

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

**AGENDA TITLE:** 185<sup>th</sup> Street Station Light Rail Subarea Plan Public Hearing  
**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

<input checked="" type="checkbox"/> Public Hearing	<input type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only
<input type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other

**BACKGROUND**

During meetings on August 7, September 4 and 18, October 2 and 16, November 6, and December 18, the Planning Commission discussed potential Development Code regulations for the 185<sup>th</sup> 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.

**The purpose of tonight's meeting is to hold the public hearing on the 185<sup>th</sup> Street Station Subarea Plan and the Planned Action Ordinance, including zoning map and Development Code regulations.** The Final Environmental Impact Statement will be used as a decision-making tool and likely referenced as the basis for many comments, but is not adopted as a policy or regulatory tool, and therefore not a direct subject of the public hearing.

**Attachment A** is the Planned Action Ordinance, including the draft Development Code regulations. The Subarea Plan and Final Environmental Impact Statement are too large to attach, but are available at [www.shorelinewa.gov/185FEIS](http://www.shorelinewa.gov/185FEIS). Hard copies are also available for reference at Shoreline libraries and City Hall, or may be purchased at City Hall.

**DEVELOPMENT CODE REGULATIONS**

The Commission discussed potential Development Code regulations during seven meetings in the latter half of 2014, with staff presenting remaining potential changes to the Development Code at the December 18 meeting. The following changes have been made based on direction from that meeting and since:

- Parks are an optional element for Development Agreement's in the MUR-85' zone;
- Prohibited general retail uses have been updated to include smoke shops;
- Affordable housing is now mandatory in the MUR-45' zone;

Approved By:

Project Manager MR

Planning Director Rm

- Building step-backs are required in the MUR-85' at 45-foot height when adjacent to either the MUR-35' or MUR-45' zone; and
- Design standards have been added for parking structures.

## **Parks as Mandatory Element**

As discussed on December 18, current draft regulations mandate dedication of one acre of park space as a component of a development agreement in MUR-85'. The reasoning behind requiring a full acre of park dedication was mostly based on maintenance issues, in that the City doesn't want to end up with many small areas of park space that the Parks Department would be expected to maintain. The acre was also based on the definition of Neighborhood Park, which range in size from one acre up to 15. Another reason is that the intent of a development agreement is to trade amenities desired by the community (such as park space) for increased development potential that helps offset the cost of providing the desired amenity.

However, upon further discussion with the Assistant City Attorney, dedication as a *mandatory* requirement may not be appropriate because any dedication *required* for development approval must be related both in nature and extent to the impact of a proposed development- it must be reasonably necessary as a direct result of the proposed development. Therefore, the City would need to show an individualized determination that the area to be dedicated is proportionate to the impact, that there is a need for this amount of park space as a result of the specific development.

Based on this information, staff proposes to leave the one acre park mitigation as a "pick two" item for a development agreement in the MUR-85' zone which would make the provision optional. A subarea plan policy is also included that provides direction to explore the creation of a park impact fee rather than a mandatory dedication program. This follow-up work would be classified as an Incremental Implementation Strategy, and require working with the Parks Department and Board after light rail subarea plans are adopted.

## **Parking Structure Design**

By request of Councilmember Roberts, proposed parking structure design standards were discussed with the Planning Commission on December 18. The issue was raised as a concern for the appearance and function of parking structures as they contribute to the built environment in the Station Subareas. Staff discussed with the Commission standards such as façade, rooftop, architectural features, lighting, and inclusion of commercial space. The Commission was interested in proposed code amendments that would address these topics.

Analysis of Shoreline's existing commercial design standards shows that we have very similar standards to those suggested; however, we do not specifically identify parking structures. Parking structures have been regulated in the existing design standards if they are integrated with the main building, but that is not always the case. Articulating these design standards will be useful since they can be sizable and have impact on the

overall development and streetscape. These standards would also be intended to apply to the Sound Transit station parking structures.

The attached code amendments now identify parking structures using Shoreline's design standards under Street Frontage, Corner Buildings, and Building Articulation. However, these amendments do not regulate the grade of parking floors and the size of ramps, commercial spaces on the ground floor of parking structures, façade offsets, elevator shafts, and cornices.

It is difficult to calibrate parking floors and ramps internal to the structure without specifics regarding how much grade is allowed and what percentage can be ramped to preclude parking on the ramps, since every structure configuration and size will be different. Exclusive ramps in small garages take up a larger proportion of area, so floors may need to also be ramps. ADA accessibility will require parking spaces and elevator access to be level.

Commercial uses located in parking garages are desirable if they front on walkways or sidewalks. However, in adopting commercial design standards, Shoreline chose to be flexible with regard to ground-level spaces and require them to be designed for commercial use, but not necessarily to be used for commercial purposes given current difficulty filling these spaces. A similar standard could apply to parking garages, except that creating commercial space in parking garages with different floor plate heights and the inset of the commercial space have ramifications into the parking layout across the entire floor plate.

Facade modulation is desirable and feasible if the uses behind them are commercial or residential because the area requirements and floor plans are more flexible. However, parking structures do not have that much flexibility with regard to façade offsets because the offset is reflected through the entire floor plate. As proposed, modulation with color, texture, openings, and materials is feasible.

Shoreline does not require any building elevator shafts to be external or glassed. It is inconsistent and unrelated to require this added design feature to parking structures.

Cornices are large trim moldings for the top edges of building facades. Shoreline's design standards do not require cornices for buildings, and therefore should not require them for parking structures.

Staff will walk the Commission through the Development Code regulations at the public hearing.

## **SUBAREA PLAN**

The Growth Management Act (GMA) requires the fastest growing counties and the cities within them to plan extensively in keeping with state goals on:

- sprawl reduction
- concentrated urban growth
- affordable housing
- property rights
- natural resource industries
- historic lands and buildings

- economic development
- open space and recreation
- regional transportation
- environmental protection
- permit processing
- public facilities and services
- early and continuous public participation
- shoreline management

The City of Shoreline updated its [Comprehensive Plan](#) on December 10, 2012. Upon adoption, the 185th Street Station Subarea Plan will be incorporated into the Comprehensive Plan. Draft policy language for the Subarea Plan was introduced at the November 20 Commission meeting, and the full draft Subarea Plan was introduced at the December 4 Commission Meeting. The Subarea Plan contains policy direction for future development of the 185<sup>th</sup> Street Station Subarea, including implementation strategies that will require additional work following adoption of the Plan. This includes working with the Parks Board to develop a program for impact fees or dedication of new parks, and coordinating with service providers regarding capital projects.

Upon further discussion with members of the public, staff offers several potential amendments/additions (in *italics*) to Subarea Plan policies, and the reasoning behind them.

Housing:

*Analyze methods to maintain some affordable single family housing in addition to multi-family units as part of the City's affordable housing program.*

Shoreline seeks to have a variety of housing types that are affordable to households earning less than the King County median income. The 185th Street Station Subarea Plan creates the opportunity for new, more affordable multi-family housing options, but redevelopment may mean that existing, often affordable single family dwellings will be reduced in number. Although this meets the City's goals to locate more people near the light rail stations, it may impact the goal of maintaining a variety of affordable options. In order to preserve some affordable single family options over time, the City may want to consider adopting an affordable home ownership program as an implementation step.

Utilities-Hydrology:

*Prepare information regarding how proposed redevelopment in the 185th Street Station Area will be managed in relation to known hydrological conditions.*

*Based on actual redevelopment and studies prepared for development within the Station Subarea, periodically analyze redevelopment patterns. Consider targeted planning efforts for areas that are not developing as envisioned.*

Redevelopment within the 185th Street Station Subarea is likely to occur first on those lots that have the least impediments. Impediments related to topography, poor soils, and surface and groundwater may present challenges on some lots. There are concerns about how redevelopment on lots that are easier to redevelop will impact the lots that are more difficult to develop. Is there a way to address this over time for a better transition? The goal would be to identify the more difficult sites sooner in the

redevelopment process and adapt plans to address these conditions.

**Does the Commission believe that these or other policies should be included in the Subarea Plan?**

**PLANNED ACTION ORDINANCE**

A Planned Action is a development project whose impacts have been addressed by an Environmental Impact Statement (EIS) associated with a plan for a specific geographic area before individual projects are proposed. A planned action involves detailed SEPA review and preparation of EIS documents in conjunction with subarea plans, consistent with [RCW 43.21C.031](#) and [WAC 197-11-164](#) through [WAC 197-11-172](#). Such up-front analysis of impacts and mitigation measures then facilitates environmental review of subsequent individual development projects.

The full [Planned Action Ordinance](#) for the 185th Street Station Subarea will be discussed at the January 15 Planning Commission public hearing. It is important to note that even though the Planned Action Ordinance references the Preferred Alternative zoning scenario, this should not be interpreted as a foregone conclusion. There are several remaining opportunities for discussion and deliberation by both the Commission and Council, and for public comment, before final zoning is determined. Decision-makers and the public should consider these documents as illustrative of requisite components at this time. If necessary, staff will amend based on Planning Commission recommendation and City Council decision.

Council may adopt [Ordinance 702](#) (Attachment A) at their February 23 meeting, which will change Comprehensive Plan Land Use designations, zoning designations, and Development Code regulations; and will adopt the 185<sup>th</sup> Street Station Subarea Plan.

**Exhibits to Attachment A include:**

[Exhibit A](#) - Preferred Alternative map delineating Planned Action boundaries

[Exhibit B](#) - Final EIS Mitigation Measures recommended for both 20 year and build-out time frames for Preferred Alternative

[Exhibit C](#) - Preferred Alternative Comprehensive Plan Land Use Map designations

Normally, Comprehensive Plan designations represent a range of potentially appropriate zoning. For example, the Comprehensive Plan designation of High Density Residential (HDR) means that potentially R-12, R-18, R-24, or R-48 zoning designations may be appropriate, but such a change would need to be requested by the property owner and analyzed with regard to site and neighborhood specific considerations. This means that if a property had a Comprehensive Plan designation of HDR, but was zoned R-12, the owner could submit an application to be rezoned to R-18, R-24, or R-48. The process is criteria-based and involves a public hearing. However, for station subareas, this process would intentionally not be applicable. In Exhibit C, each proposed new Comprehensive Plan designation (Station Areas 1, 2, and 3) correlate to one of the Mixed Use Residential (MUR)

zoning designations. This means that property owners could not request rezoning to a higher classification in the future, and zoning adopted would be the most allowed.

