PLANNING COMMISSION
REGULAR MEETING
AGENDA

Thursday, November 17, 2016
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Ave North

		Estimated Time
1.	**CALL TO ORDER**	7:00
2.	**ROLL CALL**	7:05
3.	**APPROVAL OF AGENDA**	7:07
4.	**APPROVAL OF MINUTES**	7:08

a. November 3, 2016 Draft Minutes

Public Comment and Testimony at Planning Commission

During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission which follows the presentation of each staff report. In all cases, speakers are asked to come to the podium to have their comments recorded, state their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Questions for staff will be directed to staff through the Commission.

5.	**GENERAL PUBLIC COMMENT**	7:10
6.	**PUBLIC HEARING**	7:15

a. 2016 Comprehensive Plan Amendments
- Staff Presentation
- Public Testimony

7.	**STUDY ITEM**	8:00

a. Development Code Amendments Continued from October 20 Meeting – Clarification of Unit Lot Development and Self Storage, Repeal of SMC 16.10 and 16.20
- Staff Presentation
- Public Comment

8.	**DIRECTOR'S REPORT**	8:30
9.	**UNFINISHED BUSINESS**	8:35
10.	**NEW BUSINESS**	8:36
11.	**REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS**	8:37
12.	**AGENDA FOR DECEMBER 1, 2016**	8:40
13.	**ADJOURNMENT**	8:45

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236

The City of Shoreline Notice of Public Hearing of the Planning Commission

Description of Proposal: The City of Shoreline is proposing amendments to the Shoreline Comprehensive Plan that apply citywide. The proposed amendments to the Comprehensive Plan include: 1. Amend the Comprehensive Plan for 145th Street annexation and all applicable maps, 2. Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9, 3. Consider amendments to the Comprehensive Plan that address the location of new park space, park impact fees, and other park issues, 4. Update Policy T44 to add Collector Arterials to the street classifications that have a LOS standard, 5. Update Land Use Policies LU63, LU64, LU65, LU66, and LU67 by correcting references to the King County Countywide Planning Policies, 6. Amend Point Wells Subarea Plan Policy PW-12, 7. Amend the Southeast Neighborhoods Subarea Plan to move policies related to the 145 Street Station Subarea Plan, amend text, and amend the boarders of the Southeast Neighborhoods Subarea Plan, 8. Adopt a volume to capacity ratio (V/C) ratio of 0.65 or lower for Richmond Beach Drive north of NW 196th Street, assuming a roadway capacity of 700 vehicles per hour per lane or less for an improved roadway consistent with pedestrian and bike standards and a V/C ratio not to exceed 0.90 on Richmond Beach Road, measured at any point, west of 8th Avenue NW assuming a three-lane roadway consistent with the City's Transportation Master Plan and Capital Improvement Plan. The applicable V/C standards shall not be exceeded on either of these road segments.

This may be your only opportunity to submit written comments. Written comments must be received at the address listed below before **5:00 p.m. November 17, 2016**. Please mail, fax (206) 801-2788 or deliver comments to the City of Shoreline, Attn: Steven Szafran 17500 Midvale Avenue N, Shoreline, WA 98133 or email to sszafran@shorelinewa.gov.

Interested persons are encouraged to provide oral and/or written comments regarding the above project at an open record public hearing. The hearing is scheduled for Thursday, November 17, 2016 at 7:00 p.m. in the Council Chamber at City Hall, 17500 Midvale Avenue N, Shoreline, WA.

Copies of the proposal and applicable codes are available for review at the City Hall, 17500 Midvale Avenue N.

Questions or More Information: Please contact Steven Szafran, AICP, Senior Planner at (206) 801-2512.

