Station Area Planning Council Amendment Tracking Matrix

- Green Text denotes that the amendment has been placed in the base ordinance that will be presented to Council for additional discussion on February 23, 2015 and adoption on March 16, 2015.
- Red Text denote that the amendment has not been placed in the base ordinance; the proposing Councilmember must propose his/her amendment on the dais when the development code is up for adoption on March 16, 2015.
- **Bold Text** denotes new amendments that have been provided since the matrix was last discussed by Council on February 9, 2015.

Station Area Adoption Process

	Date of	Item	Response or Scheduled Follow-up
	Request		
1.	2/17	I move to delay the vote for adoption of the 185th Light Rail Station Sub-area Plan, Development Regulations and Planned Action to a date in the future at least two weeks after the final Sound Transit Environmental Impact Statement (FEIS) is issued by Sound Transit. (MCCONNELL)	Staff does not believe that the Sound Transit FEIS will provide any significant new information to inform Council's adoption of the 185th Light Rail Station Sub-area Plan, Development Regulations, Planned Action and related mitigation. As such, strictly from a technical perspective, staff does not anticipate that Council would make different decisions on the proposed documents based on the Sound Transit FEIS. This is of course a policy choice of the City Council, and staff will implement the adoption schedule set by the Council. If Council believes it is important to delay the adoption after the issuance of the Sound Transit FEIS, the latest information staff has is that the FEIS would likely be released in late February/early March, although the Sound Transit website now says 'early spring'. There is always a possibility that this will change. Thus, if Council is interested in delaying adoption until two weeks after issuance of the Sound Transit FEIS, it is possible that the current March 16 agenda date will still work. However, this would be a very tight timeline.

<u>Proposed Ordinance No. 702</u> - 185th Street Station Subarea Plan, Comprehensive Plan Amendment and Land Use Map

	Date of Request	Item	Response or Scheduled Follow-up
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 and will be added to the final version of the sub-area plan.
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)	 Staff has added the following two new polices into the Subarea Plan to provide for Councilmember Roberts' proposed policy language that was supported by the Council: Evaluate opportunities to incorporate best practices for complete street design concepts, including grid patterns of short blocks and narrower lane widths. Residential streets should allow for vehicular connectivity to the street grid in at least two directions and should provide pedestrian/bike connectivity in at least three directions in order to facilitate convenient and efficient travel by all modes.
5.	1/29	Utilities - "Consider requiring the installation of photovoltaic systems in all new government facilities," or alternative staff language. (ROBERTS)	Staff recommends: "Consider the use of alternative energy in all new government facilities." Using 'alternative energy' broadens the choices beyond just photovoltaic systems, and using the word 'consider' does not obligate the government entity, but serves as policy direction from (and for) the City to use alternative energy. This policy could be useful as the City moves into the design phase of the station and garage.

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6.	2/8	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)	Staff has made this change.
7.	2/8	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)	Staff has made this change.
8.	2/13	Staff noticed the following incorrect citation and omission in the Subarea Plan: (Page 5-34) For the full text of proposed amendments to the Code, refer to the proposed Planned Action Ordinance (Exhibit C). The following provisions are important to subarea redevelopment. Affordable housing, provision of park space, and will be required as part of development agreements. Other provisions summarized are supported by adopted City policies.	This Subarea Plan section now reads: (Page 5-34) For the full text of proposed amendments to the Code, refer to the proposed Planned Action Ordinance (Exhibit CB). The following provisions are important to subarea redevelopment. Affordable housing, provision of park space, structured parking and LEED construction will be required as part of development agreements. Other provisions summarized are supported by adopted City policies.

<u>Proposed Ordinance No. 706</u> - 185th Street Station Area Development Code Amendment and Zoning Map

Note: The Proposed Development Code Amendments are organized by SMC Section Number.

