

Planning Commission Meeting Date: December 18, 2014

Agenda Item

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: 185th Street Station Light Rail Subarea Plan Miscellaneous
Topics and Final Review

DEPARTMENT: Planning & Community Development

PRESENTED BY: Miranda Redinger, Senior Planner, P&CD
Steve Szafran, AICP, Senior Planner, P&CD
Rachael Markle, AICP, Director, P&CD

Public Hearing
 Discussion

Study Session
 Update

Recommendation Only
 Other

BACKGROUND

During meetings on August 7, September 4 and 18, October 2 and 16, and November 6, the Planning Commission discussed potential development code regulations for the 185th Street Station Subarea Plan (185SSSP). On November 20, the Commission discussed the Final Environmental Impact Statement (EIS), and draft policies for the Subarea Plan. On December 4, the Commission discussed the Draft Subarea Plan and Planned Action Ordinance.

At tonight's meeting, staff will introduce updated Development Code regulations. Updates to the Development Code regulations include:

- Establishing an upper height limit when considering a Development Agreement
- Adding park space as a mandatory element of a Development Agreement
- Adding the choice between Transfer of Development Rights (TDR) and affordable housing in the MUR-85' zone
- Adjusting percentage of affordable housing units as well as the level of affordability in the MUR zones
- Other topics discussed by the Planning Commission Light Rail Station Committee.

Attachment A is the draft Development Code regulations. Updated language in the draft is reflected by [REDACTED] text.

DEVELOPMENT AGREEMENTS

Development agreements are a source of uncertainty and discomfort for some residents of the subarea who have been following the process closely, and a specific concern is that many others are unaware of the provision. The concept evolved into its current iteration through the Environmental Impact Statement (EIS) process.

The Draft EIS considered heights above 85 feet only on the Shoreline Center site through a proposed zoning category called Master Use Permit (MUP). The School District's other property in the subarea, North City Elementary, was also designated as

Approved By:

Project Manager 

Planning Director 

MUP, but given the likely need for this site to serve a future educational purpose, the Draft EIS did not model the same level of intensity here. The Draft EIS made assumptions, including a maximum height of 140 feet and a greater preponderance of office and commercial uses at the Shoreline Center site to generate a potential number of trips and associated mitigations.

In August, the Council selected a Preferred Alternative zoning scenario, which no longer included the MUP designation. Instead, the area to be studied for MUR-85' zoning was expanded and development agreements could be applied throughout. In order to analyze potential trips and mitigations for the Preferred Alternative, the consultant team needed to make an assumption about maximum height and amount of area that may redevelop subject to a development agreement. Based on likely market forces and consistent with analysis in the Draft EIS, the Final EIS analysis assumed that 25% of the potential MUR-85' zoned area may develop at a height of 140 feet.

When the Commission discussed development agreements, they elected not to include a maximum height in draft regulations. This was partly based on the assertion that it will be some time (probably decades) before the market would support seven-story buildings, and longer still before it would support steel construction of 12-stories or higher. However, based on public comment and further discussion, the Commission's light rail committee recommends that a maximum height 140 feet be instituted for MUR-85' with a development agreement.

It is important to note that in addition to mandatory notification processes, a development agreement would be subject to a public process, including hearing and Council decision. It is intended to be a negotiated agreement to maximize benefits to the community.

Parks as a mandatory component of a development agreement

The Environmental Impact Statement for the 185th Street Station Subarea Plan stated the need for one new neighborhood park to support the increased density projected for the next 20 years under any of the action alternatives, and nine or ten new parks to support the full build-out potential of the Preferred Alternative zoning scenario. A neighborhood park is typically between one and five acres. Because the cost of land will increase over time, it is appropriate to begin discussing strategies for how the City will acquire or require new park to support full build-out sooner rather than later. Therefore, staff and the Commission light rail committee believe it is appropriate to include a neighborhood park as a mandatory component of a Development Agreement in the MUR-85' Zone.

TRANSFER OF DEVELOPMENT RIGHTS AND AFFORDABLE HOUSING

The Commission may want to include TDR as a requirement in the MUR zones. The benefits of including TDR as a choice to affordable housing are:

- The City's amount of TDR credits is low. The City may easily exhaust the 231 credits in the near term with redevelopment in the 185th Subarea
- Developers may choose to buy TDR credits first, ending the program. Once the program ends, affordable housing will be the only requirement, providing more affordable housing.

- Participation in the TDR program will allow the City to collect King County's portion of increased property tax. This would include all new construction in the entire subarea.
- The taxes received from King County will provide infrastructure improvements within the subarea.

The City's Comprehensive Plan Policy LU58 states: Support regional and state Transfer of Development Rights (TDR) programs throughout the city where infrastructure improvements are needed, and where additional density, height, and bulk standards can be accommodated. This is the policy guidance driving the inclusion of TDR in the Station Subarea. Further, when creating a program that generally relies on new development for implementation, it is important to establish the link between the requirement (ex. purchase of Transfer of Development Rights, construction of percentage of units as affordable) and the entitlement (increased development potential) from the start. Otherwise, the requirement may be legally uncertain, and will likely be viewed as a taking away of development rights.

A grant funded study is currently underway to determine the feasibility of employing a TDR program in the 185th Street Station Subarea in concert with a relatively new revenue sharing program with the County called Landscape Conservation and Local Infrastructure Program – LCLIP (King County would share a portion of its property tax revenue with the City for up to 25 years). The Commission will hear a detailed presentation on this program at the December 18th meeting.

The study, which is on a timeline specified by the grant-funding agency, will not be completed to fully inform the decisions on the 185th Street Station Subarea Plan. Therefore, staff is proposing this change based on the Comprehensive Plan policy to introduce a TDR requirement into the regulations for the 185th Street Station Subarea, with a caveat that the requirements are subject to City Council adopting a TDR program. This will give property owners and developers notice that a TDR purchase may be required to develop in the MUR 85' zone.

