Planning Commission Meeting Date: May 7, 2015 **Agenda Item**

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Development Code Amendments #302037
DEPARTMENT: Planning & Community Development
PRESENTED BY: Steven Szafran, AICP, Senior Planner
Rachael Markle, AICP, Director

☐ Public Hearing ☒ Study Session ☐ Recommendation Only
☐ Discussion ☐ Update ☐ Other

Introduction

The purpose of this study session is to:

- Have a collaborative discussion with the Commission about proposed amendments
- Review the proposed Development Code Amendments
- Respond to questions regarding the proposed amendments
- Receive feedback from the Commission on the merits of the amendments
- Determine what amendments need more research/analysis
- Identify if there is a need for additional amendments
- Deliberate and, if necessary, ask further questions of staff
- Develop a recommended set of Development Code Amendments for the Public Hearing

Staff proposes to work with the Commission to develop a set of Development Code amendments over the course of three or four meetings to forward to Council by the end of October 2015. Staff will introduce a set of amendments that include minor changes but also include amendments that are more conceptual and need more analysis and/or discussion.

The Commission should be aware that not all of the proposed amendments are complete and additional amendments may be added to list. Staff decided to take advantage of the break from the 145th Street Station Subarea plan by moving the Development Code amendments forward. As a result, the amendment package is still in progress but there is value in getting started. Staff wanted to receive the Commission's feedback and direction in some cases before fully fleshing out some of the proposals. It should also be noted that the SEPA analysis of the amendments have not been completed.

Amendments to Shoreline Municipal Code (SMC) Title 20 (Development Code) are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for legislative decisions and is responsible

for holding an open record Public Hearing on proposed Development Code Amendments and making a recommendation to the City Council on each amendment.

Background

SMC 20.30.350 states, "An amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City". Development Code Amendments may also be necessary to reduce confusion and clarify existing language, respond to regional and local policy changes, update references to other codes, eliminate redundant and inconsistent language, and codify Administrative Orders approved by the Director.

The decision criteria for a Development Code Amendment in SMC 20.30.350 (B) states the City Council may approve or approve with modifications a proposal for a change to the text of the land use code if:

1. The amendment is in accordance with the Comprehensive Plan; and
2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Amendments

This potential group of Development Code amendments consists of 21 Director initiated amendments. There are no privately initiated amendments. Staff drafted some of the amendments in response to Council direction, specifically amendments #4, #6, and #8 (**Attachment 1**).

Staff has organized the presentation of each of the amendments in **Attachment 1** by: 1) stating the amendment number; 2) stating the amendment section; 3) providing justification for the amendment; and in some cases 4) providing questions to the Commission to aid in the formation of the amendment.

The proposed Development Code amendments are organized in the following groups: administrative changes, procedural changes, local policy changes, clarification of existing language, and codifying administrative orders.

Administrative Corrections

20.30.040 – Temporary Use Permit reference
20.40.150 – Removing Shipping Containers as a Use in the Campus Zones
20.50.240 – Site Design
20.50.410 – Moving the Allowance for Compact Parking Stalls
20.50.430 – Nonmotorized Access (Deleting Repetitive Language)

Procedural Changes

Table 20.50.020(2) – Hardscape and Environmental Features Not Counted Toward Hardscape Calculations
20.50.360 – Counting existing Nonsignificant Trees as Required Tree Replacement

Local Policy Changes

20.30.355 – Adding Criteria to General Development Agreements
20.40.120 – Adding Microhousing as a Use
20.40.160 and 20.40.496 – Research, Development, and Testing and Outdoor Performance.
20.40.400 – Parking for Home Occupations
20.40.410 and 20.40.450 – Deleting Reuse of a Surplus Nonresidential Facility Indexed Criteria
20.50.400 – Updating Criteria for Parking Reductions
20.60.140 – Establishing a Level of Service for Pedestrians and Bicycles
20.100.020 – Amending the Transition Requirements for the Aurora Community Renewal Area and Creating a Centralized Location for All CRA Requirements

Clarifying Existing Language
20.30.110 – Determination of Completeness
20.30.340 – Comprehensive Plan Amendments
20.40.100 – Temporary Use Permits
20.50.020 – Density Calculations and Dedications
20.70.320 –Frontage Improvements Requirements for Single Family Homes and Accessory Dwelling Units

Codifying Administrative Orders
20.50.390 – Parking Requirements for Microhousing (**Attachment 2**)

Discussion and Analysis
The justification/ analysis and questions for each of the proposed amendments are found in **Attachment 1** under each of the respective amendments.

Schedule

Staff is proposing the following schedule for this batch of Development Code Amendments:
May 7 – Planning Commission Study Session
June 4 – Planning Commission Study Session
July 2 – Planning Commission Study Session
August 6 – Planning Commission Public Hearing
September 2015 – City Council Study Session
October 2015 – City Council Adoption

These dates are tentative and can be moved if necessary. The Commission will be considering the updates to the Critical Areas Ordinance during the same timeframe as this batch of Development Code amendments. As such, these amendments can be shifted if they create a conflict with the CAO.

Attachments

Attachment 1 – Proposed 2015 Development Code Amendments
Attachment 2 – Administrative Order for Microhousing Parking
Attachment 3 – Transition Area Analysis for the Community Renewal Area

DEVELOPMENT CODE AMENDMENT BATCH 2015

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Amendment # 1
20.30.040 Ministerial decisions – Type A.

Justification – A better reference in Table 20.30.040 pertaining to Temporary Use permits is SMC 20.30.295. This section contains the review and decision criteria for a Temporary Use Permit. Most of the other references in this column are to this same Subchapter 6. Review and Decision Criteria. 20.40.100 although still pertaining to Temporary Uses is more applicable to establishing permitted uses.

These decisions are based on compliance with specific, nondiscretionary and/or technical standards that are clearly enumerated. These decisions are made by the Director and are exempt from notice requirements.

However, permit applications, including certain categories of building permits, and permits for projects that require a SEPA threshold determination, are subject to public notice requirements specified in Table 20.30.050 for SEPA threshold determination, or SMC 20.30.045.

All permit review procedures and all applicable regulations and standards apply to all Type A actions. The decisions made by the Director under Type A actions shall be final. The Director's decision shall be based upon findings that the application conforms (or does not conform) to all applicable regulations and standards.

Table 20.30.040 – Summary of Type A Actions and Target Time Limits for Decision, and Appeal Authority

Action Type	**Target Time Limits for Decision (Calendar Days)**	**Section**
Type A:		
1. Accessory Dwelling Unit	30 days	20.40.120, 20.40.210
2. Lot Line Adjustment including Lot Merger	30 days	20.30.400
3. Building Permit	120 days	All applicable standards
4. Final Short Plat	30 days	20.30.450
5. Home Occupation, Bed and Breakfast, Boarding House	120 days	20.40.120, 20.40.250, 20.40.260, 20.40.400
6. Interpretation of Development Code	15 days	20.10.050, 20.10.060, 20.30.020
7. Right-of-Way Use	30 days	12.15.010 – 12.15.180
8. Shoreline Exemption Permit	15 days	Shoreline Master Program
9. Sign Permit	30 days	20.50.530 – 20.50.610
10. Site Development Permit	60 days	20.20.046, 20.30.315, 20.30.430
11. Deviation from Engineering Standards	30 days	20.30.290
12. Temporary Use Permit	15 days	20.30.295 ~~20.40.100~~
13. Clearing and Grading Permit	60 days	20.50.290 – 20.50.370
14. Administrative Design Review	28 days	20.30.297
15. Floodplain Development Permit	30 days	13.12.700

16. Floodplain Variance	30 days	13.12.800

An administrative appeal authority is not provided for Type A actions, except that any Type A action which is not categorically exempt from environmental review under Chapter 43.21C RCW or for which environmental review has not been completed in connection with other project permits shall be appealable. Appeal of these actions together with any appeal of the SEPA threshold determination is set forth in Table 20.30.050(4). (Ord. 695 § 1 (Exh. A), 2014; Ord. 654 § 1 (Exh. 1), 2013; Ord. 641 § 4 (Exh. A), 2012; Ord. 631 § 1 (Exh. 1), 2012; Ord. 609 § 5, 2011; Ord. 531 § 1 (Exh. 1), 2009; Ord. 469 § 1, 2007; Ord. 352 § 1, 2004; Ord. 339 § 2, 2003; Ord. 324 § 1, 2003; Ord. 299 § 1, 2002; Ord. 244 § 3, 2000; Ord. 238 Ch. III § 3(a), 2000).

Amendment # 2

20.30.110 Determination of completeness & requests for additional information.

Justification – This is a clarification. The section addresses completeness and requests for additional information and the time limits that apply to both situations.

A. An application shall be determined complete when:
1. It meets the procedural requirements of the City of Shoreline;
2. All information required in specified submittal requirements for the application has been provided, and is sufficient for processing the application, even though additional information may be required. The City may, at its discretion and at the applicant's expense, retain a qualified professional to review and confirm the applicant's reports, studies and plans.

B. Within 28 days of receiving a permit application for Type A, B and/or C applications, the City shall mail a written determination to the applicant stating whether the application is complete, or incomplete and specifying what is necessary to make the application complete. If the Department fails to provide a determination of completeness, the application shall be deemed complete on the twenty-ninth day after submittal.

C. If the applicant fails to provide the required information within 90 days of the date of the written notice that the application is incomplete, or a request for additional information is made, the application shall be deemed null and void. The Director may grant a 90-day extension on a one-time basis if the failure to take a substantial step was due to circumstances beyond the control of the applicant. The applicant may request a refund of the application fee minus the City's cost of processing.

D. The determination of completeness shall not preclude the City from requesting additional information or studies if new information is required or substantial changes are made to the proposed action. (Ord. 406 § 1, 2006; Ord. 324 § 1, 2003; Ord. 238 Ch. III § 4(d), 2000).

Amendment # 3

20.30.340 Amendment ~~and review of~~ to the Comprehensive Plan (legislative action).

Justification – The City's process for accepting and reviewing amendments to the Comprehensive Plan is unclear. The proposed language establishes a clear procedure for creating the Docket and processing Comprehensive Plan Amendments.

A. Purpose. Comprehensive Plan amendments is a mechanism by which the City Council may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City. The Growth Management Act (GMA), 36.70A RCW, requires that the City of Shoreline include within its development regulations a procedure for any interested person to suggest plan amendments. The suggested amendments are to be docketed for consideration. The purpose of this section is to establish such a procedure for amending the City's Comprehensive Plan text and/or land use map.
For purpose of this section, docketing refers to compiling and maintaining a list of suggested changes to the Comprehensive Plan in a manner that will ensure such suggested changes will be considered by the City and will be available for review by the public.

~~**A. Purpose.** A Comprehensive Plan amendment or review is a mechanism by which the City may modify the text or map of the Comprehensive Plan in accordance with the provisions of the Growth Management Act, in order to respond to changing circumstances or needs of the City, and to review the Comprehensive Plan on a regular basis.~~

B. Decision Criteria. The Planning Commission may recommend and the City Council may approve, or approve with modifications an amendment to the Comprehensive Plan if:

1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies; or

2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan; or

3. The amendment will benefit the community as a whole, will not adversely affect community facilities, the public health, safety or general welfare.

C. **Amendment Procedures**

1. **Concurrent Review of Annual Amendments**. Except in certain, limited situations, the Growth Management Act (GMA) permits amendments to the Comprehensive Plan no more frequently than once every year. All proposed amendments shall be considered concurrently so that the cumulative effect of the various proposals can be ascertained. Proposed amendments may be considered at separate meetings or hearings, so long as the final action taken considers the cumulative effect of all proposed amendments to the Comprehensive Plan.

2. Deadline for Submittal.

a. Applications requesting a text or map amendment to the Comprehensive Plan from any interested person will be accepted throughout the year. The deadline for submitting such an application is 5:00 PM on December 1 of each year, or the next business day if December 1 falls on a Saturday or Sunday.

b. At least three (3) weeks prior to the deadline, the City will publish on its website and through a press release a call for docket applications for the current year's docket.

c. Any complete application received after the submittal deadline shall be docketed for the following year.

3. Application Requirements.

a. Proposals to amend the Comprehensive Plan shall be submitted on the form prescribed and provided by the Department. To be considered complete, an application must contain all of the required information, including supporting documentation and applicable fees.

b. If during the course of the year the Department identifies any deficiencies in the Comprehensive Plan, the "Identified Deficiencies" shall be docketed on the form provided for in SMC 20.30.340(C)(3)(a) for possible future amendment. For the purposes of this section, a deficiency in the Comprehensive Plan refers to the absence of required or potentially desirable contents of the Comprehensive Plan.

4. Preliminary Docket Review

a. The Department shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received throughout the year.

b. The Director shall review all complete and timely filed applications proposing amendments to the Comprehensive Plan and place these applications on the preliminary docket along with other city-initiated amendments to the Comprehensive Plan.

c. The Planning Commission shall review the preliminary docket at a publically noticed meeting and make a recommendation on the preliminary docket to the City Council each year.

d. The City Council shall review the preliminary docket at a public meeting and, after such a review, shall establish the final docket. The final docket shall be publically available by posting on the City's website and a press release.

e. Placement of an item on the final docket does not mean a proposed amendment will be approved. The purpose of the final docket is to allow for further analysis and consideration by the City.

f. Any interested person may resubmit a proposed amendment not placed on the final docket subject to the application and deadline procedures set forth in this chapter for the following year.

5. Final Docket Review

a. The Department shall review and assess the items placed on the final docket and prepare a staff report(s) including recommendations for each proposed amendment. The Department shall be responsible for developing an environmental review of the combined impacts of all proposed amendments on the final docket, except, the environmental review of amendments seeking a site-specific amendment shall be the responsibility of the applicant. The Department shall set a date for consideration of the final docket by the Planning Commission and timely transmit the staff report(s) and the Department's recommendation prior to the scheduled date.

b. As provided in SMC 2.20.060 and 20.30.070, the Planning Commission shall review the proposed amendments contained in the final docket based on the criteria set forth in 20.30.340(B) and the Department's analysis and recommendation. The Planning Commission shall hold at least one public hearing on the proposed amendments. The Planning Commission shall make a recommendation on those amendments and transmit that recommendation to the City Council.

c. Promptly after issuance of the Planning Commission's recommendation, the Department shall set a date for consideration of the final docket by the City Council. The City Council shall concurrently review the proposed amendments consistent with the criteria set forth in 20.30.340(B) and taking into consideration the recommendations of the Planning Commission and the Department. The City Council may deny, approve, or modify the Planning Commission's recommendations.

d. The Planning Commission and the City Council may hold additional public hearings, meetings, or workshops as warranted by the proposed amendments.

e. Pursuant to RCW 36.70A.106, the Department shall notify the State of the City's intent to adopt amendments to the Comprehensive Plan at least 60 days prior to the City Council's final adoption of the proposed amendments. Within ten (10) days of final adoption, the City shall transmit to the State any adopted amendment to the Comprehensive Plan.

