-street parking requirement for restaurants is one space per 75 square feet in dining and lounge areas. He read the following language from Pasadena's code:

“17.50.070 – Conversion of a Residential Structure to a Commercial Use

- A. Applicability.*** *The conversion of a residential structure to an allowed commercial use shall be in compliance with this section and the applicable provisions of this Zoning Code.*
- B. Location of off-street parking.*** *Off-street parking shall only be located behind the structure.*
- C. Maintenance of existing driveway.*** *The existing driveway width shall not be widened to accommodate the new commercial use.”*

Mr. Poitras commented that there are many requirements in the City's code designed to insure that new commercial and residential buildings are attractive, and he believes there should be a separate section of the code for converted homes. The language should indicate which requirements for new construction also apply to conversions, and which requirements would work for converted homes to improve their appearance and functionality.

Liz Poitras, Shoreline, said her comments are related to property zoned MUR-35 and MUR-45 that are located on arterials. Since this is the first time the City will be mixing residential and retail uses, she suggested the City needs to be careful and perhaps have more regulations. The City needs to consider the noise levels, hours of operation, outside activities and the nature of the retail businesses next door to single-family homes, especially those with children, whether they live in town homes, duplexes, or detached houses. She specifically expressed concern about drinking establishments, particularly hours of operation, outdoor activities, noise levels, odors, and inebriated folks wandering about the sidewalk. She asked if they would be allowed to stay open past 10 or 11 p.m., if outdoor activities would be allowed, and if they would have entertainment and speakers.

Ms. Poitras acknowledged that some of these problems can occur in other retail businesses, and her second thought went to tattoo parlors, smoke shops, taverns, sales of medical marijuana, dry cleaners using chemicals, etc. Some problems can be managed through ordinances such as how late a retail business can stay open when it abuts a totally residential building. However, there needs to be additional rules such as “businesses catering to mainly adults should not be allowed if there is residential still on either or both sides of the parcel.” As the block becomes mostly or all retail then maybe it would be okay. She summarized that some types of retail might not be appropriate ever where residences and businesses can mix in the same zone, and she does not think families will want to live in residences near some of this type of retail.

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

Chair Pro Tem Craft recommended that the public be invited to comment after the staff presentation and Commission discussion for each topic. The Commission agreed that would be appropriate.

Requirements to the MUR Zones

Mr. Cohen reviewed that the Commission has spent a great deal of time discussing the components and requirements for development agreements for development in the MUR-85 zone that exceeds the height limit. As part of this discussion, the Commission expressed interest in establishing specific requirements for the MUR-35, MUR-45 and MUR-85 zones, without a development agreement. For example, they discussed whether affordable housing should be required in all of the zones, and not just as a bonus for additional height in the MUR-85 zone.

Director Markle advised that, as currently proposed, affordable housing would be a mandatory element of a development agreement for development over 85 feet in the MUR-85 zone. However, there are opportunities to provide affordable housing in the MUR-45 and MUR-35 zones, as well. She explained that, to date, Shoreline's philosophy has been to create zones and regulations that implement the vision of the City and are in tune with market realities, and the City cannot build Vision 2029 without private investment. Currently, the development code defines the building envelope, dimensions, and specific design elements that are consistent with the City's vision, but it does not ask for anything in exchange except quality development.

Director Markle advised that the City's Comprehensive Plan includes goals and policies related to affordable housing, but state law does not allow the City to require affordable housing without providing some form of compensation. Most jurisdictions have accomplished this by offering increased development potential such as greater density. However, because the proposed new MUR zones use a form-based code approach, density bonuses would be irrelevant. She explained that just by rezoning the R-6 properties to MUR-35, MUR-45 and MUR-85, the City is creating a tremendous amount of development potential; more so than you would find in any type of density bonus. This additional development potential can be viewed as compensation for asking for affordable housing in all three of the MUR zones. One option is to include language that explains the policy direction and purpose in creating the new zones. In return, the City could require a percentage of the units to be affordable. A more traditional approach would be limit density and/or height in the MUR-35, MUR-45 and MUR-85 zones unless affordable housing is provided as part of a project. While the latter option is a tried and true method, it flies in the face of the form-based code approach; and developers may choose to limit development to the lower levels to avoid the affordable housing requirement, which would be inconsistent with the City's vision for the area.

Director Markle said that in addition to a mandatory requirement for a minimum level of affordable housing, the City could offer a property tax exemption for up to 12 years for developments that include more affordable housing than the minimum required. For example, if 20% of the units in the MUR zones are required to be affordable at 70% of average median income (AMI) for King County, developers who provide units affordable at 60% AMI could be eligible for the 12-year property tax

exemption. This option would incentivize developers to go to the deeper affordability level, which is more difficult to finance.

If the Commission is not comfortable with a mandatory affordable housing requirement, the property tax exemption could be used to create an affordable housing program in the MUR zones. For example, the only way a developer could obtain a property tax exemption in the station area is by providing units that are affordable at a certain percent of AMI. She noted that property tax exemptions can be very valuable. She said other options for encouraging affordable housing include exemptions from transportation impact fees (already allowed by code), and waiving building permit fees for the portion of a project that is considered “affordable.”

Mr. Cohen provided a chart to illustrate how three recently developed projects were impacted by current permit fees, and how they would be impacted by the Transportation Impact Fee (TIF), which will be implemented in January 2015. The chart also illustrated the cost/savings associated with other concepts the Commission is considering for the MUR zones such as a 2% arts fee, Property Tax Exemption (PTE) for affordable housing, and TIF exemption. Taking into account both the development cost savings and the rent loss associated with building affordable housing, there would have been an overall savings if the City required affordable housing but offered TIF exemption and a PTE for a full eight years. He pointed out that paying a fee-in-lieu for the affordable housing requirement would have generally been the more costly approach.

