

Planning Commission Meeting Date: June 4, 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

Discussion

Study Session

Update

Recommendation Only

Other

Introduction

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 reviewing authority for legislative decisions and is responsible for holding an open record Public Hearing on the official docket of proposed Development Code amendments and making a recommendation to the City Council on each amendment.

The purpose of this study session is to:

- Review the proposed Development Code amendments
- Respond to questions
- 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
- Develop a recommended set of Development Code amendments for the Public Hearing

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:

Approved By: Project Manager _____

Planning Director _____

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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.

The Commission should be aware that the proposed amendments are not a complete list and additional amendments may be added. 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 refining the proposed amendments. It should also be noted that the SEPA analysis will be completed by September 2015.

Background

The Commission was introduced to Part 1 of the 2015 Development Code amendment batch on May 7, 2015. That group contained 21 Director initiated amendments. The Commission generally agreed to consider most of the Part 1 amendments with the 2015 batch with the following modifications:

SMC 20.40.120 Residential Uses – This is the section that contains Microhousing. The Commission agreed that Microhousing should be considered citywide in the Mixed Business Zone in the City of Shoreline. The Commission believes that this residential use requires a citywide conversation with a broad group of stakeholders and should be separated from the general batch of Development Code amendments to be considered by itself. Staff will begin to put together a communication plan to involve a broad group of interests. Once staff has a communication and outreach plan together, staff will work on scheduling this amendment at Commission.

SMC 20.40.410 and .450 – Hospital and Medical Office/ Outpatient Clinic – This is the Land Use section for hospitals and medical clinics and where they may be located. This Development Code amendment deletes the requirement, or indexed criteria, that hospitals and medical offices/ outpatient clinics must be located in a surplus nonresidential facility in addition to obtaining a Conditional Use Permit. The Commission debated whether these uses should be located in single family zones when the City has available commercial land along commercial corridors, Town Center, and North City.

The Commission has the option to amend the Development Code to prohibit hospitals and medical clinics in the single family zones while making these uses subject to a Conditional Use Permit in all other residential zones. Staff has proposed this alternative in **Attachment A**.

Table SMC 20.50.020 – Dimensions for Development in Residential Zones. This is the dimensional section of the Development Code that describes density, lot size, setbacks, building height, and lot coverage. The Commission directed staff to bring back an amendment that allows a lot to be under the minimum lot size when the City requires

6b. Staff Report - Development Code Amendments

dedication for right-of-way. Some of Commissioners believe that if the City is going to require dedication, then the property owner should not be penalized by losing housing units that otherwise would have been allowed before dedication. Staff will work on specific language for the Commission to consider and bring back this amendment at a later date.

Amendments – Part 2

These Development Code amendments were presented to the Commission on May 7, 2015 (**Attachment A**). Part 2 of Development Code amendments consists of 8 Director initiated amendments. There are no privately initiated amendments. 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: local policy changes and clarification of existing language.

Administrative Corrections

20.50.240 – Site design - Deletes a redundant statement.

20.50.390 – Minimum off-street parking requirements - Deletes a redundant parking category.

20.50.480 – Street trees and landscaping within the right-of-way - Updates an outdated reference.

20.80.060 – Permanent field marking - Updates an outdated reference.

Local Policy Changes

SMC 20.40.410 and SMC 20.40.450 – Deletes Hospitals and Medical Clinics as a permitted Conditional Use in the R-4 through R-12 Zones.

Clarifying Existing Language

20.20.016 D Definitions – Add a clarifying statement that shared driveways apply to two or more properties.

20.30.280(C)(4) Nonconformance – Clarifies that a property owner may expand a nonconforming structure and must also meet the dimensional standards of the R-6 zone.

20.50.410 – Parking design standards. Minor correction for parking space and aisle dimensions.

Justification and Analysis

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

Schedule

June 4 – Planning Commission Study Session – Part 2

August 6 – Planning Commission Study Session – Part 3

September 2015 – Planning Commission Public Hearing

November 2015 – City Council Adoption

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These dates are tentative and can be moved if necessary. The Commission will be considering the updates to the CAO during the same timeframe as Part 1, 2, & 3 of the Development Code amendments. As such, these amendments can be shifted if they create a conflict with the CAO.