SMC 20.40.235(B)(1) has been amended to change the proposed "Bonus Incentive" to a "Catalyst Program." The Catalyst Program would allow for the purchase of TDR at a rate of one TDR for every four units constructed, instead of providing affordable housing for the first 300 units in the MUR 85' zone. Should this program be implemented, it is not seen as diminishing affordable housing, but instead establishing a solid base for redevelopment in the subarea. This is especially true if the City is able to enter into an agreement with King County to invest the County's portion of new property taxes generated in the area to build infrastructure in support of all future development in the subarea.

Also, a placeholder provision has been added to SMC 20.30.355(C)(4) that as part of a Development Agreement in the MUR 85' zone that would allow increased development potential, the applicant is required to purchase up to fifty (50) TDR credits based on the number of units proposed for construction. Please see Attachment A to review these proposed changes.

AFFORDABLE HOUSING

Staff has revised the percentage of affordable housing units as well as the level of affordability in the MUR zones.

The City Council will be reviewing the Property Tax Exemption Program in the first quarter of 2015. As part of this review, the Council will be considering the development of eligibility criteria that would apply to all areas the Council has authorized to receive Property Tax Exemptions. Currently, the City offers two types of Property Tax Exemptions, a Market Rate Exemption for 8 years (5 years in some cases, which is inconsistent with State law and will be addressed by Council as part of this first Quarter review); and an Affordable Housing Exemption for 12 years.

Eligibility for the Market Rate Exemption is largely dependent on being in an area as designated by Council to receive the exemption, and typically not required to provide any affordable housing. This type of exemption may be provided by Council to new multi-family projects on Aurora, Ballinger, Hillwood, Southeast Shoreline, and Richmond Beach. Multi-family developments in North City and Ridgecrest are eligible to receive the Market Rate (8 year exemption) and also have to provide affordable units.

The Affordable Housing Exemption (12 year exemption) is available at Aurora Square, North City, and Ridgecrest. Each of these areas have different requirements for percent of the total units that are required to be affordable, ranging from 10-20%. Each of these areas define level of affordability required differently, ranging from units that are affordable to household making 70% to 90% of the King County median income.

At Council's request, staff will be presenting a Property Tax Exemption program that attempts to standardize the eligibility requirements for receiving Market Rate (8 Year) and Affordable Housing (12 year) Property Tax Exemptions for new multi family development in designated areas. In preparation for this discussion, the Property Tax Exemptions proposed as incentives for creation of affordable housing in the 185th Street Station Subarea were reviewed in conjunction with current Property Tax Exemption incentives. This has resulted in changes to the proposed regulations (Attachment A) specifically SMC 20.40.235(B) in an effort to standardize the program.

The main changes include:

- Increasing the percent of units per project required to be affordable from 15% to 20%;
- Adjusting the affordability level from households earning 70% to households earning 80% of the King County median income for 2+ bedroom units to be more competitive with the market and incentivize larger units for families;
- Removing the requirement that 20% of for sale units in the MUR 85' zone be affordable to households making 80% or less of the King County median income. There are too many unanswered questions regarding how this type of program operates over time to recommend adopting it at this time. The management of an ownership program is very complex and most likely would result in an unknown cost to the City. If the Commission is still interested in developing an affordability component for ownership units, then staff recommends adding a policy to the Subarea Plan to explore this concept. Further, staff will be

recommending to the City Council that they consider limiting the use of the Market Rate Property Tax Exemption (8 year) to for sale multi-family units in the MUR zones for a specified time or unit count to incentivize development and home ownership opportunities.

FEE SIMPLE ORDINANCE DEVELOPMENT - DELAYED

Staff discussed with the Commission the concept of drafting a Fee Simple Subdivision Ordinance as part of the 185th Street Station Subarea Plan regulations. Staff is proposing to delay the development of these regulations for the purpose of adequately reviewing sample ordinances provided by the Master Builders Association. Several local jurisdictions have adopted or are proposing to adopt this tool including: Seattle, Bothell, Everett, Edmonds, Mountlake Terrace, Snohomish County, Redmond, and Lynnwood. Staff is still supportive of this concept as it is a tool that will greatly improve the implementation of the proposed development in the MUR 35' and MUR 45' zones. Therefore, staff is hopeful to complete the research and development of these provisions either in the first quarter of 2015, or as part of the 145th Street Station Subarea Plan.

LIGHT RAIL STATIONS SUBCOMMITTEE

On December 10, the Commission's light rail committee (Commissioners Maul, Moss, and Mork) met to discuss several items in greater detail before making a recommendation to the full Commission at tonight's meeting, which will be the last one prior to the January 15 public hearing. At the December 4 Commission meeting, Chair Scully asked the committee to consider some specific topics. Their discussion is summarized below, and the committee may wish to add additional points or topics during this segment of the meeting.

Transition Standards

Generally, the committee felt that the draft transition standards in the Code, which require step-backs at 45 feet on a building façade facing an arterial in the MUR-85' zone, was the most effective way to create a pedestrian-friendly street level. However, they also recommended adding this standard to any façade in an MUR-85' zone adjacent to MUR-35'. There are only two areas in the Preferred Alternative zoning scenario in which this provision would apply that aren't already covered based on the arterial transition standard: a triangle-shaped section abutting the west side of Interstate-5, south of NE 185th Street; and the properties north of NE 195th Street, also immediately west of I-5.

Point Wells

The committee discussed comments about how the Final EIS should incorporate additional analysis of Point Wells. They noted that traffic modeling from the Point Wells Transportation Corridor Study was used in traffic modeling for the Subarea Plan Final EIS (as was Sound Transit modeling for impacts of commuter traffic). This was done to understand cumulative impacts to the transportation system from multiple potential scenarios, using all available information.