~~The City of Shoreline's process for accepting and reviewing Comprehensive Plan amendments for the annual docket shall be as follows:~~
~~1. Amendment proposals will be accepted throughout the year. The closing date for the current year's docket is the last business day in December.~~
~~2. Anyone can propose an amendment to the Comprehensive Plan.~~
~~• There is no fee for submitting a general text amendment to the Comprehensive Plan.~~
~~• An amendment to change the land use designation, also referred to as a site specific Comprehensive Plan amendment, requires the applicant to apply for a rezone application to be processed in conjunction with the Comprehensive Plan amendment. There are separate fees for a site specific CPA request and a rezone application.~~
~~3. At least three weeks prior to the closing date, there will be general public dissemination of the deadline for proposals for the current year's docket. Information will include a staff contact, a re-statement of the deadline for accepting proposed amendments, and a general description of the amendment process. At a minimum, this information will be available on the City's website and through a press release.~~
~~4. Amendment proposals will be posted on the City's website and available at the Department.~~
~~5. The draft docket will be comprised of all Comprehensive Plan amendment applications received prior to the deadline.~~
~~6. The Planning Commission will review the draft docket and forward recommendations to the City Council.~~
~~7. A summary of the amendment proposals will be made available, at a minimum, on the City website, in Currents, and through a press release.~~
~~8. The City Council will establish the final docket at a public meeting.~~
~~9. The City will be responsible for developing an environmental review of combined impacts of the proposals on the final docket. Applicants for site specific Comprehensive Plan amendments will be responsible for providing current accurate analysis of the impacts from their proposal.~~
~~10. The final docketed amendments will be reviewed by the Planning Commission in publicly noticed meetings.~~
~~11. The Commission's recommendations will be forwarded to the City Council for adoption. (Ord. 695 § 1 (Exh. A), 2014; Ord. 591 § 1 (Exh. A), 2010; Ord. 238 Ch. III § 7(f), 2000).~~

Amendment # 4
20.30.355 Development Agreement (Type L).

Justification – The planned light rail station and parking garage will generate auto, transit, bicycle, and pedestrian trips. The City's Arterial Streets around the light rail stations may be insufficient to safely move people to and from the stations, specifically pedestrians and bicycles. When Sound Transit submits an application for a Development Agreement to permit the station and garage (which they are required to do), one of the criteria for approval should be sufficient accommodation for pedestrians and bicyclist. This amendment accompanies amendment number 19.

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 Chapter 20.50 SMC. A development agreement in the MUR-70' zone may be approved to allow increased development potential above the zoning requirements in Chapter 20.50 SMC.

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 nonmotorized access.

C. **Decision Criteria.** A development agreement (general development agreement and development agreements in order to increase height above 70 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)) that meet the City's adopted Level Of Service standards (as confirmed by the performance of a Transportation Impact Analysis) 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'.

Amendment # 5
20.40.100 Purpose.

Justification – The Director has the ability to approve a TUP for a period of up to one year in SMC 20.30.295(C). SMC 20.40.100 (C)(1) needs to be amended to reflect this.

A. The purpose of this subchapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.

B. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained.

C. The use is considered permanently established when that use will be or has been legally established in continuous operation for a period exceeding 60 days.
Exception to SMC 20.40.100(C)(1): A use which will operate for less than 60 days or operates under an approved Temporary Use Permit is considered a temporary use, and subject to the requirements of a temporary use permit.

D. All applicable requirements of this Code, or other applicable State or Federal requirements, shall govern a use located in the City. (Ord. 238 Ch. IV § 2(A), 2000).

Amendment # 6
20.40.120 Residential uses

Justification – The City does not have a specific category for Microhousing even though the City allows and has permitted a microhousing project. The City now considers microhousing a type of apartment.

Analysis – The City adopted a definition for Microhousing as part of the 185th Street Light Rail Station Subarea Plan: Microhousing is defined as a structure that contains single room living spaces with 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 and; recreation/eating space. The 185th Street Light Rail Station Subarea Plan also prohibited Microhousing within the Subarea.

Questions – Staff is recommending adding Microhousing as a use in the Mixed Business Zone only. The Mixed Business Zones are generally located on the Aurora Corridor and Ballinger Way NE where transit and amenities are present. The Mixed Business Zone allows like uses such as apartments, hotels/motels,

and boarding homes. Should Microhousing be included in other zones throughout the City? Just in the Mixed Business Zone, Not at all?

Staff has suggested Microhousing be outright permitted in the Mixed Business Zone. The use could include indexed criteria, or conditions, that could accompany the use such as greater design requirements, a parking management plan approved by the Department, the requirement of storage space, and the limitation of people occupying a unit. Should Microhousing be listed as a permitted use ("P") or as a permitted use with criteria ("P-I") in the use table?

20.40.120 Residential uses.

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
RESIDENTIAL GENERAL									
	Accessory Dwelling Unit	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
	Affordable Housing	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
	Apartment		**C**	**P**	**P**	**P**	**P**	**P**	**P**
	Duplex	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**			
	Home Occupation	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
	Manufactured Home	**P-i**	**P-i**	**P-i**	**P-i**				
	Microhousing							**P**	
	Mobile Home Park	**P-i**	**P-i**	**P-i**	**P-i**				
	Single-Family Attached	**P-i**	**P**	**P**	**P**	**P**			
	Single-Family Detached	**P**	**P**	**P**	**P**				
GROUP RESIDENCES									
	Boarding House	**C-i**	**C-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
	Community Residential Facility-I	**C**	**C**	**P**	**P**	**P**	**P**	**P**	**P**
	Community Residential Facility-II		**C**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
721310	Dormitory		**C-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
TEMPORARY LODGING									
721191	Bed and Breakfasts	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**
72111	Hotel/Motel						**P**	**P**	**P**
	Recreational Vehicle	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	
	Tent City	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	
MISCELLANEOUS									
	Animals, Small, Keeping and Raising	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**	**P-i**

P = Permitted Use	**S = Special Use**
C = Conditional Use	**-i = Indexed Supplemental Criteria**

(Ord. 669 § 1 (Exh. A), 2013; Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 3 (Exh. A), 2009; Ord. 408 § 2, 2006; Ord. 368 § 1, 2005; Ord. 352 § 1, 2004; Ord. 301 § 1, 2002; Ord. 299 § 1, 2002; Ord. 281 § 6, 2001; Ord. 238 Ch. IV § 2(B, Table 1), 2000).

Amendment # 7

20.40.150 Campus uses.

Justification – Shipping containers are not a use but rather a structure. Structures are regulated in SMC 20.50.

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
513	Broadcasting and Telecommunications	P-m			P-m
	Bus Base	P-m			P-m
	Child and Adult Care Services	P-m	P-m		P-m
	Churches, Synagogue, Temple	P-m	P-m		
6113	College and University				P-m
	Conference Center	P-m			P-m
6111	Elementary School, Middle/Junior, High School	P-m			
	Food Storage, Repackaging, Warehousing and Distribution		P-m		
	Fueling for On-Site Use Only		P-m		P-m
	Home Occupation	P-i	P-i		
	Housing for Disabled Persons	P-m	P-m		
	Library	P-m		P-m	P-m
	Light Manufacturing		P-m		P-m
	Maintenance Facilities for On-Site Maintenance	P-m	P-m	P-m	P-m
	Medical-Related Office or Clinic (including personal care facility, training facilities, and outpatient clinic)	P-m	P-m	P-m	P-m
	State Owned/Operated Office or Laboratory		P-m	P-m	P-m
	Outdoor Performance Center	P-m			P-m
623	Nursing and Personal Care Facilities	P-m	P-m		P-m
	Performing Arts Companies/Theater	P-m			P-m
	Personal Services (including laundry, dry cleaning, barber and beauty shop, shoe repair, massage therapy/health spa)	P-m	P-m		P-m
	Power Plant for Site Use Power Generation Only		P-m	P-m	P-m
	Recreational Facility	P-m	P-m		P-m
	Recreation Vehicle	P-i			
	Research Development and Testing		P-m	P-m	P-m
	Residential Habilitation Center and Support Facilities	P-m	P-m		
6111	Secondary or High School	P-m			P-m

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
	Senior Housing (apartments, duplexes, attached and detached single-family)	P-m			
-	~~Shipping Containers~~	~~P-i~~	~~P-i~~	~~P-i~~	~~P-i~~
	Social Service Providers		P-m		P-m
6116	Specialized Instruction School	P-m	P-m		P-m
	Support Uses and Services for the Institution On Site (including dental hygiene clinic, theater, restaurant, book and video stores and conference rooms)	P-m	P-m	P-m	P-m
	Tent City	P-i			
	Wireless Telecommunication Facility	P-i			P-i
P = Permitted Use **P-i = Permitted Use with Indexed Supplemental Criteria** **P-m = Permitted Use with approved Master Development Plan**					

Note: Other uses not listed in Table 20.40.150 existing within the campus zone as of the effective date of Ordinance No. 507 may be permitted as P-m through a Code interpretation.
(Ord. 507 § 4, 2008).

Amendment # 8
20.40.160 Outdoor Performance Center and Research, Development and Testing.

Justification – There are two amendments proposed to Table 20.40.160. The first amendment will prevent a facility like the Washington State Health Lab from being constructed in the MUR zones. The Public Health Lab is categorized as a Biosafety Level (BSL) 3 level laboratory by the Centers for Disease Control (CDC). It was Council's direction to allow research and development within the MUR-70' Zone but not allow some of the uses that happen at the Public Health Lab. By limiting a proposed research, development, and/or testing facility to a BSL 1 or 2, any medical office, health care use as well as testing that does not involve the most noxious of materials could open within the light rail station area.

The Center for Disease Control (CDC) assigns Biosafety levels (BSL) to laboratory facilities. A Biosafety level is a level of biocontainment precautions required to isolate dangerous biological agents in an enclosed laboratory facility. The levels of containment range from the lowest Biosafety level 1 to the highest at level 4.

Biosafety Level 1 – Biosafety Level 1 is suitable for work involving well-characterized agents not known to consistently cause disease in immunocompetent adult humans, and present minimal potential hazard to laboratory personnel and the environment.

Biosafety Level 2 – Biosafety Level 2 builds upon BSL-1. BSL-2 is suitable for work involving agents that pose moderate hazards to personnel and the environment. It differs from BSL-1 in that: 1) laboratory personnel have specific training in handling pathogenic agents and are supervised by scientists competent in handling infectious agents and associated procedures; 2) access to the laboratory is restricted when work is being conducted; and 3) all procedures in which infectious aerosols or splashes may be created are conducted in BSCs or other physical containment equipment.

Biosafety Level 3 – Biosafety Level 3 is applicable to clinical, diagnostic, teaching, research, or production facilities where work is performed with indigenous or exotic agents that may cause serious or potentially lethal disease through the inhalation route of exposure. Laboratory personnel must receive specific training in handling pathogenic and potentially lethal agents, and must be supervised by scientists competent in handling infectious agents and associated procedures.

Biosafety Level 4 – Biosafety Level 4 is required for work with dangerous and exotic agents that pose a high individual risk of aerosol-transmitted laboratory infections and life-threatening disease that is frequently fatal, for which there are no vaccines or treatments, or a related agent with unknown risk of transmission. Agents with a close or identical antigenic relationship to agents requiring BSL-4 containment must be handled at this level until sufficient data are obtained either to confirm continued work at this level, or re-designate the level. Laboratory staff must have specific and thorough training in handling extremely hazardous infectious agents. Laboratory staff must understand the primary and secondary containment functions of standard and special practices, containment equipment, and laboratory design characteristics. All laboratory staff and supervisors must be competent in handling agents and procedures requiring BSL-4 containment. The laboratory supervisor in accordance with institutional policies controls access to the laboratory.

The second amendment deletes the use "outdoor performance center". Staff believes that this use is most commonly combined with a performance arts company/theater and this use may include performances outdoor. Any outdoor activity is regulated by the City's noise and hours of operation ordinances like any outdoor performance in one of the City owned parks.

20.40.160 Station area uses.

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
RESIDENTIAL				
	Accessory Dwelling Unit	**P-i**	**P-i**	**P-i**
	Affordable Housing	**P-i**	**P-i**	**P-i**
	Apartment	**P**	**P**	**P**
	Bed and Breakfast	**P-i**	**P-i**	**P-i**
	Boarding House	**P-i**	**P-i**	**P-i**
	Duplex, Townhouse, Rowhouse	**P-i**	**P-i**	**P-i**
	Home Occupation	**P-i**	**P-i**	**P-i**
	Hotel/Motel			**P**
	Live/Work	**P (Adjacent to Arterial Street)**	**P**	**P**
	Microhousing			
	Single-Family Attached	**P-i**	**P-i**	**P-i**
	Single-Family Detached	**P-i**		
	Tent City	**P-i**	**P-i**	**P-i**
COMMERCIAL				
	Book and Video Stores/Rental (excludes Adult Use Facilities)	**P (Adjacent to Arterial Street)**	**P (Adjacent to Arterial Street)**	**P**
	Collective Garden			

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
	House of Worship	**C**	**C**	**P**
	Daycare I Facilities	**P**	**P**	**P**
	Daycare II Facilities	**P**	**P**	**P**
	Eating and Drinking Establishment (Excluding Gambling Uses)	**P-i (Adjacent to Arterial Street)**	**P-i (Adjacent to Arterial Street)**	**P-i**
	General Retail Trade/Services	**P-i (Adjacent to Arterial Street)**	**P-i (Adjacent to Arterial Street)**	**P-i**
	Individual Transportation and Taxi			**P -A**
	Kennel or Cattery			**C -A**
	Mini-Storage		**C -A**	**C -A**
	Professional Office	**P-i (Adjacent to Arterial Street)**	**P-i (Adjacent to Arterial Street)**	**P**
	Research, Development and Testing			**P-i**
	Veterinary Clinic and Hospital			**P-i**
	Wireless Telecommunication Facility	**P-i**	**P-i**	**P-i**
EDUCATION, ENTERTAINMENT, CULTURE, AND RECREATION				
	Amusement Arcade		**P -A**	**P -A**
	Bowling Center		**P-i (Adjacent to Arterial Street)**	**P**
	College and University			**P**
	Conference Center		**P-i (Adjacent to Arterial Street)**	**P**
	Elementary School, Middle/Junior High School	**C**	**C**	**P**
	Library		**P-i (Adjacent to Arterial Street)**	**P**
	Museum		**P-i (Adjacent to Arterial Street)**	**P**
-	~~Outdoor Performance Center~~	-	~~**P -A**~~	~~**P -A**~~
	Parks and Trails	**P**	**P**	**P**
	Performing Arts Companies/Theater (excludes Adult Use Facilities)		**P -A**	**P -A**
	School District Support Facility		**C**	**C**
	Secondary or High School	**C**	**C**	**P**
	Specialized Instruction School		**P-i (Adjacent to Arterial Street)**	**P**
	Sports/Social Club		**P-i (Adjacent to Arterial Street)**	**P**

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
	Vocational School		**P-i (Adjacent to Arterial Street)**	**P**
GOVERNMENT				
	Fire Facility		**C-i**	**C-i**
	Police Facility		**C-i**	**C-i**
	Public Agency Office/Yard or Public Utility Office/Yard	**S**	**S**	**S**
	Utility Facility	**C**	**C**	**C**
HEALTH				
	Hospital	**C**	**C**	**C**
	Medical Lab	**C**	**C**	**C**
	Medical Office/Outpatient Clinic		**P-i (Adjacent to Arterial Street)**	**P**
	Nursing and Personal Care Facilities		**P-i (Adjacent to Arterial Street)**	**P**
OTHER				
	Animals, Small, Keeping and Raising	**P-i**	**P-i**	**P-i**
	Light Rail Transit System/Facility	**P-i**	**P-i**	**P-i**
	Transit Park and Ride Lot		**S**	**P**
	Unlisted Uses	**P-i**	**P-i**	**P-i**

P = Permitted Use	C = Conditional Use
S = Special Use	-i = Indexed Supplemental Criteria
A= Accessory = Thirty percent (30%) of the gross floor area of a building or the first level of a multi-level building.	

