



PLANNING COMMISSION

REGULAR MEETING - AGENDA

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

Council Chamber • Shoreline City Hall
17500 Midvale Ave North

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00
2. ROLL CALL	7:01
3. APPROVAL OF AGENDA	7:02
4. APPROVAL OF MINUTES	7:03
a. December 4, 2014 Regular Meeting Minutes Draft	
Public Comment and Testimony at Planning Commission	
<i>During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.</i>	
5. GENERAL PUBLIC COMMENT	7:05
6. STUDY ITEM	
a. Introduction to the DEIS for the Aurora Square Community Renewal Area Staff Report	7:10
• Presentation	
• Public Comment	
b. LCLIP Staff Report	7:30
• Presentation	
• Public Comment	
c. 185th Street Station Light Rail Subarea Plan Miscellaneous Topics and Final Review	7:50
• Presentation	
• Public Comment	
7. DIRECTOR'S REPORT	8:30
8. UNFINISHED BUSINESS	8:40
9. NEW BUSINESS	8:45
10. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS	8:50
11. AGENDA FOR JANUARY 15, 2015 (January 1-Meeting Cancelled)	
a. Public Hearing on Development Regulations / Subarea Plan	8:55
12. ADJOURNMENT	9:00

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

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DRAFT

CITY OF SHORELINE

**SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING**

December 4, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

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

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Paul Cohen, Senior Planner, Planning and Community Development
Miranda Redinger, Senior Planner
Lisa Basher, Planning Commission Clerk
Julie Ainsworth-Taylor, Assistant City Attorney

Others Present

Mandi Roberts, Consultant from Otak

CALL TO ORDER

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

ROLL CALL

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

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of November 20, 2014 were adopted as submitted.

GENERAL PUBLIC COMMENT

There were no general public comments.

STUDY ITEM: REVIEW OF FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) AND DRAFT SUBAREA POLICIES FOR THE 185TH STREET LIGHT RAIL STATION SUBAREA PLAN

Chair Scully advised that the public would have opportunities to comment at various times during the study session on any issue of concern to them. He emphasized that no final decisions have been made up to this point.

Ms. Redinger explained that subarea plans are adopted as part of the Comprehensive Plan, which is the City's 20-year guiding document. Subarea plans are generally policy documents, which get filtered into functional master plans (transportation, parks, surface water, etc.) and then into the Capital Improvement Plan. Projects accepted into the Capital Improvement Plan are incorporated into the annual budgets and work programs. The 185th Street Light Rail Station Subarea Plan is a little different because the City will not stop at the policy level and wait to filter the policies through the master plans. Instead, the plan will go all the way through to prioritize capital projects and immediately incorporate them into the work programs.

Ms. Redinger also explained that not only will the proposed subarea plan change the Comprehensive Plan, it will also change the Zoning Map and Development Regulations, which are taken into consideration when reviewers look at specific site and building permits. The Planned Action Ordinance (PAO) is a way to streamline the process, whereby the City looks at the impacts of a large-scale project collectively and comprehensively. When individual permits come in, the City has already analyzed the impacts (traffic, stormwater, etc.) and knows what mitigation would be required. As long as the cumulative projects do not reach the threshold analyzed in the PAO, developers would not be required to do their own State Environmental Policy Act (SEPA) review. If the threshold is reached or a project is above and beyond the scope of the PAO, a separate SEPA analysis would be required. She emphasized that the PAO would not exempt developers from any of the other permit requirements or development regulations; it is just a way to look at the whole system impacts before the projects are done rather than on a site-by-site basis.

Ms. Redinger reminded the Commission that the Growth Management Act (GMA) requires the City to plan extensively to remain consistent with State goals. In December of 2012, the City updated its Comprehensive Plan to include 23 policies (LU 20-43) to guide planning for the 185th Street Light Rail Station Subarea Plan, which is moving into the adoption phase. She briefly reviewed the process to date, which started in May of 2013 and included numerous visioning and design workshops and an extensive public process. She reminded the Commission that the consultant presented a Review Guide of the Final Environmental Impact Statement (FEIS) at their last meeting, and the full 185th Street Light Rail Station Subarea Plan package will be posted online (shorelinewa.gov/185feis) in its final draft form by December 15th and presented to the Commission on December 18th. A public hearing before the Commission has been scheduled for January 15th. The public comment period is currently open and will remain open through January 15th.

Ms. Redinger briefly reviewed the elements contained in the Subarea Plan, noting that most of the information was influenced by the market assessment, public design and visioning workshops, and existing City policies and plans, all of which are included in the FEIS.

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Mandi Roberts, Consultant from Otak, briefly walked the Commissioners through each chapter of the Subarea Plan as follows:

- **Introduction.** This section provides background information, explains how the plan is organized, and discusses the purpose and need for the plan. It also provides a synopsis of the planning and adoption processes and an overview of the local, regional, state and federal plans and policies the plan supports.
- **Community and Stakeholder Engagement.** This section provides an overview of the public and stakeholder involvement plan and the input that was received. It outlines the goals for community engagement, as well as the key messages. It identifies who participated in the process, and describes the methods and activities held throughout the process. It also provides a summary of the outcomes that shaped the subarea plan.
- **Existing Conditions and Population Forecasts.** This section provides an overview of existing and planned conditions. It also includes forecasts for population of the subarea. Most of the information in this section is also in the FEIS.
- **Market Outlook.** This section summarizes the key findings of the market assessment that was completed specifically for the subarea. It provides background and a demographic analysis, as well as recommendations for the types of product the analyst felt would be most suited for the subarea. It also discusses the potential impact of transit and transit-oriented development on property values and property taxes.
- **Long Term Vision.** This section presents the Preferred Alternative as the subarea plan, looking particularly at the long-term vision for build out based on the proposed zoning. It includes a zoning map, conceptual illustrations, framework plans and specific policies related to the subarea. It also provides an overview of the proposed Development Code updates to implement the subarea plan.
- **Sustainability and Livability Benefits.** This section discusses the sustainability and livability benefits that will occur from implementation of the subarea plan. It covers everything from environmental benefits that come from integrating land use and transportation and bringing more people in proximity to high-capacity transit to the expected improvements (enhanced neighborhood character, upgraded infrastructure, economic benefits, etc.) over time as redevelopment occurs. The section summarizes how the subarea plan leads to a good triple bottom line outcome for the Shoreline community, as well as the region.
- **Incremental Implementation Strategy.** This section focuses on actions to be completed over the next 20 years to implement the subarea plan. It also provides a summary of the anticipated growth and change over the next 20 years and a detailed analysis of the recommended capital projects that are needed to accommodate the anticipated growth. The purpose behind doing the PAO is to setup the framework (parks, utilities, schools, public facilities, etc.) that will support growth for the next

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20 years. The section also provides cost estimates for the recommended upgrades and improvements.

Chair Scully invited members of the public to comment on the draft 185th Street Light Rail Station Subarea Plan.

Janet Way, Shoreline, said she was present to speak on behalf of the Shoreline Preservation Society. She referred to Page RG-3 of the FEIS Study Guide, which states that build out for Alternative 4 (preferred alternative) is 80 to 125 years. She expressed her belief that it is absurd to think the City has any idea what is going to happen 80 to 125 years from now. She observed that 125 years ago there was no City of Shoreline, and inhabitants of the area consisted of a few settlers, fur trappers and Native Americans. These people would never have been able to grasp the changes that have occurred during this time period, and they would certainly not have had the ability to plan for it. While the City needs light rail and can expect some population growth, she recently heard a report that the birth rate in the United States has actually decreased over the past few years. Again, she questioned how the City could possibly know what the needs will be 125 years into the future.