	Date of Request	Item	Response or Scheduled Follow-up
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)	Staff has made this change - sections that did reference "microapartment" now reference "microhousing".
3.	2/10	20.30.355(A), (C), (D); 20.50.020(10) and (11) – Postpone consideration of Development Agreements until 2021. Specifically, this amendment is to postpone consideration of passing a Development Agreement until 2021, rather than authorizing a Development Agreement to begin in 2021. (SALOMON)	While staff is supportive of amendment language that would 'activate', or 'authorize' a Development Agreement to begin in 2021, staff is not supportive of 'considering' Development Agreements in 2021, which is more or a policy statement than a regulatory statement. In order to implement this proposed amendment, Council would need to make a motion strip out all references to the Development Agreement (MUR-85' +) in the proposed Development Code and edit the Subarea Plan so that the policy statement that the Council will consider Development Agreements in 2021 is included in the Plan. Some of the language in the proposed code regarding Developer Agreements could be placed in the Subarea Plan to describe the Planning Commission's current concept of how a Developer Agreement is structured. As the proposed code currently has "General Development Agreements", staff recommends that these be left in place. For instance, to support the General Development Agreement that would remain, 20.30.355(C) would need to remain, but be amended to delete "and Development Agreements in order to increase height about 85 feet"). Thus, the Code would still have some reference to General Development Agreements.
4.	2/8	20.30.355(B)(2) - Underline markup error. (HALL)	Staff has made this change.

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5.	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).
6.	2/8	20.30.355(D)(2) - Prefer LEED gold over LEED platinum. (HALL)	Staff has made this change.
7.	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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8.	2/8	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)	Staff does not support this amendment. The City Attorney has advised that adding a park impact fee to SMC 20.30.355(D)(5) is the wrong place and the appropriate place for this language is in Title 12 where other impact fees are located, such as traffic impact fees. The City Attorney has also advised that any policy in the Subarea Plan that speaks to a park impact fee be removed from the Plan and added to the 2015 Comprehensive Plan Docket. Staff will add a park impact fee to the 2015 Docket that Council will see in March or April.
9.	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. Specifically, delete 20.30.355(D)(6)(c) and 20.30.355(D)(6)(d). (HALL)	In 20.30.355(D), 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. While staff does not have cost information on the alternatives, these can be monitored over time.
10.	2/17	20.40.050(B) - 185th Street Light Rail Station Subarea Plan. Delete Phase 3 in its entirety. (MCCONNELL)	Staff is neutral on this recommendation. In order to implement this proposed amendment, Council would need to make a motion to amend 20.40.050 (B) to delete references to Phase 3 and amend references to three zoning phases. If Phase 3 is deleted, the Zoning Map and Comprehensive Plan Land Use Map will also need to be amended to reflect the deletion of this phase. Staff would need further direction from Council about what the Zoning Map and Comprehensive Plan Land Use Map designations should be in the area of Phase 3 if this phase is deleted.
11.	2/17	20.40.050(B) Phase zoning at 10 year intervals, i.e. any second phase no earlier than 2025 and any third phase no earlier than 2035. (EGGEN)	If Council would like to change these phasing intervals, Section 20.40.050.B could be amended to SMC 20.40.050 Special districts. "B. 185 th Street Light Rail Station Subarea Plan. The 185 th Street Light Rail Station Subarea Plan establishes three zoning phases. Phase 1 zoning is delineated and shown on the City's official zoning map at the date of adoption. Phase 2 and 3 zoning is shown by an overlay. From the date of