(Ord. 706 § 1 (Exh. A), 2015).

20.40.496 Research, development, and testing

Research, development, and testing is permitted in the MUR-70' Zone if the facility is categorized as BSL 1 or 2 (Biosafety Level 1 or Biosafety Level 2) as classified by the Centers for Disease Control (CDC) and the National Institute of Health (NIH).

Amendment # 9

20.40.400 Home occupation

Justification – This amendment is to clarify that any vehicular parking associated with the home occupation must be accommodated on site, not just customer and employee parking. The issue comes

up when home occupations have large vehicles such as limos that they park on the street, which creates a negative impact in the neighborhood.

Intent/Purpose: The City of Shoreline recognizes the desire and/or need of some citizens to use their residence for business activities. The City also recognizes the need to protect the surrounding areas from adverse impacts generated by these business activities.
Residents of a dwelling unit may conduct one or more home occupations as an accessory use(s), provided:

A. The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit. Areas with garages and storage buildings shall not be considered in these calculations, but may be used for storage of goods associated with the home occupation.

B. In residential zones, all the activities of the home occupation(s) (including storage of goods associated with the home occupation) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s).

C. No more than two nonresident FTEs working on site shall be employed by the home occupation(s).

D. The following activities shall be prohibited in residential zones:

1. Automobile, truck and heavy equipment repair;

2. Auto body work or painting;

3. Parking and storage of heavy equipment; and

4. On-site metals and scrap recycling.

E. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:

1. One stall for each nonresident FTE employed by the home occupation(s); and

2. One stall for patrons when services are rendered on site.

F. Sales shall be by appointment or limited to:

1. Mail order sales; and

2. Telephone or electronic sales with off-site delivery.

G. Services to patrons shall be arranged by appointment or provided off site.

H. The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:

1. No more than two such vehicles shall be allowed;

2. Such vehicles shall not exceed gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.

3. Parking for the vehicle(s) must be provided on site, in accordance with parking design standards and dimensional requirements under SMC 20.50.390, 20.50.410 and 20.50.420. Such parking spaces must be in addition to those required for the residence.

I. The home occupation(s) shall not use electrical or mechanical equipment that results in:

1. A change to the fire rating of the structure(s) used for the home occupation(s), unless appropriate changes are made under a valid building permit; or

2. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or

3. Fluctuations in line voltage off premises; or

4. Emissions such as dust, odor, fumes, bright lighting or noises greater than what is typically found in a neighborhood setting.

J. One sign not exceeding four square feet may be installed without a sign permit. It may be mounted on the house, fence or freestanding on the property (monument style). Any additional signage is subject to permit under Chapter 20.50 SMC.

K. All home occupations must obtain a business license, consistent with Chapter 5.05 SMC.
Note: Daycares, community residential facilities, animal keeping, bed and breakfasts, and boarding houses are regulated elsewhere in the Code. (Ord. 631 § 1 (Exh. 1), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

Amendment # 10
SMC 20.40.410 Hospital and SMC 20.40.450 Medical office/outpatient clinic

Justification – Hospitals: This amendment deletes the indexed criteria requirement for hospitals and medical offices to be located only as a re-use of a surplus nonresidential facility. Regarding Hospitals: The index criteria are very unusual. The City does not have a definition for a "surplus" nonresidential facility. Staff recommends that the reference to allowing hospitals only as a reuse of a surplus nonresidential facility, 20.40.410(A) be deleted. SMC 20.40.410(A) applies to R-4 through R-48 zones; Town Center -4 and Neighborhood Business.

Medical offices: Staff recommends that the reference to allowing medical office/outpatient clinics only as a reuse of a public school facilities or a surplus nonresidential facility 20.40.450(A) be deleted. SMC 20.40.450(A) applies to R-4 through R-48 zones; and Town Center -4. A Conditional Use permit is required to locate a medical office/outpatient clinic in these zones in addition to the index criteria

Questions – Hospitals: Is a Conditional Use permit the appropriate mechanism to locate hospitals in these zones in addition to the index criteria. The next question is should hospitals be allowed uses in these zones at all? If yes, then does the Conditional Use Permit offer enough protection to the predominant development in these zones? Should hospitals be regulated differently in Neighborhood Business zones? For example, hospitals could be prohibited in all of the residential zones including Town Center-4, but allowed through a Conditional Use Permit in Neighborhood Business.

Medical Offices: Should a medical office/outpatient clinic be an allowed use in the R-4 through R-48 zones; Town Center -4 and Neighborhood Business zones? If yes, then does the Conditional Use Permit offer enough protection to residential development in these zones? Should medical offices/outpatient clinics be regulated differently in from low density residential development in medium and high residential development zones? For example, medical offices/outpatient clinics could be prohibited in R-4-12, but allowed through a Conditional Use Permit in R-18-R-48.

20.40.410 Hospital.

~~A. When located in residential, office and neighborhood business zones, allowed only as a re-use of a surplus nonresidential facility; and~~

B. No burning of refuse or hazardous waste; and

C. No outdoor storage when located in a residential zone. (Ord. 238 Ch. IV § 3(B), 2000).

20.40.450 Medical office/outpatient clinic.

A. ~~Only allowed in residential zones as a re-use of a public school facility or a surplus nonresidential facility; and~~

B. No outdoor storage when located in a residential zone. (Ord. 238 Ch. IV § 3(B), 2000).

Amendment # 11
20.50.020 Dimensional requirements.

Justification – Staff is aware of a few instances where property owners/developers have made financial decisions based on the number of lots/units achieved using the base density calculation. However, the site area can be reduced if property dedications are required. Property dedicated to the City as required in SMC 20.70.120 are deducted from the site area. Adding this language is intended to help alert property owners and developers of this possibility. Staff also explored the idea of allowing the "pre – dedication" site area to be used to determine base density. The issue with this concept is it would allow for the creation of substandard sized lots or exceeding maximum densities in some zones.

B. **Base Density Calculation.** The base density for an individual site shall be calculated by multiplying the site area (in acres) by the applicable number of dwelling units. When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1. Fractions of 0.50 and above shall be rounded up except for lots less than 14,400 square feet in R-6 zones. See Exception (7) to Table 20.50.020(1).

2. Fractions below 0.50 shall be rounded down.

Example #1 – R-6 zone, 2.3 acres site: 2.3 x 6 = 13.8
The base density for this site would be 14 dwelling units.

Example #2 – R-24 zone, 2.3 acres site: 2.3 x 24 = 55.2
The base density for the site would be 55 dwelling units.

Example #3 – R-6 zone, 13,999-square-foot site: (13,999/43,560 = .3214 acres) so .3214 X 6 = 1.92. The base density for single-family detached dwellings on this site would be one unit.

Example #4 – R-6 zone, 14,400-square-foot site (14,400/43,560 = .331 acres) so .331 X 6 = 1.986. The base density for the site would be two units.

C. All areas of a site may be used in the calculation of base density, except that submerged lands shall not be credited toward base density calculations. Note: If a dedication is required in accordance with SMC 20.70 the portion of the site to be dedicated is not included in this calculation.

Amendment #12
Table 20.50.020(3) – Dimensions for Development in Commercial Zones

Justification – This is to clarify that freestanding solar power systems will not penalize the applicant in terms of hardscape, and to give credit for rooftop solar arrays and intensive green roof systems as an incentive. Note that "intensive" green roofs function like permeable ground in terms of drainage and heat island mitigation as opposed to "extensive" green roofs that are shallower and less likely to provide the same function in the long run.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

Commercial Zones				
STANDARDS	**Neighborhood Business (NB)**	**Community Business (CB)**	**Mixed Business (MB)**	**Town Center (TC-1, 2 & 3)**
Min. Front Yard Setback (Street) (1) (2) (see Transition Area setback, SMC 20.50.021)	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from Commercial Zones	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area setback, SMC 20.50.021)	20 ft	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones	15 ft	15 ft	15 ft	15 ft
Base Height (3)	50 ft	60 ft	65 ft	70 ft
Hardscape	85%	85%	95%	95%

Exceptions to Table 20.50.020(3):

(1) Front yards may be used for outdoor display of vehicles to be sold or leased.

(2) Front yard setbacks, when in transition areas (SMC 20.50.021(A)) and across rights-of-way, shall be a minimum of 15 feet except on rights-of-way that are classified as principal arterials or when R-4, R-6, or R-8 zones have the Comprehensive Plan designation of Public Open Space.

(3) The following structures may be erected above the height limits in all commercial zones:

a. Roof structures housing or screening elevators, stairways, tanks, mechanical equipment required for building operation and maintenance, skylights, flagpoles, chimneys, utility lines, towers, and poles; provided, that no structure shall be erected more than 10 feet above the height limit of the district, whether such structure is attached or freestanding. WTF provisions (SMC 20.40.600) are not included in this exception.

b. Parapets, firewalls, and railings shall be limited to four feet in height.

c. Steeples, crosses, and spires when integrated as an architectural element of a building may be erected up to 18 feet above the base height of the district.

d. Base height may be exceeded by gymnasiums to 55 feet and for theater fly spaces to 72 feet.

e. Solar energy collector arrays, small scale wind turbines, or other renewable energy equipment have no height limits.

(4) Site *hardscape* shall not include the following:

- areas of the site or roof covered by *solar photovoltaic* arrays or *solar thermal* collectors

- intensive vegetative roofing systems.

Amendment #13
20.50.240 Site design.

Justification – This amendment clarifies the site frontage section to reflect that the requirement for developing is inside the commercial and Mixed Use Residential zones and not abutting them.

C. Site Frontage.

1. Development in ~~abutting~~ NB, CB, MB, TC-1, 2 and 3, the MUR-45', and MUR-70' zones and the MUR-35' zone when located on an arterial street shall meet the following standards:

Amendment #14
20.50.360 Tree replacement and site restoration.

Justification: The replacement tree requirement is assurance that a site will begin revegetation once the allowed number of trees is removed. The requirement assumes that the site had few trees to begin with. However, there are many sites with a lot of vegetation – sometimes to the point where it is difficult or futile to replant trees. If a site has other, non-significant sized trees then, in balance, it would be easier and more equitable to allow the site to use these established other trees to meet the replacement requirement.

A. Plans Required. Prior to any tree removal, the applicant shall demonstrate through a clearing and grading plan, tree retention and planting plan, landscape plan, critical area protection and mitigation plan, or other plans acceptable to the Director that tree replacement will meet the minimum standards of this section. Plans shall be prepared by a qualified person or persons at the applicant's expense. Third party review of plans, if required, shall be at the applicant's expense.

B. The City may require the applicant to relocate or replace trees, shrubs, and ground covers, provide erosion control methods, hydroseed exposed slopes, or otherwise protect and restore the site as determined by the Director.

C. Replacement Required. Trees removed under the partial exemption in SMC 20.50.310(B)(1) may be removed per parcel with no replacement of trees required. Any significant tree proposed for removal beyond this limit should be replaced as follows:

1. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one new tree.

2. Each additional three inches in diameter at breast height equals one additional new tree, up to three trees per significant tree removed.

3. Minimum size requirements for trees replaced under this provision: deciduous trees shall be at least 1.5 inches in caliper and evergreens six feet in height.

Exception 20.50.360(C):

1. No tree replacement is required when the tree is proposed for relocation to another suitable planting site; provided, that relocation complies with the standards of this section.

2. The Director may allow a reduction in the minimum replacement trees required or off-site planting of replacement trees if all of the following criteria are satisfied:

- *There are special circumstances related to the size, shape, topography, location or surroundings of the subject property.*
- *Strict compliance with the provisions of this Code may jeopardize reasonable use of property.*
- *Proposed vegetation removal, replacement, and any mitigation measures are consistent with the purpose and intent of the regulations.*
- *The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity.*

3. The Director may waive this provision for site restoration or enhancement projects conducted under an approved vegetation management plan.

4. Established, non-significant trees on site may be used to meet the replacement ratio in this subsection if the trees meet the minimum size for replacement and the removed tree and its established replacement trees are not located in a Critical Area or its buffers.

Amendment #15
20.50.390 Minimum off-street parking requirements – Standards.

Justification – Parking requirements for microhousing units are not listed in the Development Code. Staff evaluated the parking requirements for other types of residential uses in the city and determined that .5 stalls per bed is a good place to start. The City currently requires .75 stalls for studio apartments and .5 stalls per unit for dorm rooms. Other cities in the region such as Redmond and Kirkland require .5 stalls per bed and Seattle requires 0 to 1 stall per unit (which could be up to 8-beds). The City currently has an Administrative Order that establishes that parking for microhousing units at .5 parking stalls per bedroom. Please refer to Attachment 2 of the staff report.

