

**From:** [Debbie Tarry](#)  
**To:** [Jesse Salomon](#)  
**Cc:** [Carolyn Wurdeman](#); [Heidi Costello](#)  
**Subject:** FW: Councilmember Salomon questions for tonight  
**Date:** Monday, November 16, 2015 12:26:21 PM

---

Jesse –

See responses in red below to your questions. We will put this in the Green Folder for tonight.

Debbie Tarry

City Manager

City of Shoreline

17500 Midvale Ave N.

Shoreline, WA 98133

---

**From:** Steve Szafran  
**Sent:** Monday, November 16, 2015 11:48 AM  
**To:** Debbie Tarry  
**Subject:** Councilmember Salomon questions for tonight

---

**From:** Steve Szafran  
**Sent:** Monday, November 16, 2015 9:15 AM  
**To:** Rachael Markle; Paul Cohen  
**Cc:** Debbie Tarry  
**Subject:** RE: Development Code Questions

**My answers are in red below:**

-----Original Message-----

**From:** Debbie Tarry  
**Sent:** Monday, November 16, 2015 7:22 AM  
**To:** Steve Szafran  
**Cc:** Rachael Markle; Paul Cohen; John Norris  
**Subject:** FW: Development Code Questions

Steve -

These questions came from Councilmember Salomon late last night. Please let me know what we can get responses to today and what may have to wait since we just got them. We can post whatever we have by 3 p.m. today as part of the Green Folder - any still remaining we will send out this week. Thanks.

Debbie Tarry

City Manager

City of Shoreline

17500 Midvale Ave N.

Shoreline, WA 98133

-----Original Message-----

From: Jesse Salomon

Sent: Sunday, November 15, 2015 10:43 PM

To: Debbie Tarry; Carolyn Wurdeman

Subject: Development Code Questions

20.30.380 – Subdivision Categories (Attachment A, Page 9)

Allows short plat to go up to nine from 4 w/o a public examiner and vote of council.

How does this apply to r4 and r6 designations? Do subdivisions encourage building of single family homes where allowing the same number of units on one lot encourage townhomes? Which is denser?

The amendment would apply to ALL subdivisions in the single family zones as well as the multifamily zones. Density would not be affected since the zoning controls density (R-4 is 4 units per acre, R-6 is 6 units per acre, etc..). This amendment does not change the number of lots or units (density) currently allowed. This amendment changes the process for approving the subdivision of 5 to 9 lots from a Quasi Judicial action to that of an Administrative Decision as is done for a Short Plat the creation of less than 5 lots. This process change allows for a more efficient permitting time lines without sacrificing public notice or review. This is allowed by State law & is being utilized by neighboring jurisdictions as a permit processing improvement.

The City will begin to see new multifamily structures being developed in the MUR zones. These developments may be sold as condominiums (many units on one lot) or as fee simple townhomes (one unit per small lot). The City does not regulate how a property is owned.

Is the above achieved with the change or current allowance?

The above example may be developed under our current development regulations. For example, a five unit townhome project can be built today without any review by Council. Once that same developer wants to subdivide those townhomes (to sell as fee simple instead of a condominium), Council action is required because it would be classified as a Formal Subdivision (more than 4 lots).

What does this have to do with density at the light rail areas? Is the proposal limited to those areas?.

Density would not change at the light rail stations. Staff used the example of the light rail stations because demand is high for townhomes and the station area zoning is where the City will most likely see the development of these townhomes. Also, builders don't want to develop townhomes that are condominiums (many units on one lot with an HOA). They want to build townhomes that sit on their own lot.

If we adopt the proposal can we limit it to the station areas?

Yes. However, the City Attorneys' Office advised against this as an arbitrary determination – why at the station areas and not elsewhere in the city?

SMC 20.50.400 – Reductions to Minimum Parking Requirements (Attachment A, Page 40)

This would lift the requirements for less parking near station areas based on concerns of spillover to neighborhoods. Have we looked at how spillover is handled elsewhere?

There are not many examples to pull from since the only operating stations are in Seattle, Tukwila, and SeaTac which are very urban and mostly don't require any parking in those station subareas. In general spill over is addressed with signage, enforcement & parking management programs.

SMC 20.100.020 – Aurora Square Community Renewal Area (Attachment A, Page 49)

The summary doesn't say what it is.

The transition standard is that the maximum building height in 35 feet within the first 10 feet horizontally from the front yard setback line. No additional upper story setback is required instead of 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.

#### Amendment # 6

##### 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.

The justification above does not explain why we need to specify a limit to an r -6 zone.

What this amendment does is limit the amount modification a property owner can do only up to the limits of the R-6 Zone. The code allows an addition up to 50% or 1,000 square feet but this does not mean a property owner can expand 50% of their home if it goes over the limits of the R-6 Zone.

#### Amendment # 14

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

In lay terms what is BSL 2? I can't tell from the description what level of actual danger it poses. I don't know how different medical facilities work or what the normal BSL level is. Is BSL 2 normally allowed in dense residential areas in other cities?

The example from the Washington State Department of Health of a BSL 2 is a common clinic where blood is drawn or other clinic type procedures. Specific examples would be UW neighborhood clinics or the Everett Clinic. This amendment is meant to exclude health labs that may have contaminants and chemicals such as the Fircrest health lab.