[Exhibit D](#) - Preferred Alternative Zoning Map

[Exhibit E](#) - Draft Development Code regulations for 185SSSP

One of the purposes of doing a Planned Action is to develop an understanding of cumulative impacts of potential redevelopment, rather than performing this analysis only at the project level. Analyzing impacts and identifying mitigations for both 20 year and build-out timeframes allows the City to prioritize capital projects for the shorter timeframe, while also foreseeing what could be needed for the long-term. In some cases, when making improvements it is advisable to design for the long-term need.

Analyzing different timeframes has the added benefit of accommodating unpredictable rates of growth. If more redevelopment were to occur than projected for the 20 year timeframe, the City and other service providers already know what additional improvements would need to be required before development could proceed.

A Planned Action is also not an indefinite or unlimited pass for growth. The City must monitor actual projects against the level analyzed, and if this threshold is reached, either a developer would need to do perform independent environmental analysis, or the City could choose to develop a Supplemental Environmental Impact Statement to determine additional mitigations. Either option would be accompanied by new public process.

It should also be noted that the regulations that are adopted as part of a Planned Action Ordinance may be amended over time to address issues that arise, such as requiring additional design standards or mandating extra amenities.

## **FINAL ENVIRONMENTAL IMPACT STATEMENT**

According to the Washington State Environmental Policy Act (SEPA) Handbook, there are several steps in the EIS process:

1. Conducting "scoping," which initiates participation by the public, tribes, and other agencies and provides an opportunity to comment on the proposal's alternatives, impacts, and potential mitigation measures to be analyzed in the EIS;
2. Preparing the Draft EIS, which analyzes the probable impacts of a proposal and reasonable alternatives, and may include studies, modeling, etc.;
3. Issuing the Draft EIS for review and comment by the public, other agencies, and the tribes;
4. Preparing the Final EIS, which includes analyzing and responding to all comments received on the Draft EIS, and may include additional studies and modeling to evaluate probable impacts not adequately analyzed in the Draft EIS;
5. Issuing the Final EIS; and
6. Using the EIS information in decision-making.

The City has completed steps 1-5. The Planning Commission discussed the Final EIS at their meeting on November 20, and a Review Guide was published summarizing findings of the Final EIS, prior to publication of the full document, which took place on November 26. Step 6 will take place at the public hearing on January 15, 2015, and during City Council deliberation on February 9 and 23.

The Final EIS is intended to be very similar to the Draft, except that it should respond to public comments submitted and perform additional analysis if necessary. For the 185th Street Station Subarea Plan, the Draft EIS analyzed three potential zoning scenarios: No Action, Some Growth, and Most Growth. On August 25, Council selected a Preferred Alternative zoning scenario that was more intense than that analyzed in the Draft EIS. On September 29, the Council and Commission agreed to study a phased approach to zoning in the Final EIS. On October 2, the Commission defined boundaries for the area to be studied as Phase I.

Therefore, the Final EIS for the 185SSSP required additional analysis to consider a new Preferred Alternative zoning scenario and the potential to phase zoning. In addition to this new information, the Final EIS also provides updated details regarding mitigations, including Development Code regulations that could be adopted as part of the Planned Action Ordinance, new zoning designations, and greater emphasis on what to expect in the next 20 years.

#### **PUBLIC NOTICE AND COMMENT**

The City noticed the public hearing on November 26, 2014. The notice was posted in the Seattle Times, on the City's website and Shoreline Area News, and mailed to Parties of Record. Emails and Alert Shoreline notifications were sent to distribution lists on November 26, December 5, and December 29 letting people know that the Final EIS, Subarea Plan, and Planned Action Ordinance, including proposed Development Code amendments were available at [www.shorelinewa.gov/185FEIS](http://www.shorelinewa.gov/185FEIS), and about the public hearing, and subsequent Council discussion and potential adoption. Staff will post and send to Plancom all public comments received to date on January 8 (one week before the hearing), and present comments received between January 9 and 15 in a desk packet.

#### **RECOMMENDATION**

Staff recommends the Commission amend if necessary, and recommend approval of the Planned Action Ordinance and Subarea Plan to be forwarded to Council for further consideration and potential adoption.

#### **ATTACHMENTS**

**Attachment A** – Planned Action Ordinance, including draft Development Code regulations

## **ORDINANCE NO. 702**

**AN ORDINANCE OF THE CITY OF SHORELINE WHICH AMENDS THE COMPREHENSIVE PLAN BY ADDING THE 185<sup>TH</sup> STREET STATION SUBAREA PLAN, AMENDS THE ZONING MAP, AND AMENDS THE LAND USE MAP TO INCLUDE STATION AREA DESIGNATIONS AND AMENDS SMC CHAPTERS 20.10, 20.20, 20.30, 20.40, AND 20.50 TO INCLUDE SPECIFIC DEVELOPMENT REGULATIONS TO IMPLEMENT THE 185<sup>TH</sup> STREET LIGHT RAIL STATION SUBAREA PLAN, AND AMENDMENT TO THE ZONING MAP**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the State of Washington, and planning pursuant to the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, the City of Shoreline has adopted a Comprehensive Plan under the provisions of Chapter 36.70A RCW that includes policies for the creation of a subarea plan for the 185<sup>th</sup> Street Station Subarea; and

WHEREAS, the State Environmental Policy Act ("SEPA"), Chapter 43.21C RCW, and implementing rules provide for the integration of environmental review with land use planning and project review through designation of "Planned Actions" by jurisdictions planning under the Growth Management Act ("GMA"); and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action Environmental Impact Statement ("EIS"), and thereby encourages desired growth and economic development; and

WHEREAS, the provisions of Chapter 43.21C.031 RCW and the regulations issued there under provide for the designation of planned actions within geographic areas that are less extensive than a municipality's jurisdictional boundaries allowing expedited project review where substantial comprehensive planning and environmental review have been completed prospectively; and

WHEREAS, the City of Shoreline has prepared the 185<sup>th</sup> Street Station Subarea Plan, conducted a thorough review of the development anticipated within the area, and prepared a Planned Action Environmental Impact Statement (EIS) under SEPA, that considered the impacts of the anticipated development within the station subarea consistent with the Subarea Plan, provides for mitigations measures, and other conditions to ensure that future development will not create adverse environmental impacts; and



WHEREAS, The City of Shoreline conducted an extensive public participation and review process for preparation of the proposed Subarea Plan and amendments to the Development Code needed to implement the plan and mitigate impacts; and

WHEREAS, the City issued the 185th Street Station Subarea Plan Planned Action EIS on November 26, 2014, and all relevant procedural requirements of SEPA, including allowing for public comment, have been satisfied; and

WHEREAS, the 185th Street Station Subarea Plan Planned Action EIS identifies impacts and mitigation measures associated with planned development in the station area; and

WHEREAS, the City has adopted development regulations that will help protect the environment, and will be adopting zoning regulations and design standards specific to the 185th Street Station Subarea which will guide the location, form, and quality of development and redevelopment as part of this action; and

WHEREAS, the Planning Commission, after required public notice, held a public hearing on the 185th Street Station Subarea Plan Planned Action Ordinance on January 15, 2015, reviewed the public record, and made a recommendation to the City Council; and

WHEREAS, the City Council, after required public notice, held a study session on the 185th Street Station Subarea Plan Planned Action Ordinance on February 9, 2015, reviewed the Planning Commission's recommendation and the entire public record, and found that the proposed ordinance is consistent with state law; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment to its Comprehensive Plan and SMC Title 20; and

WHEREAS, the City of Shoreline designates the 185<sup>th</sup> Street Station Subarea as a special district with projects qualified as planned actions consistent with RCW 43.21.031, WAC 197.11.164 to .172, and Shoreline Municipal Code 20.40.050; and

WHEREAS, the City of Shoreline desires to adopt the 185<sup>th</sup> Street Station Subarea Plan, and amendments to SMC Title 20, the Unified Development Code, to implement the Subarea Plan, and incorporate expedited review of land use actions designated as planned actions;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,  
WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Findings.** The City Council finds that:

1. A subarea plan has been prepared and is adopted by the Council under the provisions of the Growth Management Act, Chapter 36.70A RCW, for the 185<sup>th</sup> Street Station Subarea, located within the City of Shoreline city limits. The 185<sup>th</sup> Street Station Subarea Plan (hereafter "Subarea Plan") amends the City's Comprehensive Plan.
2. An Environmental Impact Statement (hereafter "EIS") has been prepared and issued pursuant to Chapter 43.21C RCW in conjunction with the adoption of the Subarea Plan and the implementing regulations in SMC Title 20 hereinafter referred to the "Development Code".
3. The EIS has identified the environmental impacts of the Planned Action and the Subarea Plan, Development Code, and EIS have adequately addressed all significant environmental impacts associated with planned actions within the 185<sup>th</sup> Street Station Subarea.
4. A Planned Action determination for a site-specific implementing project application shall be based on the environmental analysis contained in the EIS. The boundaries of the Planned Action are described in **Exhibit A**. The mitigation measures contained in **Exhibit B**, which are attached hereto and adopted by reference as set forth herein and which shall be available from the Department of Planning and Community Development, are based upon the findings of the EIS, and shall, along with adopted City regulations, provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects.
5. The City's Development Code for the Subarea Plan is adequate to mitigate the significant adverse environmental impacts anticipated by development consistent with the Subarea Plan.
6. By using the previous environmental review performed in the EIS, applications will be expedited and will benefit the public, adequately protect the environment, and enhance the economic development of the 185<sup>th</sup> Street Station Subarea.
7. The Subarea Plan contains policies to further the creation of a Transit Oriented Community such as developing a multi-modal transportation network that encourages transit, walking and biking, community design, economic development, green building and district energy, utilities, parks and open space, tree retention and replacement, and affordable housing.
8. The City, with adoption of this Planned Action Ordinance, will update the Capital Improvement Program (CIP) to include improvements for the 185<sup>th</sup> Street/ 10<sup>th</sup> Avenue NE/ NE 180<sup>th</sup> Street Corridor.

9. Public involvement and review of the Subarea Plan, Development Code regulations, and the EIS have been extensive and ensure a substantial relationship to the public interest, health, safety, and welfare.

**Section 2. Amendment to Comprehensive Plan and Land Use Map.** The Comprehensive Plan and Land Use Map are amended by the addition of the 185<sup>th</sup> Street Station Subarea Plan, filed with the City Clerk under Clerk's Receiving #7879, and attached hereto as **Exhibit C**.

**Section 3. Amendment to Zoning Map.** The Official Zoning Map is amended to adopt the implementing zones of the 185<sup>th</sup> Street Station Subarea, filed with the City Clerk under Clerk's Receiving #7880, and attached hereto as **Exhibit D**.