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. 1.0 per dwelling unit in the MUR zones for single-family attached/townhouse dwellings.
Apartment:	Ten percent of required spaces in multifamily and residential portions of mixed use development must be equipped with electric vehicle infrastructure for units where an individual garage is not provided.[1]
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Microhousing	.5 per bedroom

Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
Mobile home park:	2.0 per dwelling unit

[1] Electric vehicle infrastructure requires that the site design must provide conduit for wiring and data, and associated ventilation to support the additional potential future electric vehicle charging stations pursuant to the most current edition of the National Electrical Code Article 625.

If the formula for determining the number of electric vehicle parking spaces results in a fraction, the number of required electric vehicle parking spaces shall be rounded to the nearest whole number, with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

Amendment #16
20.50.400 Reductions to minimum parking requirements.

Justification – Staff wants to ensure that the use of this parking reduction is carefully applied and consistently meets the intent of the Planning Commission and City Council. Some of the current criteria for granting a parking reduction does not have a direct relationship to parking demand. Criteria have been amended to include measures that decrease parking demand.

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. A minimum, 20-year, s~~S~~hared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands. The number parking stalls requested to be reduced must match the number provided in the agreement. A record on title with King County is required.

3. Parking management plan. ~~High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.~~

4. A City approved Residential Parking Zone (RPZ) for the surrounding single family neighborhood within ¼ mile radius of the subject development. The RPZ must be paid by the developer on an annual basis.
~~Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.~~

5. A h~~H~~igh-capacity transit service stop ~~available~~ within ¼ mile of the development property line with complete city approved curbs, sidewalks, and street crossings ~~a one-half mile walk shed~~.

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. City approved traffic calming or traffic diverting facilities to protect the surrounding single family neighborhoods within ¼ mile of the development. ~~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.

E. A parking reduction of 25 percent will be approved by the Director for multifamily development within one-quarter mile of the light rail station. These parking reductions may not be combined with parking reductions identified in subsections A and D of this section.

F. Parking reductions for affordable housing may not be combined with parking reductions identified in subsection A of this section. (Ord. 706 § 1 (Exh. A), 2015; Ord. 669 § 1 (Exh. A), 2013; Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 6(B-2), 2000).

Amendment #17
20.50.410 Parking design standards.

Justification – This amendment moves the allowance for compact parking stalls from Subsection D to Table 20.50.410 E. The more logical location for the requirement for compact stalls is at the bottom of table 20.50.410E where the dimensions for compact stalls are located.

A. All vehicle parking and storage for single-family detached dwellings and duplexes must be in a garage, carport or on an approved impervious surface or pervious concrete or pavers. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

B. All vehicle parking and storage for multifamily and commercial uses must be on a paved surface, pervious concrete or pavers. All vehicle parking shall be located on the same parcel or same development area that parking is required to serve. Parking for residential units shall be assigned a specific stall until a parking management plan is submitted and approved by the Director.

C. Parking for residential units must be included in the rental or sale price of the unit. Parking spaces cannot be rented, leased, sold, or otherwise be separate from the rental or sales price of a residential unit.

D. On property occupied by a single-family detached residence or duplex, the total number of vehicles wholly or partially parked or stored outside of a building or carport shall not exceed six, excluding a maximum combination of any two boats, recreational vehicles, or trailers. This section shall not be interpreted to allow the storage of junk vehicles as covered in SMC 20.30.750.

E. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve. Where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings, the parking spaces shall be located on the same lot they are required to serve;

2. For all other residential dwellings, at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve;

3. For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve; and

~~4. No more than 50 percent of the required minimum number of parking stalls may be compact spaces.~~

Exception 20.50.410(E)(1): In commercial zones, the Director may allow required parking to be supplied in a shared parking facility that is located more than 500 feet from the building it is designed to serve if adequate pedestrian access is provided and the applicant submits evidence of a long-term, shared parking agreement.

F. The minimum parking space and aisle dimensions for the most common parking angles are shown in Table 20.50.410F below. For parking angles other than those shown in the table, the minimum parking space and aisle dimensions shall be determined by the Director. ~~Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide.~~ Parking plans for angle parking shall use space widths no less than eight feet, six inches for a standard parking space design and eight feet for a compact car parking space design.

Table 20.50.410F – Minimum Parking Stall and Aisle Dimensions

A	**B**	**C**	**D**	**E**		**F**	
Parking Angle	**Stall Width *(feet)***	**Curb Length *(feet)***	**Stall Depth *(feet)***	**Aisle Width *(feet)***		**Unit Depth *(feet)***	
				1-Way	**2-Way**	**1-Way**	**2-Way**
0	8.0* Min. 8.5 Desired 9.0	20.0* 22.5 22.5	8.0 8.5 9.0	12.0 12.0 12.0	20.0 20.0 20.0	** 29.0 30.0	** 37.0 38.0
30	8.0* Min. 8.5 Desired 9.0	16.0* 17.0 18.0	15.0 16.5 17.0	10.0 10.0 10.0	20.0 20.0 20.0	** 42.0 44.0	** 53.0 54.0
45	8.0* Min. 8.5 Desired 9.0	11.5* 12.0 12.5	17.0*	12.0 12.0 12.0	20.0 20.0 20.0	** 50.0 51.0	** 58.0 59.0
60	8.0* Min. 8.5 Desired 9.0	9.6* 10.0 10.5	18.0 20.0 21.0	18.0 18.0 18.0	20.0 20.0 20.0	** 58.0 60.0	** 60.0 62.0
90	8.0* Min. 8.5 Desired 9.0	8.0* 8.5 9.0	16.0* 20.0 20.0	23.0 23.0 23.0	23.0 23.0 23.0	** 63.0 63.0	** 63.0 63.0

Notes:
* For compact stalls only. No more than 50 percent of the required minimum number of parking stalls may be compact spaces.
** Variable, with compact and standard combinations

Amendment #18
SMC 20.50.430 Nonmotorized access and circulation

Justification – This section is dated, repetitive or conflicting with the requirements in the more recently adopted SMC 20.50.240.E. This amendment is about walkways and pedestrian access and does not belong in the Parking section of the code.

Delete SMC 20.50.430(A), SMC 20.50.430(B), SMC 20.50.430(C), and SMC 20.50.430(D) because SMC 20.50.180(B) and SMC 20.50.240(E) cover that requirement:

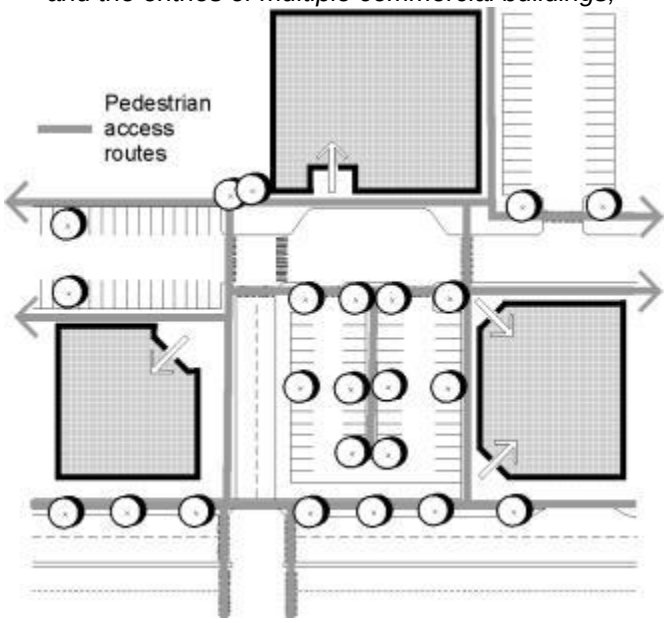
SMC 20.50.180(B)
A. To the maximum extent feasible, primary facades and building entries shall face the street.
B. The main building entrance, which is not facing a street, shall have a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or cross driveways.

SMC 20.50.240(E).
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 street 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;

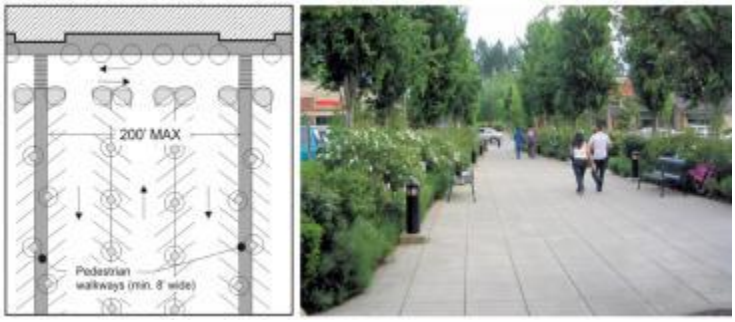
b. Continuous pedestrian walkways shall be provided along the front of all businesses and the entries of multiple commercial buildings;



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;

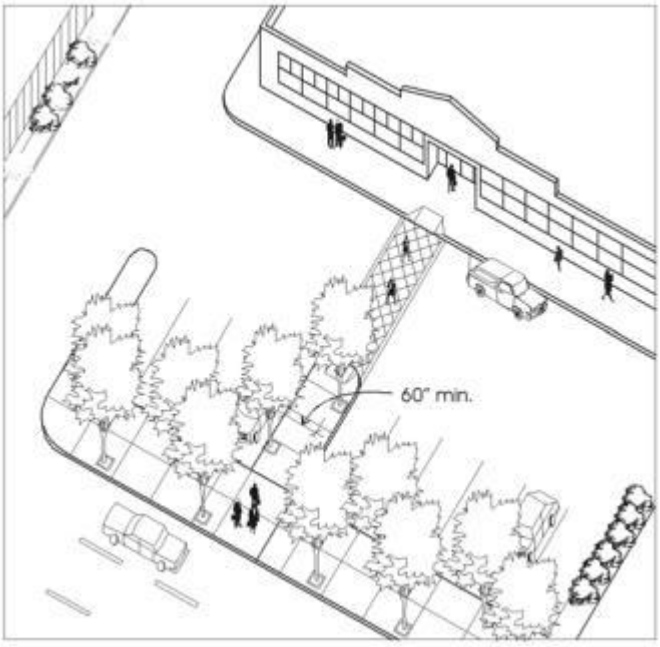
d. Walkways shall conform to the Americans with Disabilities Act (ADA);



Parking Lot Walkway

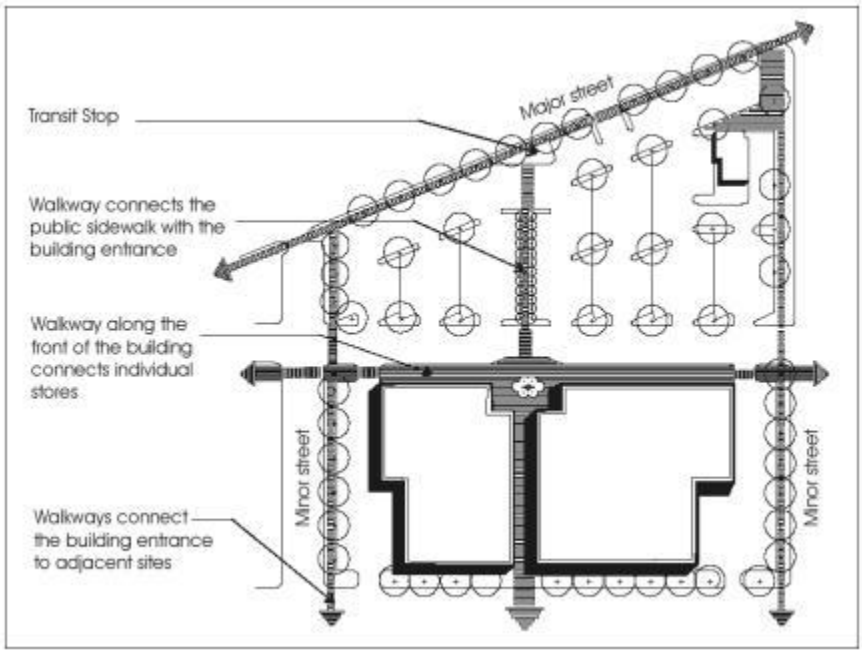
e. Deciduous, street-rated trees, as required by the Shoreline Engineering Development Manual, shall be provided every 30 feet on average in grated tree pits if the walkway is eight feet wide or in planting beds if walkway is greater than eight feet wide. Pedestrian-scaled lighting shall be provided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

~~20.50.430 Nonmotorized access and circulation – Pedestrian access and circulation – Standards.~~
~~A. Commercial or residential structures with entries not fronting on the sidewalk should have a clear and obvious pedestrian path from the street front sidewalk to the building entry.~~
~~B. Pedestrian paths should be separate from vehicular traffic where possible, or paved, raised and well marked to clearly distinguish it as a pedestrian priority zone.~~
~~C. The pedestrian path from the street front sidewalk to the building entry shall be at least 44 inches wide for commercial and multifamily residential structures, and at least 36 inches for single-family and duplex developments.~~



~~Figure 20.50.430(C): Landscaped walkways connect the public sidewalk with the entrance to a building set back from the street.~~

~~D. Provide pedestrian pathways through parking lots and connecting adjacent commercial and residential developments commonly used by business patrons and neighbors.~~



~~Figure 20.50.430(D): In this commercial site, landscaped walkways provide pedestrian connections. These walkways provide a safe, accessible pedestrian route from the street to the building entry and to neighboring properties.~~

~~(Ord. 581 § 1 (Exh. 1), 2010; Ord. 238 Ch. V § 6(C-1), 2000).~~

Amendment #19
20.60.140 Adequate streets.

Justification – This amendment will add a Level of Service standard for pedestrians and bicycles. The City will experience a growing number of uses that will increase the number of pedestrians and cyclists throughout the City. These new uses include two light rail stations, redevelopment of Aurora Square, Point Wells, and various large apartment projects. It should be incumbent upon a developer to make sure a certain project meets not only LOS for vehicles but also LOS for pedestrians and bicyclists.

Questions – Should Ped and Bike LOS be a requirement? If so, should it only apply in limited circumstances at first such as at the light rail station? Or should it apply to all projects over a certain threshold?

The purpose of this chapter is to set forth specific standards providing for the City's compliance with the concurrency requirements of the State Growth Management Act (GMA), Chapter 36.70A RCW. The GMA requires that adequate transportation capacity is provided concurrently with development to handle the increased traffic projected to result from growth and development in the City. The purpose of this chapter is to ensure that the City's transportation system shall be adequate to serve the future development at the time the development is available for occupancy without decreasing current service levels below established minimum standards.