Boni Biery, Shoreline, said she lives across Aurora Avenue North from the proposed subarea. She said she believes the traffic on 185th Street, where she lives, will be significantly impacted by redevelopment in the subarea. She reminded the Commission that the City prides itself in being environmentally green, including taking care of its natural assets. She does not believe the proposed subarea plan places enough emphasis on maintaining or reestablishing green space for residents. The proposed plan would significantly increase the density, and it should include provisions for additional green space both in the subarea and citywide in areas that are short of green space. It should also include provisions for daylighting streams so they are useful and functional for habitat. Ms. Berry said she is also concerned that the proposed plan focuses more on future development and less on people. She asked the Commissioners to consider if they would want to live in the environment proposed in the plan.

Scott Anderson, Shoreline, said he lives just outside the boundaries of the subarea plan. He expressed concern about the increased traffic that would result from the proposed transit station. He noted that traffic is already a problem on 185th Street and 5th, 10th and 15th Avenues, particularly as a result of more recent changes to the streets. He asked the Commissioners to carefully consider the ability for these streets to absorb the additional capacity. While it makes sense to focus growth around the station area, they must also address the needs of those who will drive to the transit station. Secondly, Mr. Anderson said he works on Capital Hill and has seen how 85-foot structures have changed the character of the area. He would like the subarea to look more like Northgate, where the 85-foot tall buildings would be concentrated on a fairly tight corridor. While taller buildings are important, they should be confined to properties that are within walking distance of the transit center. Lastly, Mr. Anderson suggested the plan specifically call out improvements to 5th Avenue all the way to 205th Street to accommodate pedestrians and bicyclists. He suggested that Ballinger Commons represents a model apartment density. While he acknowledged it might not be possible to require that much green space, the City could compress the 85-foot tall buildings into a tighter zone and require all developers in this area to provide more green space.

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Merissa Reed, Shoreline, said she also lives just outside of the subarea. She agreed with Ms. Way and Mr. Anderson that additional green space is needed. Although the 185th Street Station Citizen's Committee (185SSCC) discussed rooftop gardens to offset the green space, only those living in the development would have access to these spaces. She suggested it is important to add more space that is publicly accessible. They should also consider requiring other plantings to replace the trees that are removed. Although it would be costly, she said she still supports the idea of requiring underground utilities. She noted that, as currently proposed, the MUR-85 zone would allow buildings up to 140 feet, and she asked the Commission to consider an 85-foot maximum height limit for all properties except the Shoreline Center. She also asked them to consider a staggered setback requirement that would make the streets more inviting than a "cliff of buildings." Lastly, she expressed her desire that no micro housing be allowed within the subarea, that no single-family housing be allowed in the MUR-85 zone, and that there is a minimum density requirement in the MUR-85 zone. She noted that 188th Street is not included in the Transportation Study, yet it is a major cut through from Lake Forest Park. Perkins Way needs more study, as well.

Dan Dale, Shoreline, said the issue of building heights in the proposed MUR-85 zone was discussed that a recent Council of Neighborhoods Meeting. Several people expressed concern that, as proposed, a building height of up to 140 feet would be allowed throughout the MUR-85 zone with a Development Agreement. He said he does not believe that is what anyone envisions as good density around the station. He expressed concern that the subarea plan does not reflect the possibility that all of the MUR-85 zone could be built to a maximum of 140 feet. He agreed with Ms. Reed that the zoning should be dialed back to eliminate the provision for heights greater than 85 feet or at least limit the area where they are allowed. He referred to comments he submitted previously related to 10th Avenue, where MUR-35 zoning is proposed on the east side of the street and MUR-85 on the west. Allowing 140-foot buildings on 10th Avenue could dramatically change the character of the neighborhood. Lastly, he recalled that the City has placed the onus on Sound Transit to do a mobility study for 188th Street and Perkins Way. These streets already have heavy traffic, and adding space for more people in the subarea would further impact these two streets.

Commissioner Malek requested clarification of the proposed height limit for the MUR-85 zone. Chair Scully answered that, as currently proposed, the height limit in the MUR-85 zone is capped at 85 feet, but a greater height (no maximum limit) would be allowed via a Development Agreement. He pointed out that a Development Agreement would require City Council approval.

Chair Scully said that as he pondered the proposed subarea plan, he was most concerned about traffic, parks, and affordable housing. The consultant and staff have done a great job of outlining the problems and goals, as well as the framework for addressing them. The Development Regulations are the major decisions that need further direction from the Commission.

Ms. Redinger said it was not the City's intent to create a 100-year plan. However, it is estimated it would take 100 years for the Preferred Alternative to build out based on the standard growth rate. While 100 years may be a little farsighted and 20 years too shortsighted, 20 years is the typical time frame for comprehensive plans, subarea plans, planned action ordinances, etc. The goal is identify and focus on opportunities for park acquisition, green infrastructure, etc. now to address the needs of future development. She acknowledged that a lot of work must still be done, such as a corridor study to

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determine more specific cross sections and needs and working with the Parks Board to create a funding mechanism. She acknowledged that the City cannot predict changes in behavior, climate and technology, but the plan provides flexibility and knowing the immediate implementation steps is important.

Ms. Redinger explained that the goal of the Planned Action Ordinance (PAO) is to simplify and expedite the environmental review of future individual projects within the subarea. She referred to Ordinance 702, which is the mechanism that would be used to adopt the full subarea package including:

- The Preferred Alternative Zoning Zap delineating the PAO boundaries (Exhibit A1)
- The Preferred Alternative Comprehensive Plan Land Use Designation Map (Exhibit A2)
- The FEIS Mitigation Measures recommended for both the 20-year and build-out timeframes for the Preferred Alternative (Exhibit B)
- Draft Development Code Regulations for the 185th Street Station Subarea Plan (Exhibit C)

Ms. Redinger referenced the Preferred Alternative Zoning Map for the PAO boundaries (Exhibit A1) and explained that the boundaries would remain the same even if the Commission recommends and the City Council adopts a phased zoning approach. She also referenced the Preferred Alternative Comprehensive Plan Land Use Designation Map (Exhibit A2). She explained that, typically, each land use designation accommodates a range of appropriate zoning designations and property owners have the opportunity to request a rezone to something else that fits within that category. However, for the proposed subarea plan, a separate Comprehensive Plan designation has been created for each zoning category. Ms. Redinger emphasized that that all of the documents in the draft PAO (Exhibits A1 and A2) are illustrative of requisite components and written as if the Preferred Alternative was to be adopted. However, this is not a foregone conclusion, and there is still opportunity for comments and additional direction from the Commission and City Council.

Ms. Redinger announced that the 145SSCC Committee will meet on December 11th from 7:00 to 8:30 p.m. in the Council Chambers. The meeting will feature a panel of speakers, including realtors and a representative from the King County Assessor's Office to address impacts to property taxes and property values.

Ms. Redinger advised that the Commission's discussion at the December 18th meeting will focus on fee simple language, transfer of development rights, property tax exemptions, and other outstanding issues. Again, she reminded them that a public hearing on the entire 185th Street Station Subarea Plan package is scheduled for January 15th. The City Council is scheduled to conduct a study session on the subarea plan package on February 9th, with potential adoption as early as February 23rd.

Chair Scully requested an explanation of the benefits of a PAO. Ms. Roberts explained that a PAO allows the City to look at potential impacts comprehensively through the Environmental Impact Statement (EIS) process. As long as a proposed project is consistent with the thresholds and analysis that was completed as part of the DEIS and FEIS, a developer would only be required to fill out an environmental checklist to show that the project is consistent with those levels. A PAO helps streamline the environmental approval process, giving the area a more competitive edge in terms of redevelopment potential. In addition, a PAO can provide a benefit to the community and represent good planning. The

PAO process provides tools for the community to understand what the future might look like. The FEIS enables the City to forecast what would be needed to support growth over time. Chair Scully summarized that the PAO basically frontloads the environmental review. Site specific review would no longer be needed because the environmental issues have all been studied up front as part of the PAO. Ms. Roberts added that project level review would also be required to ensure that a proposal meets the City's Development Regulations and requirements for site development. Developers must also meet the Department of Ecology's stringent regulations for surface water management and water quality.