Director Markle specifically asked the Commission to provide feedback on specific questions related to requirements for the MUR zones. Chair Pro Tem Craft noted that several Commissioners were absent. While they could discuss the questions and provide feedback, he suggested they have a follow up discussion at a future meeting. Director Markle agreed to incorporate the Commission’s feedback into the proposal for continued discussion at their next meeting. However, she emphasized that the Commission must complete its discussion regarding the Development Code by their last meeting in November, and then they will begin talking about the Final Environmental Impact Statement and the 185th Street Station Subarea Plan, itself. The entire package should be ready for a public hearing on January 15th. The Commission and staff discussed the questions as follows:

- **Should the proposal include a mandatory affordable housing requirement in the MUR zones? If yes, which zones?** Commissioner Maul said he supports a mandatory affordable housing requirement in the MUR-85 zone, but the requirement could be onerous for smaller developments in the MUR-35 and MUR-45 zones. Rather than a mandatory requirement for all MUR zones, he suggested that a PTE incentive could be used to encourage the use in the MUR-35 and MUR-45 zones. Chair Pro Tem Craft concurred that he is uncomfortable with the idea of mandating affordable housing, particularly in the MUR-35 and MUR-45 zones. However, he would support the idea of incentivizing it to attract more participants.

At the request of Commissioner Monk, Director Markle explained that a mandated affordable housing requirement would require developers to construct affordable housing units, but the City could offer a fee-in-lieu program, as well. Commissioner Monk asked if developers would be granted a PTE for putting money into a fee-in-lieu program. Director Markle explained that, as per the City’s commitment to create transit-oriented densities around the station, the proposal would

rezone numerous properties from R-6 to MUR. This would result in increased development potential, and in exchange, the City could ask developers to provide affordable housing. A PTE would be an additional incentive, but it would not be available for units that are paid-in-lieu. It would only apply to units that are built and taxed.

Director Markle summarized that the Commission would like staff to bring back a recommendation that has a mandatory program for the MUR-85 zone, as well as a voluntary program for a deeper level of affordability. The Commission could then choose which components would be mandatory and which would be voluntary. They could also have additional discussion about applying the requirement to the MUR-35 and MUR-45 zones.

- **Do you think the program should apply to rental and owner products?** Director Markle advised that in most cities, the program applies to both rental and owner products. Chair Pro Tem Craft agreed that would be appropriate, but he requested more details about what the appropriate range would be for both rental and owner properties. Director Markle said the Housing Development Consortium (HDC) provided this information, which was forwarded to the Commissioners in a previous packet. Typically, cities make the affordability level higher for ownership and lower for rental properties. She agreed to work with the HDC to come with a recommendation that is both competitive and comparative to other jurisdictions.

Commissioner Maul asked if the “affordable” requirement would only apply to the initial sale of an owner unit. He questioned how the City would control the cost of the unit after the first sale. Director Markle answered that a notice about the conditions of affordability would be recorded on the title for both the rental and owner units. Staff has been working on Development Code regulations that will manage the program, which will be presented to the Commission at their next meeting.

Kayla Schott-Bresler, Policy Manager, Housing Development Consortium, commented that the AMI number could increase as income levels and property values change. Commissioner Maul asked what would happen if the initial buyer triples his/her income, but the value of the home is locked into a specific percentage of AMI. **Kelly Rider, Policy Director, Housing Development Consortium**, advised that, typically, a person would own the home until he/she decides to sell it. However, she agreed to research this question more and provide additional information to the Commission. She noted that, oftentimes, models allow for adjustments for different units. If one owner is able to move into another unit, they could sell out the other home. However, the number of units that are required to be affordable would not change. This is particularly true for rental units.

- **What level of affordability should be considered for rental units and what percentage of the units should be affordable?** Director Markle advised that other Cities typically use 70% to 80% Average Median Income (AMI), but some go as low as 50% AMI.
- **How long should the units be affordable?** Director Markle recalled that from previous discussion, the Commission appears to support a 50-year term for how long the units must remain affordable.

- **Should the City offer a fee-in-lieu option? If so, should there be a per-foot cost per unit or should it be a per-unit cost.** Director Markle advised that the per-square-foot option may have some benefits because the City would not have to predetermine the mix of units. If the per-unit approach is used, the City must specify whether the units can be studio or if they must be one or two bedrooms. Perhaps the City could create a program that has fee-in-lieu for commercial space, and not just residential units. The Commission expressed support for a fee-in-lieu program in conjunction with a mandatory and/or voluntary affordable housing requirement.
- **Should the base fee be based on the cost to develop at market rate or the cost of affordable not-for-profit?** Director Markle explained that, typically, the cost of not-for-profit affordable housing is a little more. She agreed to identify potential fee-in-lieu rates for not-for-profit versus market-rate affordable housing. Chair Maul requested an explanation of the differences. Ms. Ryder explained that the difference in cost relates to efficiency. When a market redeveloper produces affordable housing on site, they gain some efficiency because they already have a basic building. On the other hand, a non-profit group must start the entire building over. If a developer only pays a fee that is equal to the cost of an affordable unit in his/her existing building, it would not be enough to produce the unit in an entirely new building.
- **Should the City offer a building permit fee reduction?** Commissioner Maul expressed support for reducing building fees, particularly for non-profit organizations. He noted that a non-profit group's upfront costs to get a project started have a bigger impact on the project moving forward, and a little extra incentive might have value. Chair Pro Tem Craft suggested that perhaps for-profit developers could be offered a smaller reduction.
- **Does the Commission want to discuss any other components that are currently proposed in the MUR-85 zone with a development agreement as a mandatory or incentive-based component in the MUR-35, MUR-45 and MUR-85 zones?** Director Markle referred to the list of potential components that was included in the Staff Report. Commissioner Maul pointed out that the Commission is considering the option of a development agreement in the MUR-85 zone to allow for additional height. He is not sure this same concept would be appropriate in the MUR-35 and MUR-45 zones. The current zoning proposal provides for a nice transition, and there would be very little MUR-85 zoning next to single-family residential. If additional height is allowed in the MUR-35 zone via a development agreement, the affect of the intended transition would be diminished. Perhaps it could be an option in the MUR-45 zone. The Commission agreed that additional height should not be allowed in the MUR-35 zone, but it could be appropriate via a development agreement in the MUR-45 zone in exchange for affordability, sustainability, parking, etc.

Director Markle said a few other cities that have a mandatory affordable housing program also offer an incentive to get development to occur more rapidly in certain places. For example, the first 300 units that are developed in the MUR-85 zone would not be required to provide affordable housing or a much lower level of affordable housing would be required. The goal of this incentive is to get pioneer development that will, in turn, bring in other projects for which the affordability component would apply. This speaks to previous comments from Sound Transit about the need to incentivize certain development around the station and near the Shoreline Center. Commissioner Maul indicated support

for the concept, given that it would provide flexibility to get redevelopment started. The Commission agreed that staff should refine the concept for further discussion.