While the committee acknowledged that full redevelopment of Point Wells could impact other Shoreline systems and services, which will also be impacted by additional households in the subarea, the City does not have access to these numbers from the

Point Wells analysis. It would be beyond the scope of the subarea plan to perform the additional analysis, but agencies that could be impacted by demands of increased density overall, such as Police and Fire, should examine all pertinent plans and propose mitigation measures as part of the Snohomish County DEIS process.

Phasing

The committee did not have any new points to discuss about this matter, and will instead defer to public comment by those in impacted areas before making any recommendations.

Single-family as permitted use in MUR-85'

This was a topic of substantial consideration as there are potential benefits and unintended consequences of either scenario. In draft regulations (Attachment A), the Commission decided to include single-family as a permitted use in MUR-45' and -35' zones, but not in MUR-85'. This was partly because MUR-85' surrounds the future light rail station, and the Commission did not want this area to be redeveloped with single-family units that would maximize allowable footprints (even if R-6 standards were applied), creating expensive low-density homes where more transit-supportive mixed-use styles were envisioned.

However, if single-family were simply a “grandfathered” use in MUR-85', the committee was concerned that homeowners who wished to modify or expand their more modest homes or add additional structures in the future may not be able to. This is because the City's current Code language regarding non-conforming (“grand-fathered”) uses allows for replacement, and even a ten percent expansion of such uses, but no more. Theoretically, if a 20 foot tall rambler burned down in an MUR-85' zone where new single-family was not a permitted use, the owners could rebuild it in the same footprint, with a ten percent expansion, but that would not equal the existing allowances of the R-6 zone. It could also mean that if a homeowner in an MUR-85' zone wanted to put in an Accessory Dwelling Unit, new garage, or deck that was more than ten percent of the square footage of the existing home, it may not be allowed. The committee wishes to support owners who want to stay and invest in their homes, and does not want to create a scenario that could unintentionally penalize these households.

The recommendation that emerged from the discussion was to include single-family as a permitted use in MUR-85' zones, but for this provision to sunset 5 years from adoption (2020). The reasoning was that this time period would allow for greater public awareness of zoning or other potential changes in the neighborhood, and allow homeowners to make informed decisions about whether and what improvements to make to their property, without allowing for a significant influx of larger, more expensive single-family homes on land better-suited to transit-oriented development in the long-term.

Subarea Plan- Implementation

The committee also raised concerns about how to implement the subarea plan with regard to prioritized capital projects, like bicycle lanes; park acquisition and improvements; and creating additional incentives for affordable housing and green building in MUR-45' and '35 zones. Implementation strategies for these topics are listed in the final chapter of the Subarea Plan, with specific actions broken down into

timeframes of 2015-2018, 2019-2023, and beyond. However, these actions will require additional initiatives from City staff, the Planning Commission, and Council, including development of regulations, programs, partnerships, and public participation processes.

Determining specific standards for bike lanes, sidewalks, amenity zones, and other improvements will require a corridor study and adoption into the Engineering and Development Manual. Creation of fee-in-lieu or dedication programs for parks, trees, housing, and non-motorized transportation improvements will take additional consideration by the Planning Commission, Parks Board, and City Council. Codifying meaningful incentives for affordable housing and green building in all MUR zones will require additional research and regulation. The Subarea Plan contains specific policy direction for each of these items, but they will also need to be included in annual work plans and budgets, the Capital Improvement Program, and updated master plans (Transportation; Parks, Recreation, and Open Space; Surface Water; and others). Coordination with Sound Transit; the Shoreline School District; utility, transportation/mobility, and other service providers; non-profits and regional organizations; funders, government entities, and legislators will be critical to maximize benefits of investment in light rail and minimize disruption to neighborhoods. The importance of on-going conversations with the community, monitoring impacts of development, and making adjustments over time cannot be overstated.

NEXT STEPS

The following meetings and topics should complete the process for the 185th Street Station Subarea Plan.

January 15, 2015- Public Hearing on full 185SSSP package

January 26, 2015 – Council Study Session on Affordable Housing as a Component of the Proposed Light Rail Development Regulations

February 9- Council Study Session on 185SSSP package

February 23- Potential Council Adoption of 185SSSP package

ATTACHMENTS

Attachment A- Draft Development Code Regulations

185th Street Light Rail Station Development Regulations

Chapter 20.10 General Provisions

20.10.020 Purpose.

It is the purpose of this Code to:

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

Chapter 20.20 Definitions

20.20.010 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.

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.

**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 |
| <u>3. Development Agreements</u> | <u>PC⁽¹⁾</u> | <u>City Council</u> | <u>20.30.355</u> |

⁽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).

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:

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;

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:

1. 20 percent of the housing units constructed onsite shall be affordable to those earning less than 60 percent 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.

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. An agreement to purchase Transfer of Development Rights (TDR) credits at a rate of \$5,000 per unit up to a maximum of 50 TDRs per agreement as authorized by the City Council and not to exceed Shoreline's allocation of TDR credits.

5. 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. Applicant shall dedicate one acre of park space to the City. Dedicated space must be open and accessible to the public from a public street.

e. 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.

f. 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.

g. 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:

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 an 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' (Numerical designator relating to height in feet)</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. Please refer to SMC 20.40.235 for affordable housing requirements.

D. 4-Star Built Green construction is required in the MUR Zones.

E. All development within the MUR-85' 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.

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.