Commissioner Malek asked if PAO's are becoming a standard practice in cities throughout the region. Ms. Roberts answered affirmatively. She noted that the Association of Washington Cities' Website provides examples. She noted that a PAO was prepared for the Overlake Village Station Area, which is on the light rail line.

Commissioner Moss observed that the boundary of the proposed PAO represents a smaller footprint than the overall study area boundary. The PAO boundary excludes the properties in the study area that would remain as low-density residential. Ms. Redinger advised that the boundaries are relatively comparable, but acknowledged they do not match exactly.

Commissioner Moss noted that the northern section of Meridian Avenue, which is already heavily trafficked, was not included in the PAO. She asked how the City would address capital improvements that are needed on this street, as well as other streets that feed into the PAO area. Ms. Roberts clarified that the intent of the PAO boundary is to illustrate where properties must be located in order to be considered part of the PAO and exempt from the SEPA process. The Capital Improvement Projects described in the proposed plan extend beyond the PAO boundary and are based on an analysis of what is needed to serve the anticipated growth.

Janet Way, Shoreline, said she was present to speak on behalf of the Shoreline Preservation Society. She voiced concern that approval of the PAO would mean that very little environmental review would be required for projects proposed within the area, and the public would no longer have an opportunity to influence the environmental outcome. She expressed her belief that most people living within the boundaries of the proposed PAO have little idea how it will impact them in the future. She encouraged the Commissioners to think carefully before moving the PAO forward to the City Council.

Dan Dale, Shoreline, commented that although the City and the 185SSCC has tried to reach out to the community, he is surprised by how many people still do not know exactly what is being proposed. He expressed concern that the process is happening too quickly. He also expressed concern that the proposed subarea plan repeatedly refers to a height limit of 85 feet in the proposed MUR-85 zone. The opportunity for additional height via a development agreement is only noted in one place. He is concerned that the public does not clearly understand the potential for development greater than 85 feet. Mr. Dale also requested that the City provide a map that illustrates the location of the 10 parks. Adding the parks to the equation will result in a different outcome in terms of full build out. He suggesting the Commission look for opportunities for "leaving the camp a little better than they found it" as they help the City double in size over a reasonable amount of time. While this station area can be a catalyst, it is important that growth be carefully controlled. Lastly, he encouraged them to consider utilities further; particularly water. He specifically referred to comments from the Ronald Wastewater District

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cautioning that they cannot update a main for future development too early without running into significant water-quality concerns for existing customers.

Commissioner Moss reported that she attended the citizen's meeting last Monday night and was a little surprised that, via a development agreement, buildings in the MUR-85 zone could be much taller than 85 feet. She said she has some concern about development agreements, particularly allowing additional height when adjacent to lower-density residential zones. Commissioner Montero pointed out that development agreements would not be granted automatically. They must come before the Planning Commission for review, and the public would be invited to comment. The Commission will forward a recommendation to the City Council for a public hearing and final approval.

Commissioner Mork noted that no specific language related to bicycle facilities was included in the draft PAO. Ms. Redinger specifically referred to the Review Guide that was prepared to summarize the FEIS findings. She explained that for each of the elements analyzed, the guide provides a summary of impacts and mitigation measures. The mitigation measures start with traffic, and then there are subsections for parking management, bicycles, pedestrians, etc. Bicycle facilities will also be addressed in the corridor study that will follow adoption of the subarea plan, and the subarea plan will inform the next update of the Transportation Master Plan.

Vice Chair Craft referred to public concern that the PAO would allow developers to circumvent the environmental review process. He explained that the intent of the PAO is not to circumvent any of the environmental review. Instead, the environmental review for the properties within the subarea has been done up front, and the requirements have been laid out in the FEIS. Projects that are consistent with the requirements outlined in the FEIS can proceed after completing an Environmental Checklist to demonstrate compliance.

Chair Scully added that, without a PAO in place, the same streets can be studied multiple times as new projects are proposed. On the other hand, a PAO eliminates the public's ability to comment on a site-specific project. Overall, he supports the PAO concept if it is done right but acknowledged that a PAO might miss some site-specific issues.

Vice Chair Craft questioned how the City could mitigate for missed potential impacts within a specific area. Director Markle pointed out that a traffic impact study would be required for each development proposal, which could capture changes over time. Separate geo-technical and stormwater analysis would also be required. In addition, the City will improve its regulations for trees, streams, etc. over time.

Commissioner Mork asked if the public would be notified of project proposals within the PAO area. Ms. Markle noted that the City has approved PAOs in place for Town Center and North City, and a PAO will soon be approved for the Community Renewal Area. Currently, there are no special requirements for public notice if a project meets the PAO requirements.

Ms. Roberts referred to the Commission's earlier discussion about development agreements, and emphasized that a development agreement would be the only mechanism by which the 85-foot height

limit in the MUR-85 zone could be exceeded. Chair Scully added that a development agreement requires a lengthy and deliberate process with public notice and opportunities for public input.

Commissioner Moss asked if the criteria for evaluating a development agreement would include “fitting in” with the character of the neighborhood. Impacts on adjacent neighbors, such as solar access, are important to consider.

Ms. Redinger explained that development agreements evolved out of the DEIS concept for a master use permit, which was the zoning designation placed on the Shoreline Center and the North City School. A 140-foot maximum height limit was used when running the numbers (dwelling units, trips, commercial versus residential, etc.) for the DEIS. During the Commission’s discussion on the three alternatives that led to the Preferred Alternative, the master use permit option was eliminated and the development agreement concept was applied to a larger area. The numbers in the FEIS assume that 25% of the area zoned Mur-85 could develop under a development agreement and exceed 85 feet in height. While this 25% assumption is likely high, the intent was to examine the maximum impacts possible.

In answer to Commissioner Moss’s earlier question, Ms. Redinger referred to Page 43 of the Commission Packet, which contains the existing criteria for decision making for development agreements. She recalled that the Commission previously discussed mandatory components of green building, affordable housing, structured parking, etc. They also discussed a range of other requirements that could be negotiated. She reminded the Commissioners that they elected not to impose a maximum height for development agreements.

Ms. Redinger recalled that staff received criticism that the earlier materials were not specific enough. The more specific information was not available when the materials were initially published. She has asked the consultant to update the visual illustrations to be more realistic and reflective of the current Preferred Alternative. The staff and consultant will review the FEIS one more time before the January 15th public hearing to make grammatical corrections. This will include eliminating the word “limit” from the MUR-85 zone.

DIRECTOR’S REPORT

Director Markle did not have any items to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Special Presentation by Assistant City Attorney on Conflict of Interest

Ms. Ainsworth-Taylor explained that the laws regarding appearance of fairness apply to quasi-judicial matters such as approval of development permits and rezones. Not only must the process be fair; it must appear fair, too. At this time, the Commission does not take final action on any quasi-judicial items.

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The recommendations the Commission forwards to the City Council are related to legislative decisions, and the Appearance of Fairness Doctrine does not apply to this type of decision making authority.

Ms. Ainsworth-Taylor advised that the City's code of ethics and the Commission's By-Laws speak to conflict of interest. In particular, it speaks to a financial or pecuniary interest in something. Commissioners should not participate in the decision making process on issues that could result in a financial gain for them. However, most of the issues that come before the Commission are unlikely to fall into this category.