**Section 4. Amendment.** Chapters 20.10, 20.20, 20.30, 20.40, and 20.50 of the Shoreline Municipal Code are amended by adding the development regulations set forth in **Exhibit E**.

**Section 5. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

**Section 6. Third Party Liability.** This ordinance does not create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these regulations. No provision or term used in these regulations is intended to impose any duty whatsoever upon the City or any of its officers, employees, or agents. Notwithstanding any language used in this ordinance, it is not the intent of this ordinance to create a duty and/or cause of action running to any individual or identifiable person, but rather any duty is intended to run only to the general public.

**Section 7. Effective Date and Publication.** A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

**PASSED BY THE CITY COUNCIL ON February 23, 2015.**

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Shari Winstead  
Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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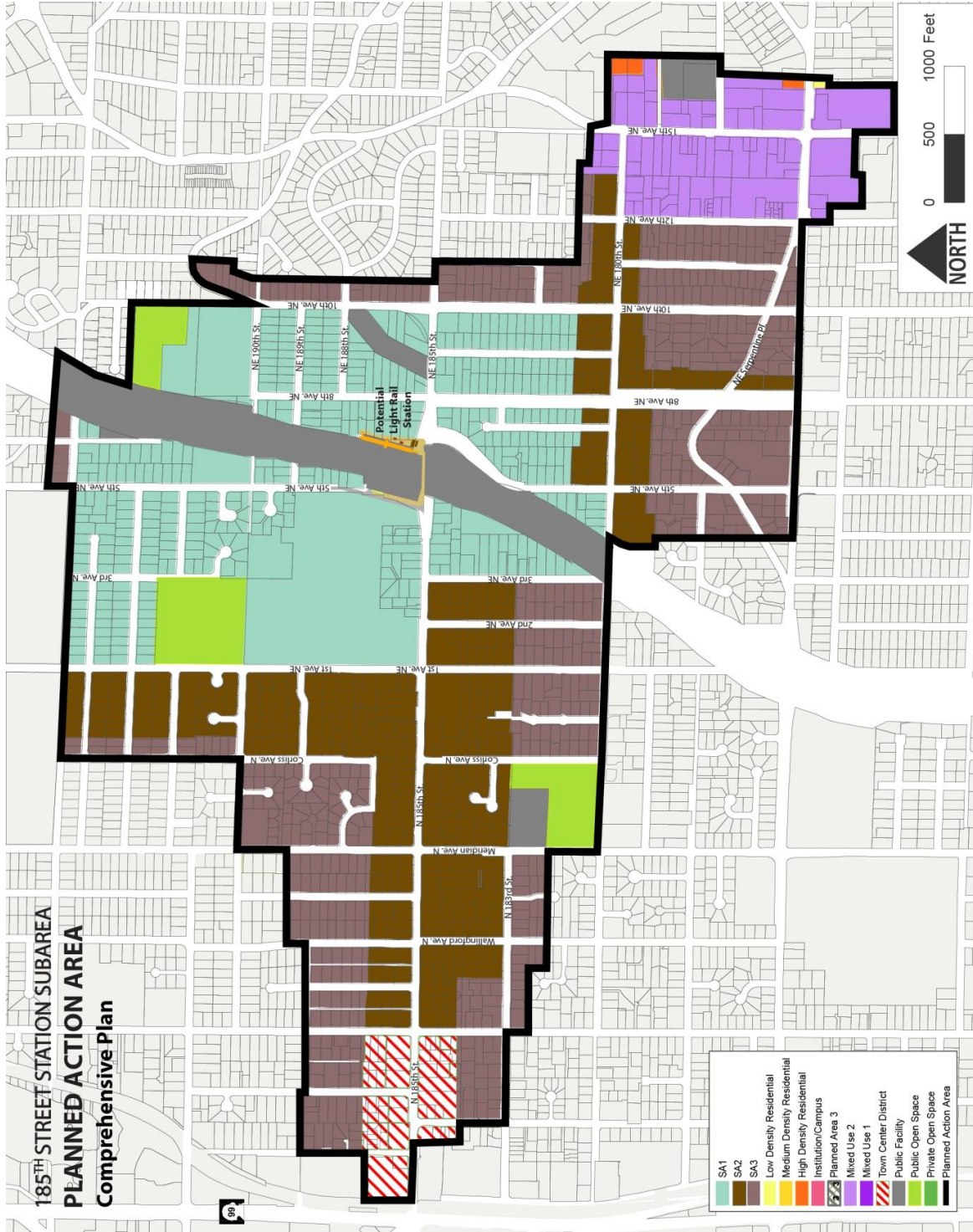
Jessica Simulcik Smith  
City Clerk

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Margaret King  
City Attorney

Date of Publication:  
Effective Date:

### EXHIBIT A Boundaries of Planned Action



## **EXHIBIT B**

### **185<sup>TH</sup> STREET STATION SUBAREA PLAN PLANNED ACTION MITIGATION MEASURES**

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that may have adverse impacts upon the environment.

In order to meet SEPA requirements, the City of Shoreline issued the Draft 185<sup>th</sup> Street Station Subarea Planned Action Environmental Impact Statement on June 9, 2014, and the Final Environmental Impact Statement on November 20, 2014. The Draft Environmental Impact Statement and the Final Environmental Impact Statement are referenced collectively herein as the “EIS.” The EIS has identified probable significant impacts that would occur with the future development of the Planned Action area, together with a number of potential measures to mitigate those significant impacts.

The purpose of this Mitigation Document is to establish specific mitigation measures for qualified Planned Action development proposals, based upon significant impacts identified in the EIS. The mitigation measures would apply to future development proposals that are consistent with the Planned Action development envelope reviewed in the EIS and that are located within the Planned Action area (see Exhibit A).

#### **USE OF TERMS**

As several similar terms are used in this Mitigation Document, the following phrases or words are defined briefly:

##### **SEPA Terms**

The discussion of mitigation measures may refer to the word’s action, planned action, or proposal, and for reference these terms are identified below.

- “Action” means projects or programs financed, licensed, regulated, conducted or approved by an Agency. “Project actions” involve decisions on a specific project such as a construction or management activity for a defined geographic area. “Non-project” actions involve decisions about policies, plans or programs. (see WAC 197-11-704)
- “Planned Action” refers to types of project actions that are designated by ordinance for a specific geographic area and addressed in an EIS, including any Addendum, in conjunction with a comprehensive plan or subarea plan, a fully contained community, a master planned resort, a master planned development or phased project. (see WAC 197-11-164)
- “Proposal” means a proposed action that may be an action and regulatory decision of an agency, or any action proposed by applicants. (see WAC 197-11-784)

## **Other Terms**

The Planned Action area may be referred to as the 185<sup>th</sup> Street Station Subarea Planned Action area, project site, or project area in this document.

## **General Interpretation**

Where a mitigation measure includes the words “shall” or “will,” inclusion of that measure is mandatory in order to qualify a project as a Planned Action. Where “should” or “would” appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action and/or to reduce transportation mitigation impact fees.

Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

## **DEVELOPMENT PROPOSED UNDER THE PLANNED ACTION**

The proposal reviewed in the EIS included designation of the 185<sup>th</sup> Street Station Subarea as a Planned Action area for the purposes of State Environmental Policy Act (SEPA) compliance, pursuant to RCW 43.21C.440 and WAC 197-11-164, and adoption of amendments to the Development Code addressing form-based zoning, parking standards and design standards, and the development projects that implement the Planned Action. The Planned Action designation would encourage the creation of walkable, Transit Oriented Communities, and with a mix of housing opportunities, employment, retail and other community amenities. Under this Planned Action, redevelopment in the period through 2035 would add between 502 and 928 new jobs and between 1,140 to 2,190 new housing units in the Planned Action area. The Planned Action area is shown in Exhibit A.

## **MITIGATION**

Based on the EIS, which is incorporated by reference, this Mitigation Document summarizes significant adverse environmental impacts that are anticipated to occur in conjunction with the development of planned action projects in the next 20 years. Mitigation measures, identified in the EIS, are reiterated here for inclusion in conjunction with proposed projects to mitigate related impacts and to qualify as Planned Action projects.

Consistency review under the Planned Action, site plan review, and other permit approvals will be required for specific development actions under the Proposed Action pursuant to WAC 197-11-172. Additional project conditions may be imposed on planned action projects based upon the analysis of the Planned Action in relationship to other City, state or federal requirements or review criteria.

Any applicant for a project within the Planned Action area may propose alternative mitigation measures, if appropriate and/or as a result of changed circumstances, in order to allow equivalent substitute mitigation for identified impacts. Such modifications would be evaluated by the City SEPA Official prior to any project approvals by the City.

As permitted by WAC 197-11-660, it is recognized that there may be some adverse impacts that are unavoidable because reasonable or feasible mitigation cannot be achieved for the Planned Action.

The combination of regulations applicable to each element of the environment and mitigation measures identified in the EIS and documented in this Mitigation Document that are applied to any planned action proposal will adequately mitigate all significant environmental impacts associated with Planned Action proposals.

Mitigation measures are provided below for each element of the environment analyzed in the EIS.

## **ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

The EIS identifies a summary of impacts and mitigation measures for land use, population/ housing/employment, multi-modal transportation, public services, and utilities. Please refer to the Draft and Final EIS for complete text associated with each element of the environment. The following is a summary of impacts and the mitigation measures applicable to impacts on each element of the environment.

### **Land Use Mitigation Measures**

#### **Summary of Impacts**

The preferred alternative would result in the greatest extent of change, covering the most geographic area. Current land use patterns would be altered from predominantly single family to mixed use, multi-family, and attached single family, along with some neighborhood supporting retail and employment uses (less than under Alternative 3; more than under Alternative 2). The preferred alternative would preserve some areas of single family in the subarea, but less than under Alternative 3 and 2.

Intensity of land use including density, building height, and mass of urban form would be greater under the preferred alternative than under Alternatives 3 and 2. Potential impacts to land use compatibility between new and existing land uses would require mitigation.



### **Applicable Regulations and Commitments**

Development under the Planned Action will be required to comply with the Development Code regulations identified in SMC 20.50. Applicable standards include dimensional standards, uses, site design standards, building design standards, and landscaping. Redevelopment that complies with these guidelines would, in many cases, represent an improvement over existing land use compatibility.

### **Mitigation Measures**

Change will occur incremental over many decades. Proactive planning and capital investments will support the implementation of the adopted Station Subarea Plan over time. The City will update the Shoreline Municipal Code Title 20, the Development Code, to encourage best design practices and design features that enhance the neighborhood and provide a suitable transition between uses. Potential implementation of phased zoning may provide more focus and predictability for the first stages of change.