Table 20.40.160 Station Area Uses

| NAICS # | SPECIFIC LAND USE | MUR-35' | MUR-45' | MUR-85' |
|--------------------|-------------------------|---------|---------|---------|
| Residential | | | | |
| | Accessory Dwelling Unit | P-i | P-i | P-i |

| | | | | |
|-------------------|------------------------------------|----------------|----------------|----------------|
| | <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> |
| | <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>Microhousing</u> | | | |
| | <u>Single-Family Attached</u> | <u>P-i</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> |
| Commercial | | | | |
| <u>NAICS #</u> | <u>SPECIFIC LAND USE</u> | <u>MUR-35'</u> | <u>MUR-45'</u> | <u>MUR-85'</u> |

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

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

| | | | | |
|--|--|----------|---|-------------|
| | <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> |
| | <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> |

| | | | | |
|-------------------|---|---|--|-----|
| | Vocational School | | P (Adjacent to Collector or Arterial Street) | P |
| Government | | | | |
| | Fire Facility | | C-i | C-i |
| | Police Facility | | C-i | C-i |
| | Public Agency Office/Yard or Public Utility Office/Yard | S | S | S |
| | Utility Facility | C | C | C |
| Health | | | | |
| | Hospital | C | C | C |
| | Medical Lab | C | C | C |
| | Medical Office/Outpatient Clinic | | P (Adjacent to Collector or Arterial Street) | P |
| | Nursing and Personal Care Facilities | | P (Adjacent to Collector or Arterial Street) | P |

| | | | | |
|--------------|--|------------|----------------|------------|
| | | | Street) | |
| Other | | | | |
| | Animals, Small, Keeping and Raising | P-i | P-i | P-i |
| | Light Rail Transit System/Facility | P-i | P-i | P-i |
| | Transit Park and Ride Lot | | S | P |
| | Unlisted Uses | P-i | P-i | P-i |

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:

| Zone | Affordability Levels and Incentives | Mandatory or Voluntary Participation |
|-----------------------------|--|--------------------------------------|
| Mixed Use Residential – 85' | <p>15% of rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size for studio and one (1) bedroom units; or 20% of the rental units shall be affordable to households making 80% or less of the median income for King County adjusted for household size for two (2) or more bedroom units; or</p> <p>20% of all for sale/owned units are affordable to households earning 80% or less of the median income for King County adjusted for household size.</p> <p>Incentives provided: May be eligible for (12) year Property Tax Exemption (PTE) Program upon authorization by the City Council for this zone; and entitlement of 85 foot height and no</p> | Mandatory* |

| | | |
|---|--|------------------|
| | <p>density limits. Catalyst Program: The first 300 multi-family units constructed for rent or sale in any MUR zone may be eligible for an eight (8) year Property Tax Exemption with no affordability requirement in exchange for the purchase of Transfer of Development Right (TDR) credits at a rate of one TDR credit for every four (4) units constructed as upon authorization of this program by City Council.</p> <p>Bonus incentive: 10% of the rental units affordable to households earning 80% or less the median income for King County adjusted for household size; or 10% of individual for sale/ownership units affordable to households earning 90% the median income for King County adjusted for household size for the first 300 units in the MUR 85 zone.</p> | |
| <p>Mixed Use Residential – 45'</p> | <p>1520% of rental units are affordable to households earning 670% or less of the median income for King County adjusted for household size for studio and one (1) bedroom units; or 20% of the rental units shall be affordable to households making 80% or less of the median income for King County adjusted for household size for two (2) or more bedroom units; or 1520% of all for sale/owned units are affordable to households earning 890% or less of median income for King County adjusted for household size.</p> <p>Incentive: May be eligible for (12) year Property Tax Exemption Program and permit fee reduction upon authorization by the City Council</p> | <p>Voluntary</p> |

| | | |
|---|---|-------------------|
| | <p>for this zone.</p> | |
| <p>Mixed Use Residential – 35'</p> | <p>420% of rental units are affordable to families making 670% or less of the median income for King County adjusted for household size for studio and one (1) bedroom units; or 20% of the rental units shall be affordable to households making 80% or less of the median income for King County adjusted for household size for two (2) or more bedroom units; or 15-20% of all for sale/owned units are affordable to households earning 80% or less of the median income for King County adjusted for household size. Incentive: May be eligible for twelve (12) year Property Tax Exemption Program and permit fee reduction upon authorization by the City Council for this zone.</p> | <p>Voluntary</p> |
| <p>Mixed Use Residential – 85' w/ Development Agreement</p> | <p>4020% of housing units constructed for rent or for sale/owned units 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 for sale/owned units are affordable to households earning 50% of the King County adjusted for household size. Incentive: Height may be increased above 85 foot limit; may be eligible for twelve (12) year Property Tax Exemption Program upon</p> | <p>Mandatory*</p> |

| | | |
|--|--|--|
| | authorization by the City Council for this zone. | |
|--|--|--|

* 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 at such time as the City creates an affordable ownership program.

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 (rental) shall be the same as the tenure for the rest of the housing units in the

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 provided by a not for profit entity 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 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 upon execution of the fund or similar mechanism by City Council.

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 $\frac{1}{4}$ 1 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.

20.40.350 Eating and drinking establishments.

Eating and drinking establishments are permitted in residential zones R-4 through R-48 and TC-4 by approval of a conditional use permit. These establishments are permitted in NB, CB, MB and TC-1, 2 and 3 zones,

provided gambling uses as defined in this Code are not permitted. Outside entertainment is not allowed past 10:00 p.m. in the MUR Zones. If live entertainment is provided in the MUR Zones, the establishment must provide sound attenuation to buffer sound to adjacent residential uses. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 3 (Exh. A), 2009; Ord. 258 § 6, 2000; Ord. 238 Ch. IV § 3(B), 2000).

20.40.374 General Retail Trade/Services

These general retail trade/services are prohibited in the MUR Zones:

Adult uses, liquor sales, tobacco sales, marijuana sales, firearm sales, pawnshops, and massage establishments.

20.40.436 Live/Work

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

20.40.506 Single-family detached dwellings.

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

B. Single-Family detached dwellings shall be a permitted use in the MUR-85' zone until January 1, 2020. After January 1, 2020, single-family detached dwellings will be non conforming subject to the provisions in SMC 20.30 Subchapter 5. Nonconforming Uses.

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).

