

## Station Area Planning Council Amendment Tracking Matrix

### Proposed Ordinance No. 702 - 185th Street Station Subarea Plan, Comprehensive Plan Amendment and Land Use Map

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
1.	1/29	Subarea Policies: I do not see the additions of the policies adopted by the planning commission this month. (ROBERTS)	Please see February 2, 2015 Staff Report. The new and old policies are all in that report.
2.	1/29	Housing - Add "evaluate a fee in lieu program for affordable housing including methods for alternative compliance" or alternative staff language. (ROBERTS)	If the fee in lieu and alternative methods sections are removed from the Development Code, then this policy should be proposed for addition as amendment to the Housing Section of the Subarea Plan.
3.	1/29	Housing - Add "evaluate the use and applicability of Transfer of Development Rights" or alternative staff language. (ROBERTS)	If the TDR is removed from the Development Code, then this policy should be proposed for addition as an amendment to the Housing Section of the Subarea Plan.
4.	1/29	Transportation - Add "evaluate opportunities to incorporate best practices for complete street design concepts, including grid patterns of short blocks, smaller lane widths, and street design that includes road access in at least two directions and ped/bike access in at least three directions where this is not precluded by wholly incompatible adjacent land uses," or alternative staff language. (ROBERTS)	<b><u>Staff is still working on this response</u></b>
5.	1/29	Utilities - "Consider requiring the installation of photovoltaic systems in all new government facilities," or alternative staff language. (ROBERTS)	<b><u>Staff is still working on this response</u></b>

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6.	2/8	<b>In the subarea plan, pages 5-4 (8a-112 in the Council packet) and following, I would prefer to drop the reference to R-48 and R-18. While historically accurate, they are potentially confusing and misleading in this document. (HALL)</b>	<u><b>Staff is still working on this response</b></u>
7.	2/8	<b>Since we haven't adopted the 145th plan yet, I do not understand the proposal to include recommendations from that into the 185th station subarea plan (page 5-34). I would like to remove any policy language that suggests incorporating anything that has not yet been adopted. Utilities and energy systems are the places I noticed this issue, but I would like it addressed anywhere it comes up. (HALL)</b>	<u><b>Staff is still working on this response</b></u>

**Proposed Ordinance No. 706 - 185th Street Station Area Development Code Amendment and Zoning Map**

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
1.	1/29	20.20.032 - Add definition of live/work unit. (ROBERTS)	See 20.20.016 D definitions – already defined.
2.	1/29	20.20.034 - Rename definition to “Microhousing” for consistency with Table 20.40.160 (or amend Table 20.40.160) or amend other sections that reference microapartment. (ROBERTS)	Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.
3.	2/8	<b>20.30.355(B)(2) - Underline markup error. (HALL)</b>	Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.

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4.	1/29	20.30.355(D)(1) - Delete reference to fee in lieu program. (ROBERTS)	Staff recommends having a fee in lieu option. Without this option, how would the Council like to handle situations where a partial unit is required (ex. 20% of 112 units is 22.4 units – can't round up, so you'd most likely only require 22 units). Council could consider fee in lieu for partial units only? Also, it may be beneficial to allow private property owners to have the option to not provide the affordable housing themselves, but pay equitably for an experienced not for profit to provide the required housing. The fee in lieu is also a way for the City to provide in partnership with not for profits housing to for people with low and very low household incomes, which meets a Council goal that can't be met with incentive zoning. Having said this, this option could be developed and incorporated into the regulations at a later date, but not much later (which is the same case if the Council adopts fee in lieu in the regulations, then the fee will need to be established soon thereafter).
5.	2/8	<b>20.30.355(D)(2) - Prefer LEED gold over LEED platinum. (HALL)</b>	<b><u>Staff is still working on this response</u></b>
6.	1/29	20.30.355(D)(4) - Delete and renumber section. (ROBERTS & HALL)	Staff does not recommend this amendment. The introduction of regulations related to TDR implements the City's adopted policy LU58: Support regional and state Transfer of Development Rights (TDR) programs throughout the city where infrastructure improvements are needed, and where additional density, height and bulk standards can be accommodated. The rezoning of the Station Areas represents the City's strongest opportunity to start a TDR program. In addition to the original policy which pointed to supporting a TDR program, the City can now obtain funds from King County through the LCLIP program to fund infrastructure. The draft feasibility study was presented to staff. The consulting team, which includes King County, was very positive about Shoreline's proposed regulations and potential for the LCLIP funds. Advice from the consulting team that is working on the City's Feasibility Study for use of LCLIP funds was to adopt the TDR provisions with the rezone with the idea that it will be difficult to put them in later. Staff can always delete the TDR program from the Code with a 2015 batch of Development Code amendments if the Council chooses later to not authorize the program based on the results of the Feasibility Study or other information.