Ms. Ainsworth-Taylor said that when acting as a Planning Commissioner, it should be clear to the public that each Commissioner is acting in the best interest of the Shoreline community and not in his/her own best interest. Commissioners who have background or interest in a particular matter can still participate in the decision making process, but the information should be disclosed to the Commission and the public at the earliest opportunity. Once the information has been disclosed, a decision can be made about whether or not it is appropriate for that Commissioner to participate. If it is determined a Commissioner's involvement would taint the decision-making process, he/she should ask to be recused from the process.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENT

Commissioner Malek disclosed that he owns a home in Richmond Beach and he currently serves on the Point Wells Subcommittee.

Commissioner Moss announced that the Light Rail Station Area Planning Subcommittee (Commissioners Maul, Moss and Mork) would meet soon to conduct a thorough review of the FEIS. They will share their thoughts at the Commission's December 18th meeting in preparation for the public hearing on January 15th. She noted that the subcommittee's meeting would be open to the public. She asked the Commissioners to identify specific issues they would like the subcommittee to focus on when reviewing the FEIS.

The Commissioners agreed that the subcommittee should focus their review on the following "hot button" issues:

- How the 185th Street Station would be impacted if the Point Wells property is developed, particularly if it is developed to the full measure that is currently proposed
- Whether or not a phase approach is appropriate
- Should single-family residential be an allowed use in the MUR zones
- Development agreements in general, and potentially capping the maximum height allowed in the MUR-85 zone
- The scale of the Planned Action Ordinance
- What is going on regionally for cross-city transportation plans
- Transition areas, setbacks, etc.
- Plazas and community areas

AGENDA FOR NEXT MEETING

Ms. Redinger advised that, in addition to concluding their study session on the 185th Street Station Subarea Plan, the December 18th agenda will also include a study session on the Draft Environmental Impact Statement (DEIS) for the Community Renewal Area. A public open house regarding the Community Renewal Area DEIS is scheduled for 6:00 p.m. prior to the regular meeting.

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Keith Scully
Chair, Planning Commission

Lisa Basher
Clerk, Planning Commission

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 Planning Commission Meeting Date: December 18, 2014

 Agenda Item

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Transfer of Development Rights and LCLIP
DEPARTMENT: Planning & Community Development
PRESENTED BY: Paul Cohen, Planning Manager
 Public Hearing

 Discussion

 Study Session

 Update

 Recommendation Only

 Other

INTRODUCTION

The Landscape Conservation and Local Infrastructure Program (LCLIP) was passed into State Law in 2011. LCLIP creates incentives for both land conservation in the county and infrastructure improvements in the city. The City recently received a grant to study the feasibility of applying LCLIP in the 145th and 185th light rail station subareas, Town Center, and the Community Renewal Area (Aurora Square).

At tonight's meeting the City's consultant, ECONorthwest, will explain the program and provide their preliminary findings to the Planning Commission. The feasibility study will be complete in July 2015, and staff will present the final findings of the LCLIP study at that time. However, staff would like to present the study to date before the Commission considers the relevant issues of development potential and development agreements in the light rail station subarea plans. This same presentation was given to the City Council on December 8th.

BACKGROUND

The Landscape Conservation and Local Infrastructure Program (LCLIP) was passed into State Law in 2011. LCLIP creates incentives for both land conservation in the county and infrastructure improvements in the city. This purpose of the program is to encourage the Transfer of Development Rights (TDR) with a public infrastructure financing tool called tax increment financing (TIF). This program seeks to credit added development potential in exchange for preservation of natural and rural lands in the county, while providing greater assessed tax revenues for the City to pay for improvements such as plazas, parks, sidewalks, bike lanes, etc. to encourage vibrant, livable cities.

DISCUSSION

The City began looking at the LCLIP program as a way to include TDRs into the light rail station subareas. In exchange for accepting development rights, the City will have access to financing for revitalizing designated districts. The City will also be able to

Approved By: Project Manager _____
Planning Director _____

bond against the future tax revenue generated by the development projects to make essential infrastructure improvements.

The City recently received a grant to study the feasibility of applying LCLIP in the 145th and 185th light rail station subareas, Town Center, and the Community Renewal Area (Aurora Square). At tonight's meeting the City's consultant, ECONorthwest, will explain the program and their preliminary findings to the Commission. The attached memo (Attachment A) from ECONorthwest provides background information and analysis of the LCLIP program as it applies to the City of Shoreline.

NEXT STEPS

The feasibility study will be complete in July 2015, and staff will present the final findings of the LCLIP study at that time. However, staff would like to present the study to date before the Commission considers the relevant issues of development potential and development agreements in the light rail station subarea plans prior to your public hearing and recommendations to the Council on the 185th light rail station subarea plan and development regulations on January 15, 2015.

ATTACHMENT

Attachment A – Consultant Report

DATE: November 21, 2014**ECO Project #:** 21764**TO:** Steve Szafran and Paul Cohen, City of Shoreline**FROM:** LCLIP Project Team: Erik Rundell and Morgan Shook (ECONorthwest), Nick Bratton (Forterra), Matt Hoffman (Heartland)**SUBJECT:** LCLIP IN SHORELINE

The City of Shoreline (Shoreline) is exploring the viability of the Landscape Conservation and Local Infrastructure Program (LCLIP) within the city. LCLIP is a form of tax increment financing enacted in 2011. The program gives cities access to incremental county property tax revenues to finance public improvements within city-designated LCLIP districts.

This memorandum provides an overview of the potential use of the program in Shoreline. The memorandum first provides a summary of LCLIP and then reviews Shoreline's existing policies and regulations to assess possible changes needed to implement LCLIP. Lastly, the memorandum outlines the different mechanisms Shoreline may consider for retiring development rights as part of LCLIP.

What is LCLIP?

The program offers the use of tax increment financing to a city in return for: 1) the creation of a Transfer of Development Right (TDR) program; and, 2) the acceptance of a specified amount in regional development rights. TDR programs allow additional building area beyond the base zoning in a defined urban area in exchange for the purchase of the right to develop farm and forest lands in a rural area, thus preventing development of those lands.

In exchange for the placement of transferred development rights in LCLIP districts, the jurisdictional county (in this case King County) agrees to contribute a portion of its regular property tax to the sponsoring city for use for a defined period (up to 25 years).

The LCLIP program targets only a portion of the incremental property taxes generated from new development. This is not a new tax to residents or businesses. The remaining portion of the property tax still accrues to the sponsoring city and to the jurisdictional county. Existing and incremental revenues flowing from sales, business and occupation, and utility taxes still accrue to the city as if the LCLIP had not been enacted, as well as other capital restricted revenues.

Sponsoring City Ratio

The LCLIP legislation established the total number of transferable development rights that a city is assigned. Shoreline's allocated share from PSRC is 231 TDR credits. In adopting an LCLIP program, the city may decide to accept its entire allocated share or a portion of it. This accepted amount is known as the city's specified portion. The "Sponsoring City Ratio" reflects the specified proportion of development rights a city has chosen to accept of the city's allocated share. The resulting ratio (anywhere from 0 to 1) acts to pro-rate the amount of new construction value that can accumulate to an LCLIP district.

Accepting the full allocated share (all 231 credits for a ratio of 1) would maximize potential LCLIP revenues while taking something less than the full allocated share would reduce the potential value of the program to a city. A sponsoring city-specified portion must be equal to or greater than twenty percent of the sponsoring city allocated share.

In choosing its ratio, the city is trying to select an amount of credits it hopes to place over a 20-year period to meet the threshold requirements (discussed below) and extend the program (and revenues) the full 25 years. In doing so, the city is seeking to encourage enough new development to generate sufficient LCLIP revenue to support its infrastructure financing goals while balancing the risk of TDR utilization by the market or via public intervention.