Dan Dale, Shoreline, said that with all due respect to the schedule, the Commission is covering a lot of material in a short amount of time and more information is needed. While the Commissioners are giving it their best effort, nearly half of their members are absent. He suggested the Commission needs more real-world examples and additional insight from the HDC. They need to ask more questions and become more informed before making a recommendation to the City Council.

Merissa Reed, Shoreline, agreed with Mr. Dale. As a citizen, she is concerned that decisions are being made too quickly. She suggested they consider changing the time table, as making the right decision should take priority. She asked if the Commission has talked about “passive” or “net zero” building and creating eco-districts. She suggested the Commission consider taking the incentive concept to a new level. They have a great opportunity to impact future development, and green building is not quite as cost prohibitive now, particularly for larger developments. She also said she supports the concept of phasing the zoning to maintain the urban village feel rather than urban sprawl. She recalled that, at the last Commission meeting, she spoke out against apodments and microhousing, which is not what she believes the neighborhood would best benefit from. Similarly, creating a situation where people can redevelop existing single-family properties with mega mansions instead of affordable housing options seems counter to the intent of the subarea plan.

Yoshiko Saheki, Shoreline, asked that as the Commission considers the proposed MUR zones, they keep in mind that the proposed MUR zones are complicated, with a variety of defining attributes. This is unlike the current zoning that most of the property owners in the subarea fall into (R-6 or R-8), and they are easy to understand. She has heard that no matter how the neighborhoods may be rezoned, change will not happen overnight. However, in talking with and listening to others, by and large, the MUR zones are unpopular among those whose homes will be in the MUR zones.

Ms. Saheki expressed her belief that the MUR zones have suffered from bad public relations; they have been badly packaged and poorly introduced to the communities. If at all possible, she would like a win-win out of the rezoning; something that not only the City leaders can support, but a plan that can be embraced as a positive change by property owners. She suggested that the Commission throw out the MUR zones and start over. By doing so, they could reuse all of the things in the proposed MUR zones, but they could be packaged differently and called something else. Specifically, she suggested that the R-6 and R-8 nomenclature be retained, but allow for additional permitted uses by creating zones named R-6A, R-6B, etc. Perhaps R-6A could allow for some attached housing, with clear intent that the maximum number of dwellings in an acre would not exceed six. An R-6B could include all that is allowed in R-6A plus additional features such as home-based businesses. More permitted uses could be added with subsequent letters so that by the time you get to R-6ZZ, the zoning could have the 85-foot height and microhousing to boot.

Ms. Saheki expressed her belief that expanding additional permitted uses is a more constructive approach to rezoning than eliminating or “grandfathering” current uses. For staff to say “non-conforming does not mean not allowed” is a waste of energy. Staff should expend its energy explaining the positive outcomes of rezoning and not be placed in a defensive position. She asked that the

Commission recommend that the single-family, detached housing be retained as a permitted use in all light rail station subareas. The way to convince property owners that rezoning is in their best interest is by expanding rather than diminishing their possibilities. People understand R-6 and R-8, so it makes sense to start with that and expand on them. MUR is too different for most people to digest easily, and the City can get to the same end by taking a different path. Since change will not happen overnight, retaining single-family, detached housing as a permitted use in all zones is the best way to keep all neighborhoods vibrant and healthy in the near future and beyond.

Kelly Rider, HDC, said the HCC appreciates the Commission taking affordable housing seriously and trying to figure out how best to fit affordable housing into the rezone. They realize the issue is extremely complicated and new. She reminded the Commission that once this value is given away in the increased density, they cannot go back. She asked the Commission to keep in mind what the City wants, how they ask for it, and how they give developers the value in return that they need. She noted that, across the King County region, they are typically looking at steel and concrete development at the 85-foot level. This is a much more complicated and costly type of development. It is easier and less costly to put the affordable housing units in the lower buildings; and that is where the majority of affordable housing is created. She reminded the Commission that near the transit station is where low-income individuals will be able to access the transit they need to get to work. They are the most dependent on transit, so whatever the Commission can do to make sure affordable housing gets built in the subarea will be great for Shoreline and its community.

Transit Way Development Agreements

Director Markle advised that staff has had discussions with Sound Transit regarding regulations that would apply to the stations, parking and the rail line, itself. Staff has also researched what other cities have done. The goal is to have a defined process in place when Sound Transit is ready to move forward with permitting and agreements. She reminded the Commission that the current Development Code has a general development agreement process, and the Commission is proposing a separate development agreement process for the MUR-85 zone. Staff is currently advocating that the general development agreement process be used to define how the City will regulate the light rail uses.

Director Markle explained that the City still has a lot to learn about how all of the different agreements will work, particularly since all cities have different mixes where light rail is located. The concept was included in the Staff Report as an introduction of one way the City could address the tracks, station, parking garage, support facilities, stormwater, utilities and other structures related to the light rail facility. If the Commission supports this approach, staff will continue discussions with Sound Transit to come up with the best proposal for the Commission to consider at their November 6th meeting. The Commission agreed that would be appropriate.

Alleys

Mr. Cohen said alleys seem to be a desirable component to building communities, especially along Northeast 185th Street. One significant benefit is that alleys reduce the number of curb cuts needed along arterials within the subarea. He reviewed that the North City Business District zoning included a requirement that alleys be established as development occurred. The requirement was unsuccessful and

later eliminated because 15th Avenue has such long blocks. Because of the shortness of the blocks along Northeast 185th Street, staff considered this option as a possibility in the 185th Street Station Subarea. However, they felt that allowing alleys to be constructed on a site-by-site basis as properties develop would not work well in this situation, either. Another option would be for the City to actually purchase land and build the alleys as rights-of-way, but this would be a costly and controversial undertaking. If the Commission is interested in pursuing this option, they could recommend that this policy be added to the subarea plan.

Mr. Cohen said staff believes that the best option for getting the desired product without requiring the City to actually acquire land to build alleys would be to include provisions in the Development Code that require properties with side streets (corner lots) to have access from the side streets. Properties without side streets could be required to have an administrative review if the developer wants to place the access mid block. In addition, garages and parking would have to be located in the rear of the parcel and may eventually lead to a through-alley. He noted that this requirement would be more restrictive than the current commercial zone, which allows a small amount of parking on the back side of the sidewalk.