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7.	2/8	<b>20.30.355(D)(5) - I would like an amendment to delete this section and address park impacts through a park impact fee program to be developed, as suggested by staff. Parks of useful size and purpose can be more efficiently planned, acquired, and developed by the City rather than having a large number of very small pocket parks developed by each individual project. (HALL)</b>	<b><u>Staff is still working on this response</u></b>
8.	1/9	20.30.355(D)(6) - Development Agreement – Shrink or modify the menu of alternative components to make sure the result is likely to deliver some mix of what we consider priorities – especially if some options are cheaper than others. <b>Specifically, delete 20.30.355(D)(6)(c) and 20.30.355(D)(6)(d). (HALL)</b>	Yes, definitely. In 20.30.355(D) items since this a Council approved permit, the aspect of the developer picking the cheapest two items could be addressed with the application of the criteria. Are the cheapest items consistent with the Subarea Plan? Are the cheapest items innovative?  <b><u>Staff is still working on the response regarding the range of cost for each option.</u></b>
9.	1/29	Table 20.40.160 Live/Work MUR 35 - Delete “P-i” insert “(Adjacent to Arterial)”. (ROBERTS)	Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.
10.	1/29	Table 20.40.160 Apartment - Delete “P-i” and insert “P” in all zones. (ROBERTS)	Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.
11.	1/9	Table 20.40.160 – Make Research, Development and Testing an allowed use in MUR-85. (HALL)	Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.
12.	2/9	<b>Table 20.40.160 - MUR 85 Outdoor Performance Center - Delete "P-A", Insert "P"; MUR 85 Performing Arts Companies/Theater (excluding Adult Use Facilities) - Delete "P-A", Insert "P". (ROBERTS)</b>	<b><u>Staff is still working on this response</u></b>
13.	1/29	20.40.235 - Delete all references to fee in lieu program. (ROBERTS)	Please see answer to #4.

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14.	1/29	20.40.235(B)(3) - Delete and renumber section. (ROBERTS and HALL)	Please see answer to #6. If the Council does decide to keep the TDR program placeholders, then staff recommends requiring the purchase of a few more credits to place the City's quota faster, while still providing a financial incentive for choosing the Catalyst program. Perhaps a 1 TDR credit for every 3 units ratio.
15.	1/29	20.40.235(C)(2) - Add code language along the lines of "Amenities: Affordable housing units shall have access to all amenities or facilities provided to a market rate unit," or alternative staff language. (ROBERTS)	<p>Some federal programs, such as the Low Income Housing Tax Credit may preclude a landlord from charging for the use of amenities when calculating the eligible basis for that program. The eligible basis is the building's cost of acquisition/rehabilitation/construction. In other words, the cost of tenant facilities (e.g. parking, garages, fitness areas) may be included in eligible basis if there is no separate charge for use of the facilities and they are made available on a comparable basis to all tenants in the project. But, if a facility has a charge related to it that all tenants are required to pay and the tenant can't access simply because they don't have the monetary resources, there is no legal requirement that the landlord must give them free/low cost access just because a tenant is low-income. Low-Income is not a protected class (there have been some attempts to make "source of income", e.g. Section 8 voucher holders, a protected class.)</p> <p>Apparently, in some areas there are developers banning low-income residents from using amenities while offering them at no cost to market rate tenants; asserting the amenities were the draw for the market rate tenants and the low-income tenants shouldn't be benefiting from them. This may be where this is coming from. As we found with parking, there is a public policy consideration when dealing with amenity-fee pricing that the Council can address.</p> <p>Here, the suggestion appears to be that low-income and market rate need to be treated the same. Thus, if the developer charges for amenities then all units are charged. In that regard, I think the language needs to be something more neutral without calling out affordable units.</p> <p>Amenity fee. All units in the development must have equal access to the development's amenities or facilities, such as parking, fitness centers,</p>

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			<p>community rooms, swimming pools. If a fee is charged for the use of an amenity/facility, then all units in the development must be charged equally for such use.</p> <p>Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.</p>
16.	1/29	20.40.235(E) - Delete and add language to the subarea policies. (ROBERTS)	<p><b><u>E. Alternative compliance.</u></b> The City’s priority is for residential and mixed use developments to provide the affordable housing on site. <b>[THIS STATEMENT COULD GO IN THE SUBAREA PLAN POLICY DOCUMENT]</b></p> <p>Yes. This edit can be reflected in the Final version of the Subarea Plan assuming there are no Council objections.</p> <p>Staff does not recommend that the balance of 20.40.235(E) below be removed and placed in the Subarea Plan, as the balance is regulatory in nature. Having the alternative compliance provisions are important as well to address truly equivalent provisions for affordable housing that can’t be captured and keep the requirement straightforward, easy to understand.</p> <p><u>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.</u></p> <ol style="list-style-type: none"> <li>1. Payment in lieu...</li> <li>2. Any request for alternative compliance shall demonstrate the following:...</li> </ol>
17.	1/29	20.40.245 - Delete. (ROBERTS)	<p>Yes. This edit can be reflected in the 2/23 version of the regulations assuming there are no Council objections.</p>
18.	1/29	20.40.374(C) - Delete “Marijuana” Inset	<p>Yes. This edit can be reflected in the 2/23 version of the regulations assuming</p>