Performance Thresholds

While the LCLIP program can run for a maximum of 25 years, the legislation requires participating cities to demonstrate performance of the use of credits within their Local Improvement Project Area (LIPA). Cities using the LCLIP tool must meet a series of performance thresholds pegged to the specified portion of credits in order to continue to access its share of county revenues. These thresholds are as follows:

- Threshold #1: Placement of 25% of the specified portion is required to start the program.
- Threshold #2: Placement of 50% of the specified portion is required by year 10 to extend it 5 years.
- Threshold #3: Placement of 75% of the specified portion is required by year 15 to extend it 5 years.
- Threshold #4: Placement of 100% of the specified portion is required by year 20 to extend it 5 years to its conclusion.

Local Improvement Project Area

A Local Improvement Project Area (LIPA), or LCLIP district, is the designated area in which:

- TDR credits will be placed and measured for performance monitoring.
- Infrastructure projects will be specified and funding will be used.
- The calculation of the new construction as the tax basis for LCLIP revenues will be based.

A city may have multiple and non-contiguous LIPA(s) as long as the area(s) meet the legislation requirement of containing less than 25% of the city's assessed value.

The City has four different areas within Shoreline that it is considering for use with LCLIP. The areas include the Town Center zone, Aurora Square, and the study areas for future Link light-rail stations at 145th Street and 185th Street.

Review of Relevant Polices and Regulations in Shoreline

Overall, Shoreline's existing policies support the use of TDR and LCLIP. Shoreline currently offers incentives to advance affordable housing and density goals, although not in the form of incentive zoning; however, it does not have a TDR program in place.

Shoreline's comprehensive plan language establishes a policy foundation for the use of LCLIP and TDR to encourage quality development, revitalize neighborhoods, and provide infrastructure that supports growth. Shoreline should look to the comprehensive plan goals and policies to determine areas that LCLIP funding should be directed towards. Shoreline may consider using LCLIP as a source of funding to meet the goals of catalyzing a master-planned, sustainable lifestyle destination in Aurora Square. Additionally, light rail station expansion areas would benefit from infrastructure investments as the city plans to work with stakeholders to identify and fund additional improvements that can be efficiently constructed in conjunction with light rail and other transit facilities.

Existing Incentives

Shoreline currently offers a variety of incentives to developers to encourage affordable housing, density, and high quality development. However, Shoreline does not currently have a formal incentive zoning program. Shoreline's form based code suggests that bonus options other than additional units or floor area would be approaches to pursue for TDR utilization. Importantly, there are no incentives currently offered for additional height. This would potentially make bonus height an incentive for a TDR program. Additional TDR incentives that award parking reductions or impact fee offsets should be considered in light of existing incentives offered to promote other public benefits.

It is important to look at existing incentive programs to understand how the program would interact with other incentives. For example, if Shoreline were to offer an affordable housing incentive program that provided bonus height in exchange for the inclusion of affordable housing units, developers might have to choose whether to achieve bonus height through TDR or through creating affordable housing units.

Implications for LCLIP

As part of implementing LCLIP, Shoreline will have several important policy decisions to make as part of establishing a program. A strong LCLIP program for the City of Shoreline must position the City to maximize LCLIP revenues through structuring the following program parameters.

- **LIPA geography.** The City will want to create a LIPA(s) that meets the nexus requirements. However, creating a district(s) that contains areas where development is expected will help create a large new construction tax base to use as the basis of the revenue calculation. The larger the tax base, the more funding leverage the City will have for a select sponsoring city ratio. Important questions to consider include:

- Does Aurora Square present an opportunity for absorbing a significant number of TDR credits through developer agreements or a rezone?
- Do station area rezones present an opportunity for absorbing TDR credits through incentive zoning?
- **TDR Code Provisions.** The number of TDR credits used is a function of several factors:
 - The nature of the incentive associated with TDR. Typical TDR incentives offer additional FAR or height. However, TDR can be connected with any variety of opportunities associated with development (“conversion commodities”). Other examples include connecting TDR with reduced setbacks, structured parking requirements, or impervious surface limitations. This is discussed in more detail below.
 - The demand and capacity to place TDR credits. The city must determine how much demand there may be for utilizing an incentive. If using incentive zoning, there must be demand to build beyond the zoning capacity and enough total zoning capacity to retire the specified portion. In addition, TDR may be among a menu of options that developers can choose from.
 - The “exchange rate” for TDR. The amount of incentive a developer receives per TDR credit used in large part determines the extent to which a TDR consumes the incentive zoning available. The incentive created by the TDR exchange rate must be equal to or exceed a developer’s willingness- and ability-to-pay, otherwise TDR will not be used.
- **City-specified portion and program timing.** In order to maximize the flow of LCLIP revenues, the City has an incentive to meet all four performance thresholds. Doing so means the city must select a specified portion that is targeted at some expected absorption of TDR credits over the horizon of the program. This element of the LCLIP program is the most difficult technical aspect that the city must consider. Forecasting future development is difficult, much less determining the rate at which that development could utilize TDRs.

Transfer of Development Rights (TDR) Options

There are several different methods a city could pursue to place development right credits. In Shoreline, the viability of each option varies depending on the geographic areas that the City is considering. LCLIP is a relatively new program, and as a result, the legality of some TDR options is not well established. It is noted where this is the situation. The remainder of the memorandum summarizes each option and in what areas the options could likely be used.

Incentive Zoning

One commonly used TDR mechanism is incentive zoning. Incentive zoning allows developers to vary from base zoning requirements by providing some public benefit, in this case the purchase of development right credits. The incentive can either add value to a project by allowing additional height or density, or by reducing project costs through relaxed parking

requirements or by providing access to a multifamily tax exemption (MFTE) program, for example.

Developer Agreements

Developer agreements are a voluntary way for a city to establish standards and conditions for development of a site with the property owner. TDR use can be negotiated into a developer agreement. For example, TDR purchase of X reduces the amount of infrastructure improvements required by the development, which lowers development costs, and/or awards density or other bonuses that improve project revenue.

City Purchase with Sales Tax Revenues

A city could use a portion of its sales tax revenue to purchase all or a portion of the City's allocated TDR commitment identified by LCLIP. The city would first have to estimate the total purchase price of its commitment and the potential return in property tax revenues through LCLIP. The City could resell those credits to developers when other TDR mechanisms take effect, such as incentive zoning or developer agreements.

Optional Impact Fee In-lieu

The city could establish an optional impact fee that could be paid in-lieu of existing impact fees. The overall objective of this approach is to leverage existing impact fee payment to achieve an overall higher revenue stream from county property taxes. A development project would have the option of paying a proportionate (but lower) fee into a TDR fund in place of an impact fee. The city would then use those funds to purchase development rights. The additional revenues from LCLIP could be used to pay for projects that would have otherwise been paid for with impact fees and/or other funds.

District or Citywide New Fee

Total cost of city's full LCLIP credit allocation is spread across all taxed properties in a district or citywide over 20 years. The city then raises that amount over time (either in districts or citywide) through a fee (creating a new revenue source) to pay for credit acquisition. The actual legality of this method is uncertain and this mechanism has not been used before.

Participation Required

A last option is that the purchase of TDR credits is required for new development as part of an area rezone. The actual legality of this method is uncertain and this mechanism has not been used before.

TDR Options by Geographic Area

The table below shows where these options could likely be applied in Shoreline. The options could still be applied to those areas **without** a “yes”, but it would require more research and/or confirmation.