Any person requiring a disability accommodation should contact the City Clerk at (206) 801-2230 in advance for more information. For TTY telephone service call (206) 546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

DRAFT

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
MINUTES OF REGULAR MEETING

November 3, 2016 Shoreline City Hall
7:00 P.M. Council Chamber

Commissioners Present
Vice Chair Montero
Commissioner Chang
Commissioner Maul
Commissioner Malek
Commissioner Moss-Thomas

Commissioners Absent
Chair Craft
Commissioner Mork

Staff Present
Rachael Markle, Director, Planning & Community Development
Paul Cohen, Planning Manager, Planning & Community Development
Steve Szafran, Senior Planner, Planning & Community Development
Kendra Dedinski, Traffic Engineer
Dave Eernissee, Economic Development Director
Julie Ainsworth Taylor, Assistant City Attorney
Lisa Basher, Planning Commission Clerk

CALL TO ORDER

Vice Chair Montero called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Vice Chair Montero, and Commissioners Chang, Maul, Malek and Moss-Thomas. Chair Craft and Commissioner Mork were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of October 20, 2016 were adopted as corrected.

GENERAL PUBLIC COMMENT

Pam Cross, Shoreline, said she found Kim Lancaster's comments to the City Council on October 24th with respect to the Planning Commission's meeting regarding transitional encampment legislation to be insulting. Her statement that there was palpable hostility in the meeting is untrue. The only disruption in the meeting was when the people with her waived around some printed material, perhaps signs. Ms. Lancaster stated that the proposed amendments were intended to decrease barriers for churches and other human service organizations, but she failed to say that the actual subject being discussed was housing of encampments in residential backyards. Even her husband's statement includes a request to add individuals as managing agencies and to reduce the setback distance to zero for homeowners. Ms. Cross said she is puzzled by Ms. Lancaster's oversight because churches and other non-profits seem to be doing just fine, but the use of residential backyards is entirely new. It is the untested use of backyards of someone who may have no background or skills in operating such an encampment that needs careful consideration.

Ms. Cross recalled that Ms. Lancaster made it sound as if people who spoke against the changes do not want the homeless in the City. Those who spoke expressed their concerns for the homeless, as well as for the host family by directing attention to several items, one of which was the likelihood that the homeowner's insurance policy of the host family would be cancelled due to the change in liability exposure. This would directly impact the host, as well as the guests, who could be injured while on the property. She said she has since confirmed this with the Office of the Insurance Commissioner, who advised that the host family may also see increased auto insurance rates due to the addition of licensed drivers on the property, depending on what their motor vehicle records are like.

Ms. Cross further recalled that, as Ms. Lancaster noted, those opposed to the amendments (not opposed to homeless people) found out about the Planning Commission meeting the day before or the same day. They didn't even know one another. As a result, their comments were not coordinated. On the other hand, Ms. Lancaster was able to make a nice presentation to the City Council, bringing along some of her homeless associates who talked in a clear and concise way, never repeating what a prior person had said. It was almost as if it had been rehearsed. She said Ms. Lancaster's statement that the alleged hostility is based on fear and lack of knowledge is not born out by the on-point comments of the speakers. Again, she said they are not opposed to church encampments and have no issues with those who are currently without a home. Stating practical considerations for safety, training and control is not hostility, but bringing attention to items that may have been overlooked and should be part of a healthy dialogue. Ms. Lancaster obviously cares very much and has made it clear that she wants to help the homeless, and so do those who have voiced concern. They want to get people who are currently living in tents kept warm, dry and safe; but they wonder how a tent in a residential backyard is warmer, dryer or safer that a church or another non-profit. At the end of the day, the joint goal should be the elimination of tent cities, and not the perpetuation of them.