Tom Poitras, Shoreline, asked if property owners who decide to retain their residential homes would be required to give up a portion of their land for an alley easement. Mr. Cohen emphasized that the requirement would only pertain to new development. Ms. Redinger emphasized that the City's transportation planners have not expressed an interest in developing alleyways. The question before the Commission is whether the subarea plan should include a policy for the City Council to dedicate funding to study the alleyway concept as part of the Route Development Plan.

Commissioner Maul expressed support for minimizing curb cuts on Northeast 185th Street, and they should definitely consider not allowing new parking along the frontage of Northeast 185th Street. However, they must also recognize that the driveways and parking areas for existing homes can be maintained. He acknowledged that alleys that extend the entire block would likely only occur with full-block developments, and he would hesitate to require all development to provide an alleyway. However, he supports the concept of requiring corner lots to access via the side streets.

The Commission agreed it would be appropriate to limit curb cuts for new development and create a mechanism by which access to properties on Northeast 185th Street could come through alleyways or other non-arterial streets.

Commissioner Maul requested more information about why the alleyway requirement was not successful in North City. Mr. Cohen explained that the requirement was too general and difficult to administer and implement. Staff did the best they could, but additional policy direction was needed.

Pedestrian/Street Front Amenities

Mr. Cohen advised that, in addition to the general required street frontage improvements, staff has considered ideas for enhancing private property development that fronts on a street. The existing commercial zoning includes a requirement for public plazas that are visible and accessible from the public sidewalks. It also discourages parking and car usage between the buildings and the sidewalks.

However, other than a size requirement and a requirement that the public space be used for pedestrians or people sitting, the code is not very specific.

Mr. Cohen referred to proposed language that would provide more direction regarding amenities, such as plantings, artwork, fountains, etc. The requirement would apply to all development on arterial streets in the MUR zones. In addition, staff is proposing a step back requirement for all development on arterials in the MUR-85 zone in order to avoid a “canyon effect.” Because properties zoned MUR-85 are primarily adjacent to MUR-45 zones, staff is proposing that a 10-foot step back occur at 45 feet before continuing up to the height limit.

Commissioner Mork asked if the City would offer an incentive for developers to provide the street front amenities. Mr. Cohen answered that, as proposed, the amenities would be a requirement for developing in the MUR zones. Ms. Redinger recalled the Commission’s earlier discussion about whether or not transition area standards should apply between the various MUR zones. She pointed out that the transition area standards work well in some areas of the City, such as along Aurora Avenue North, which is a major arterial with single-family residential homes within a couple of blocks. However, the proposed zoning in the subarea is boxy and blocky, especially if a phased approach is implemented, and they could end up with buildings that are odd shaped and overly expensive. A member of the 145SCC suggested that development along major arterials could be stepped back to enhance the pedestrian feel, and staff provided some sketches at the recent design workshop to illustrate the concept further.

Chair Pro Tem Craft said he supports a step back requirement. He also supports more specific standards for street front amenities. The remaining Commissioners concurred. Mr. Cohen clarified that, as proposed, the higher standards would apply to all commercial zones in the City, and not just the MUR zones.

Microhousing

Mr. Lee provided a chart representing census data for household sizes for the past 40 years in the United States. He noted that the number of single-person households has steadily increased (from 17.1% to 27.4%), while the number of larger households has decreased (from 20.9% to 9.6%). Single and two-person households now represent the largest segments.

Micro units can be compared to a studio apartment. They range anywhere from slightly more than 100 square feet to several hundred square feet in size. They can have their own kitchen and bathroom facilities, or they can have shared facilities. He provided a layout of a typical, self-sustained micro unit, as well as pictures depicting micro units that have recently been constructed. He also provided examples of model microhousing developments, and described the unique features of each one. He noted that micro apartment buildings are becoming more popular, but they can also be controversial.

Mr. Lee reviewed recent controversy in the City of Seattle, which resulted in a moratorium on microhousing for a good portion of the year. While the City of Seattle never had development regulations in place to address microhousing, it did have regulations related to congregate residences (groups of sleeping rooms with shared kitchens and restroom facilities). The Seattle City Council recently took action that allows congregate residences in high-density urban zones only. They also

created a new terminology called “small efficiency dwelling units” that will be allowed in all zones. The minimum size requirement would be 220 square feet, and the units must be self-contained. In addition, Seattle will now require design review for all congregate and small efficiency developments.

Mr. Lee asked the Commission to provide specific feedback about whether micro-housing should be allowed and regulated in the City, and specifically in the subarea. If the Commission would like to consider allowing microhousing with more detailed standards, staff recommends the use be prohibited in the subarea until additional work can be completed in 2015.

Dan Dale, Shoreline, said a developer friend of his has constructed several microhousing developments. They are inexpensive because there are no parking requirements. While the concept is very beneficial to developers, it can hurt the surrounding community because they do not have any realistic parking. While Utopia says that everyone living in the units will use public transportation and not own cars, that reality is quite far away. Before recommending that microhousing be allowed in Shoreline, and specifically the subarea, he suggested the Commission take time to dive deeper into the issue. He noted that most of the citizens in the neighborhoods surrounding the subarea are very cautious, if not against, this type of development.

Commissioner Maul expressed his belief that microhousing is an excellent option for providing housing at affordable rates. He suggested that the negative connotation that has developed is because there were loop holes in Seattle’s code that allowed the units to be developed without any parking requirement. While there may be locations where this is appropriate (near universities or colleges), there should be some parking requirement for most buildings that are exclusively micro units. However, if micro units are included in a larger project that provides parking for the rest of the tenants, there may not be a need for additional parking to serve the micro units, particularly if the development is located adjacent to a light rail station. He reminded the Commission that parking increases the cost of development, and there needs to be a balance. Again, he suggested that the negative attitude regarding the use comes from units that were constructed in single-family neighborhoods with no parking whatsoever. These situations have definitely burdened the neighborhoods.