TDR Approach	Geography			
	Town Center	185th Station Area	145th Station Area	Aurora Square
Incentive Zoning			Yes	
Developer Agreement				Yes
City purchase with sales tax	Yes	Yes	Yes	Yes
Optional Impact Fee in-leu	Yes	Yes	Yes	Yes
District or City-wide new fee	Yes	Yes	Yes	Yes
Participation Required		Yes	Yes	

6a. - Staff Report Aurora Square Community Renewal Area DEIS

Planning Commission Meeting Date: December 18, 2014

Agenda Item

PLANNING COMMISSION AGENDA ITEM CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Aurora Square Community Renewal Area Planned Action Draft Environmental Impact Statement		
DEPARTMENT:	Economic Development		
PRESENTED BY:	Dan Eernisse, Economic Development Manager		
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only	
<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other	

INTRODUCTION

Council designated a 70-acre area around the Sears, Central Market, and the WSDOT development as the Aurora Square Community Renewal Area (CRA) in September, 2012. By designating the CRA, Council established that economic renewal would be in the public interest, and that City resources can be justifiably utilized to encourage renewal. Subsequently, Council adopted the CRA Renewal Plan to guide City renewal efforts by identifying projects designed to make all of the current businesses function better while adding new businesses and residents.

One of the projects the CRA Renewal Plan identified to spur private development was the adoption of a Planned Action Ordinance based on this Environmental Impact Statement (EIS). A Planned Action provides more detailed environmental analysis during formulation of planning proposals rather than at the project permit review stage.

TIMING AND SCHEDULE

In March 2015 the City is anticipated to approve a Planned Action Ordinance identifying thresholds of development and mitigation measures. The remainder of Planned Action process is as follows:

- The DEIS was published on December 12, 2014, beginning a 30-day comment period.
- On December 18, 2015, from 5:30 - 6:45PM, a required community meeting using an open house format will be held at City Hall. Following the community meeting, Staff will introduce the Planning Commission to the DEIS at its regularly scheduled meeting.
- At 5:00PM on January 12, 2015, the 30-day DEIS comment period ends.
- The Planning Commission is scheduled to hold a public hearing of the EIS, consider public comments made, and make its recommendation to Council at its meeting on Thursday, January 29, 2015, at 7:00PM.
- Based on the Planning Commission's recommendation, Staff will publish a Final EIS (FEIS) and Planned Action Ordinance for Council approval. Council is scheduled to first consider the recommendation at its meeting on Monday, March 16, 2015, at 7:00PM.

Approved By: _____ Project Manager _____

Planning Director _____

6a. - Staff Report Aurora Square Community Renewal Area DEIS

DISCUSSION

The recently published CRA Planned Action Draft EIS (DEIS) is an extensive 226-page document analyzing impacts of the desired renewal efforts at Aurora Square. Three growth alternatives are under review in this Draft EIS; all three alternatives anticipate that Aurora Square's current zoning designation as Mixed Business (MB) remains unchanged.

- **No Action**, a State Environmental Policy Act (SEPA)-Required Alternative. This alternative assumes Aurora Square continues with a similar commercial retail and office character and the same square footage of buildings and parking as presently located on site.
- **Phased Growth**, assuming a moderate level of development, which introduces 500 dwelling units and adds up to 250,000 square feet of retail and office space beyond present development space.
- **Planned Growth**, a maximum level of growth studied, adding 1,000 dwelling units and 500,000 square feet of retail and office space beyond present development space.

As legislative items, the Planning Commission has authority to make recommendations on comprehensive plan and development regulation amendments, and the City Council has the authority to approve such amendments. Comprehensive plan amendments may include Capital Facility Element and Capital Improvement Program amendments to fold in transportation and stormwater improvements; development regulation amendments include sign code and noise regulations. Finally, a Planned Action Ordinance is under consideration by the Planning Commission and City Council.

Staff will focus its comments this evening on those areas that are likely to generate Planning Commission recommendations, namely:

- Transportation facilities for transit, pedestrian, and bicycles
- Stormwater facilities and requirements
- Noise ordinances, signage and way finding
- The Planned Action Ordinance

Staff will be joined for the presentation by representatives from BERK and KPG Consultants; BERK is providing assistance with the preparation of the Planned Action Ordinance itself, and KPG is providing technical transportation and stormwater assistance.

RECOMMENDATION

No action is required at this time, but Staff welcomes feedback on the DEIS.

LINKS/ATTACHMENTS

6a. - Staff Report Aurora Square Community Renewal Area DEIS

Attachment A – [Aurora Square Planned Action Draft EIS](#), December 2014

Attachment B – [Aurora Square CRA Renewal Plan](#), September 2013

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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

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185th Street Light Rail Station Development Regulations

Chapter 20.10 General Provisions

20.10.020 Purpose.

It is the purpose of this Code to:

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

Chapter 20.20 Definitions

20.20.010 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>

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

	<u>Library</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Museum</u>		<u>P (Adjacent to Collector or Arterial Street)</u>	<u>P</u>
	<u>Outdoor Performance Center</u>		<u>P -A</u>	<u>P -A</u>
	<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>

	for this zone.	
Mixed Use Residential – 35'	<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</p> <p>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.</p> <p>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>	Voluntary
Mixed Use Residential – 85' w/ Development Agreement	<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.</p> <p>Incentive: Height may be increased above 85 foot limit; may be eligible for twelve (12) year Property Tax Exemption Program upon</p>	Mandatory*

	authorization by the City Council for this zone.	
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* Payment in lieu of constructing mandatory units is available. See SMC 20.40.235(E)(1)

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

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

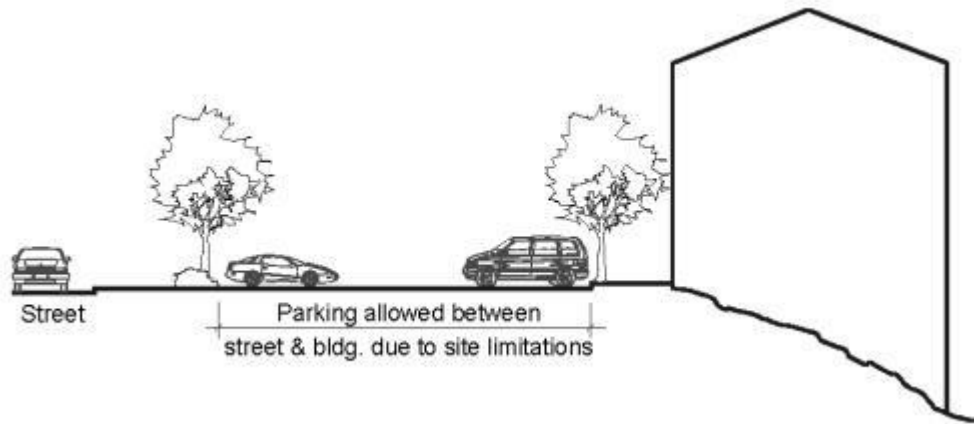
B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581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

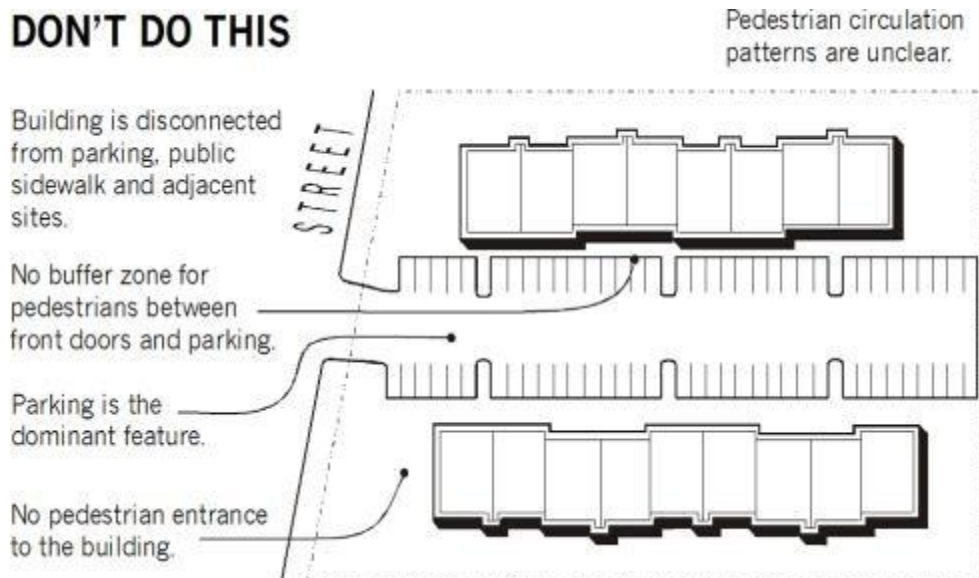


of the site.