A. **Level of Service.** The level of service standard that the City has selected as the basis for measuring concurrency is as follows:

1. LOS D at signalized intersections on arterial streets and at unsignalized intersecting arterials; or
2. A volume to capacity (V/C) ratio of 0.90 or lower for principal and minor arterials.

The V/C ratio on one leg of an intersection may exceed 0.90 when the intersection operates at LOS D or better.
These level of service standards apply throughout the City unless an alternative level of service for a particular street or streets has been adopted in the Comprehensive Plan Transportation Element.

3. Pedestrian and Bicycle LOS within the Station Subareas shall be LOS D or better.

Pedestrian Level of Service (LOS) shall be evaluated for each direction along all arterial streets within a quarter mile radius of the light rail station. Pedestrian LOS for sidewalks shall be evaluated using Steps 6 & 7 from the Highway Capacity Manual (HCM) 2010, Chapter 17. In the absence of sidewalks, Pedestrian LOS shall be determined using Exhibit 17-4 from the HCM. Each link within the quarter mile radius shall be evaluated. For questions regarding link boundaries, contact the City Traffic Engineer.

B. **Development Proposal Requirements.** All new proposals for development that would generate 20 or more new trips during the p.m. peak hour must submit a transportation impact analysis prepared by the applicant in accordance with the standards established in the City's Engineering Development Manual at the time of application. The estimate of the number of trips for a development shall be consistent with the most recent edition of the Trip Generation Manual, published by the Institute of Traffic Engineers.

1. The traffic impact analysis shall include, at a minimum, an analysis of the following:
a. An analysis of origin/destination trip distribution proposed;
b. The identification of any intersection that would receive the addition of 20 or more trips during the p.m. peak hour; and
c. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.

2. If the traffic impact analysis identifies one or more intersections at which the adopted LOS standards are exceeded, the applicant shall mitigate the impacts in order to achieve and maintain the adopted LOS standard.

C. **Concurrency Requirement.** The City shall not issue a building permit until:
1. A concurrency test has been conducted and passed; or

2. The building permit has been determined to be one of the following that are exempt from the concurrency test:
a. Alteration or replacement of an existing residential structure that does not create an additional dwelling unit or change the type of dwelling unit.
b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use as defined in the land use categories as set forth in the impact fee analysis land use tables.
c. Miscellaneous improvements that do not generate increased need for public facilities, including, but not limited to, fences, walls, residential swimming pools, and signs.
d. Demolition or moving of a structure.
e. Any building permit for development that creates no additional impacts, insignificant and/or temporary additional impacts on any transportation facility, including, but not limited to:
i. Home occupations that do not generate any additional demand for transportation facilities;
ii. Special events permits;
iii. Temporary structures not exceeding a total of 30 days.
f. Any building permit issued to development that is vested to receive a building permit pursuant to RCW 19.27.095.

D. **Available Capacity for Concurrency.**

1. The City shall determine the available capacity for concurrency as of the effective date of the ordinance codified in this section and record it in the concurrency trip capacity balance sheet.

2. The City shall update the available capacity in the concurrency trip capacity balance sheet within 12 months of any of the events listed below:
a. Update or amendment of the City's transportation element as it relates to concurrency management.
b. Total traffic volume increases by 30 percent compared to traffic volume at the time the concurrency trip capacity balance sheet was created, or was updated with new data from the traffic model.
c. More than 50 percent of the available capacity in the most recent calculation of available capacity has been reserved as a result of concurrency tests conducted by the City.

3. If none of the events listed in subsection (D)(2) of this section occurs within seven years of the most recent calculation of the available capacity, the City will update the available capacity recorded in the concurrency trip capacity balance sheet.

4. Each update of available capacity in the concurrency trip capacity balance sheet shall carry forward the reservations of capacity for any building permits for development that has not been completed prior to the update of available capacity.

5. In order to monitor the cumulative effect of exemptions from the concurrency test on the available capacity, the City shall adjust the available capacity in the concurrency trip capacity balance sheet to record the number of p.m. peak hour trips generated by exempt building permits in the same manner as though a concurrency test had been performed for the exempt building permits.

E. **Concurrency Test.**
1. Each applicant for a building permit that is not exempt from the concurrency test as provided in subsection (C)(2) of this section shall submit the type of development to be constructed pursuant to the building permit, the number of square feet of each type of development, and the number of dwelling units.

2. The City shall perform a concurrency test for each application for a building permit that is not exempt from the concurrency test.

3. The concurrency test is passed if the number of trips from an applicant's proposed development is equal to or less than available capacity in the concurrency trip capacity balance sheet that has been adjusted to subtract reserved trips. If the concurrency test is passed the City shall record the concurrency test results in the concurrency trip capacity balance sheet in order to reduce the available capacity by the number of trips that will be generated by the applicant's development. The reservation of capacity shall be valid for the same time as the building permit for which it was reserved.
4. The concurrency test is not passed if the number of trips from an applicant's proposed development is greater than available capacity after it has been adjusted to subtract reserved trips. If the concurrency test is not passed, the applicant may select one of the following options:
a. Amend the application to reduce the number of trips generated by the proposed development; or
b. Provide system improvements or strategies that increase the City-wide available capacity by enough trips so that the application will pass the concurrency test; or
c. Appeal the denial of the application for a concurrency test, pursuant to the provisions of subsection H of this section.

5. The City shall conduct concurrency tests for multiple applications impacting the same portions of the transportation network/intersection chronologically in accord with the date each application was deemed complete pursuant to SMC 20.30.110.

6. A concurrency test, and any results, shall be administrative actions of the City that are categorically exempt from the State Environmental Policy Act.

F. **Reservation of Availability Capacity Results of Concurrency Test.**

1. Upon passage of a concurrency test, the City shall reserve capacity on behalf of the applicant in the concurrency trip capacity balance sheet.

2. A reservation of available capacity shall be valid for the same period as the approved building permit for which it was made, and may be extended according to the same terms and conditions as the underlying building permit.

3. A reservation of available capacity is valid only for the uses and intensities authorized for the building permit for which it is issued. Any change in use or intensity is subject to an additional concurrency test of the incremental increase in impact on transportation facilities.

4. A reservation of available capacity is nontransferable to another parcel of land or development proposal. A reservation of available capacity may be transferred to a subsequent purchaser of the land for the same uses and intensities.

5. A reservation of available capacity shall expire if the underlying building permit expires, the application or permit is withdrawn by the applicant, the permit is revoked by the City, application approval is denied by the City, or the determination of completeness expires.

G. **Fees.**
1. The City shall charge each applicant for a building permit that is not exempt from this section a concurrency test fee in an amount to be established by resolution by the City Council.

2. The City shall charge a processing fee to any individual that requests an informal analysis of capacity if the requested analysis requires substantially the same research as a concurrency test. The amount of the processing fee shall be the same as the concurrency test fee authorized by subsection (G)(1) of this section.

3. The fees authorized in subsection (G)(1) or (G)(2) of this section shall not be refundable, shall not be waived, and shall not be credited against any other fee.

H. **Appeals.** Determinations and decisions by the Director that are appealed by an applicant shall follow the procedures of Chapter 20.30 SMC for an Administrative Decision – Type B.

I. **Authority.** The Director of Public Works, or his/her designee, shall be responsible for implementing and enforcing the concurrency requirements of this chapter. The Director of the Department of Public Works is authorized to adopt guidelines for the administration of concurrency, which may include the adoption of procedural rules to clarify or implement the provisions of this section. (Ord. 689 § 1 (Exh. A), 2014; Ord. 615 § 3, 2011; Ord. 581 § 1 (Exh. 1), 2010; Ord. 559 § 1, 2009; Ord. 238 Ch. VI § 4(A), 2000).

Amendment #20
20.70.320 Frontage improvements.

Justification – This clarification is necessary to state that detached single family residential dwellings are not required to install frontage improvements. The City made this change in 2010 and the following is an excerpt from that staff report:

Comprehensive Plan policy T35 provides that development regulations "require all commercial, multi-family and residential short plat and long plat developments to provide for sidewalks or separated all weather trails, or payment in-lieu of sidewalks." This policy provides clear direction relative to the types of projects that must install sidewalks aka frontage improvements. The authority for mitigation of the

impacts on infrastructure for this level of development is provided in the Revised Code of Washington (RCW) and through the use of the City's substantive authority under SEPA. This policy was developed after the adoption of the Development Code and does not extend to individual single family dwellings.

For determining the level of impact of development, the RCW defines "development activity" as any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities. In reviewing current regulations a nexus cannot be drawn to demonstrate that the level of mitigation required for development or redevelopment of an existing platted single family lot is reasonably related to the development. Nor can it be demonstrated that this level of development "creates additional" demand and need for public facilities.

During the Commercial Consolidation Development Code amendments, Staff inadvertently changed the language to what is shown below. The intent was always to exempt the replacement, addition, or remodel of single family residential from the frontage requirements in SMC 20.70.320(C)(1)

C. Frontage improvements are required:

1. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing structure(s) on the parcel (except for detached single family homes). This shall include all structures on other parcels if the building under permit review extends into other parcels; or
2. 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 structure(s) at the time of the first issued permit.

3. For subdivisions;

4. For development consisting of more than one dwelling unit on a single parcel (Accessory Dwelling Units are exempt) or

5. One detached single family dwelling in the MUR zones.

Amendment #21
20.100.020 Aurora Square Community Renewal Area.

Justification – The CRA will amend specific standards of the Development Code. Those standards will include signage, transition, and frontage improvements. At this time, staff is only proposing to change the transition standards. The CRA is adjacent to three streets that are wider than the typical Shoreline street. Aurora Avenue, Westminster Way, and N 155th Street are all wider than 100 feet wide. The City's consultant on the CRA Planned Action studied three transition options and applied those options to four sites in the CRA. The results of that study are included as ***Attachment 3.*** *Staff believes that the regulations that apply specifically to the CRA should be all in one place of the code to make it less confusing.*

Sections:
20.100.010 First Northeast Shoreline Recycling and Transfer Station Special District.
20.100.020 Aurora Square Community Renewal Area (CRA)

20.100.010 First Northeast Shoreline Recycling and Transfer Station Special District.

A. This chapter establishes the long-range development plans for the Shoreline Recycling and Transfer Station formerly referred to as the First Northeast Transfer Station Special District.
B. The development standards that apply to this special district were adopted by Ordinance No. 338 on September 9, 2003. A copy of the standards is filed in the City Clerk's office under Receiving Number 2346. (Ord. 507 § 4, 2008; Ord. 338 § 2, 2003).

20.100.020 Aurora Square Community Renewal Area
A. This chapter establishes the development regulations specific to the CRA.
1. Transition Standards – Maximum building height of 35 feet within the first 10 feet horizontally from the front yard setback line. No additional upper-story setback required.

CITY OF SHORELINE

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ADMINISTRATIVE ORDER#050114

CODE INTERPRETATION

CODE SECTION: 20.50.390 Minimum off-street parking standards

I. ISSUE

What is the required number of parking stalls for "micro-apartments?"

II. FINDINGS

- Current Shoreline Municipal Code (SMC) does not define nor include parking requirements for "micro-apartments", "residential suites", or "A-podments."
- The SMC defines a *"Dwelling Unit"* as a: Residential living facility, used, intended or designed to provide physically segregated complete independent living facilities for one or more persons, including living, sleeping, cooking and sanitation facilities. A dwelling unit is to be distinguished from lodging, such as hotel/motel or dormitory.
- SMC 20.20.016 defines "Apartments" as a building containing three or more dwelling units that may be located one over the other in a multi-unit configuration.
- Current parking standards under SMC 20.50.390A requires "studio units" in "apartments" to provide .75 stalls, and "two-bedroom plus units" to provide 1.5 stalls per dwelling unit.
- SMC 20.50.390B requires "Community residential facilities" and "Dormitory" must provide 1 stall per 2 units.
- Single-family detached structures are required to provide two stalls.
- City of Redmond requires "single room occupancy units" or "dormitories" to provide .5 stall per bed.
- City of Kirkland requires "residential suites" to provide .5 stall per bedroom. Kirkland defines "Residential Suites" as: A structure containing single room

> living units with a minimum floor area of 120 square feet and maximum floor area of 350 square feet offered on a monthly basis or longer where residents share bathroom and/or kitchen facilities. "Residential suites" does not include dwelling units, assisted living facility, bed and breakfast house, convalescent center, nursing home, facility housing individuals who are incarcerated as the result of a conviction or other court order, or secure community transition facility. For purposes of zones where minimum density or affordable housing is required, each living unit shall equate to one (1) dwelling unit.

- City of Seattle has imposed requirements of 0 to 1 stall per micro unit, depending on the zone.

III. CONCLUSIONS

Traditional apartment units can be easily distinguished by the "x"-number of bedrooms and the kitchen it contains. However, "micro-units," with a configuration where multiple bedrooms with bathrooms and one shared kitchen is provided for a congregate situation, are not a typical apartment setting. As such, standard parking ratios for apartments should not be applied to micro-units.

A configuration consisting of multiple bedrooms and one kitchen should be considered something greater than "one dwelling unit." To that extent, a threshold should be identified to establish when this determination would be applicable.

As for the ratio, research of other jurisdictions and conversation with experienced professionals familiar with micro-units the Director concludes that a requirement of at .5 stalls per bedroom is reasonable. This standard, .5 parking spaces per bedroom was then compared to the City's existing parking requirements for other similar uses.

Analogous Single Family Configuration

Single Family residences can accommodate more residents than a typical one, two or three bedroom apartment. Families, as defined by SMC 20.20.020:

> An individual; two or more persons related by blood or marriage, a group of up to eight persons who may or may not be related, living together as a single housekeeping unit; or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or nonresident staff. For purposes of this definition, minors living with a parent shall not be counted as part of the maximum number of residents.

Single family residences are therefore allowed to house up to 8 unrelated individuals plus minors living with the parents. In some cases the bedrooms are rented out to individuals and the kitchen and other areas are shared by all of the residents. This type of living arrangement is analogous to micro units that are configured with 5 or more individual bedrooms w/ bathrooms that share a common cooking facility. Therefore, the parking requirements for single family

residences are being considered for comparison purposes as the City determines the parking standard for micro-units. SMC Table 20.50.390A-General Residential Parking Standards require Single Family Residences to have 2 parking spaces per dwelling unit. The same 8 bedroom single family home would require 2 parking spaces.