Attachment

Attachment 1 – Proposed 2015 Development Code Amendments Part 2

Amendment #1

20.20.016 D definitions

Justification – Shared driveways could apply to more than two properties.

Driveway, A jointly owned and maintained tract or easement serving two or more
Shared properties.

Amendment #2

20.30.280(C)(4) – Nonconformance

Justification – This amendment makes the clarification that a property owner of a legal, nonconforming structure may make an addition based on the provisions of 20.30.280(C)(4) but only to the limits of the R-6 zone. The property owner is still limited by the residential dimensional standards in Table 20.50.020(1) which outlines building coverage, hardscape, setbacks, density, and building height.

C. Continuation and Maintenance of Nonconformance. A nonconformance may be continued or physically maintained as provided by this code.

1. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance.
2. Discontinuation of Nonconforming Use. A nonconforming use shall not be resumed when abandonment or discontinuance extends for 12 consecutive months.
3. Repair or Reconstruction of Nonconforming Structure. Any structure nonconforming as to height or setback standards may be repaired or reconstructed; provided, that:
 - a. The extent of the previously existing nonconformance is not increased;
 - b. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction; and
 - c. The provisions of Chapter 13.12 SMC, Floodplain Management, are met when applicable.
4. Modifications to Nonconforming Structures. Modifications to a nonconforming structure may be permitted; provided, the modification does not increase the area, height or degree of an existing nonconformity. Single-family additions shall be limited to 50 percent of the use area or 1,000 square feet,

whichever is lesser (up to R-6 development standards), and shall not require a conditional use permit in the MUR-45' and MUR-70' zones.

Amendment #3

20.40.140 Other uses.

Justification – Hospitals and medical offices should be excluded as a conditional use in the lower density residential zones. First, Shoreline has available commercial property for such uses to locate. The Commission believes that in order to create a vibrant city, commercial uses should be located together in the commercial center. Second, the City’s home occupation rules allows a property owner to do medical related industry from the home (dental molds, transcription, etc.) without the need for a medical office for clients.

Table 20.40.140 Other Uses

| NAICS # | SPECIFIC USE | R4-R6 | R8-R12 | R18-R48 | TC-4 | NB | CB | MB | TC-1, 2 & 3 |
|--|---|-------|--------|---------|------|-----|-----|-----|-------------|
| EDUCATION, ENTERTAINMENT, CULTURE, AND RECREATION | | | | | | | | | |
| | Adult Use Facilities | | | | | | P-i | P-i | |
| 71312 | Amusement Arcade | | | | | | | P | P |
| 71395 | Bowling Center | | | | | C | P | P | P |
| 6113 | College and University | | | | | S | P | P | P |
| 56192 | Conference Center | C-i | C-i | C-i | C-i | P-i | P-i | P-i | P-i |
| 6111 | Elementary School, Middle/Junior High School | C | C | C | C | | | | |
| | Gambling Uses (expansion or intensification of existing nonconforming use only) | | | | | S-i | S-i | S-i | S-i |
| 71391 | Golf Facility | P-i | P-i | P-i | P-i | | | | |
| 514120 | Library | C | C | C | C | P | P | P | P |
| 71211 | Museum | C | C | C | C | P | P | P | P |
| | Nightclubs (excludes Adult Use Facilities) | | | | | | C | P | P |
| 7111 | Outdoor Performance Center | | | | | | | S | P |
| | Parks and Trails | P | P | P | P | P | P | P | P |
| | Performing Arts Companies/Theater (excludes Adult Use Facilities) | | | | | | P-i | P-i | P-i |
| 6111 | School District Support Facility | C | C | C | C | C | P | P | P |