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>MUR-35'</u> | <u>MUR-45'</u> | <u>MUR-85'(10)</u> |
|--|---------------------------------------|---------------------------------------|---------------------------------------|
| <u>Base Density: Dwelling Units/Acre</u> | <u>Based on bldg. bulk limits</u> | <u>Based on bldg. bulk limits</u> | <u>Based on bldg. bulk limits</u> |
| <u>Min. Density</u> | | | <u>48 du/ac</u> |
| <u>Min. Lot Width</u> | <u>NA</u> | <u>NA</u> | <u>NA</u> |

| | | | |
|---|--|----------------------|---|
| (2) | | | |
| Min. Lot Area (2) | NA | NA | NA |
| Min. Front Yard Setback (2) (3) See 20.50.021 | 0 if located on an Arterial Street 10ft | 10ft min 15ft max | 0 10ft min if adjacent to 185th Street |
| Min. Rear Yard Setback (2) (4) (5) See 20.50.021 | 5 ft | 5 ft | 5 ft |
| Min. Side Yard Setback (2) (4) (5) See 20.50.021 | 5 ft | 5 ft | 5 ft |
| Base Height (9) | 35ft | 45ft | 85ft(11) |
| Max. Building Coverage (2) (6) | NA | NA | NA |
| Max. Hardscape (2) (6) | 85% | 90% | 90% |

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.

(11) The maximum allowable height in the MUR-85' zone is 140 ft. with an approved 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 MUR-35' 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

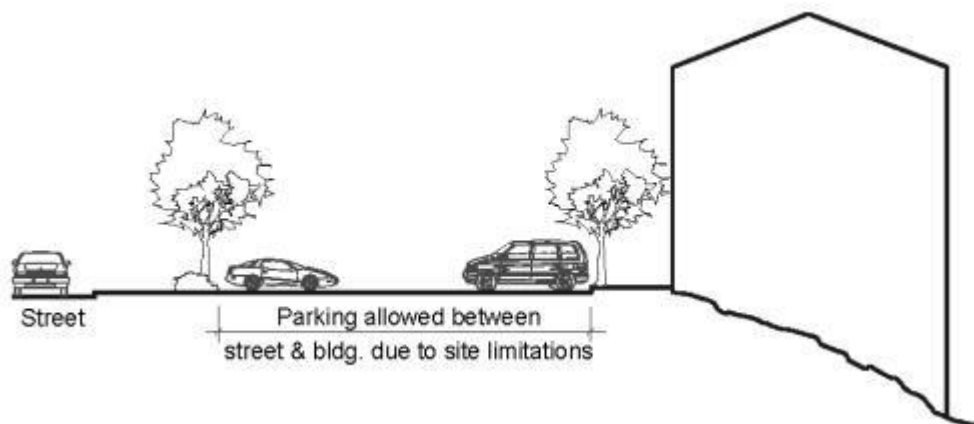
B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581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

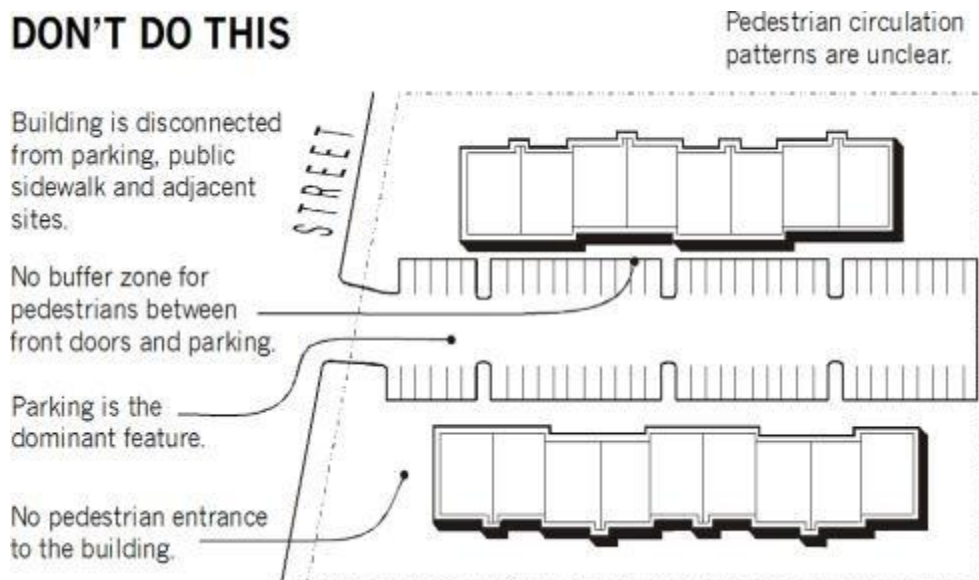


of the site.

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.**

DON'T DO THIS



DO THIS

Building is integrated and connected with parking, public sidewalk and adjacent sites.

An attractive pedestrian courtyard is the dominant feature.

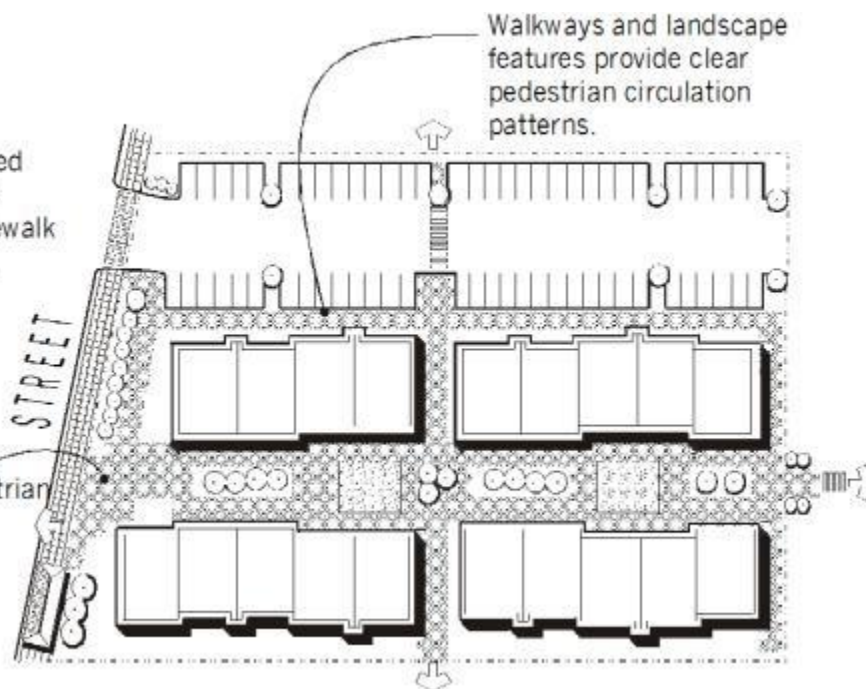


Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.