Analogous Apartment Configuration
The SMC requires apartments with more 2 or more (the upper limit not defined) to have 1.5 parking spaces per unit. Although not the standard floor plans, four bedroom apartments would be required to have at a minimum 1.5 parking spaces and an eight bedroom apartments would also be required to have at a minimum 1.5 spaces.

Analogous to Dormitories
Micro-units are similar to dormitories in that several individual bedrooms share common areas such as kitchens, bathrooms and recreation areas. The SMC requires dormitories to provide parking at a 1 space per 2 units. This could translate into .5 per unit.

Proposed Micro-Unit Parking Requirements
For an 8 bedroom/with bathroom micro units with a shared common kitchen .5 parking spaces per bedroom would be required for a total of 4 parking spaces.

IV. DECISION

Based on the findings and conclusions, a configuration of 8 bedrooms with a shared kitchen should not be considered a single "dwelling unit." As such, applying the current parking requirement of 1.5 stalls equivalent to a "two-bedroom plus" apartment unit would not be adequate. Under the City's definition of a dwelling unit each of the 8 bedrooms are not dwelling units, since the bedrooms do not contain "physically segregated complete independent living facilities". Based on market research and comparable requirements of other jurisdictions in relation to the City's existing parking ratios for other uses, a parking ratio of .5 stalls per bedroom shall be applicable for any multifamily configuration involving five (5) or more bedrooms (micro-units).

Director's Signature

Date: 6-18-14

Prepared by: Brian Lee, Associate Planner

BERK

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MEMORANDUM

DATE: March 9, 2015

TO: Dan Eernissee, Economic Development Director – City of Shoreline

FROM: Kevin Gifford, AICP – Senior Planner
Aaron Raymond – Associate Planner
Lisa Grueter, AICP – Planning Manager

RE: Aurora Square Transition Standards – Supplemental Height and Bulk Analysis

INTRODUCTION AND PURPOSE

This memorandum presents supplemental analysis of height and bulk associated with proposed modifications to the City of Shoreline's transitional area development regulations for the Mixed Business (MB) zone, as established in Chapter 20.50.021 of the Shoreline Municipal Code. The analysis presented in this memorandum responds to comments received on the Draft Planned Action Environmental Impact Statement (EIS) published for the Aurora Square Community Renewal Area (CRA) in December 2014 and can be incorporated into the Final EIS that will be published this spring, following Planning Commission direction on a Preferred Alternative. Alternatively or in addition, it can be folded into a separate code amendment process addressing Transition standards more generally.

The purpose of this analysis is to address comments received by two property owners within the CRA, requesting elimination or modification of the current development regulations that govern building heights in the MB zone when adjacent to, or directly across a street from, low-density residential zones (R-4, R-6, and R-8). The current standards require the application of upper-story setbacks at defined height intervals to minimize impacts associated with height, bulk, and scale. The commenters noted that, due to the large right-of-way widths in the CRA, up to nearly 200 feet in some locations, additional upper-story setbacks would be unnecessary and could be a burden on property owners. While the comments received were from two specific property owners, this analysis tests the potential impacts of this request, as well as an intermediate modification of the standards, compared with the current standards on all properties in the Aurora Square CRA that lie adjacent to R-4, R-6, and R-8 zones.

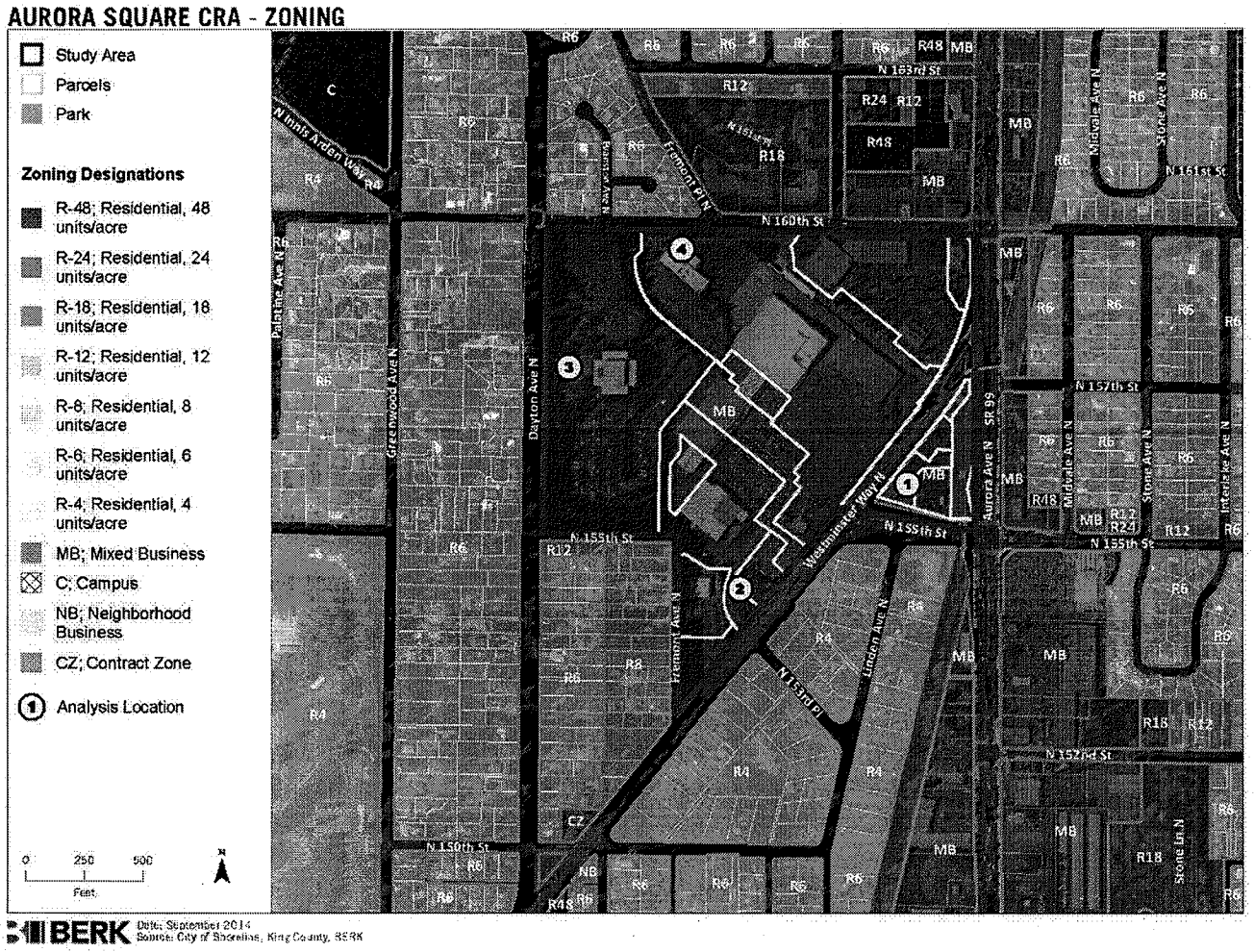
METHODOLOGY

Modeling Scenarios

Using available GIS data, BERK created a three-dimensional digital model of the Aurora Square CRA and surrounding areas, including parcel boundaries, site topography, and existing building footprints. Existing building heights were estimated based on Light Detection and Ranging (LIDAR) data collected by City of Shoreline.

As shown in Figure 1, low-density residential zoning surrounds the Aurora Square CRA to the northwest, west, and south. BERK selected four locations in the CRA for analysis to test varying topographical conditions and street right-of-way widths.

Figure 1. Current Zoning Map



Source: City of Shoreline, BERK Consulting 2015

At each of the identified locations, BERK constructed digital models of the maximum building envelope allowed under each analysis scenario, based on existing and proposed development regulations, incorporating required building setbacks, as wells upper-story stepbacks and height limits. The three test scenarios are summarized in the following sections.

Existing Regulations

This scenario modeled maximum building envelope allowed under adopted development regulations for the MB zone established in SMC Table 20.50.020(2) and the Transition Area requirements established in SMC 20.50.021. These included the following:

- Maximum building height of 65 feet;

- Minimum front yard setbacks of 15 feet where buildings would be located across rights-of-way from R-4, R-6, or R-8 zones, with the following exceptions:
    - Exception 2 to SMC Table 20.50.020(2) indicates that a 15-foot front setback is not required along rights-of-way classified as Principal Arterials. Analysis Locations 1 and 2 are located along segments of N 155th Street and Westminster Way N that are classified as Principal Arterials. Front yard setbacks along these streets were modeled as zero feet.
- Upper-Story Setbacks per SMC 20.50.021(A)
    - When R-4, R-6, or R-8 zoning is across a street right-of-way, maximum building height of 35 feet within the first 10 feet horizontally from the required setback line;
    - Additional upper-story setbacks of 10 feet each for every additional 10 feet in height, up to the allowed maximum height of 65 feet.

Transition Standard Elimination

This scenario modeled maximum building envelope using the same ground-level building setback requirements and height limits as Existing Regulations, but with no requirement for upper-story setbacks under SMC 20.50.021 (see Attachment 1).

Limited Transition Modifications

This scenario modeled an intermediate condition between existing regulations and complete elimination of the Transition Area standards. This scenario includes the same ground-level building setback requirements and height limits as Existing Regulations, as well as the following requirements:

- Maximum building height of 35 feet within the first 10 feet horizontally from the front-yard setback line.
- No additional upper-story setbacks required.

Modeling Assumptions

The digital models depicted in the Analysis Results section do not represent any proposed or approved building design. Rather, these massing models show maximum building envelope allowed by City development regulations. As such, these should be considered conservative projections.

ANALYSIS RESULTS

The results of digital modeling for each of the three scenarios are presented in the following sections. Each section provides figures showing maximum building envelope allowed at each analysis location, as well as models of nearby existing buildings. To estimate the potential for height and bulk impacts on surrounding residential development, each figure also illustrates shade and shadow conditions, based on early spring sun angles for the Puget Sound region. Due to seasonal variation in sun angles, shadows would be longer in winter months and shorter during the summer; because most out-of-door time would be between spring and fall, the spring timeframe was chosen as a conservative representation of shade and shadow effects.

Existing Regulations

As shown in Figure 2 through Figure 5, the combination of setbacks, upper-story stepbacks, and right-of-way widths are sufficient to minimize shading effects under existing regulations. In particular, R-4 properties along N 155th Street and Westminster Way N, near Analysis Locations 1 and 2, would benefit from wide rights-of-way and prevailing sun angles and would receive no shading from MB development.

R-6 development near Analysis Locations 3 and 4 would likewise receive very limited shading from MB development in the Aurora Square CRA. R-6 development across Dayton Avenue N would also benefit from a sharp grade change at the western edge of the CRA, which reduces the relative height of buildings on the Aurora Square site.