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			adoption, property within the Phase 2 overlay will be automatically rezoned in 10 years and Phase 3 will be automatically rezoned in 20 years."
12.	1/29	Table 20.40.160 Live/Work MUR 35 - Delete "P-i" insert "(Adjacent to Arterial)". (ROBERTS)	Staff has made this change.
13.	1/29	Table 20.40.160 Apartment - Delete "P-i" and insert "P" in all zones. (ROBERTS)	Staff has made this change.
14.	1/9	Table 20.40.160 – Make Research, Development and Testing an allowed use in MUR-85. (HALL)	Staff supports this recommendation.
15.	2/9	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)	The intent behind making outdoor performance centers an accessory use in the MUR-85' zone was to limit a potentially land intense use to a portion of a building site. The MUR-85' zone is the closest zone to the future light rail station and should be reserved for high density housing and bigger employment centers.
16.	1/29	20.40.235 - Delete all references to fee in lieu program. (ROBERTS)	Please see answer to #5.
17.	1/29	20.40.235(B)(3) - Delete and renumber section. (ROBERTS and HALL)	Please see answer to #7. 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 unit ratio.
18.	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)	Staff has made this change. 20.40.235(C)(2)(d) reads, "All units in the development must have equal access to the development's amenities or facilities, such as parking, fitness centers, 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."
19.	1/29	20.40.235(E) - Delete and add language to the subarea policies. (ROBERTS)	Staff prefers to keep this flexible and does not recommend that this language be removed and placed in the Subarea Plan. Having the alternative compliance provisions are important to address truly equivalent provisions for affordable housing that can't be captured and keep the requirement

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			straightforward and easy to understand.
20.	1/29	20.40.245 - Delete. (ROBERTS)	Staff has made this change.
21.	1/29	20.40.374(C) - Delete "Marijuana" Inset "Cannabis". (ROBERTS)	Staff has made this change.
22.	2/8	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)	Staff has made this change.
23.	2/9	20.40.350 - Eating and drinking establishments. Delete all language recommended by the Planning Commission. (ROBERTS)	Staff is neutral on this recommendation.
24.	2/8	20.40.506 - Single-family detached dwellings. Delete. (HALL) If new detached Single Family Residential is not permitted in MUR zones, then allow more flexible non-conforming conditions to allow larger and easier remodeling of existing homes. (SALOMON)	While this amendment would not allow new detached single family residential (SFR) as a permitted use in any of the MUR zones, on February 9, Council discussed allowing new detached SFR as a permitted use in the MUR-35' and MUR-45' zones, and not allowing them in the MUR-85' zone. Staff is supportive of this compromise (allowed in '35 and '45, not allowed in '85) as long as Council is also supportive of the non-conforming use provision (See below - Councilmember Salomon's Amendment). In order to implement an amendment to not allow new detached SFR in the MUR-85' zone, Council would need to make a motion to amend SMC 20.40.506(A) to delete "and MUR-85" and would need to delete SMC 20.40.506(B) in its entirety. SMC Table 20.40.160 would also need to be amended to delete "P-i" from the MUR-85' column for Single-Family Detached. If Council is interested in not allowing new detached SFR in the MUR-85'
			zone, staff is supportive of Councilmember Salomon's accompanying

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	•		amendment to allow more flexible non-conforming conditions for the remodeling of existing single family homes.
			In order to implement this proposed amendment, Council would need to make a motion to amend SMC 20.30.280 - Non Conformance - to add under 20.30.280(C)(4) "Single family additions shall be limited to 50 percent of the use area and not require a conditional use permit in the MUR-85' zone."
25.	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)	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.
26.	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)	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'.
			In order to implement this proposed amendment, Council would need to direct staff to amend the row 'Minimum Density' in SMC Table 20.50.020(2) to add in the proposed number of dwelling units per acre in the corresponding zoning category.
27.	1/29	20.50.021 - Delete "and MUR 85" (ROBERTS)	Staff recommends that some transition standards for MUR-85' until Phase 2 is activated because of the parallel situation with other commercial zones adjacent to single family zones. Staff suggest that MUR-85' be required to meet transition standards for landscaping and screening but not the building stepback standards.
28.	2/8	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'	Staff has made this change.