Margaret Willson, Shoreline, recalled that she addressed the Commission at their last meeting about the proposed amendments related to temporary encampments. She referred to the issue of setbacks and commented that it was recently suggested that tents and port-a-potties should be treated the same as stone barbecues and garden sheds. She pointed out that stone barbecues do not snore, and we don't defecate in our garden sheds. Someone else suggested it would be plain discrimination against some of

Shoreline's most vulnerable citizens to not allow backyard homeless camps. She agreed that it would be discrimination if they allowed backyard boy scout camps, but not backyard homeless camps, but it would not be discrimination to prohibit all backyard camps, which is what she felt the City should do. It was also suggested that Shoreline try a limited social experiment for three years and then reevaluate. She referred to the current situation in Seattle since it stopped enforcing camping regulations. There are now outdoor camps all over, and homeless drug addicts from all over the country are coming to Seattle because it is easier. She does not want Shoreline open to this same thing. The homeless population could quadruple, and the camps could become permanent. She has also heard that opposition to the camps is based on irrational fear. She recalled that, at the last Commission meeting, ten Shoreline residents provided fact-based reasons why the camps are a bad idea. There were also 17 sets of comments on the City's website with fact-based reasons. Saying that the opposition is based on irrational fear belittles, but does not refute the arguments.

Ms. Willson commented that she believes the tone of the conversation is getting unpleasant. The first time she looked on the City's website, there were 17 comments against encampments; but the next time she looked, there were only 16. She discovered through a conversation on Next Door Richmond Beach that one person had removed her name because she received hate mail and she didn't want her email address on the website any more. The opponents of the camps have also been accused of racism, which is totally out of line; and the proponents have been threatening lawsuits against the City if it doesn't allow the camps in backyards despite the opposition of most Shoreline citizens. She concluded that little good comes of conversations that devolve to this level. What needs to be done, instead, is figuring out what would be effective. Everyone agrees they need to address the plight of the homeless, and they should be researching what has worked in other cities and implementing similar programs in Shoreline. She noted that she submitted an email with more information on the topic.

Tom McCormick, Shoreline, reviewed that, last year the City Council adopted Resolution 377, which pertains to Richmond Beach Drive and states, *"the current 4,000 daily traffic volume limit remains in full force and affect until such time that Policy 12 of the Point Wells Subarea Plan is amended to increase it."* The resolution also says that *"until the Point Wells Plan is repealed or amended, the City shall not take any action inconsistent with the 4,000-trip limit."* However, one of the items on the docket of 2016 Comprehensive Plan Amendments is to establish a .65 Volume/Capacity (VC) ratio or lower for Richmond Beach Drive (Amendment 8) that would result in seven to ten or more average daily trips. He questioned how the amendment can even be presented to the Commission when the City Council has agreed that no action can be taken inconsistent with the 4,000 limit. When the proposed amendment is considered later on the agenda, he would like the Commission to determine that it is inappropriate to consider as it is in violation of Resolution 377. Alternatively, the Commission could change the .65 V/C ratio to establish an upper limit that does not exceed the 4,000 limit. He concluded that as the proposed amendment stands, it would be inappropriate for the Commission to consider it.

Mr. McCormick also referred to proposed Amendment 6, which is also on the docket of Comprehensive Plan amendments. Amendment 6 talks about establishing a 90% capacity limit for Richmond Beach Road west of 8th Avenue. While the City has stated that the amendment is redundant because it is covered elsewhere in another docketed item, Mr. McCormick suggested that the amendment would not be redundant if the other docketed item is not passed. He urged the Commission to adopt Amendment 6. In addition, he suggested that Amendment 6 should be expanded to extend all the way to 3rd Avenue.

He reminded the Commission that the City has applied for a grant from the Washington State Department of Transportation (WSDOT) requesting funds so it can restripe the segment between 3rd and 8th Avenues as three lanes.

PUBLIC HEARING: DRAFT ORDINANCE NUMBER 765 – NEW REGULATIONS FOR SELF STORAGE FACILITIES

Vice Chair Montero reviewed the rules and procedures for the hearing and then opened the hearing.

Staff Presentation

Director Markle reviewed that there is currently a moratorium in place on the acceptance of applications for new self-storage facilities. The moratorium was enacted because the code does not clearly address where self-service storage facilities are permitted; the use tables need to be updated to reflect adopted plans, goals and policies; and there has been a recent dramatic increase related to the development of self-storage facilities in the City. Currently, there are four facilities that were established between 1978 and 1989 under King County codes, and one that was constructed in 2004. In the past year, the City has permitted two and received six proposals for self-storage facilities. This alerted staff to an influx of self-storage facilities and led to the moratorium.