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.

Does the above mean that staff is recommending against this amendment?

No, staff recommends this amendment. Staff believes outdoor performance can be integrated with a performance arts company/theater and a specific category for outdoor performance center is unnecessary.

Amendment # 17

20.40.400 Home occupation

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.

How did the above amendment come about? What kind of impact would this have to home based businesses? Would it likely require a remodel of most driveways / garages at home based businesses? The main concern I have is with the clause "such parking must be in addition to those required for the residence."

The City receives complaints about commercial and home occupation related vehicles parking in the neighborhood and parking in the yards of homes. A specific example is a limousine business that keeps their cars parked along the street. This amendment would require the limo owner to park their cars on their property on an approved surface such as a driveway. A single family home also requires two parking spots onsite. SMC 20.50.410(D) specifies the number of cars a single-family residence may have - *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.*

20.40.535 Transitional Encampment Tent city

C. The applicant shall utilize only government-issued identification such as a valid driver’s

license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.

Is the above a new requirement or have these practices been in place? Many homeless people don't have id's although it is not bad policy to require a way to exclude sex offenders.

The above language is new but the City has been asking for these requirements when a permit comes in for a homeless encampment. The following was included in the October 9 City Manager Update to Council:

### ***Tent City/Transitional Encampment***

*On November 16 the Council will be discussing a batch of proposed Development Code amendments. The Planning Commission held a public hearing on these amendments on October 1. Included in the amendments is changing "Tent City" to "Transitional Encampment" and adding to the indexed criteria for Transitional Encampments. Below you will see items C through E. Staff reviewed other city codes and discussed these amendments with representatives from the first host church for United We Stand. We have had a couple of incidents that have raised concern regarding failure to do adequate sex offender and warrant checks. In July we had an issue of a couple staying together at Tent City III, in which one individual had a Domestic Violence no contact order with the other person residing in the same tent. There was also an existing DV assault 4 warrant on the individual for the incident that prompted the order. Last week we received a call that registered sex offender was living in the United We Stand Camp at Bethel Lutheran Church. Police were able to confirm that there was an outstanding warrant for this individual for a 2014 Child Rape-3 conviction. There are four children, under the age of twelve, currently residing in the camp. Although police went to the site and collected the individual's property, the individual was not located. Although the camps themselves had indicated that they were doing checks for warrants and sex offenders we have found that these have been done in a variety of ways and not always kept up to date. The proposed added criteria makes it clear that this is a permit requirement and that the review is to be done by the King County Sheriff's Office.*

SMC 20.50.240

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:

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;

What effect does the change from "abutting" to "in" have? It could potentially completely change what is allowed in the mentioned zoned areas as opposed to abutting or fringing areas. Does this have to do with easing setback requirements?

This amendment is to correct a prior word choice that conflicts with the intent of the code. This amendment would not ease setback requirements. Staff believes the current language of "abutting" doesn't make sense since development is within the above commercial / mixed use zones and not abutting which could be less dense residential zones.

Amendment 24 just says "not recommended by planning commission." Why is the amendment omitted? What is the amendment? Is it not before council for consideration?

Amendment 24 was to allow a property owner to use existing, non-significant trees to count for replacement trees when a significant tree is removed. For example, a significant tree is removed and three replacement trees are required to be planted on the property. The same owner has 20 other established non-significant trees onsite and there is no room to plant three additional trees. Staff suggested that the owner should get credit for all of the remaining trees onsite and not be required to replant the three replacement trees. By contrast, a property with no non-significant trees to use as replacement trees would have to plant new trees to contribute to the overall, city tree canopy which is more equitable with a property that has more trees to retain and other established trees to compensate or replace. This amendment actually encourages property owners to retain existing, replacement-sized vegetation. The Planning Commission recommended against this amendment as such staff is bringing forward the Planning Commission recommendation and therefore excluding this amendment.

Amendment #26

20.50.400 Reductions to minimum parking requirements.

Why is it proposed we strike this "Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces. " as a trade off for reducing parking? Would this policy apply citywide? Hasn't staff put in a lot of time coming up with ways to plan for increased use of EV's? Also why would we delete/discourage "permeable pavement on at least 20 percent of the area of the parking lot."

The thought is electric vehicle conduit does not mitigate parking. A space is still required for electric vehicles. Staff and Commission agreed that the criteria for parking reduction should include measures that reduce the need for parking with actual transit and sidewalk facilities to get there and improvements that divert traffic from the impacting the neighborhoods.

Amendment #32

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:

Why is this change necessary if the policy was changed in 2010?

Typically an administrative interpretation is made then at some point Staff brings these interpretations to Council in the form of a code amendment. There is still some confusion by staff on how to interpret this section to require single-family homes and Accessory Dwelling Units are required to install frontage improvements. The clarification is to exclude ADUs and one single family home on a parcel no matter the property value and the cost of construction.

Jesse Salomon, Councilmember

City of Shoreline

[jsalomon@Shorelinewa.gov](mailto:jsalomon@Shorelinewa.gov)

(206) 396-5807

Sent from my iPad