Chair Pro Tem Craft said he has heard enough concern that he would like to prohibit microhousing in the subareas until they can have a larger, citywide debate to understand the issue better. He felt the discussion should focus on a citywide scale rather than just the two station areas. He noted that a microhousing development has already been proposed on Aurora Avenue North. While there may be benefits to this type of use, there are still many questions and concerns. Mr. Cohen clarified that while the use is not outright allowed, it is not specifically prohibited in the City. He said it appears that Chair Pro Tem Craft is suggesting that the use be explicitly prohibited in the 185th Street Station Subarea until the concept can be studied further.

Commissioner Malek asked if there are examples where microhousing has been integrated into projects that include larger units or if they tend to be stand alone projects. Mr. Lee said the example he provided of a development in California is comprised of a combination of different types of units. He is not sure if Seattle or anywhere else in King County has that type of a mixed development, but he could certainly look into it.

Commissioner Malek requested more information about the current application on Aurora Avenue North. Mr. Lee said the City has received an application for a microhousing development at 17020 Aurora Avenue North. Commissioner Maul advised that he is working on this proposal, which would have 11 pods, each with six to eight rooms off a common area. The four-story complex would require just shy of ½ parking stall per bedroom or suite. The developer is working with Shoreline Community College, who has a strong interest in pre-renting a number of units and providing a shuttle to and from the campus.

Chair Pro Tem Craft said he is not taking the position that the use should be outright banned in Shoreline at this time. He is suggesting that the concept needs to be talked about on a larger, citywide scale. Again, he recommended that the use be prohibited in the MUR zones for now, while the Commission has a much broader discussion of what the standards should be. While microhousing can offer benefits, it can also create a great deal of consternation and disruption to neighborhoods.

Townhome Design Standards

Mr. Cohen reviewed that townhome design standards are mostly addressed in the existing multi-family design standards in the Development Code. However, concern has been raised about the potential canyon affect that can be created by access drives between 4, 6 and 8-pack developments in the MUR-35 zone. In some cases, these areas are paved right up to the back of the buildings. Staff is recommending that the design standards be tweaked to require either 5 feet of landscaping or a 5-foot sidewalk along one side of the driveway.

Mr. Cohen said concern was also expressed about fences in the front yard with hardly any yard behind them. In these situations, there would be no entry or yard visible from the street. He noted that this concern can be addressed via the current multi-family design standards, which limits fence height to 3 feet and requires that entries be located on the street front.

The Commission supported the changes as proposed by staff.

Recap of Discussion

Mr. Cohen provided the following recap of the Commission's previous discussions regarding development regulations for the 185th Street Light Rail Station Subarea Plan:

- Some Commissioners were in favor of a phased-zoning approach, and some were not. He referred to an updated map, which illustrates the proposed boundaries for Phase 1. He noted that the map incorporates the Commission's recommendation to expand the MUR-85 zone both north and south.
- The Commission previously agreed that transitions in the form of zoning designations are appropriate in the subarea, and no additional standards are needed.
- The Commission discussed that new single-family, detached development should be allowed in MUR-35 and MUR-45 zones. However, their direction was unclear about whether this same concept should apply in the MUR-85 zone.

- The Commission recommended not using minimum densities in the MUR-35 and MUR-45 zones, but they did not provide clear direction about whether it should be required in the MUR-85 zone.

Mr. Cohen announced that the topics of discussion at the November 6th meeting will include a follow up on transit way development standards, affordable housing, and the pioneering incentive. The intent is for the Commission to wrap up its review of the Development Regulations on November 6th. The November 20th meeting will include a review of the final Environmental Impact Statement and draft subarea policies. On December 4th, the Commission's discussion will focus on the Subarea Plan and Planned Action, and any outstanding issues will be carried to the December 18th meeting. A public hearing is scheduled for January 15th.

DIRECTOR'S REPORT

Director Markle did not have any items to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Maul reported on his attendance at last week's 145th Street Station Area Design Workshop, which was well attended. The key feedback from attendees was that smaller is better. Other issues were related to Thornton Creek and tree preservation.

AGENDA FOR NEXT MEETING

There was no additional discussion related to the November 6th agenda.

ADJOURNMENT

The meeting was adjourned at 8:59 p.m.

Easton Craft
Chair Pro Tem, Planning Commission

Lisa Basher
Clerk, Planning Commission

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 Planning Commission Meeting Date: November 6, 2014

Agenda Item 6a

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

AGENDA TITLE:	Development Regulations for 185th Street Light Rail Station Subarea Plan		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Steven Szafran, AICP, Senior Planner		
	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 185th 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 185th 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 185th 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 185th 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 185th 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 185th 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 5th Thursday in January (29).

ATTACHMENTS

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

Housing185th 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.

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 ⁽¹⁾	City Council	20.30.340
2. Amendments to the Development Code	PC ⁽¹⁾	City Council	20.30.350
3. Development Agreements	PC ⁽¹⁾	City Council	20.30.355

⁽¹⁾PC = Planning Commission

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

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;

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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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Comment [6]:
See RCW 36.70A0561

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2. Entire development is built to LEED Gold standards.

3. Structured parking for at least 90 percent of the required parking spaces for a development. Structured parking includes underground parking, under-building parking and above-ground parking garage. Unstructured parking shall be located interior to the site.

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

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

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

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

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

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

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

D. Decision Criteria. A Development Agreement (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

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 185th and NE 145th Streets.

20.40.020 Zones and map designations.

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

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

20.40.046 Mixed-use residential zones.

A. The purpose of the mixed-use residential zones (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.

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. 185th Street Light Rail Station Subarea Plan. The 185th 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
Residential				
	<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>

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	<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>
<u>Commercial</u>				
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR35</u>	<u>MUR45</u>	<u>MUR 85</u>
	<u>Book and Video Stores/Rental (excludes Adult Use Facilities)</u>	<u>P-i (Adjacent to Collector or Arterial Street)</u>	<u>P-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>
<u>Government</u>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>

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>
<u>Health</u>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<u>P (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>
<u>Other</u>				
	<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.

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

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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<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>Incentives provided: Eligible for Property Tax Exemption Program; and entitlement of 85 foot height and no density limits.</p> <p>Bonus incentive: 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>Incentive: 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>

		<p>affordable families making 80% or less of the median income for King County adjusted for household size.</p> <p>Incentive: 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. Eligible for Property Tax Exemption Program.</p> <p>Incentive: 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:

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).

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

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**

*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.