## **Population, Housing and Employment**

### **Summary of Impacts**

The population growth projected at a 1.5 percent to 2.5 percent annual growth rate would be the same under all action alternatives. In the first 20-years, population is projected to grow between 2,916 people and 5,399 people.

At full build-out, more capacity for affordable housing and housing choices would be present over the long term in the preferred alternative.

The preferred alternative provides fewer employment opportunities than under Alternative 3, but still provides significant capacity for employment growth to help meet City's targets and balance the jobs-to-housing ratio

### **Applicable Regulations and Commitments**

Development under the Planned Action will be required to comply with the Development Code regulations identified in SMC 20.50. Applicable standards include the use table in SMC 20.40.160 which identifies which uses are allowed in the MUR Zones.

### **Mitigation Measures**

Population is expected to grow incrementally over many decades. Proactive planning and capital investment to support implementation of the adopted Station Subarea Plan will occur over time. The City will update the Shoreline Municipal Code Development Code standards to encourage a greater level of affordable housing, housing choices, and expand uses allowed in the Station Subarea. The potential implementation of phased zoning will be explored to provide more focus and predictability for initial decades of growth.

## **Transportation Mitigation Measures**

### **Summary of Impacts**

By 2035: 1,140 to 2,190 new households and 502 to 928 new employees would generate additional trips in the subarea, as would access to and from the planned park-and-ride structure for the light rail station.

The most heavily traveled routes for traffic would be N-NE 185<sup>th</sup> Street, Meridian Avenue N, and NE 175<sup>th</sup> Street from Meridian to Interstate 5; volumes on N-NE 185<sup>th</sup> Street may reach 20,000 vehicles per day (compared to current daily volumes of 9,700).

At Build-Out: 23,554 new households and 15,340 new employees would generate additional trips (to the total of 20,111 peak PM trips).

### **Applicable Regulations and Commitments**

Development will comply with the City's development standards with regards to street improvements in the City's Municipal Code and Engineering Standards.

### **Mitigation Measures**

#### **By 2035 or earlier:**

- Implement Transportation Master Plan (TMP) planned improvements and Lynnwood Link DEIS outlined projects
- N-NE 185<sup>th</sup> Street: two-way left-turn lane
- Meridian Ave N: two-way left-turn lane
- N 185<sup>th</sup> St/Meridian Ave N: 500 foot NB and SB add/drop lanes w/ second through lane and receiving lane; 50 foot EB right-turn pocket
- Expanded turn pocket lengths for Meridian Ave N and 175<sup>th</sup> St intersection
- Intersection improvements at 15<sup>th</sup> Avenue NE and NE 175<sup>th</sup> St Intersection

**By 2035:**

- Transportation demand management strategies and actions to minimize traffic congestion along N-NE 185<sup>th</sup> Street, Meridian Avenue N, and other key corridors
- Ongoing expansion of the bicycle and pedestrian network along with transit service priority measures
- Develop specific N-NE 185<sup>th</sup> corridor plan to prepare for redevelopment
- Continue to monitor traffic volumes on N-NE 185<sup>th</sup> Street on a bi-annual basis to identify changes in congestion patterns
- Employ access management strategies for new development to reduce the number of curb cuts and access points along N-NE 185<sup>th</sup> Street
- Expand signal coordination and other intelligent transportation systems (ITS) strategies
- Consistent with the TMP, reconfigure the N 185<sup>th</sup> Street/Meridian Avenue N intersection
- Provide protected/permitted phasing for NB and SB left-turn movements at N 185<sup>th</sup> Street and Meridian Avenue N
- Signalization of the intersections along N-NE 185<sup>th</sup> Street at 5<sup>th</sup> Avenue NE and 7<sup>th</sup> Avenue NE may be necessary depending on actual station and parking garage access volumes with implementation of light rail service in 2023
- As traffic volumes approach the capacity of N-NE 185<sup>th</sup> Street, evaluate adding lane capacity from Aurora Avenue N to 7<sup>th</sup> Avenue NE
- Consistent with the TMP, reconfigure the N 175<sup>th</sup> Street/Meridian Avenue N intersection
- NE 175<sup>th</sup> Street and I-5 ramps are within WSDOT jurisdiction and may require additional mitigation
- Consistent with the TMP, add bicycle lanes along 1<sup>st</sup> Avenue NE from the 195<sup>th</sup> Street trail to NE 185<sup>th</sup> Street
- Consistent with the TMP, reconstruct 5<sup>th</sup>/7<sup>th</sup> Avenue NE with full sidewalk coverage and bicycle lane provision from NE 175<sup>th</sup> Street NE to NE 185<sup>th</sup> Street and 5<sup>th</sup> Avenue NE from NE 185<sup>th</sup> Street to NE 195<sup>th</sup> Street
- Continue to monitor traffic volumes on Meridian Avenue N on a bi-annual basis to identify changes in congestion patterns
- Consistent with the TMP, convert Meridian Avenue N to a three-lane profile with a two-way left-turn lane and bicycle lanes
- Consistent w/ TMP, install sidewalks on both sides of 10<sup>th</sup> Avenue NE from NE 175<sup>th</sup> St to NE 195<sup>th</sup> St
- Consistent with the TMP, install sidewalks on both sides of NE 180<sup>th</sup> Street from 15<sup>th</sup> to 10<sup>th</sup> Ave NE
- Perkins Way: although future traffic volumes are forecast to be within the capacity of the roadway, evaluate bicycle facilities to improve connections from northeast of the station

- Work with Sound Transit on the design of the light rail station and park-and-ride structure to integrate these facilities into the neighborhood and ensure that adequate spaces is provided for all uses (bus transfers/layovers, kiss and ride, shuttle spaces, bike parking ,etc.) to avoid spill over into the neighborhood
- Work with Sound Transit on the N-NE 185<sup>th</sup> Street bridge improvements with a focus on multi-modal access and safety

**Parking management strategies:**

- Consider implementation of a residential parking zone (RPZ) to help discourage long-term parking within residential areas by light rail station or retail customers
- Consider time limits and restrictions on specific streets to help limit spillover into residential areas and improve parking turnover near commercial use
- Provide parking location signage directing drivers to available off-street parking locations to improve vehicle circulation and efficient utilization of parking
- Consider changes in parking rates (variable parking pricing) based on time period and demand to manage available supply
- If existing parking facilities are being used efficiently, City or property owners may consider adding off-street parking to ease the pressure off of on-street supply

**Traffic calming:**

- Monitor the need for traffic calming on non-arterial streets to discourage cut-through traffic working through the Neighborhood Traffic Safety Program

**Transit service improvements:**

- As part of the transit service integration plan currently under development, provide specific focus on the N-NE 185<sup>th</sup> Street corridor to ensure transit vehicles can operate efficiently through the study area.
- Strategies the city may employ include construction of signal priority systems, queue jumps and bus bulbs.
- Target potential chokepoints along N-NE 185<sup>th</sup> Street for these improvements, such as Meridian Avenue N and/or 5<sup>th</sup> Avenue NE.
- Evaluate the potential signalization of NE 185<sup>th</sup> Street and 7<sup>th</sup> Avenue NE to allow for efficient access of busses into and out of the light rail station.

**Pedestrian & Bicycle Facilities (In addition to above):**

- Evaluate potential improvements on N-NE 185<sup>th</sup> from the Interurban Trail to the station including cycle tracks
- Coordinate with Sound Transit on bike facilities at the station

- Require bike parking and pedestrian and bicycle facilities as part of redevelopment projects
- Work with Sound Transit to identify potential locations for a shared use path (pedestrian/bicycle) along the right-of-way secured for the light rail alignment on the east side of I-5; this trail could provide a dedicated north-south connection from the NE 195<sup>th</sup> Street pedestrian and bicycle bridge to the station
- See Perkins Way recommendation above
- Install bike lanes on 10<sup>th</sup> Avenue NE
- Consider opportunity to implement bike sharing program and additional bike storage near station

**To Serve Build-Out Growth:**

- Additional through-lanes along N/NE 185<sup>th</sup> Street from 10<sup>th</sup> Avenue NE to Aurora Avenue N
- Additional right-turn pockets for the eastbound and westbound approaches along N 185<sup>th</sup> Street at the intersection with Meridian Avenue N
- Additional through-lanes in the northbound and southbound direction along Meridian Avenue N between N 175<sup>th</sup> Street and N 205<sup>th</sup> Street with a right-turn pocket on the northbound approach to N 185<sup>th</sup> Street
- Dual left-turn pockets for the southbound approach at 1<sup>st</sup> Avenue NE and NE 185<sup>th</sup> Street
- Right-turn pocket for the westbound approach at 5<sup>th</sup> Avenue NE and NE 185<sup>th</sup> Street
- Two-way left-turn lane along 5<sup>th</sup> Avenue NE between NE 175<sup>th</sup> Street and NE 185<sup>th</sup> Street
- Dual left-turn pocket for eastbound approach at 15<sup>th</sup> Avenue NE and NE 175<sup>th</sup> Street
- Northbound right-turn lane at N 175<sup>th</sup> Street and Meridian Avenue N
- Signalization of the following intersections:
  - NE 185<sup>th</sup> Street and 5<sup>th</sup> Avenue NE
  - NE 185<sup>th</sup> Street and 7<sup>th</sup> Avenue NE
  - NE 185<sup>th</sup> Street and 10<sup>th</sup> Avenue NE
- Signalization or roundabout conversion of the following intersection:
  - NE 180<sup>th</sup> Street and 10<sup>th</sup> Avenue NE
- To Serve Build-Out, Cont'd:
  - Widening of the 5<sup>th</sup> Avenue NE and NE 175<sup>th</sup> Street intersection to facilitate bus turns from EB NE 175<sup>th</sup> St to NB 5<sup>th</sup> Avenue NE. Only smaller buses can make the turn today
  - NE 175<sup>th</sup> Street and the I-5 Ramps are within WSDOT jurisdiction and would require additional mitigation

**Other Mitigation Measures:**

- Continue to implement traffic calming measures along non-arterial streets to prevent cut-through traffic , working through the Neighborhood Traffic Safety Program
- Continue to support transit service mitigation measures as needed
- Implement programs such as bike sharing and car sharing programs working with service providers
- Continue to require and implement pedestrian and bicycle facilities and improvements

**Public Services Mitigation Measures**

**Summary of Impacts**

**Schools:**

By 2035:

723-893 elementary students

223-276 middle school students

522-646 high school students

At Build-Out:

7,891 elementary students

2,439 middle school students

5,703 high school students

**Parks, recreation, and open space**

By 2035:

Population increase of 2,916 to 5,399 people would generate demand for one new neighborhood park

At Build-Out:

Would generate demand for nine to ten new neighborhood parks and possibly other facilities to be monitored and evaluated over time

**Police**

By 2035: 2.5 to 4.6 new commissioned officers, as well as more equipment, vehicles and facilities/space

At Build-Out

Up to 41 new commissioned officers, as well as more equipment, vehicles and facilities/space

**Fire and emergency services**

By 2035: 292 to 675 additional annual calls (staff, equipment, and facilities to support increase)

At Build-Out:

Increase to an additional 4,859 to 6,089 annual calls

**Solid waste**

By 2035: 3,418 to 6,327 more people; 32,813 to 60,739 additional pounds of waste management per week

At Build-Out: 62,477 more people; 599,779 additional pounds of waste management per week

**City/municipal services**

By 2035: 2,916 to 5,399 more people would require 7.35 to 13.61 FTE City employees

At Build-Out: 48,585 more people would require 122 FTE City employees

**Museum, library, postal, and human services**

By 2035: 5.3 percent to 9.9 percent increase in demand for services

At Build-Out: 88.7 percent increase in demand for services; a new library or satellite library may be needed

**Mitigation Measures**

- Provide outreach to and coordinate with service providers (City and non-City) to proactively plan for additional facilities and services from the outset of adoption of rezoning to address needs, which will increase incrementally over many decades
- Increases in households and businesses would result in increased tax and fee revenue to help offset cost of providing additional services and facilities
- Consider the need for potential increases in fees for services to address growth
- In some cases, behavioral changes may help to offset some demand for services (e.g., less waste generated, more recycling, etc.)

**Utilities Mitigation Measures**

**Summary of Impacts**

**Water**

5,120,637 total gallons per day  
Compared to 669,180 current usage

**Wastewater**

661% increase in demand for service compared to current service level

**Surface Water**

37% increase in surface water/303.10 cfs

**Electricity**

699% increase in demand for electricity; undergrounding

**Natural Gas**

Major increase in demand

**Communications**

Major increase in demand

**Mitigation Measures**

**Water**

By 2035:

- Utility providers would need to implement already planned improvements and update service planning and comprehensive plans to address potential growth as a result of rezoning
- Evaluate/verify long-term storage and facilities needs
- Upgrade 8,610 linear feet (LF) of 12” water mains, valves, and hydrants in the North City Water District
- Upgrade 3,030 LF of 12” water mains and 1,480 of 8” water mains, as well as valves and hydrants in the Seattle Public Utilities (SPU) system

To Serve Build-Out:

- Upgrade 36,969 LF of 12” and 317 LF 8” mains, as well as valves & hydrants in the North City Water District
- Upgrade 30,515 LF of 12” and 5,485 LF of 8” mains, as well as valves and hydrants in the SPU system

**Wastewater**

By 2035:

- Utility providers would need to implement already planned improvements and update service planning and comprehensive plan to address potential growth as a result of rezoning
- Upgrade 9,450 LF of 18” or larger mains, and 648 LF of 12” to 15” mains; upsize lift station #15

To Serve Build-Out:

- As the service provider, the City would need to upgrade 30,777 LF of 18” or larger and 26,584 LF of 12” to 15” mains and other facilities



- Upsize Lift Stations # 8, 14, and 15
- Implement already planned improvements including comprehensive plan items and update plans

### **Surface water**

By 2035:

- Upgrade 2,617 LF of 24” pipe, 20,422 of 18” pipe, and 4,257 of 12” pipe
- Upsize MC03 pump station
- Encourage and implement low impact development (LID) and green stormwater infrastructure to higher level than required by DOE
- Explore sub-basin regional approach to stormwater management to reduce costs and incentivize redevelopment

To Serve Build-Out

- Upgrade 4,317 LF of 24” pipe, 35,673 of 18” pipe, and 11,302 of 12” pipe
- Upsize MC03 & Serpentine pump stations
- Continue to encourage greater levels of LID and green stormwater infrastructure than Required by Code

### **Electricity, Natural Gas, and Communications**

To Serve 2035 and Build-Out Growth:

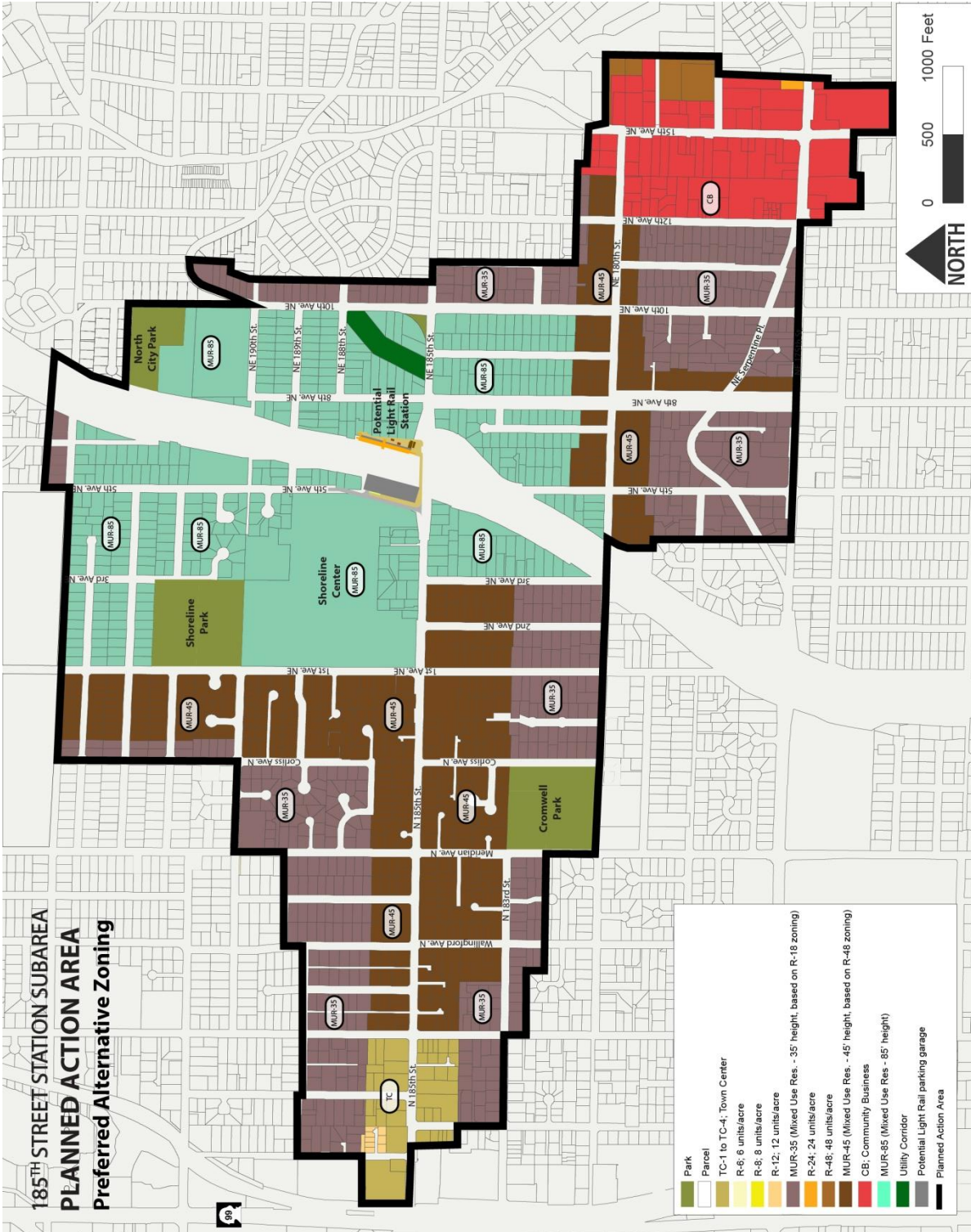
- Provide outreach to and coordinate with service providers to proactively plan for additional facilities and services from the outset of adoption of rezoning to address needs, which will increase incrementally over many decades
- Increases in households and businesses would result in increased fee revenue to help offset cost of providing additional services and facilities
- Consider the need for potential increases in fees for services to address growth
- Explore district energy options and incentivize green building
- Behavioral changes may offset some demand for services

### **Advisory Note**

The Planned Action EIS did not list all potential applicable code requirements, but identified the key code requirements that would act to mitigate identified environmental impacts. It is assumed that all applicable federal, state, and local regulations will be applied.



## EXHIBIT D Zoning Map



**Exhibit E**  
**Implementing Development Code – SMC 20**  
**185<sup>th</sup> Street Light Rail Station Development Regulations**

**Chapter 20.10**  
**General Provisions**

**20.10.020 Purpose.**

It is the purpose of this Code to:

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

**Chapter 20.20**  
**Definitions**

**20.20.010 A definitions.**

**Affordable Housing**

Housing reserved for occupancy to households whose annual income does not exceed a given percent of the King County median income, adjusted for household size, and has housing expenses no greater than thirty percent (30%) 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.

**20.20.012 B definitions**

**Built Green**

Built Green is the program

**20.20.016 D definitions.**

**Development Agreement**

Development Agreement means a contract between the City and an applicant 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, parking 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) 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.

**Microapartments: 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.**

**20.20.048 T definitions**

**Transfer of Development Rights**

This is the program

**Chapter 20.30  
Procedures and Administration**

**20.30.070 Legislative decisions.**

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

**Table 20.30.070 – Summary of Legislative Decisions**

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

<sup>(1)</sup>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 such actions 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. A Development Agreement is permitted



in all zones and may modify development standards contained in SMC 20.50. A Development Agreement in the MUR-85' zone may be approved to allow increase development potential above the zoning requirements in SMC 20.50.

B. Development Agreement Contents (General): A Development Agreement shall set forth the development standards and other provisions that shall apply to 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 and 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;
11. Preservation of significant trees; and
12. Connecting, establishing, and improving non-motorized access.



**C. Decision Criteria.** A Development Agreement (General Development Agreement and Development Agreements in order to increase height above 85 feet) may 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 shall be consistent with 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 improvements and other features that minimize conflicts and create transitions between the proposal site and property zoned R-4, R-6, R-8 or MUR-35'.

**D. Development Agreement Contents for Property Zoned MUR-85' in order to increase height above 85 feet:** Each Development Agreement approved by the City Council for property zoned MUR-85' for increased development potential above the provision of the MUR-85' Zone shall contain the following:

1. twenty percent (20%) of the housing units constructed onsite shall be affordable to those earning less than sixty percent (60%) of the median income for King County adjusted for household size. The units shall remain affordable for a period of no less than 50 years. The number of affordable housing units may be decreased to ten percent (10%) if the level of affordability is increased to fifty percent (50%) of the median income for King County adjusted for household size. A fee in lieu of

constructing the units may be paid upon authorization of the City's affordable housing program instead of constructing affordable housing units onsite. The fee will be specified in SMC Title 3.