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.

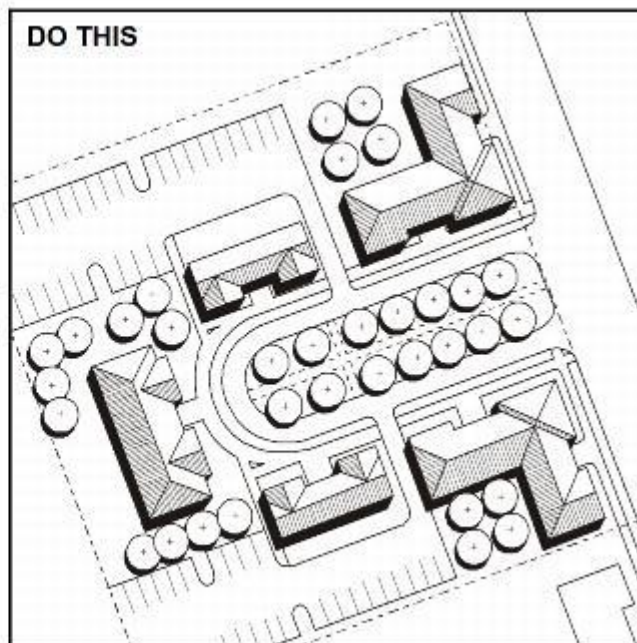
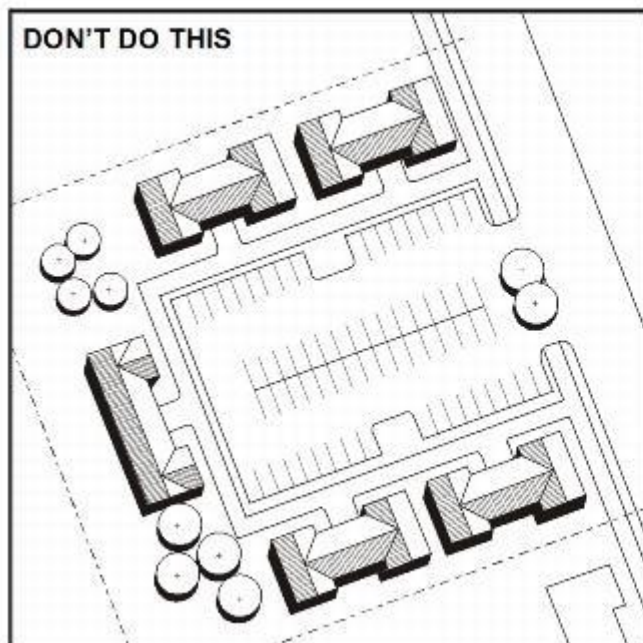


Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.

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.

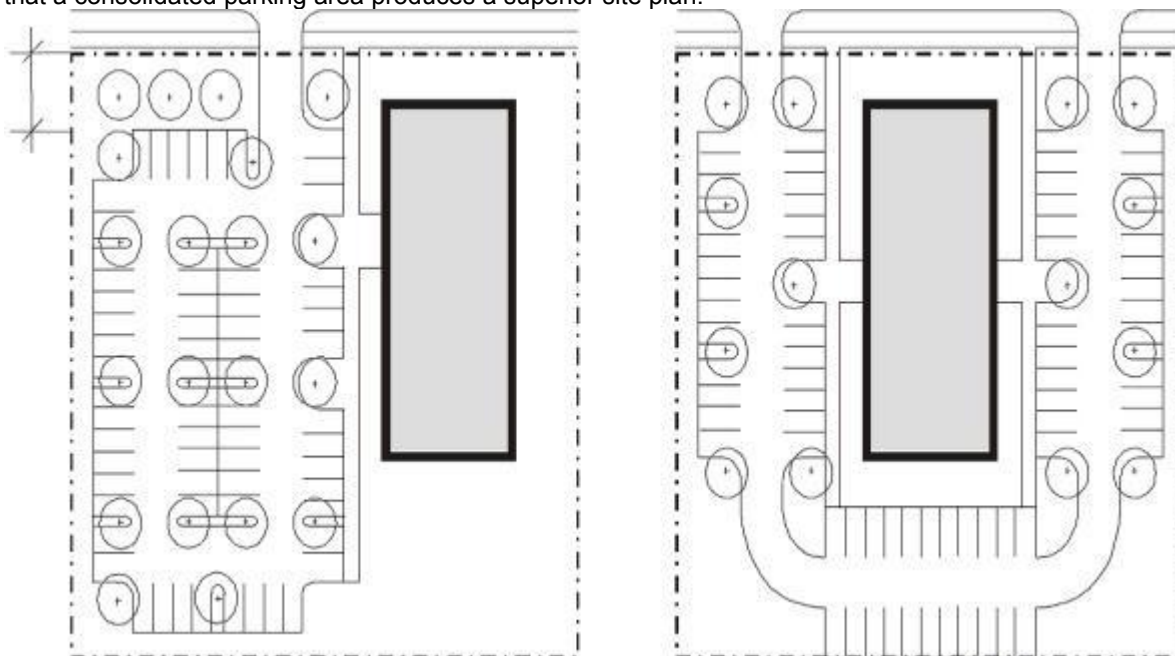


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

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.