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		zone when on an arterial street". (HALL)	
29.	1/9	20.50.240 (C)(1)(b) – Delete: Not require upper floor stepbacks 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.
30.	2/14	20.50.240 (F)(6)(f) – Add at the beginning of the sentence, "Amenities such as". (HALL)	Staff is supportive of this amendment as it gives the City and the development community more flexibility regarding the designs element amenities that would be required for public places.
31.	2/13	20.50.310(A)(5) - The following activities are exempt from the provisions of this subchapter and do not require a permit - removal of trees from property zoned NB, CB, MB and TC-1, 2 and 3, and MUR-85' unless within a critical area or critical area buffer. Delete "and MUR-85". (ROBERTS)	Staff does not recommend this amendment because MUR 85 will be the City's most intense zone and the amendment is inconsistent with all the other less intense commercial/mixed-use zone exemptions for tree retention. The reason is that it is difficult to preserve significant trees in these zones and preservation can be a big impediment to redevelopment, especially when property owners can have 90% hardscape lot coverage. What if a cluster of trees is in the middle of the site and not conveniently in the corner? In order to implement this proposed amendment, MUR-85' would be removed from the exempt list in the tree code.
32.	1/9	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	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.

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	2004000	spaces per unit for studio and 1 bdr in MUR-85, a bit more in the other MUR zones, and it would continue to allow other reductions to be applied. (HALL)	Staff comments: 1) The formula at first glance appears more difficult in comprehend. In practice it is just math & is easily figured out. 2) Staff is concerned about further reductions in the minimum parking required which would be the result of this proposal. 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.
33.	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 onsite parking utilized and reduce off site/on street parking issues. Staff supports this regulation; however it has not been legally tested.
34.	2/11	Requirement for new construction of single family homes in MUR zones to include frontage improvements. (ROBERTS)	Staff does not recommend this amendment because it will add to the City -wide problem that occurred in the past where detached SFR built sidewalks that where frequently unattached to other sidewalks because of the spotty nature of infill detached SFR redevelopment, which created the phenomenon commonly known as "sidewalks to nowhere". In order to implement this proposed amendment, Council would need to make a motion to amend SMC 20.70.320(C) - Frontage improvements are required- by adding "5. One single family dwelling in all MUR zones."
35.	2/11	Amend the MUR-85 zone to MUR-70. I think we would need to also amend the affordable housing provisions. I think we should just keep the ratios the same for affordable housing (20 percent at 70 ami for single units/etc).	The Market Analysis that was conducted supports reduced building height in this most intense station area zone. While 85' provides more alternatives for developers, such as office buildings that need greater ceiling height (85' allows for six floors of office, which is just barely where these expensive buildings start to make economic sense), staff does not

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	Request		
		(SALOMON)	have concerns with lowering this height maximum to 70 feet. This is also the maximum height that the Council settled on in the Town Center zones.
			In order to implement this proposed amendment, Council would need to make a motion to change all references from MUR-85' to MUR-70' throughout the Development Code.
36.	2/22	Raise the affordability requirement for on-site affordable housing from 50 years to 99 years. (SALOMON)	Staff does not have any strong feelings on this. It's likely that a building would require significant reinvestment by 50 years, and if a new building was constructed, it would just have new affordability restrictions. But, we don't know of any problems with a 99 year restriction.
37.	2/23	Amend 20.20.012 B Definitions: Dwelling, Live/Work. (STAFF)	The current proposed definition of "Dwelling, Live/Work" is: 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. This proposed Live/work definition is too restrictive by requiring that the 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 OR where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed. The problem with the proposed definition is in the practical "use" (verb). The consumer (owner) is limited by definition in how the unit can be used. The owner of the live/work unit should be able to purchase the unit as a residence and then be able to lease the commercial space to a separate business, or purchasing the unit as an investment and lease the

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		commercial and residential spaces separately. Staff proposes a more encompassing definition such as:
		Live-work unit means a structure or portion of a structure (1) that combines residential space with a commercial space for an activity that is allowed in the zone; and (2) where the commercial activity conducted takes place subject to a valid business license associated with the premises.

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

	Date of	Item	Response or Scheduled Follow-up
	Request		
1.	2/17	Implementation of any second or third zoning phase requires 1) a detailed plan to implement	Staff is neutral on this recommendation.
		required mitigations from the FEIS, and 2) certification by Council that necessary progress	If Council agrees with this amendment then it should be added to the PAO mitigation measures.
		on required mitigation on transportation, parks, utilities, and other public services has been achieved. (EGGEN)	