<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

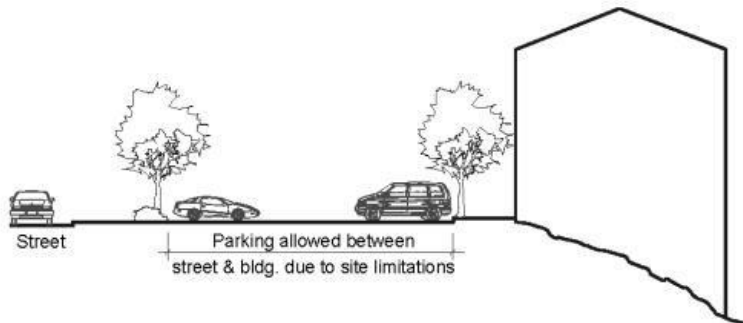
B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581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

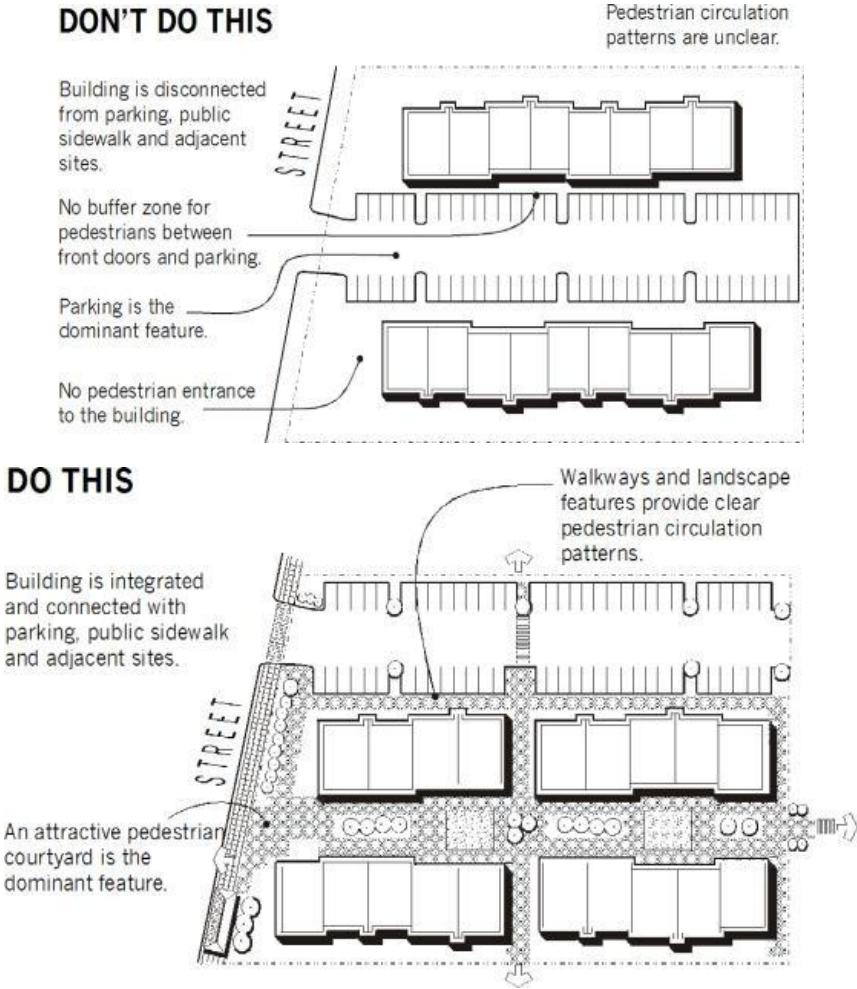


Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.

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.

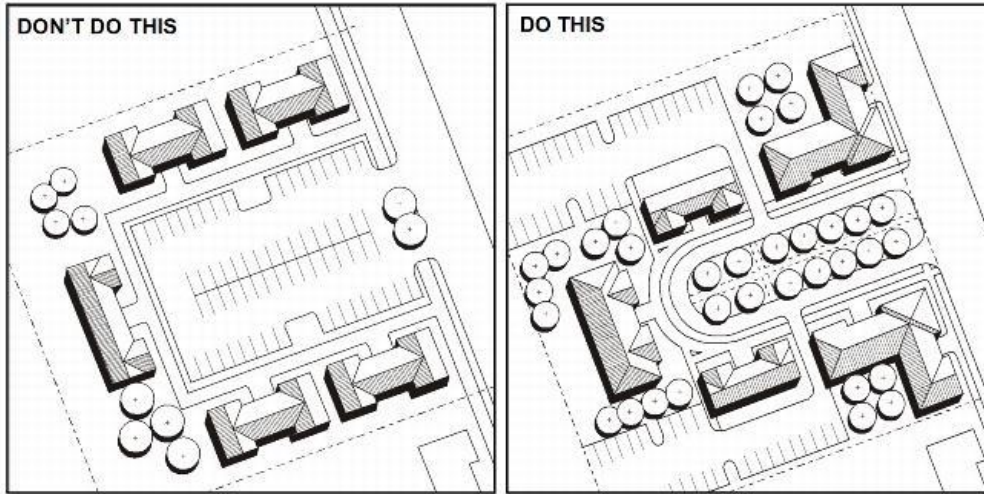


Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.

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.

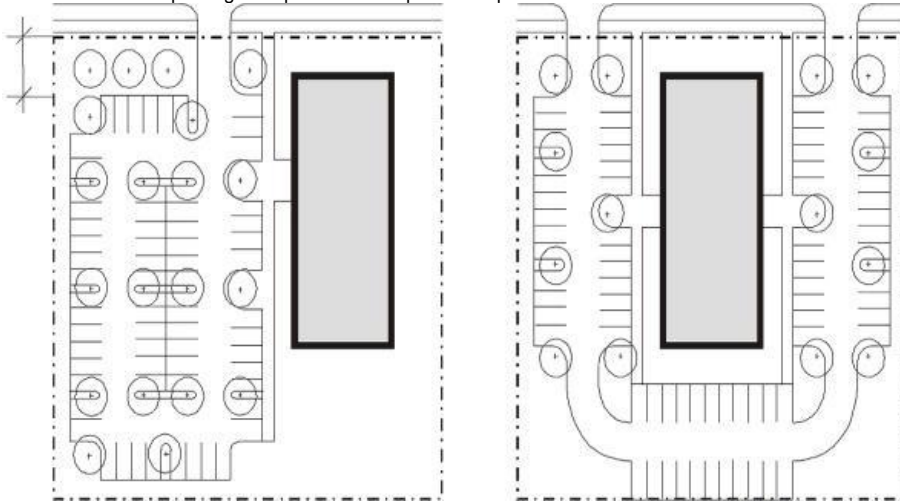


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

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.