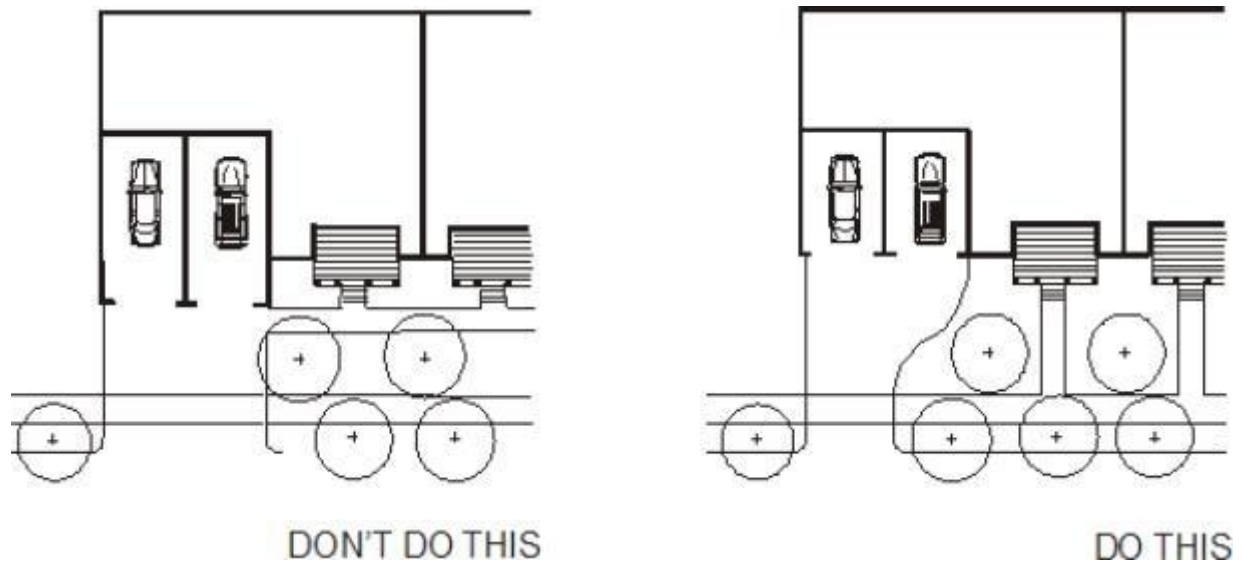


Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.

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 MUR-35' zone when not on a Local Street, MUR-45', and MUR-85' 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 MUR-35' zone when not located on a Local Street, MUR-45', and MUR-85'.** 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 MUR-35' zone when not located on a Local Street, MUR-45', and MUR-85' 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 or adjacent to MUR-35' 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;

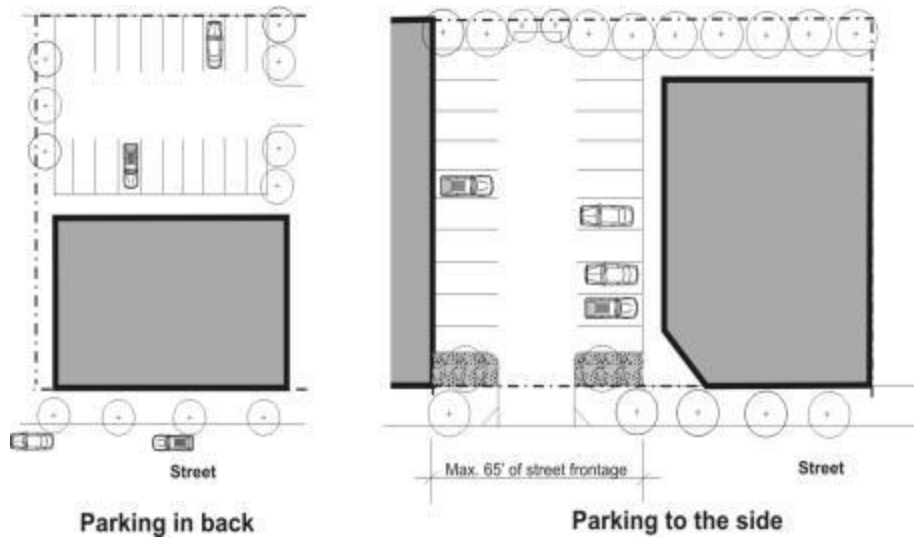
- d. Minimum window area shall be 50 percent of the ground floor façade for each front façade which can include glass entry doors. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones;

- 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;

- 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;

- 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

- 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.



Parking Lot Locations Along Streets

i. 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.

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

2. Rights-of-Way Lighting.

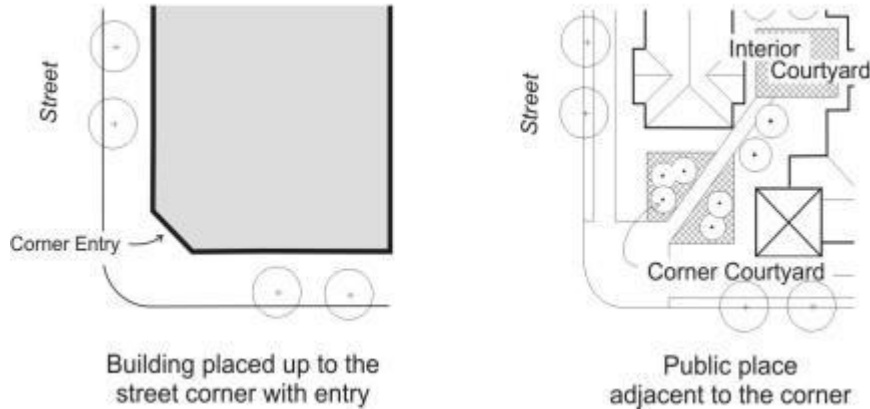
- a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.
- b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

D. Corner Sites.

1. All development proposals located on street corners (except in MUR-35') 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.