2. Entire development is built to LEED Gold standards.

3. Structured parking for at least ninety percent (90%) 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 development 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 and may not be combined:

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

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

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

d. Two percent (2%) of the building construction valuation shall be paid by the property owner/developer to the City to fund public parks, open space, art, or other recreational opportunities open and accessible to the public within the station subarea as defined in the City's Parks, Recreation, and Open Space Plan.

e. Provide additional off-site frontage improvements ( as required by the Engineering Development Manual) that connect a proposed development to amenities near the subject project. Amenities may include transit stops, light rail station, commercial uses, etc.

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

g. Applicant shall dedicate one acre of park space to the City within the 185<sup>th</sup> Street Subarea. Dedicated space must be open and accessible to the public from a public street.

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 E of this section, the 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 in a manner that encourages a mix of housing, employment and other uses that support the light rail stations.

**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 <sup>1</sup>
Town Center District	TC-1, TC-2, TC-3, TC-4
Planned Area	PA

**20.40.046 Mixed-use residential (MUR) zones.**

A. The purpose of the mixed-use residential (MUR) 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 commercial uses, retail, and other compatible uses within the light-rail station subareas.

C. Affordable housing is required in the MUR-85' zone. Refer to SMC 20.40.235 for Affordable Housing Light Rail Station Subarea 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 as provided in SMC 20.30.355.

**20.40.050 Special districts.**

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

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

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

**Table 20.40.160 Station Area Uses**

<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR-35'</u>	<u>MUR-45'</u>	<u>MUR-85'</u>
<b><u>Residential</u></b>				

185<sup>th</sup> Street Station Planned Action

	<u>Accessory Dwelling Unit</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Affordable Housing</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Apartment</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Bed and Breakfasts</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Boarding House</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Duplex, Townhouse, Rowhouse</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<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>
<b><u>Commercial</u></b>				
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR-35'</u>	<u>MUR-45'</u>	<u>MUR-85'</u>

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	<u>Book and Video Stores/Rental (excludes Adult Use Facilities)</u>	<b><u>P (Adjacent to Arterial Street)</u></b>	<b><u>P (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Collective Garden</u>			
	<u>Houses of Worship</u>	<b><u>C</u></b>	<b><u>C</u></b>	<b><u>P</u></b>
	<u>Daycare I Facilities</u>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
	<u>Daycare II Facilities</u>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
	<u>Eating and Drinking Establishments (Excluding Gambling Uses)</u>	<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P-i</u></b>
	<u>General Retail Trade/Services</u>	<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P-i</u></b>
	<u>Individual Transportation and Taxi</u>			<b><u>P -A</u></b>
	<u>Kennel or Cattery</u>			<b><u>C -A</u></b>

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



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	<u>Library</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Museum</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Outdoor Performance Center</u>		<b><u>P -A</u></b>	<b><u>P -A</u></b>
	<u>Parks and Trails</u>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
	<u>Performing Arts Companies/Theater (excludes Adult Use Facilities)</u>		<b><u>P -A</u></b>	<b><u>P -A</u></b>
	<u>School District Support Facility</u>		<b><u>C</u></b>	<b><u>C</u></b>
	<u>Secondary or High School</u>	<b><u>C</u></b>	<b><u>C</u></b>	<b><u>P</u></b>
	<u>Specialized Instruction School</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Sports/Social Club</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Vocational School</u>		<b><u>P-i (Adjacent to Arterial</u></b>	<b><u>P</u></b>

			<u>Street)</u>	
<b><u>Government</u></b>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Public Agency Office/Yard or Public Utility Office/Yard</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Utility Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Health</u></b>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
	<u>Nursing and Personal Care Facilities</u>		<b><u>P-i (Adjacent to Arterial Street)</u></b>	<b><u>P</u></b>
<b><u>Other</u></b>				

	<u>Animals, Small, Keeping and Raising</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Light Rail Transit System/Facility</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Transit Park and Ride Lot</u>		<u>S</u>	<u>P</u>
	<u>Unlisted Uses</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>

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

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

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

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

B. Affordable housing is voluntary in MUR-35' and mandatory in the MUR-45' and MUR-85' Zone.

The following provisions shall apply to all affordable housing units required by, or allowed through, any provisions of the Shoreline Municipal Code:

1. The City provides various incentives and other public resources to promote affordable housing.

Specific regulations providing for affordable housing are described below:

<u>Zone</u>	<u>Affordability Levels and Incentives</u>	<u>Mandatory or Voluntary Participation</u>
<p><u>Mixed Use Residential – 85' w/ out Development Agreement</u></p>	<p><u>Twenty percent (20%) 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.</u></p> <p><b>Incentives provided:</b> <u>May be eligible for twelve year (12) Property Tax Exemption (PTE) Program upon authorization by the City Council; and entitlement of 85 foot height and no density limits. <b>Catalyst Program:</b> 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 upon authorization of this program by City Council.</u></p>	<p><u>Mandatory*</u></p>
<p><u>Mixed Use Residential – 45'</u></p>	<p><u>Twenty percent (20%) of rental apartment units are affordable to households earning 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</u></p>	<p><u>Mandatory*</u></p>

	<p><u>units.</u></p> <p><b>Incentive:</b> <u>May be eligible for (12) year Property Tax Exemption Program and permit fee reduction upon authorization by the City Council for this zone.</u></p>	
<p>Mixed Use Residential – 35'</p>	<p><u>Twenty Percent (20%) of rental units are affordable to families making 70% or less of the median income for King County adjusted for household size for studio and one (1) bedroom units;</u></p> <p><u>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.</u></p> <p><b>Incentive:</b> <u>May be eligible for twelve (12) year Property Tax Exemption Program and permit fee reduction upon authorization by the City Council for this zone.</u></p>	<p><u>Voluntary</u></p>
<p>Mixed Use Residential – 85' w/ Development Agreement</p>	<p><u>Twenty percent (20%) of housing units constructed for rent are affordable to households earning 60% or less of the median income for King County adjusted for household size; or 10% of housing units constructed for rent are affordable to households earning 50% of the King County adjusted for household size.</u></p> <p><b>Incentive:</b> <u>Height may be increased above 85 foot limit; may be eligible for twelve (12) year Property Tax Exemption Program upon authorization by the City Council for this zone.</u></p>	<p><u>Mandatory*</u></p>

\* 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 occupancy. 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 the units are generally mixed with all other market rate housing in the development.

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

c. Size (Square Footage): Affordable housing units shall be the same size as market rate 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 rate 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 two (2+) bedroom plus unit.

3. Timing/Phasing: The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the market rate housing units in the development unless a phasing plan is developed pursuant to SMC 20.40.235(D) or the requirements of this section are met through SMC 20.40.235(E).

4. Development Standards:

a. Off-Street Parking: Off-street parking shall be provided for the affordable housing units consistent with SMC 20.50.390.

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 in SMC 20.50.240(G).

5. Depending on the level of affordability 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 permit for any development providing affordable housing pursuant to the requirements or incentives of the Shoreline Municipal Code.

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

2. The agreement shall be in a form approved by the Director and the City Attorney and shall address price restrictions, 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, establishes a monitoring fee for the affordable units. The fee shall cover the costs incurred by 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, agrees 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 building permit 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 is subject to the following requirements:

- a. The in lieu fee is set forth in SMC 3.01 Fee Schedule. Fees shall be determined at the time the complete application for a building permit is submitted using the fee then in effect.
- b. The fee shall be due and payable prior to issuance of any certificate of occupancy for the project.
- c. The City shall establish a Housing Program Trust Fund and all collected payments shall be deposited-in that fund.

2. Any request for alternative compliance shall demonstrate all of the following:

- 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 1 mile radius of the project 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.
- c. Document that the off-site units will be the same type and tenure as if the units were provided on site.
- 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 covenant 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 covenant and the Shoreline Municipal Code. 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.**

**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 and the MUR 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. Outside entertainment means activities that create a potential noise disturbance to adjacent neighbors. Outside entertainment is subject to the City's nuisance regulations in SMC Chapter 9. If live entertainment is provided in the MUR Zones, the establishment must provide sound attenuation to buffer sound to adjacent residential uses.

**20.40.374 General Retail Trade/Services**

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

- A. Adult use facilities
- B. Smoke Shop (A businesses that sells drug paraphernalia and smoking products)
- C. Marijuana sales
- D. Firearm sales
- E. Pawnshops

**20.40.436 Live/Work**

Live/work units may be located in the MUR-35' zone however, only if the project site is located on an Arterial Street.

**20.40.506 Single-family detached dwellings.**

A. Single-family detached dwellings are permitted in the MUR-35' and MUR-45' zones subject to the R-6 development standards in SMC 20.50.020

B. Single-Family detached dwellings are a permitted use in the MUR-85' zone until January 1, 2020. After January 1, 2020, single-family detached dwellings shall become a non-conforming use 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.

**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:</u> <u>Dwelling</u> <u>Units/Acre</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Density</u>			<u>48 du/ac</u>
<u>Min. Lot Width</u> <u>(2)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Lot Area</u> <u>(2)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Front Yard</u> <u>Setback (2) (3)</u> <u>See 20.50.021</u>	<u>0 if located on</u> <u>an Arterial</u> <u>Street</u> <u>10ft on non-</u> <u>arterial street</u>	<u>15ft if located on</u> <u>185<sup>th</sup> Street</u> <u>0 if located on an</u> <u>Arterial Street</u> <u>10ft on non-</u> <u>arterial street</u>	<u>15ft if located on</u> <u>185<sup>th</sup> Street</u> <u>0 if located on</u> <u>an Arterial Street</u> <u>10ft on non-</u> <u>arterial street</u>
<u>Min. Rear Yard</u> <u>Setback (2) (4)</u> <u>(5)</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>

<u>See 20.50.021</u>			
<u>Min. Side Yard Setback (2) (4) (5)</u> <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Base Height (9)</u>	<u>35ft</u>	<u>45ft</u>	<u>85ft(11)</u>
<u>Max. Building Coverage (2) (6)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Max. Hardscape (2) (6)</u>	<u>85%</u>	<u>90%</u>	<u>90%</u>

Exceptions to Table 20.50.020(1) and Table 20.50.020(2):

(1) Repealed by Ord. 462.

(2) These standards may be modified to allow zero lot line developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.