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.

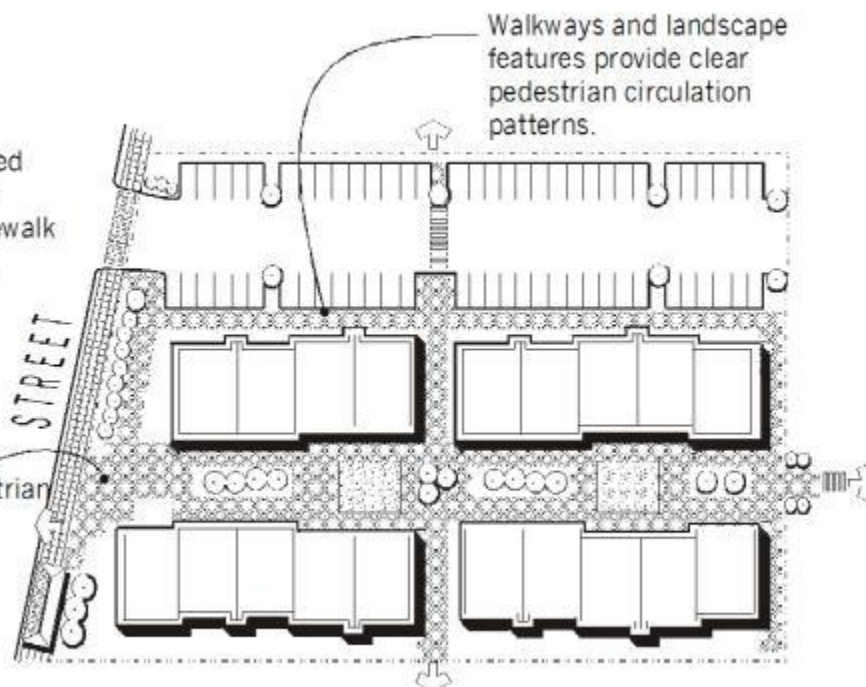


Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.

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.

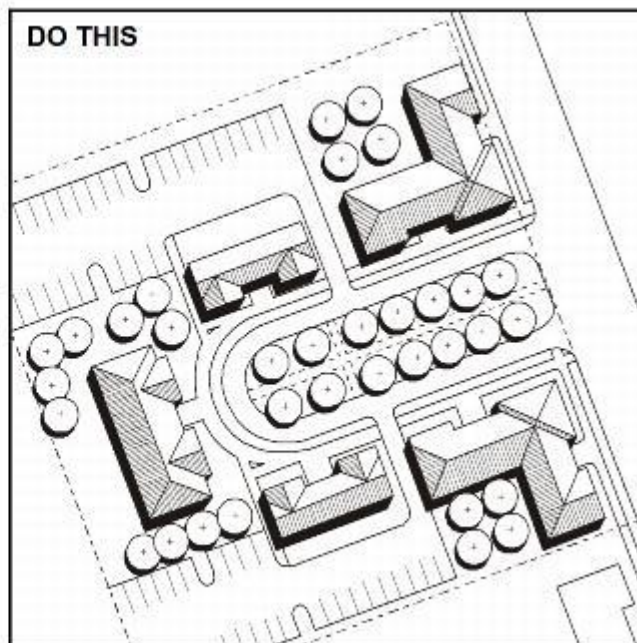
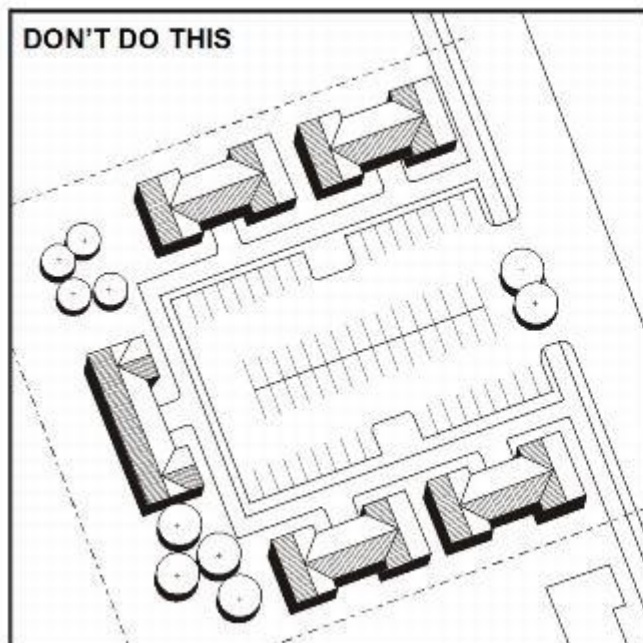


Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.

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.

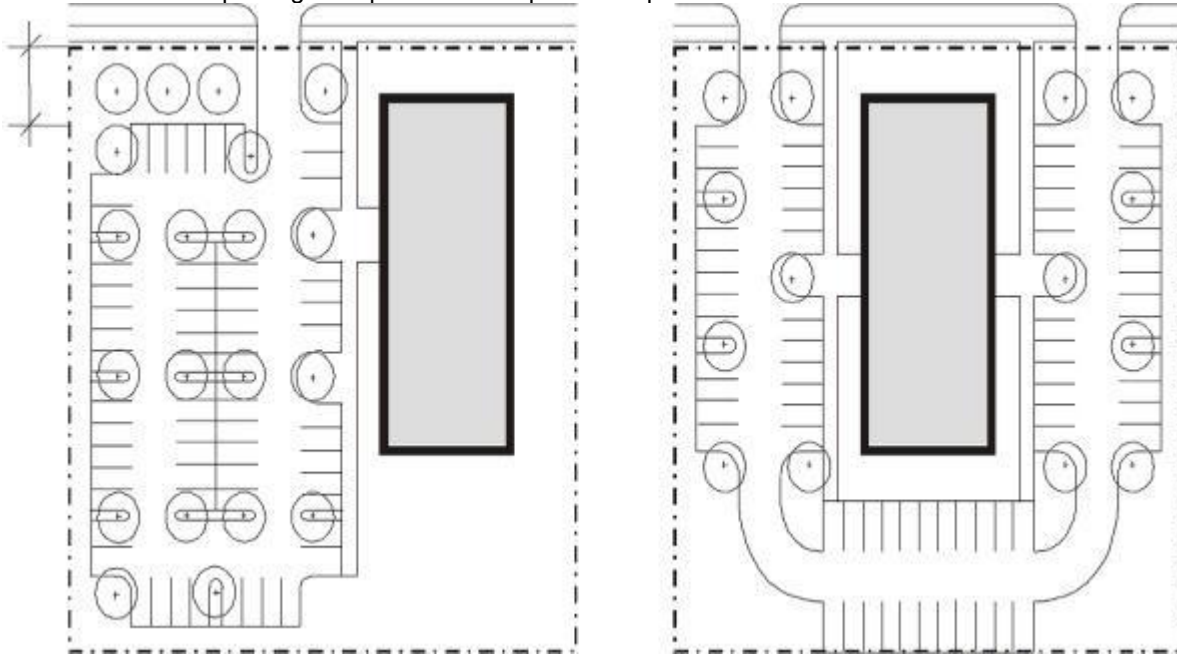


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

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.