Figure 2. Existing Regulations – Analysis Location 1

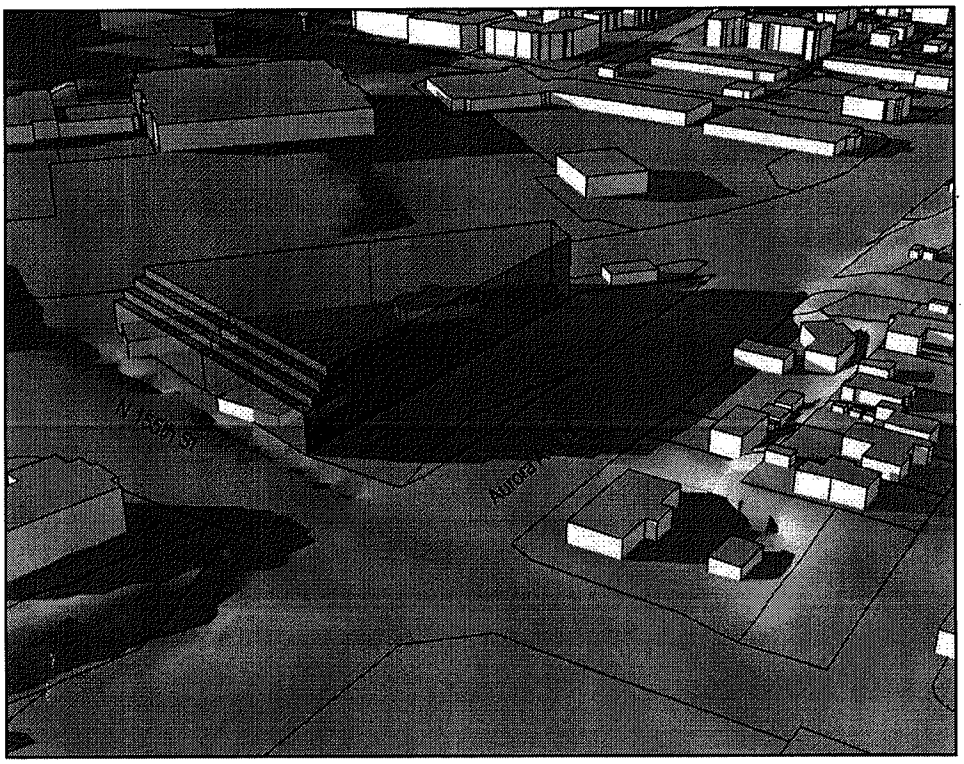


Figure 3. Existing Regulations – Analysis Location 2

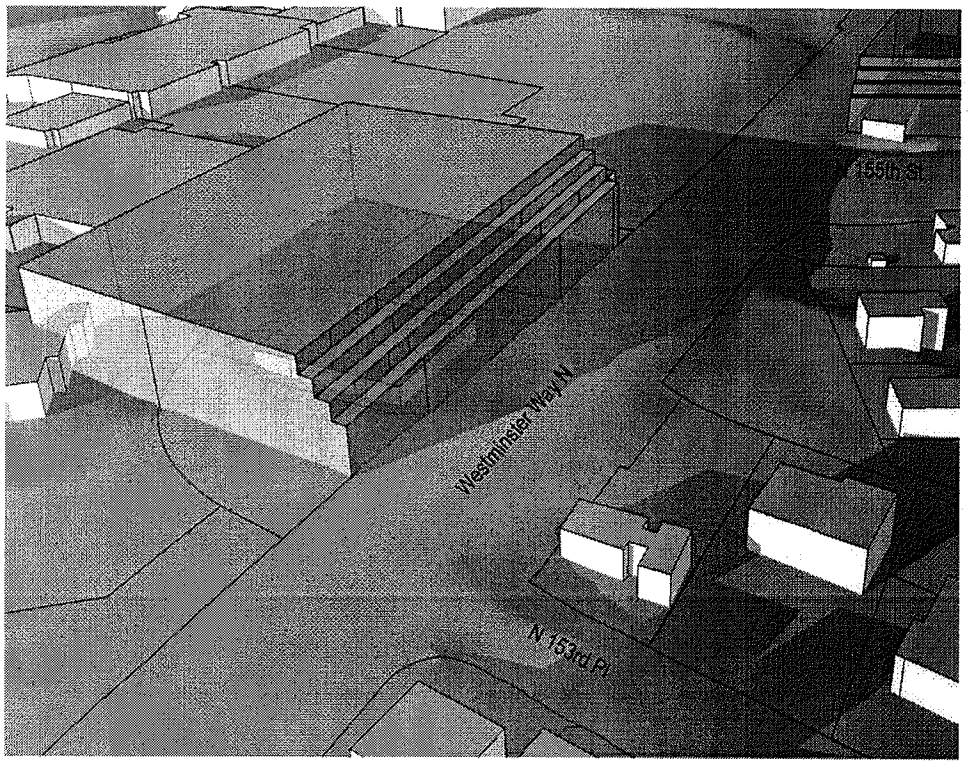


Figure 4. Existing Regulations – Analysis Location 3

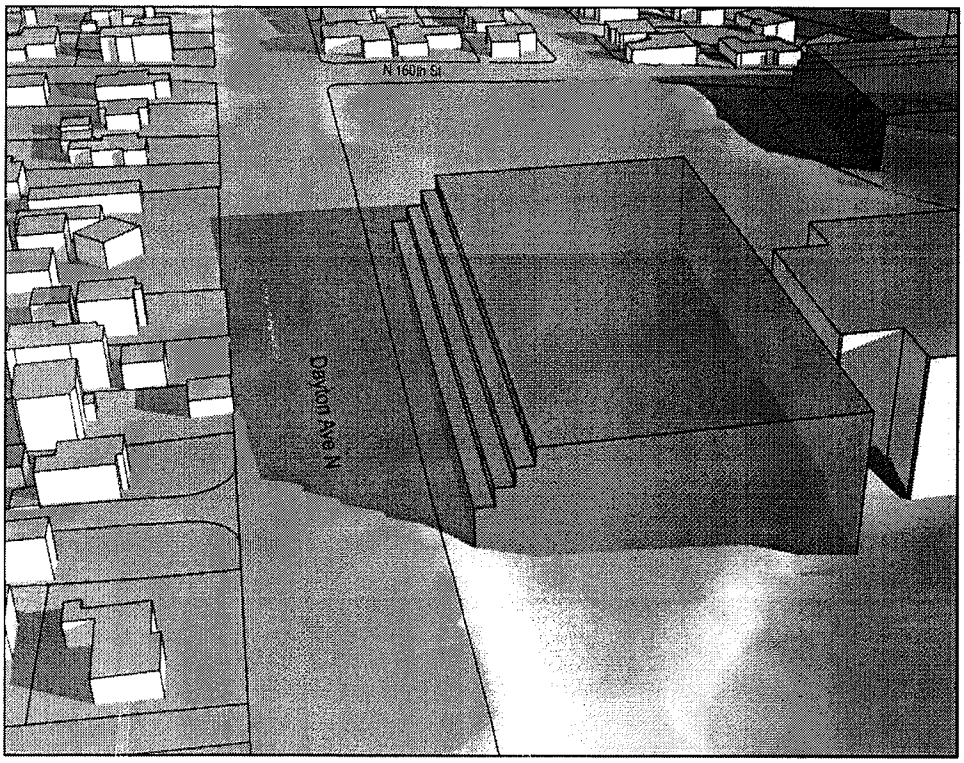
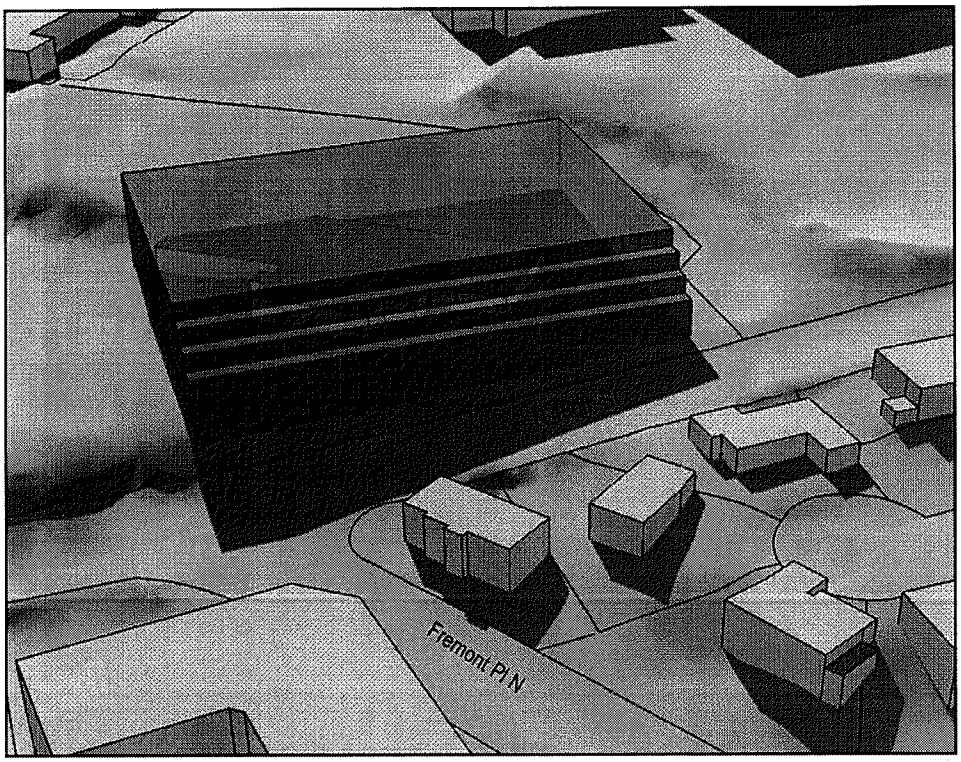


Figure 5. Existing Regulations – Analysis Location 4



Transition Standard Elimination

Eliminating the Transition Standard requirement for upper-story setbacks would slightly increase shading effects relative to existing regulations, as shown in Figure 6 through Figure 9. This increase would be most pronounced at Analysis Locations 3 and 4, where street rights-of-way are narrower than at Analysis Locations 1 and 2. The right-of-way of Dayton Avenue N at Analysis Location 3 is approximately 95 feet, and the right-of-way of N 160th Street at Analysis Location 4 is approximately 60 feet. Residential development near Analysis Locations 1 and 2 would experience no significant increase in shading under this scenario, primarily due to the large right-of-way widths associated with Westminster Way N and N 155th Street. However, some minor shading could occur at Analysis Location 3 during the early morning hours and at Analysis Location 4 in the early afternoon.

Figure 6. No Transition Standards – Analysis Location 1

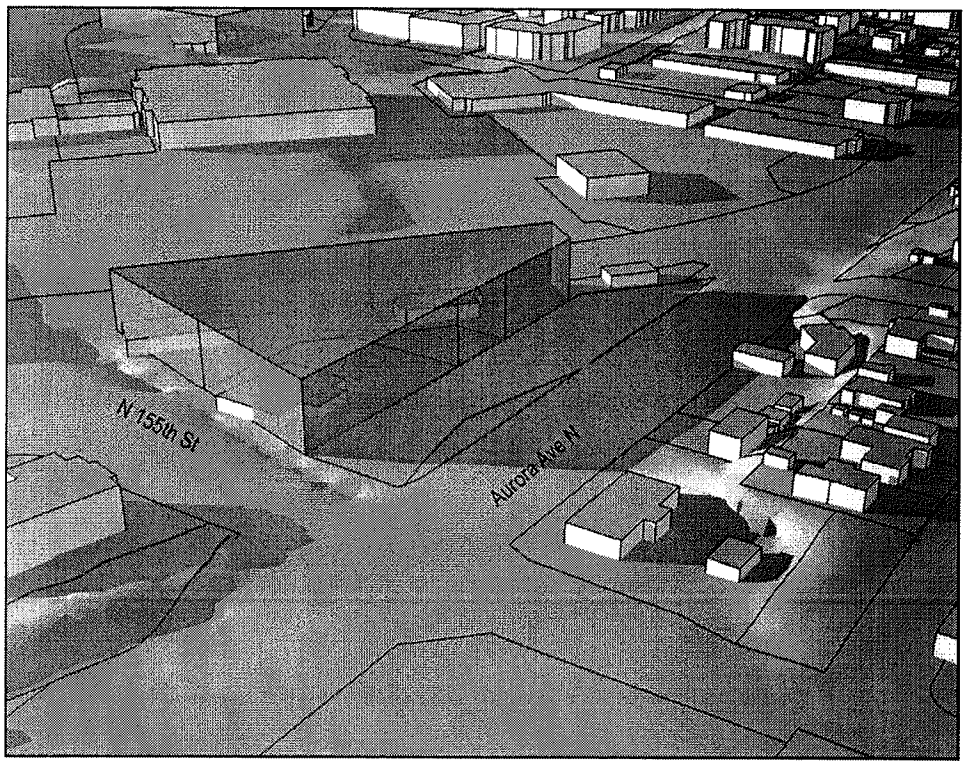


Figure 7. No Transition Standards – Analysis Location 2

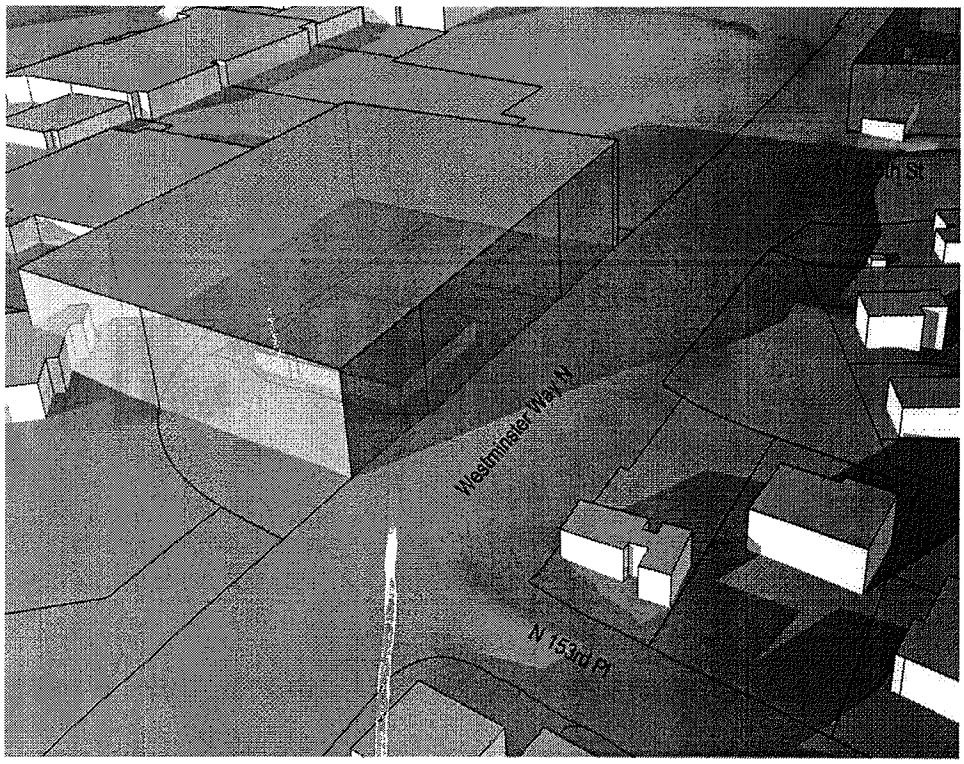


Figure 8. No Transition Standards – Analysis Location 3

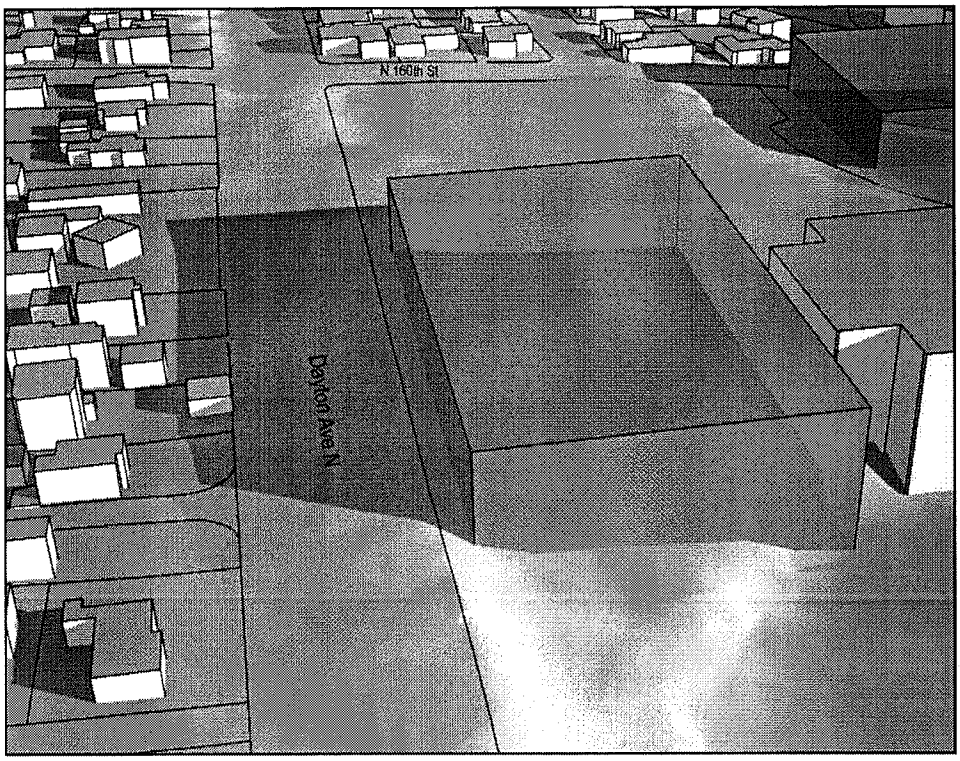
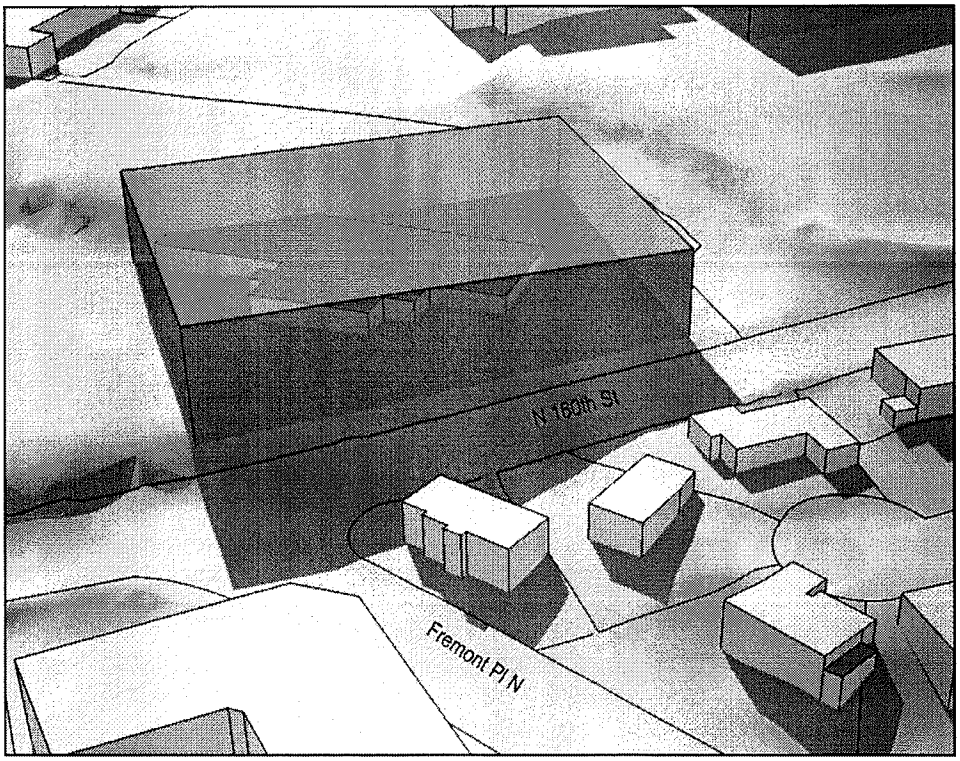