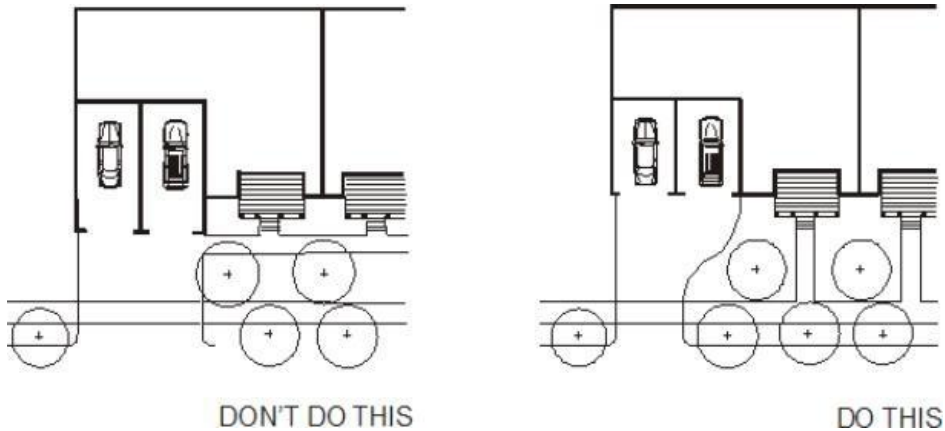


Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.

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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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;

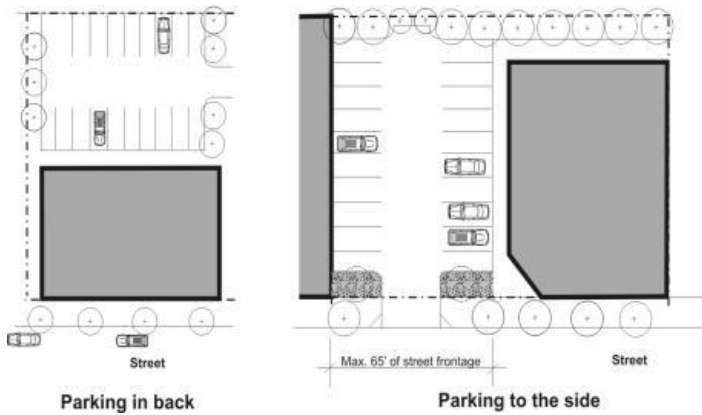
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g. Streets with on-street parking shall have sidewalks to back of the curb and street trees in pits under grates or at least a two-foot wide walkway between the back of curb and an amenity strip if space is available. Streets without on-street parking 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.185th Street shall be rear-loaded.

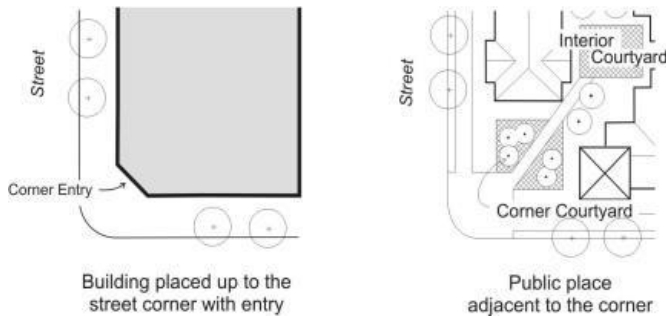
2. Rights-of-Way Lighting.

- 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.



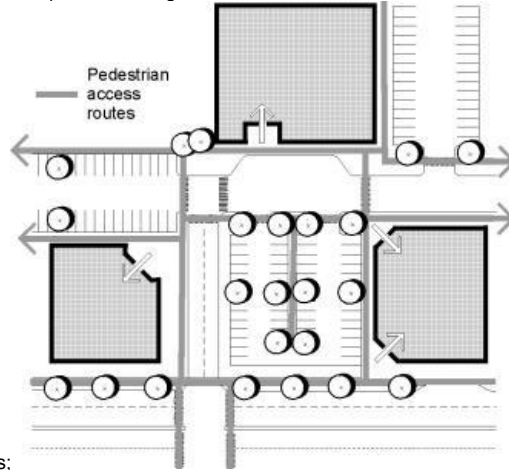
Building Corners

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

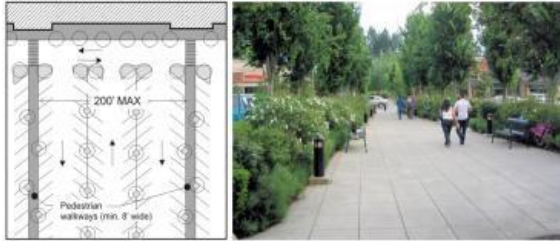


entries of multiple commercial buildings;

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.

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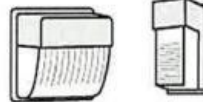


External Shield

DON'T DO THIS



**Unshielded
PAR Floodlights**



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

I. Service Areas.

1. All developments shall provide a designated location for trash, composting, recycling storage and collection, and shipping containers. Such elements shall meet the following standards:
 - a. Located to minimize visual, noise, odor, and physical impacts to pedestrians and residents;
 - b. Paved with concrete and screened with materials or colors that match the building; and
 - c. Located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, nor require a hauling truck to project into public rights-of-way.

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



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

J. Utility and Mechanical Equipment.

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



Utilities Consolidated and Separated by Landscaping Elements

2. All exterior mechanical equipment, with the exception of solar collectors or wind power generating equipment shall be screened from view by integration with the building's architecture through such elements as parapet walls, false roofs, roof wells, clerestories, equipment rooms, materials and colors.

Painting mechanical equipment strictly as a means of screening is not permitted. (Ord. 663 § 1 (Exh. 1), 2013; Ord. 654 § 1 (Exh. 1), 2013).