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		"Cannabis". (ROBERTS)	there are no Council objections.
19.	2/8	<i>Potential - 20.40.350 - I am still worried about the definition of outside entertainment. I would greatly appreciate some review, analysis, and options from staff. I would be okay with something like "outside entertainment that creates a potential noise disturbance for neighbors is not permitted after 10:00." (HALL)</i>	<b><u>Staff is still working on this response</u></b>
20.	2/9	<b>20.40.350 - Delete all language recommended by the planning commission. (ROBERTS)</b>	<b><u>Staff is still working on this response</u></b>
21.	2/8	<b>20.40.506 - Delete (HALL)</b>	<b><u>Staff is still working on this response</u></b>
22.	1/29	20.50.020(2) Minimum Front Yard Setback MUR 85 - Delete "0 if located on Arterial Street 10ft on non-arterial street." Insert "0" (ROBERTS)	<p>Staff recommended 0 feet on Arterial Streets and 10 feet on non-arterial streets due to the fact that the Arterial Streets typically are wider, have more traffic volume, and are more suited for building placed at the property line. Non-arterial streets are typically narrower with less traffic volume. A setback of 10 feet on a narrower street would lessen the canyon-effect of the street especially if two large buildings were across the street from one another.</p> <p>One other point - The Planning Commission did recommended that a 10 foot step-back be required for buildings over 45 feet. This means that an 85-foot building on a non-arterial street will have a 10 foot setback and a 10 foot step-back above 45 feet. This was not staff's intent. Staff recommends either a 10 foot setback at the street or a 10 foot step-back above 45 feet. Not both.</p>
23.	1/9	Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones – Add to Min. Density: 18 du/ac in MUR-35, 24 du/ac in MUR-45. (HALL)	<p>Staff supports a minimum density in MUR-85' of 48 units per acre (currently included in draft code language). Staff supports a minimum density of 18 units per acre in MUR-45'. Staff does not support minimum densities in MUR-35'.</p> <p>If this amendment is also supposed to cover single family as a permitted use, then staff recommendation is for it to continue to be a permitted use in MUR-35' and -45', and to have a sunset for allowed use in MUR-85' of at least 5</p>

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			<p>years, but it could also be tied to station opening, or 2 years before.</p> <p>The main point is that where it is a permitted use, R-6 standards (including a minimum density of 4 units/acre) apply, but that staff does not support making single-family non-conforming, even in MUR-85' immediately. This is because it could impact homeowners' ability to remodel, and there is very little public awareness of this provision and its implications.</p>
24.	1/29	20.50.021 - Delete "and MUR 85'" (ROBERTS)	<b><u>Staff is still working on this response</u></b>
25.	2/8	<b>20.50.220 – Amend double negative in this section ("the MUR-35' zone when not on a non-arterial street") so that it reads, "the MUR-35' zone when on an arterial street". (HALL)</b>	<b><u>Staff is still working on this response</u></b>
26.	1/9	20.50.240 (C)(1)(b) – Delete: Not require upper floor setbacks across the street as the right-of-way provide adequate buffer for other MUR zones, and other transition requirements handle sing family detached zones. (HALL)	Staff does not recommend deleting this provision. This is a design preference recommended by the Planning Commission intended to create a more walkable neighborhood. There could be alternative ways to reach the same end, but removing the provision without a replacement regulation would not achieve the desired result. It is understood that requiring this stepback does decrease the area that can be used for development, but this trade off is recommended to enhance the overall health of the neighborhood. This design feature, stepbacks is a tool recommended to be used to create a sustainable community. Again, this is a design preference and there is no "right" or "only" answer.
27.	1/9	<i>Potential – Table 20.50.400 Reductions to minimum parking requirements – Replace E and F with “E. The minimum spaces required in Table 20.50.390A shall be reduced by 33% in the MUR-85 zone and by 16% in the MUR-35 and MUR-45 zones.” This would take the basic requirement down to 0.5 spaces per unit for studio and 1 bdr in</i>	Staff does not recommend this amendment. The Planning Commission recommended parking ratios are set at a rate that acknowledges future transit and neighborhood retail opportunities. It goes a step further to automatically reduce parking by 25% for those properties within close proximity (1/4 mile) of the station. Shoreline’s transit and parking management infrastructure needs to catch up even to serve the recommendation. Staff comments:



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		<i>MUR-85, a bit more in the other MUR zones, and it would continue to allow other reductions to be applied. (HALL)</i>	<p>1) The formula at first glance appears more difficult in comprehend. In practice it is just math &amp; is easily figured out.</p> <p>2) Staff is concerned about further reductions in the minimum parking required which would be the result of this proposal.</p> <p>If this proposal were to move forward staff recommends that the “up to 25% reduction” in 20.50.400 (A) not apply. The additive effect would yield .37 parking spaces for studio/one bedroom units. Also, the up to 50% reduction in required parking spaces for affordable units in 20.50.400(D) should also be called out as “not to be combined with other possible reductions in 20.50.400.</p>
28.	1/29	20.50.410(C) - Delete and renumber section. (ROBERTS and HALL)	This is the provision that would require parking to be included in the rental or sale cost of a unit. This regulation is proposed as a proactive step to have on-site parking utilized and reduce off site/on street parking issues. Staff supports this regulation, however it has not been legally tested.
29.	1/9	<i>Potential – Zoning Map - No phasing of zoning. (HALL)</i>	This is at the Council’s discretion.
30.	2/4	Zoning Map - Amended zoning map for Phase 1. Any area not in Phase 1 in the amendment, but in Phase 1 or Phase 2 of the staff recommendation, would be included as a Phase 2. (ROBERTS) <i>See Attached Robert's Zoning Map.</i>	Linking the Station from Town Center to North City along 185 <sup>th</sup> Street (the “Station Boulevard”) is a vital part of the subarea plan. The Station Boulevard is the main placemaking feature. This is how the City will help create a walkable community with a mix of inviting uses that gets residents to and from retail, service and entertainment hubs found in Town Center and North City. The Station Boulevard also provides the mix of housing choices that are important in terms of locating all types of people near the station – MUR 35 and 45 transit supportive densities too. A vibrant neighborhood and a new light rail station will make this community a success.
31.	2/5	<i>Potential - Zoning Map - Changing MUR 85 to MUR 65 for the 185th Station Area. (WINSTEAD)</i>	<p><b><u>Staff is still working on this response, although below are some initial thoughts regarding what can be constructed in the MUR-85 zone vs. MUR-65 zone</u></b></p> <p>Staff’s opinion, informed by consultants, is that 85' provided more alternatives for developers, especially for what most consider even more desirable buildings than 65' allows. For example, if a developer wanted to build a</p>

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			<p>structure like the WSDOT office building, 85' would better accommodate that use. Offices need higher ceilings (such as 14 - 15') to fit large beams (so you don't have to have bearing walls in the middle), large windows, and HVAC ducting and other equipment. Therefore, 85' would allow six floors of office, and six floors is just barely where these expensive buildings start to make economic sense. There are also other factors having to do with constructability, fire flow and energy code that also made 85' a nice compromise; the next logical "jump" after 85' is really tall (perhaps 150').</p> <p>65' is the minimum for '5 over 1' construction, and the 5 stories of wood is limited to residential. The wood construction of the upper floors is inflexible with bearing walls every 12' or so, and the only use that works for that is residential. The typical 5 over 1 building in a 65' zone (like <i>The Artiste</i> on 200th and Aurora) would have a 14'-15' commercial space on the ground floor and 8' ceiling height in the 5 stories of residential construction above.</p> <p>70' is what Council settled on in the Town Center zones to allow better ceiling height in those same 5 stories (from 8' to 9'). Staff thinks that the difference between 8' and 9' is important to make a small apartment feel spacious. Therefore, if Council's only goal was to allow 5 over 1 construction for residential structures, then 65' is adequate, but 70' is superior in staff's opinion. If the Council would like to allow for office buildings in the subarea, then six stories of flexible space is superior, and staff would recommend 85'.</p> <p>Finally, it should be noted that a builder is limited to five (5) stories of wood construction by code, but the five stories can be on top of one or two stories of concrete. Therefore, an 85' height will also allow two stories of commercial space (flexible as noted above) with five stories of residential above. That's a form that is gaining momentum in areas that have demands for both jobs and housing; it allows for a pedestrian scale/experienced building at the sidewalk (the two stories of commercial) with the residential towers set back.</p>
32.	2/5	<p><i>Potential - Zoning Map - Including all of the MUR 85 (or 65) in Phase 1 for the 185th Station Area. (WINSTEAD)</i></p>	<p><b><u>Staff is still working on this response</u></b></p>

Updated - February 9, 2015

**BOLD** Amendments are new since 2/6/15 Version

**Proposed Ordinance No. 707 - 185th Street Station Area Planned Action**

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