Director Markle said some issues staff has been exploring over the past few months are concerns about design. Many of the older self-storage facilities have blank walls and are sprawling, one-story, auto-centric buildings constructed of unattractive materials. Another concern is that self-storage facilities are incompatible with adjacent uses and allow outdoor storage. In addition, there is concern that the City has a limited amount of commercial property to meet its needs and visions for the future, and self-storage is a very long-term use that is not typically converted to another use once established. To address these concerns, she reviewed each of the proposed amendments as follows:

- **Amendment 1 (SMC 20.20.046.S)**

The definition for "Self-Storage Facility" was updated to be in line with the State's definition.

- **Amendment 2 (SMC 20.20.046.W)**

The definition for "warehousing" was also updated to make it clear that warehousing is not self-storage.

- **Amendment 3 (Table 20.40.230)**

This amendment addresses which zones self-storage facilities should be permitted or prohibited. As proposed, "self-storage facilities" would specifically be added to the Nonresidential Uses Table as permitted with index criteria in all Mixed Business (MB) zones and in the Community Business (CB) zone along Ballinger Way NE only and prohibited in all other zones. In addition, the use would be specifically prohibited in the Aurora Square Community Renewal Area (CRA), on arterial corners, or within ¼ mile of another self-storage facility.

Director Markle advised that the City received a number of comments from self-storage representatives, who provided good factual information and ideas about the proposed regulations. One comment suggested that self-storage also be allowed in other CB zones on parcels that take access from a state highway. This would include the CB zones on Lake City Way in Southeast Shoreline. This change would result in the use also being allowed along Aurora Avenue North, Ballinger Way NE and Bothell Way NE.

- **Amendment 4a (SMC 20.40.505.A)**

The City uses the Supplemental Index Criteria to permit a use subject to meeting criteria that are intended to make the use compliant with the purpose of a particular zone. Staff has proposed several supplemental index criteria for self-storage facilities. The intent is to further define where self-storage facilities are permitted or prohibited, specify how self-storage units can and cannot be used, and add design standards specific to self-storage facilities. The proposed criteria include the following:

1. ***Self-storage facilities shall not be permitted on property located on a corner on an arterial street.*** The intent of this provision is to preserve a developable area on each of the corners where arterials intersect so that uses can develop there that are of a pedestrian scale, activate the streetscape, contribute to placemaking and create jobs. To make the intent clearer, staff is proposing that the following sentence be added, ***"For the purposes of this criterion, corners are defined as all private property adjacent to two or more intersecting arterial streets for a minimum distance of 200 feet in length by a width of 200 feet as measured from the property lines that face the arterials."*** If the Commission supports the corner restriction concept, a picture would ideally be added to the code. The new language would yield an approximately 40,000 square foot parcel or parcels at the corners where self-storage would be prohibited.

2. ***Self-storage facilities shall not be located within ¼ mile measured from the property line of the proposed site to another existing or permitted self-storage facility.*** A map was used to illustrate the location of the four existing and two permitted self-storage facilities in relation to the six proposed self-storage facilities. Staff is recommending the "distance from" regulation to prevent the overconcentration of self-storage facilities in a particular area, and either 500 feet or ¼ mile will effectively serve this purpose. However, applying a "distance from" requirement on Ballinger Way NE would essentially preclude new self-storage facilities in the area. If the Commission believes that self-storage facilities should be allowed in the Ballinger area, they should not enact a "distance from" restriction in that location. Staff is seeking feedback from the Commission about whether there should be a "distance from" requirement; and if so, what should the exact measurement be.

   As written, the proposed "distance from" requirement would also apply to permitted projects. This raises questions about what happened if there are two self-storage facility projects under permit review at the same time that would be located within a ¼-mile or 500-foot radius of each other. Allowing the project that is issued a building permit first and denying the second permit that is under review would create an unpredictable permitting process.