(3) For single-family detached development exceptions to front yard setback requirements, please see SMC [20.50.070](#).

(4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC [20.50.080](#).

- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC [20.50.130](#).
- (6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.
- (7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.
- (8) For development on R-48 lots abutting R-12, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.
- (9) Base height for high schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.
- (10) Dimensional standards in the MUR-85' zone may be modified with an approved 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 nonresidential 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 non-arterial 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 non-arterial 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 non-arterial 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).

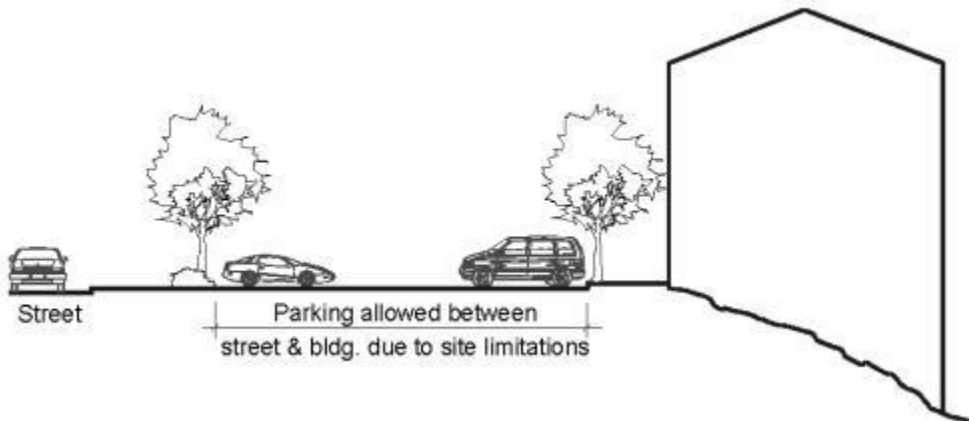
### **20.50.140 Parking – Access and location – Standards.**

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

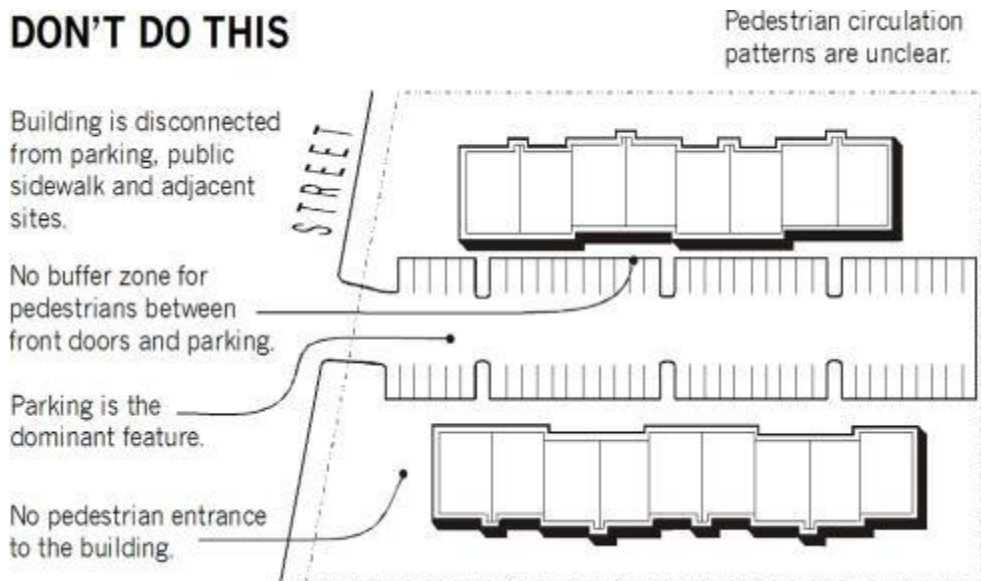
physical limitations of the site.



**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 5-foot wide walks and/or landscaping in addition to frontage and landscaping standards.

### DON'T DO THIS

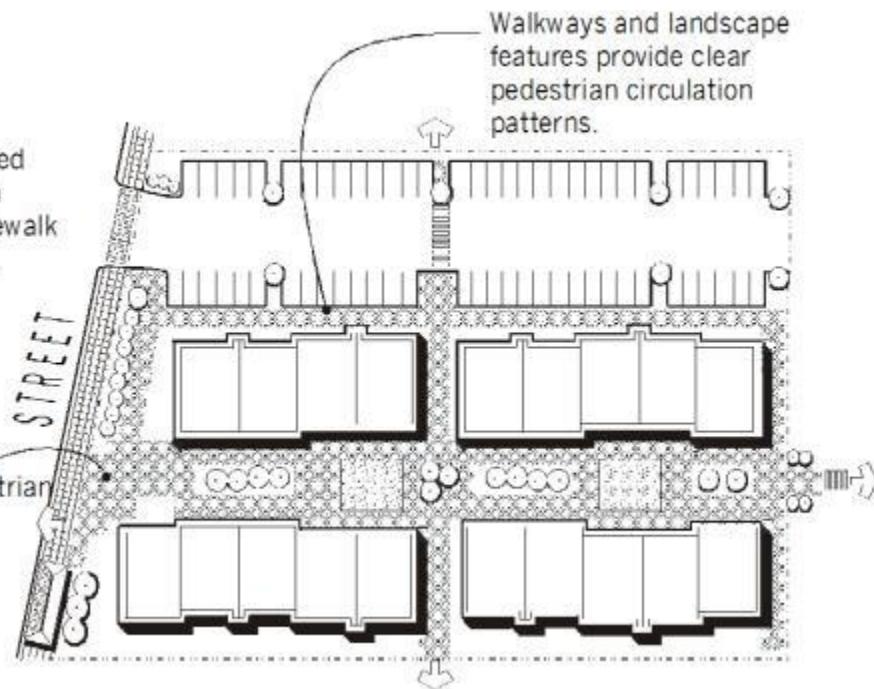




## DO THIS

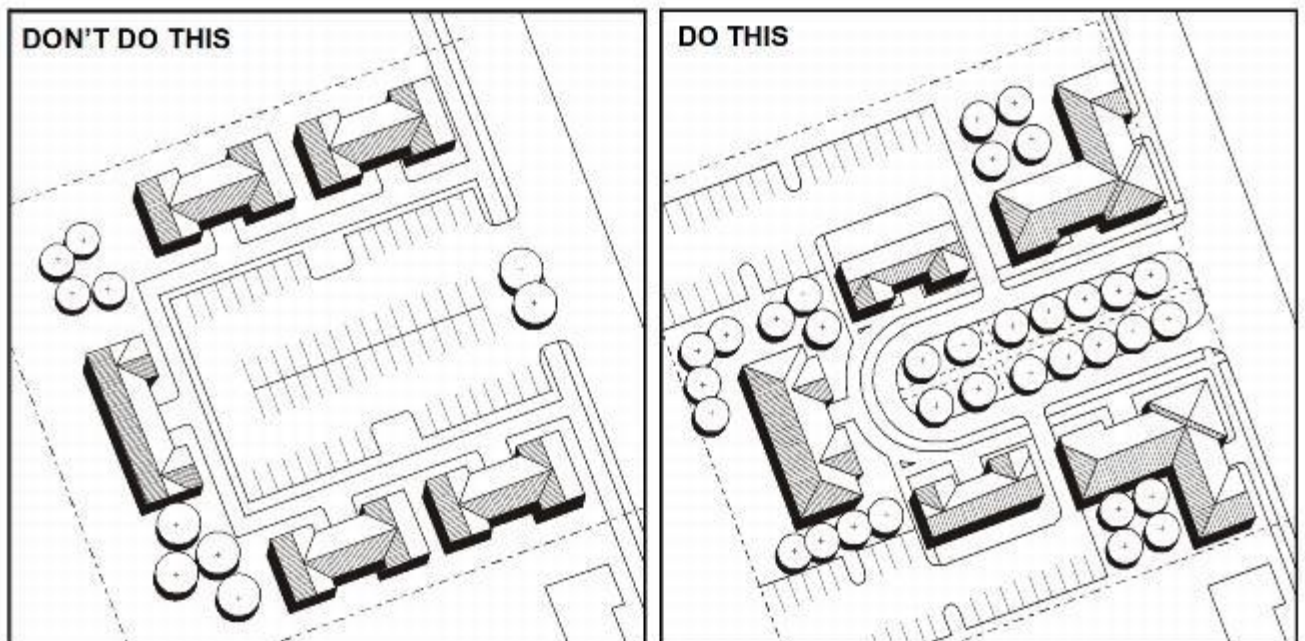
Building is integrated and connected with parking, public sidewalk and adjacent sites.

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.