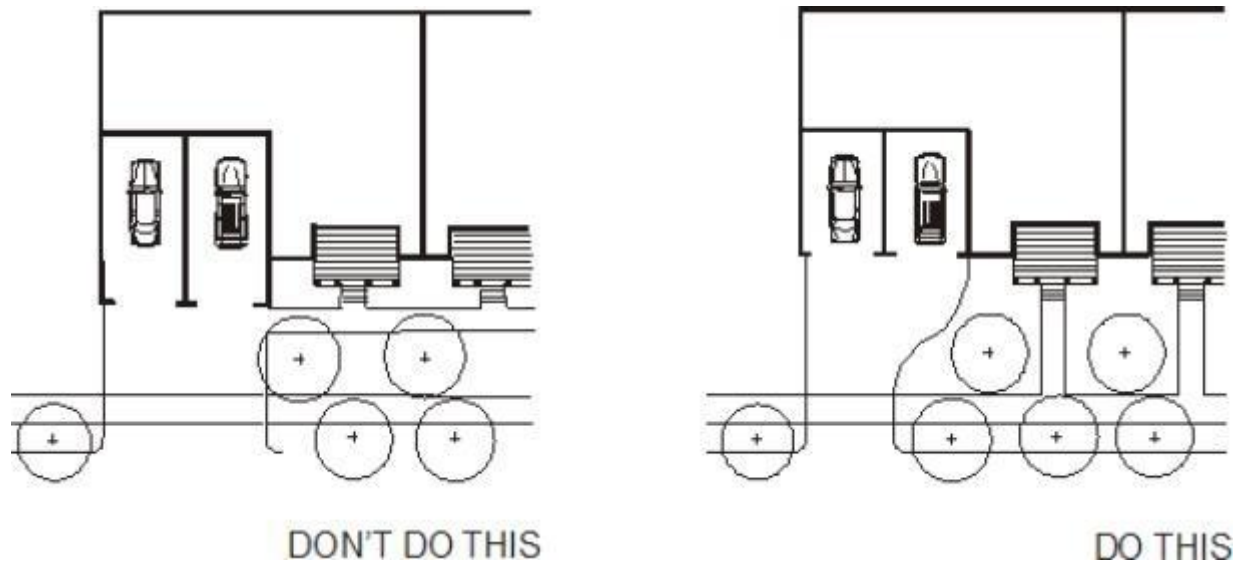


Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.

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;

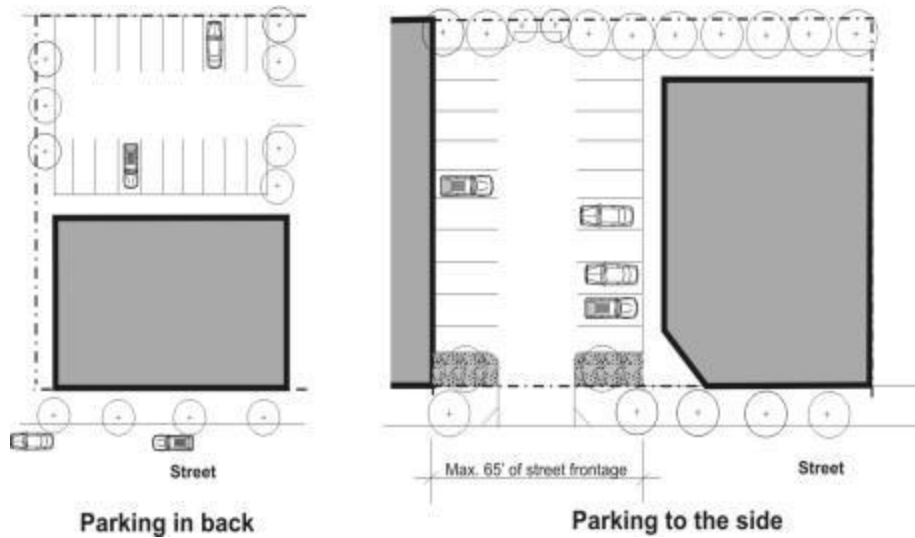
- d. Minimum window area shall be 50 percent of the ground floor façade for each front façade which can include glass entry doors. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones;

- 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.

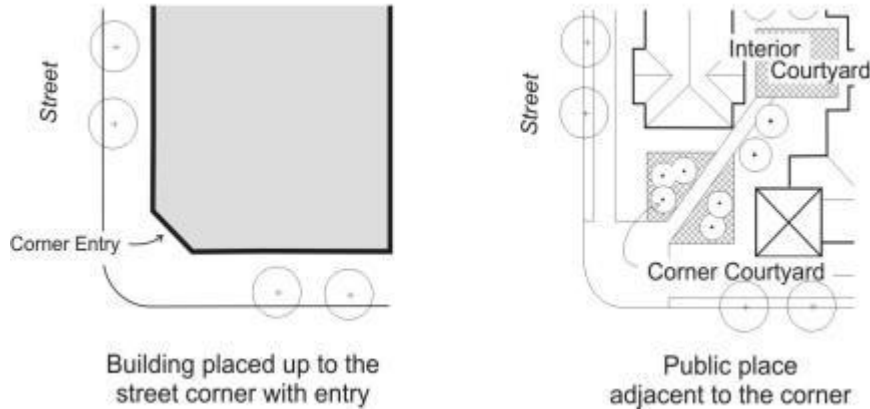
- a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.
- b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

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.



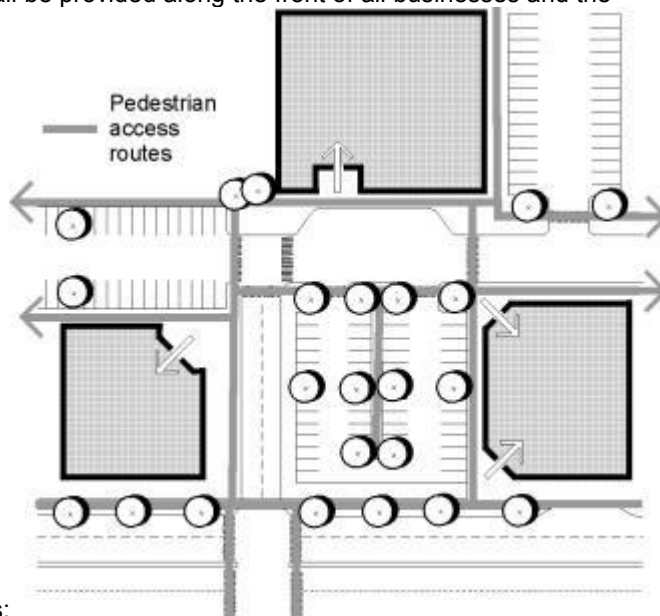
Building Corners

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.

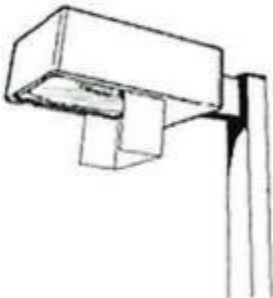
- 1. All publicly accessible areas on private property shall be illuminated as follows:
 - a. Minimum of one-half footcandle and maximum 25-foot pole height for vehicle areas;
 - b. One to two footcandles and maximum 15-foot pole height for pedestrian areas; and
 - c. Maximum of four footcandles for 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
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	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).