The Commission could also consider one or more exceptions to the "distance from" requirement to ideally require self-storage facility projects to include elements that directly address the City's vision, goals and policies. For example, there could be an exception if 75% of the required ground floor commercial space is devoted to other permitted uses in the zone besides self-storage. If the issue is that self-storage will take up valuable commercial space that could be developed with something more active that produces more jobs, this requirement would activate the ground level but allow a self-storage use to occur on the upper floors. Another exception could be to allow the facilities to locate within the radius of an existing or permitted facility with a Conditional Use Permit, if the existing facility has been operational for five years, based upon a market study showing demand for the additional square footage, or based on a maximum total rentable space within a radius. The latter option could be a possible solution to the problem of when two permits come in at the same time.

- **Amendment 4b (SMC 20.40.505.B)**

Based on research of other jurisdictions, staff is also recommending Supplemental Index Criteria that regulates how self-storage units are used. These regulations are intended to address community concerns about safety and compatibility with neighboring uses. As proposed, the index criteria would prohibit: living in storage units; manufacturing in storage units; conducting estate and garage sales from storage units; storing flammable, perishable and hazardous materials in storage units; and outdoor storage. Staff has not received any negative feedback related to these proposed restrictions, and the rules seems to be standard operating procedure.

- **Amendment 4c (SMC 20.40.505.C)**

Staff recommends the adoption of Supplemental Index Criteria to ensure the design of self-storage facilities promotes the City's vision and is compatible with newly redeveloped sites and future redevelopment. The recommended design requirements include:

1. All facilities are to be multi-story.
2. All access to storage units shall be from the interior of the facility.
3. Loading docks and bays must be screened.
4. Standards for fences and walls.
5. 35% glazing on all floors above the ground floor.
6. Prohibiting the use of certain building materials.
7. Requiring the use of muted exterior colors.
8. Prohibiting installation of electrical outlets in storage units.

Staff received a fair amount of feedback regarding the proposed design requirements and their practicality. For example:

- A comment was received about the requirement that *"no unit may face the street or be visible from off of the property."* The commenter concluded that the requirement conflicts with the glazing requirement because the doors would be visible through the glazing. The purpose of

the windows, in this case, would be more to dress the building to look like an office. The windows could appear glazed on the outside, but there would be another wall that obscures the inside. If the Commission disagrees with this concept of glazing, it could recommend removing the clause "*or be visible from off the property*."

9. A comment was received regarding the amount of glazing. Mr. Ricks provided the Commission with an estimate of the glazing of various elevations of the proposed project. This information may be helpful to the Commission to decide the proper amount of glazing to require. His project was one of the examples shown at the last meeting, and the entire building is about 15% glazing. Some floors have more or less than others.

10. There were also questions about how it would look and feel to have a lot of glazing facing residential uses. It could be seemingly intrusive, create glare, have light all night, etc.

11. A comment was received regarding consideration of metal panels. The commenter stated the panels are thick and durable and they had planned to use them. The City's adopted Commercial Design Standards allow for metal panels, and removing the prohibition may be appropriate if enough other design standards remain in place to preclude the construction of a large, metal warehouse style facility. These other design standards include modulation, variation in roofline, some glazing, colors, etc.

Director Markle explained that following the public hearing, the Commission will likely formulate a recommendation to the City Council on the proposed regulations. The recommendation will be presented to the City Council on November 28th for a study session. The City Council is likely to take action on the proposed amendments following their public hearing on December 12th.

Director Markle concluded her presentation by recommending approval of draft Ordinance Number 765 to establish new regulations for self-storage facilities with consideration of amending SMC 20.40.505(A)(1) as proposed in the presentation. She reminded the Board that SMC 20.40.505(A)(1) is the proposed additional language relative to corners.