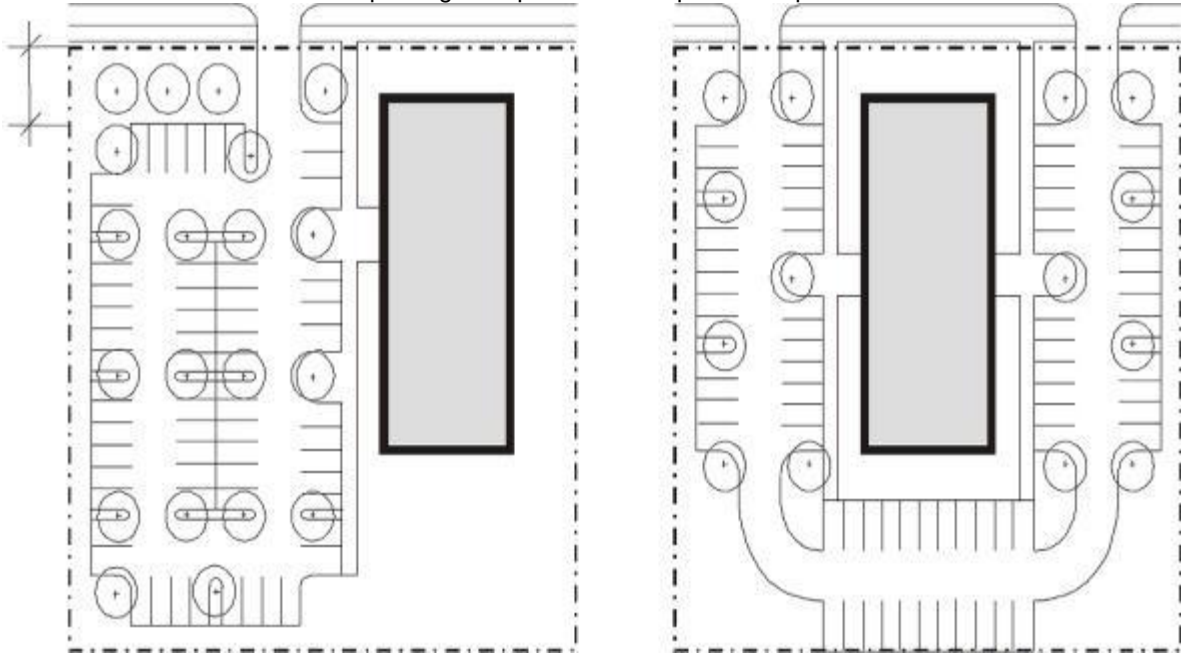
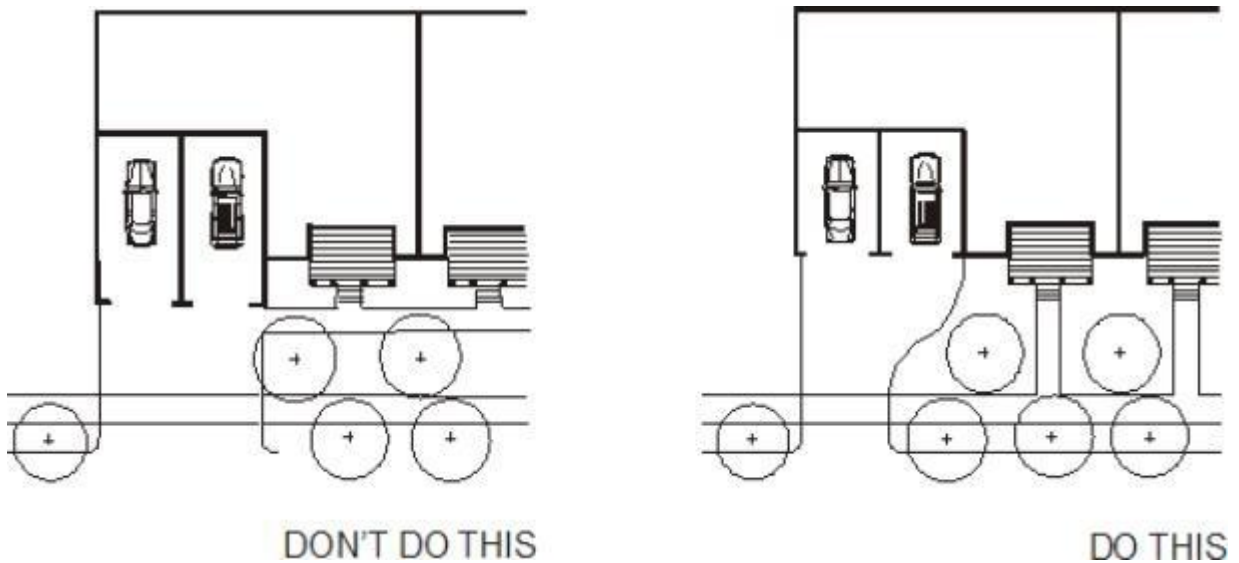


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

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 non-arterial 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 non-arterial 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.**

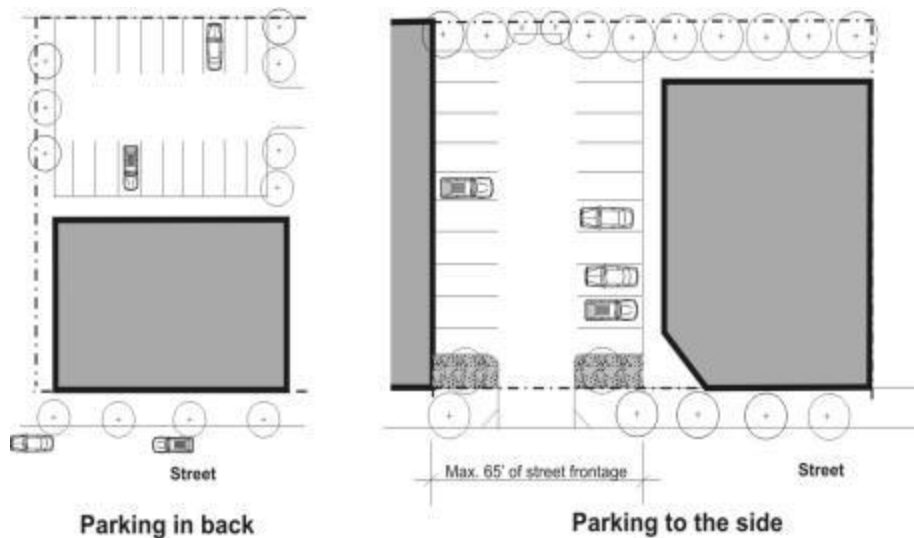
1. Promote and enhance public walking and gathering with attractive and connected development.
2. Promote distinctive design features at high visibility street corners.
3. Provide safe routes for pedestrians and people with disabilities across parking lots, to building entries, and between buildings.
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 non-arterial Street, MUR-45', and MUR-85' shall meet the following standards:
  - a. Buildings and parking structures 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 right-of-way widening or a utility easement is required between the right-of-way and the building;
  - b. All building and parking structure facades in the MUR-85' zone directly across the street from the MUR-35' and MUR-45' Zones 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 building or parking structure facades 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 development on 185th Street shall provide all vehicular access 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 the Administrative Design Review process.

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

### 2. Rights-of-Way Lighting.

a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.

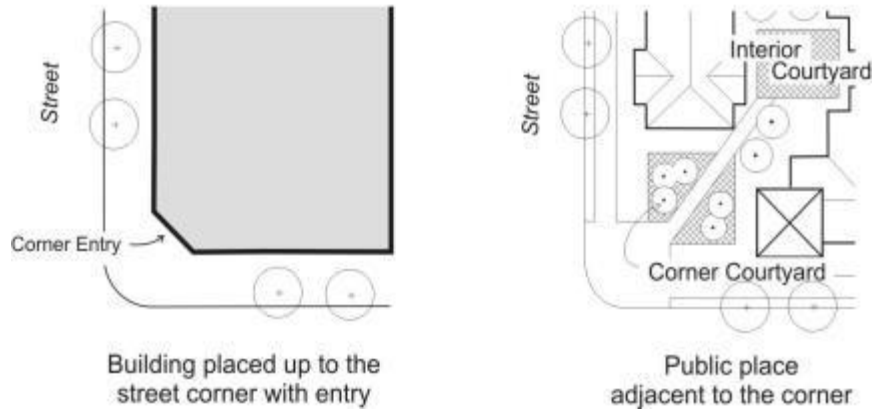
b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

### D. Corner Sites.

1. All building and parking structures 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 and parking structures 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.



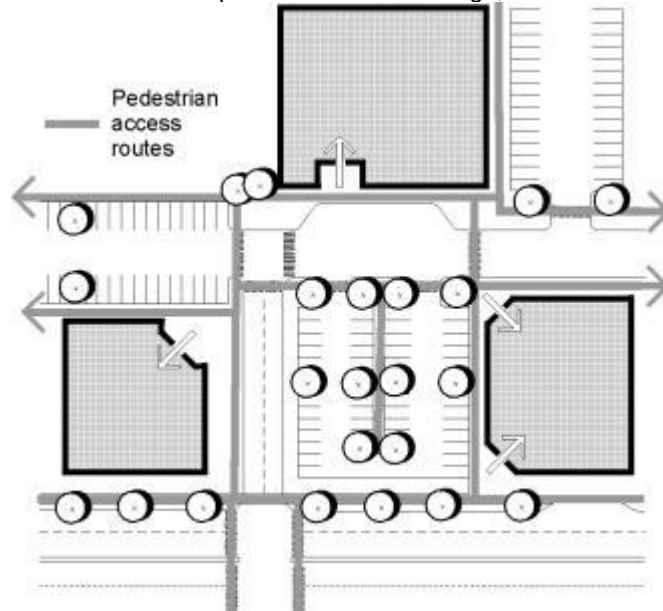
## Building Corners

### E. Internal Site Walkways.

1. Developments shall include internal walkways or pathways that connect building entries, public places, and parking areas with other nonmotorized facilities including adjacent sidewalks and Interurban Trail where adjacent; (except in the MUR-35' zone).

a. All development shall provide clear and illuminated pathways between the main building entrance and a public sidewalk. Pathways shall be separated from motor vehicles or raised six-inches and be at least eight feet wide;

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. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations. 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. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations.

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. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations:

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
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</u>



Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
	<u>attached/townhouse 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. <sup>1</sup>
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

**20.50.400 Reductions to minimum parking requirements.**

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

1. On-street parking along the parcel’s street frontage.
2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.

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

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

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

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

E. A parking reduction of 25 percent will be approved by the Director for multi-family development within ¼ mile of the light rail station. These parking reductions may not be combined with parking reductions identified in Subsection D above.

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 areas 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, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-85'</u> , 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:			

	All Residential (R) Zones, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-85'</u> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Maximum Sign Area	Same as for monument signs	25 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25 sq. ft.	50 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25 sq. ft.
Maximum Height	Not to extend above the building parapet, soffit, or eave line of the roof. If perpendicular to building then 9-foot clearance above walkway.		
Number Permitted	1 per street frontage	1 per business per facade facing street frontage or parking lot.	
Illumination	Permitted	Permitted	Permitted
UNDER-AWNING SIGNS			
Maximum Sign Area	6 sq. ft.  (Nonresidential uses, schools, residential subdivision or multifamily development)	12 sq. ft.	
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		

	All Residential (R) Zones, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-85'</u> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Number Permitted	1 per business	1 per business per facade facing street frontage or parking lot.	
Illumination	Prohibited	Permitted	
DRIVEWAY ENTRANCE/EXIT:			
Maximum Sign Area	4 sq. ft.  (Nonresidential uses, schools, residential subdivision or multifamily development)	8 sq. ft.	
Maximum Height	42 inches	48 inches	
Number Permitted	1 per driveway		
Illumination	Permitted	Permitted	

Exceptions to Table 20.50.540(G):

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

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

H. Window Signs. Window signs are permitted to occupy maximum 25 percent of the total window area in zones 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\(I\)](#).

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

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

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

**20.50.560 Monument signs.**

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

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

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

**20.50.570 Building-mounted signs.**

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

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

**20.50.580 Under-awning signs.**

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

**20.50.590 Nonconforming signs.**

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

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

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

**20.50.600 Temporary signs.**

A. General Requirements. Certain temporary signs not exempted by SMC [20.50.610](#) shall be allowable under the conditions listed below. All signs shall be nonilluminated. Any of the signs or objects included in this section is 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).