Table 20.40.140 Other Uses

| NAICS # | SPECIFIC USE | R4-R6 | R8-R12 | R18-R48 | TC-4 | NB | CB | MB | TC-1, 2 & 3 |
|-------------------|---|-------|--------|---------|------|-----|-----|-----|-------------|
| 6111 | Secondary or High School | C | C | C | C | C | P | P | P |
| 6116 | Specialized Instruction School | C-i | C-i | C-i | C-i | P | P | P | P |
| 71399 | Sports/Social Club | C | C | C | C | C | P | P | P |
| 6114 (5) | Vocational School | C | C | C | C | C | P | P | P |
| GOVERNMENT | | | | | | | | | |
| 9221 | Court | | | | | | P-i | P-i | P-i |
| 92216 | Fire Facility | C-i | C-i | C-i | C-i | P-i | P-i | P-i | P-i |
| | Interim Recycling Facility | P-i | P-i | P-i | P-i | P-i | P-i | P-i | |
| 92212 | Police Facility | | | | | S | P | P | P |
| 92 | Public Agency Office/Yard or Public Utility Office/Yard | S-i | S-i | S | S | S | P | P | |
| 221 | Utility Facility | C | C | C | C | P | P | P | P |
| HEALTH | | | | | | | | | |
| 622 | Hospital | C-i | C-i | C-i | C-i | C-i | P-i | P-i | P-i |
| 6215 | Medical Lab | | | | | | P | P | P |
| 6211 | Medical Office/Outpatient Clinic | C-i | C-i | C-i | C-i | P | P | P | P |
| 623 | Nursing and Personal Care Facilities | | | C | C | P | P | P | P |
| REGIONAL | | | | | | | | | |
| | School Bus Base | S-i | S-i | S-i | S-i | S-i | S-i | S-i | |
| | Secure Community Transitional Facility | | | | | | | S-i | |
| | Transfer Station | S | S | S | S | S | S | S | |
| | Transit Bus Base | S | S | S | S | S | S | S | |
| | Transit Park and Ride Lot | S-i | S-i | S-i | S-i | P | P | P | P |
| | Work Release Facility | | | | | | | S-i | |

| | |
|---|--|
| <p>P = Permitted Use C = Conditional Use</p> | <p>S = Special Use -i = Indexed Supplemental Criteria</p> |
|---|--|

(Ord. 695 § 1 (Exh. A), 2014; Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 3 (Exh. A), 2009; Ord. 531 § 1 (Exh. 1), 2009; Ord. 309 § 4, 2002; Ord. 299 § 1, 2002; Ord. 281 § 6, 2001; Ord. 258 § 3, 2000; Ord. 238 Ch. IV § 2(B, Table 3), 2000).

Amendment #4

20.50.240 Site design.

Justification – This is a redundant statement. This requirement only applies to development on private property, not public property.

C. Site Frontage.

1. Development 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:

a. Buildings and parking structures shall be placed at the property line or abutting public sidewalks ~~if on private property~~. However, buildings may be set back farther if public places, landscaping and vehicle display areas are included or future right-of-way widening or a utility easement is required between the sidewalk and the building;

Amendment #5

20.50.390 Minimum off-street parking requirements – Standards.

Justification – The retail and mixed trade use in the special nonresidential parking table SMC 20.30.390(D) is duplicative of the retail trade use in the general nonresidential parking standards SMC 20.30.390(C). Retail trade does not restrict the In both cases the parking ratio is 1 parking space per 400 square feet of floor area.

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 20.50.390C – General Nonresidential Parking Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|------------------------------------|--------------------------------|
| General services uses: | 1 per 300 square feet |
| Government/business services uses: | 1 per 500 square feet |
| Manufacturing uses: | .9 per 1,000 square feet |
| Recreation/culture uses: | 1 per 300 square feet |
| Regional uses: | (Director) |

Table 20.50.390C – General Nonresidential Parking Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|---------------------------|--------------------------------|
| Retail trade uses: | 1 per 400 square feet |

Note: Square footage in this subchapter refers to net usable area and excludes walls, corridors, lobbies, bathrooms, etc.