20.50.250 Building design.

A. Purpose.

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

B. Building Articulation.

1. Commercial buildings fronting streets other than state routes shall include one of the two articulation features set forth in subsections (B)(2)(a) and (b) of this section no more than every 40 lineal feet facing a street, parking lot, or public place. Building facades less than 60 feet wide are exempt from this



standard.

Building Facade Articulation

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

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

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

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

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

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



Multifamily Building Articulation

Multifamily Building Articulation

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

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



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

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



Window Trim Design

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



Covered Secondary Public Access

8. Materials.

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



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

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



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



- d. The following exterior materials are prohibited:
- i. Chain-link fencing that is not screened from public view. No razor or barbed material shall be allowed;
 - ii. Corrugated, fiberglass sheet products; and

iii. Plywood siding. (Ord. 654 § 1 (Exh. 1), 2013).

Subchapter 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.

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. ¹
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

20.50.400 Reductions to minimum parking requirements.

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

1. On-street parking along the parcel's street frontage.
2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.
4. Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.

5. High-capacity transit service available within a one-half mile radius.
6. A pedestrian public access easement that is eight feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.
7. Concurrence with King County Right Size Parking data, census tract data, and other parking demand study results.
8. The applicant uses permeable pavement on at least 20 percent of the area of the parking lot.

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

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

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

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

F. Parking reductions for affordable housing may not be combined with parking reductions identified in Subsection A above.

20.50.540 Sign design.

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

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

C. Sign Copy Area. Calculation of sign area shall use rectangular areas that enclose each portion of the signage such as words, logos, graphics, and symbols other than nonilluminated background. Sign area for

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

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

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

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

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



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

Attachment A - Draft Development Regulations

	All Residential (R) Zones, MUR35 , Campus, PA3 and TC-4	MUR45, MUR 85 , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
		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	

Attachment A - Draft Development Regulations

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

Exceptions to Table 20.50.540(G):

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

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

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

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

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

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

20.50.550 Prohibited signs.

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

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

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

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

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

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

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

20.50.560 Monument signs.

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

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

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

20.50.570 Building-mounted signs.

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

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

20.50.580 Under-awning signs.

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

20.50.590 Nonconforming signs.

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

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

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

20.50.600 Temporary signs.

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

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

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

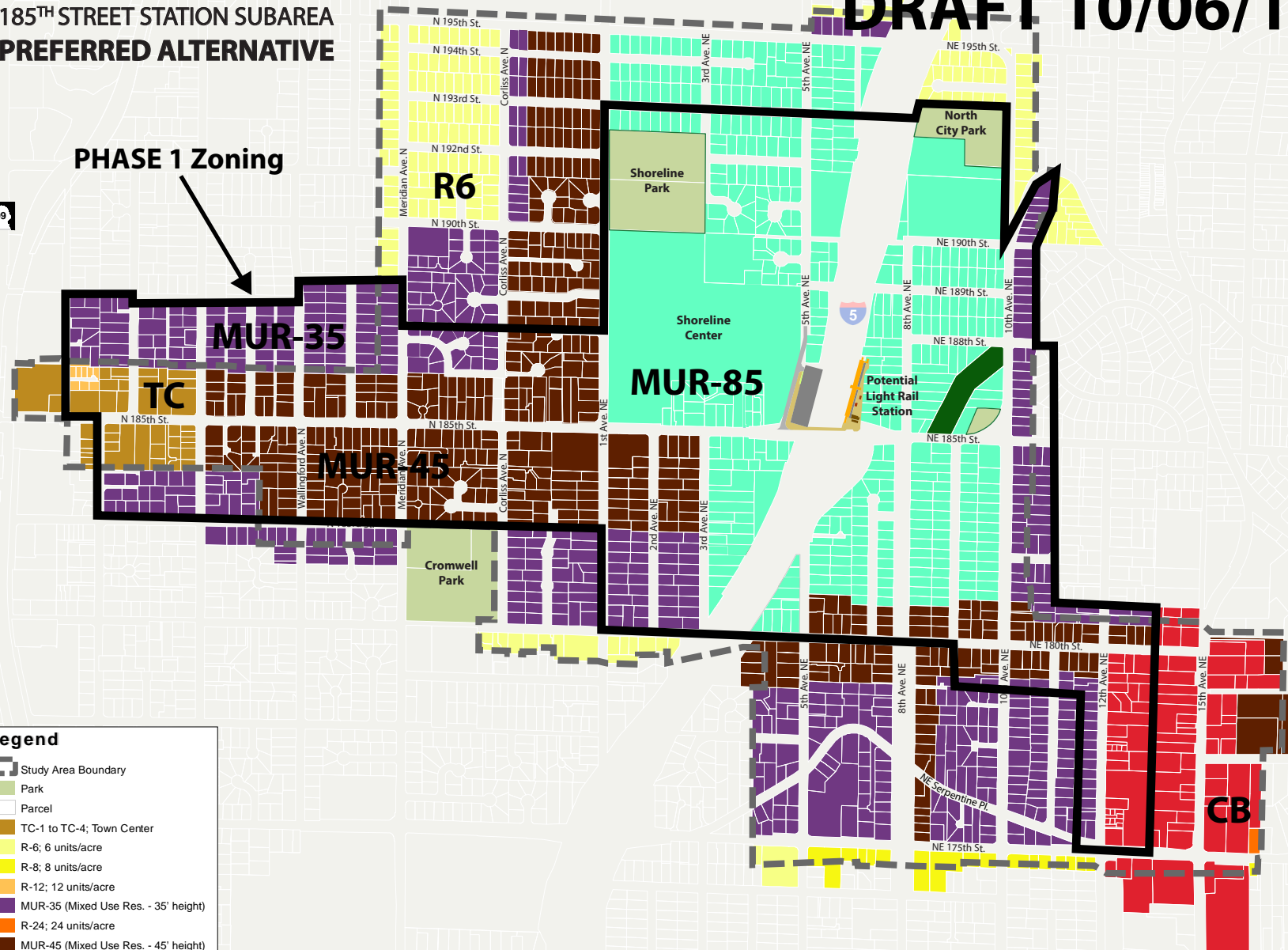
C. Construction Signs. Banner or rigid signs (such as plywood or plastic) identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is intended. Total signage area for both new construction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

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

**185TH 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