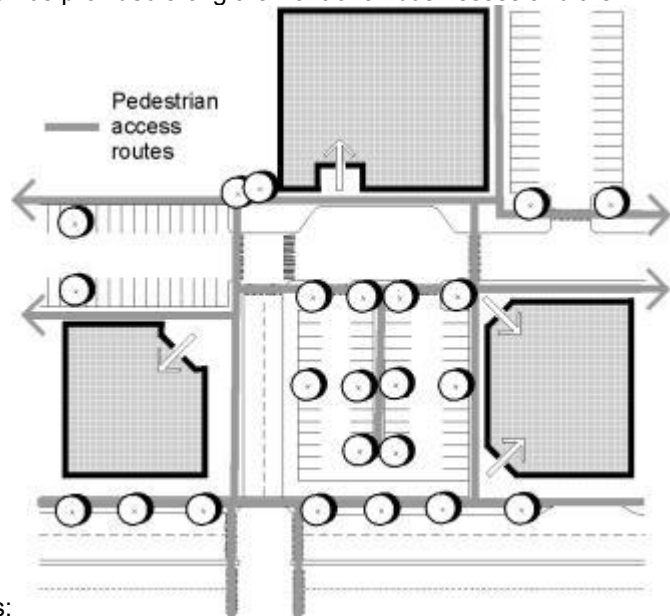
Building Corners

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 MUR-35' zone).**

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

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



entries of multiple commercial buildings;

Well-connected Walkways

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

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



Parking Lot Walkway

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

F. Public Places.

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

e. Not located adjacent to dumpsters or loading areas.

f. Public art, planters, fountains, interactive public amenities, hanging baskets, irrigation, decorative light fixtures, decorative paving and walkway treatments, and other items that provide a pleasant pedestrian experience along Arterial Streets.



Public Places

G. Multifamily Open Space.

1. All multifamily development shall provide open space;

a. Provide 800 square feet per development or 50 square feet of open space per dwelling unit, whichever is greater;

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



Multifamily Open Spaces

H. Outdoor Lighting.

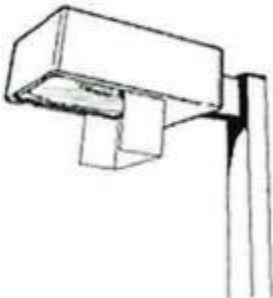
- 1. All publicly accessible areas on private property shall be illuminated as follows:
 - a. Minimum of one-half footcandle and maximum 25-foot pole height for vehicle areas;
 - b. One to two footcandles and maximum 15-foot pole height for pedestrian areas; and
 - c. Maximum of four footcandles for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

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

Exemptions:

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

DO THIS



External Shield

DON'T DO THIS



**Unshielded
PAR Floodlights**



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

I. Service Areas.

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

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

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



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

J. Utility and Mechanical Equipment.

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



Utilities Consolidated and Separated by Landscaping Elements

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

20.50.250 Building design.

A. Purpose.

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

B. Building Articulation.

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

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



standard.

Building Facade Articulation

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

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:

- 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 |

Table 20.50.310(B)(1) – Exempt Trees

| Lot size in square feet | Number of trees |
|-------------------------|-----------------|
| 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. <u>1.0 per dwelling unit in the MUR Zones for single-family attached dwellings</u> |
| 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 |

Table 20.50.390A – General Residential Parking Standards

| RESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|---------------------------|-------------------------|
| 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.

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

| | | | |
|--|---|---|-------------------|
| | All Residential (R) Zones, MUR-35 , Campus, PA3 and TC-4 | MUR-45', MUR-85' , NB, CB and TC-3 (1) | MB, TC-1 and TC-2 |
|--|---|---|-------------------|

| | | | |
|----------------------------|--|---|--|
| | All Residential (R) Zones, MUR-35, Campus, PA3 and TC-4 | MUR-45', MUR-85', NB, CB and TC-3 (1) | MB, TC-1 and TC-2 |
| MONUMENT Signs: | | | |
| Maximum Area Per Sign Face | 4 sq. ft. (home occupation, day care, adult family home, bed and breakfast) 25 sq. ft. (nonresidential use, residential subdivision or multifamily development) 32 sq. ft. (schools and parks) | 50 sq. ft. | 100 sq. ft. |
| Maximum Height | 42 inches | 6 feet | 12 feet |
| Maximum Number Permitted | 1 per street frontage | 1 per street frontage | 1 per street frontage |
| | | Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs on same property. | |
| Illumination | Permitted | Permitted | |
| BUILDING-MOUNTED SIGNS: | | | |
| Maximum Sign Area | Same as for monument signs | 25 sq. ft. (each tenant) Building Directory 10 sq. ft. Building Name Sign 25 sq. ft. | 50 sq. ft. (each tenant) Building Directory 10 sq. ft. Building Name Sign 25 sq. ft. |

| | | | |
|------------------------------|---|--|-------------------|
| | All Residential (R) Zones, MUR-35 , Campus, PA3 and TC-4 | MUR-45 , MUR-85 , NB, CB and TC-3 (1) | MB, TC-1 and TC-2 |
| 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 Permitted | 1 per business | 1 per business per facade facing street frontage or parking lot. | |
| Illumination | Prohibited | Permitted | |
| DRIVEWAY ENTRANCE/EXIT: | | | |

| | | | |
|-------------------|---|---|-------------------|
| | All Residential (R) Zones, MUR-35 , Campus, PA3 and TC-4 | MUR-45', MUR-85' , NB, CB and TC-3 (1) | MB, TC-1 and TC-2 |
| 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 **MUR-45', 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 **MUR-45', 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, **MUR-35'** 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 **MUR-45'**, **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).