Table 20.50.390D – Special Nonresidential Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|--|--|
| Bowling center: | 2 per lane |
| Houses of worship | 1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes |
| Conference center: | 1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces |
| Construction and trade: | 1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area |
| Courts: | 3 per courtroom, plus 1 per 50 square feet of fixed-seat or assembly area |
| Daycare I: | 2 per facility, above those required for the baseline of that residential area |
| Daycare II: | 2 per facility, plus 1 for each 20 clients |
| Elementary schools: | 1.5 per classroom |
| Fire facility: | (Director) |
| Food stores less than 15,000 square feet: | 1 per 350 square feet |
| Funeral home/crematory: | 1 per 50 square feet of chapel area |
| Fuel service stations with grocery, no service bays: | 1 per facility, plus 1 per 300 square feet of store |

Table 20.50.390D – Special Nonresidential Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|---|--|
| Fuel service stations without grocery: | 3 per facility, plus 1 per service bay |
| Golf course: | 3 per hole, plus 1 per 300 square feet of clubhouse facilities |
| Golf driving range: | 1 per tee |
| Heavy equipment repair: | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair area |
| High schools with stadium: | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium |
| High schools without stadium: | 1 per classroom, plus 1 per 10 students |
| Home occupation: | In addition to required parking for the dwelling unit, 1 for any nonresident employed by the home occupation and 1 for patrons when services are rendered on site. |
| Hospital: | 1 per bed |
| Middle/junior high schools: | 1 per classroom, plus 1 per 50 students |
| Nursing and personal care facilities: | 1 per 4 beds |
| Outdoor advertising services: | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area |
| Outpatient and veterinary clinic offices: | 1 per 300 square feet of office, labs, and examination rooms |
| Park/playfield: | (Director) |
| Police facility: | (Director) |
| Public agency archives: | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing area |
| Public agency yard: | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair area |

Table 20.50.390D – Special Nonresidential Standards

| NONRESIDENTIAL USE | MINIMUM SPACES REQUIRED |
|------------------------------------|--|
| Restaurants: | 1 per 75 square feet in dining or lounge area |
| Retail and mixed trade: | 1 per 400 square feet |
| Self-service storage: | 1 per 3,500 square feet of storage area, plus 2 for any resident director’s unit |
| Specialized instruction schools: | 1 per classroom, plus 1 per 2 students |
| Theater: | 1 per 3 fixed seats |
| Vocational schools: | 1 per classroom, plus 1 per 5 students |
| Warehousing and storage: | 1 per 300 square feet of office, plus 0.5 per 1,000 square feet of storage area |
| Wholesale trade uses: | 0.9 per 1,000 square feet |
| Winery/brewery: | 0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area |

Amendment #6

20.50.410 Parking design standards.

Justification – The subject section has been taken to mean that these are the minimums for any parking angle. The proposed amendment adds clarity that these aisle dimensions are only for those parking angles not listed in the table.

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. For these Director’s determinations for parking angles not shown in Table 20.50.410F ~~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 | Stall | Curb | Stall | Aisle Width | Unit Depth (feet) |

| A Angle | B Width (feet) | C Length (feet) | D Depth (feet) | E (feet) | | F | |
|------------|------------------------------------|-----------------------|-----------------------|----------------------|------------------------------------|-----------------------|--------------------|
| | | | | 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 |
| 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

** Variable, with compact and standard combinations

Amendment #7

20.50.480 Street trees and landscaping within the right-of-way – Standards.

Justification – This amendment is an administrative correction. The City adopted the Engineering Development Manual in 2012 which replaced the Engineering Development Guide. This is a reference that did not get updated.

C. Street trees and landscaping must meet the standards for the specific street classification abutting the property as depicted in the Engineering Development Manual Guide including but not limited to size, spacing, and site distance. All street trees must be selected from the City-approved street tree list. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 406 § 1, 2006; Ord. 238 Ch. V § 7(B-3), 2000).

Amendment #8

20.80.060 Permanent field marking

Justification – This amendment is an administrative correction updating the Departments phone number.

A. All critical areas tracts, easements or dedications shall be clearly marked on the site using permanent markings, placed every 300 feet, which include the following text:

This area has been identified as a <<INSERT TYPE OF CRITICAL AREA>> by the City of Shoreline. Activities, including clearing and grading, removal of vegetation, pruning, cutting of trees or shrubs, planting of nonnative species, and other alterations may be prohibited. Please contact the City of Shoreline Department of Development (206) 546-1814 2500 for further information.