Figure 9. No Transition Standards – Analysis Location 4



Limited Transition Modifications

Predictably, limited modification of the Transition Standards to include a single upper-story stepback at 35 feet would result in shading effects within the range established by the previous two scenarios. In the areas most affected by elimination of the Transition Area standards (Analysis Locations 3 and 4), the limited modification scenario would still result in a similar increase in shading.

Figure 10. Limited Transition – Analysis Location 1

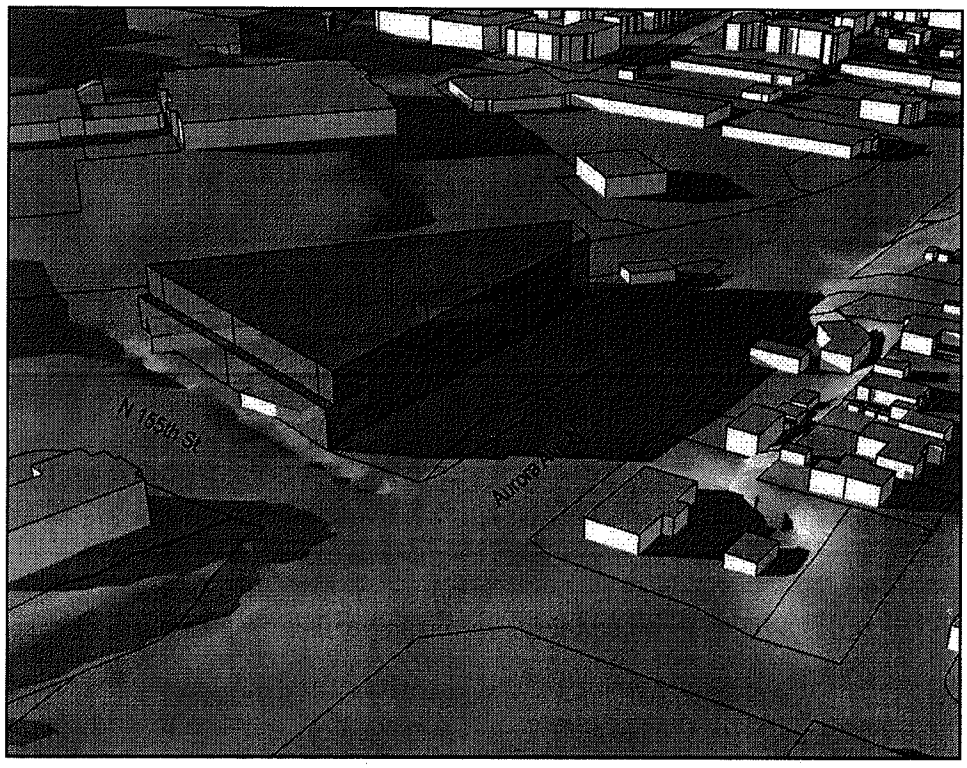


Figure 11. Limited Transition – Analysis Location 2

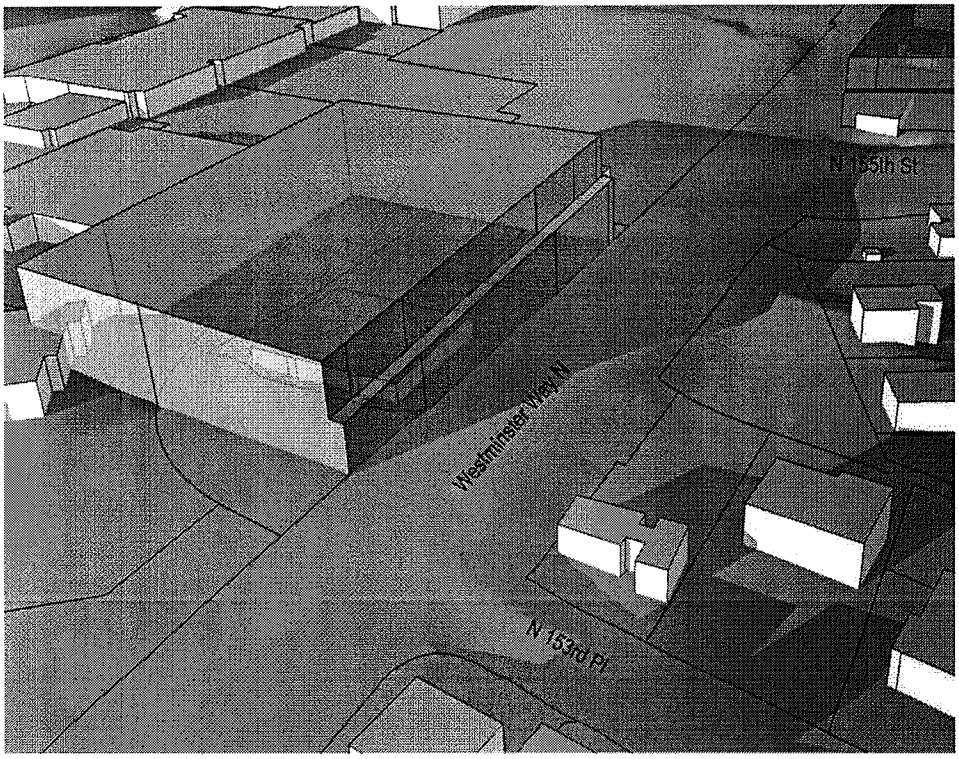


Figure 12. Limited Transition – Analysis Location 3

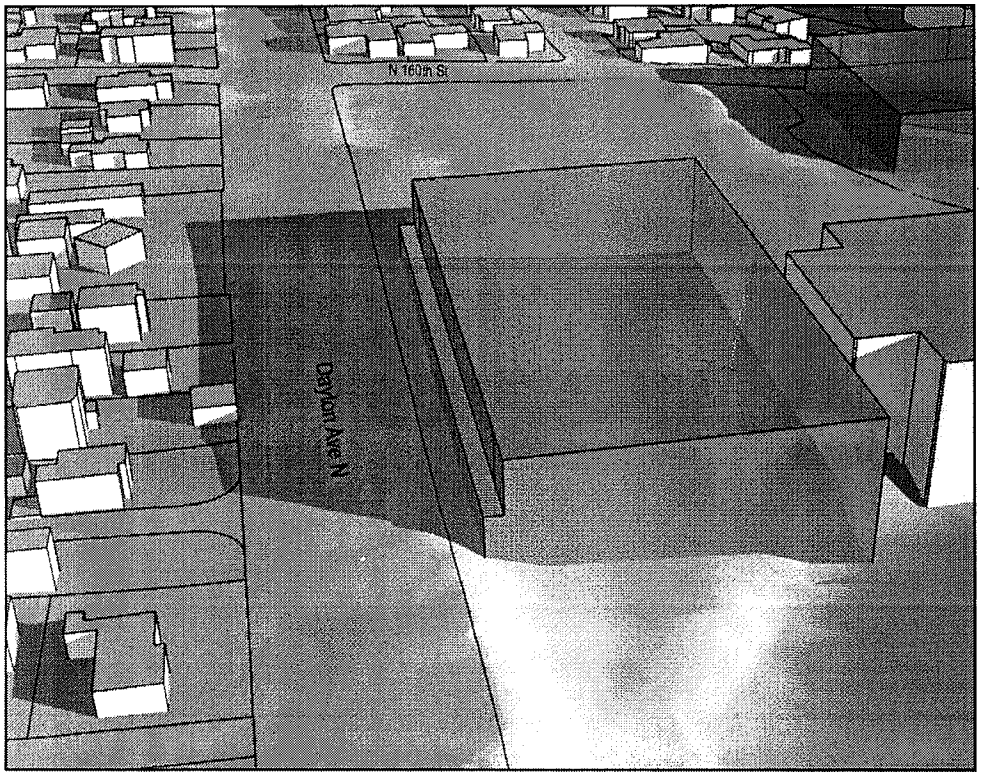
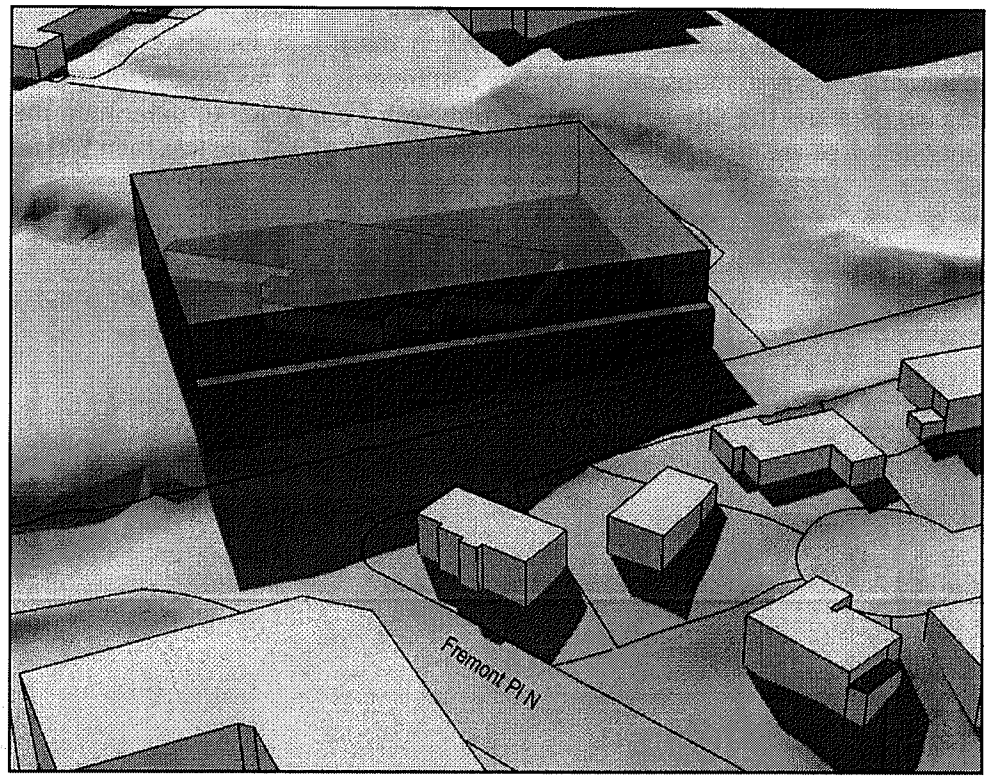


Figure 13. Limited Transition – Analysis Location 4



CONCLUSIONS AND RECOMMENDATIONS

Height, bulk, and shading effects associated with development on the Aurora Square site would be lowest under existing development regulations and Transition Area standards (Option 1). Increased shading effects resulting from elimination (Option 2) or modification of the Transition Area standards (Option 3) would be most pronounced on the north and west sides of the CRA, where street rights-of-way are narrower than in the south and east. Shading impacts in these locations would be moderate and would only occur for brief periods each day, though shading conditions would be more pronounced in winter months and less pronounced in summer. Option 3 avoids increased shading impacts associated with wider streets and allows for a more pedestrian-scaled environment than complete elimination of the Transition Area standards than Option 2.

In analysis locations where streets are characterized by wide rights-of-way, the modeled scenarios did not produce substantially different results, and elimination of the Transition Area standards would not result in a significant adverse impact in these locations. However, areas to the north and west of the CRA could potentially be impacted if development at Aurora Square was not required to apply the Transition Area standards, and complete elimination of the Transition Area standards would allow for only limited building façade modulation, which could have an adverse impact on the pedestrian environment. BERK would therefore recommend application of the modified Transition Area standards in areas where street rights-of-way are 100 feet or greater, which avoids increased shading impacts and allows for a more pedestrian-scaled environment than complete elimination of the Transition Area standards. In areas where the street right-of-way is less than 100 feet, BERK recommends that the development regulations be modified to allow applicants to request that the City apply the modified Transition Area standards instead of the current standards, provided that the applicant can demonstrate that their building design would not result

in increased shading when applying the modified standards; this is due to the conservative nature of the analysis in this memo that maximizes the bulk envelope. In the more specific site design for a specific parcel, it is likely that bulk would not be maximized. When there is a specific proposal, allowing an applicant to prepare an analysis demonstrating Option 3 standards are no greater in impact than for Option 1 standards would allow the City appropriate information from which to determine the standard Transition requirements are or are not needed where the street rights of way are less than 100 feet.

Attachment 1 – Transition Area Standards

Excerpted from Title 20 of the Shoreline Municipal Code

20.50.021 Transition areas.

Development in commercial zones: NB, CB, MB and TC-1, 2 and 3, 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.