Clarifying Questions from the Commission

Commissioner Chang said she has concerns about the limited number of commercial properties to meet the City's needs and vision, which is why the moratorium was put in place. She requested clarification from staff about the impacts (jobs, tax revenue, etc.) of self-storage versus other types of mixed-use development. Director Markle advised that property tax is the main tax revenue that comes from self-storage, along with some utility tax. The use would generate very little or no sales tax. As an example, a commenter pointed out that the site of the proposed facility on 19th Avenue NE is located in the middle of developed commercial area but has remained undeveloped for 20 years. Development of the self-storage facility will result in additional property tax revenue based on the improvements. In another example, the City receives about $12,000 in property tax from the existing self-storage facility on Ballinger Way NE. By comparison, many of the newer apartment buildings have 10-year property tax exemptions, so the City is not receiving taxes on the improvements. The property tax received from these developments is currently similar to the property tax received from self-storage. She does not

have an example of the properties taxes generated by a mixed-use development, but properties taxes are based on valuation. Sales tax and utility taxes will be more on a commercial building versus a self-storage facility.

Commissioner Malek observed that eight developers from the Seattle area have submitted permit applications for self-storage facilities in Shoreline. He recognized that land values are high in Seattle, but he asked if the less strict land regulations also attract developers to Shoreline. Director Markle said she never got confirmation that the City's regulations were more amenable in relation to Seattle, but she believes the City's regulations are more amenable than those of Lake Forest Park and Edmonds. In talking with the developers, it is not likely that all eight will end up developing, as the market dynamic will change once the new facilities come on line.

Commissioner Malek asked if it would be better to use size as a means of separating the facilities from one another rather than imposing a ¼-mile radius or another arbitrary number. Director Markle agreed that option would preclude an overconcentration, but she is not clear which option would be the most effective without doing an analysis.

Commissioner Moss-Thomas commented that, at the end of the day, they want something that looks good, and she questioned if glazing is really the best way to achieve this goal. Perhaps there are other alternatives such as an artistic design or the articulation required in the general commercial design standards. She expressed her belief that the design standards should remain consistent from one type of development to another. Having different design standards for self-service storage facilities can create a lot of confusion. Director Markle agreed there are other alternatives that would be attractive and acceptable, and the Commission may want to reduce the amount of glazing to allow for that type of treatment, as well. The design standards allude to being able to do that, but they do not prescribe one particular method over another. The intent is to direct the design to be different than the typical, large and boxy designs that would not meet the City's current design guidelines.

Commissioner Malek asked if it would be reasonable to discriminate between the CB and MB zones. It seems reasonable that the scale and scope of the fringe areas like Ballinger Way NE and 145th Street at Bothell WA NE would be different than what you would expect to see along Aurora Avenue N. He asked if the use could be regulated differently based on zoning in terms of scale, scope and size. He explained that his intent is to hold the facilities to the scale and scope of other development in the immediate environment. However, he does not want to complicate the language in the code so much that it is difficult or unwelcoming for incoming developers to decipher. Director Markle said it would be very easy to place limitation on the size and scale of the use in the CB zone. They might seek direction during the hearing about what is considered large and smaller-scale self-storage facilities.

Commissioner Chang said she is concerned when looking at the map that identifies the location of the existing and proposed new self-storage facilities. She also has sympathy for people who own the properties and have already gone through the design process. They've invested a lot of money and time putting their proposals together. Even with the proposed amendments, there would still be other places where self-storage facilities would be allowed to develop in the City. Director Markle agreed there would still be a few properties available for self-storage, but the market will play into whether or not new facilities are developed. Commissioner Chang asked if self-storage facilities are allowed in Lake

Forest Park and Edmonds. Director Markle answered that they are not allowed in Lake Forest Park, and Edmonds' regulations are not extraordinarily clear.

Commissioner Chang suggested that the City could accept the applications that have already been proposed, but then not allow any more. Assistant Attorney Ainsworth-Taylor commented that the City could take this approach if it is determined to be in the best interest of the citizens. She noted that the City already outright prohibits certain uses, and the same could be done for self-service storage facilities. This would be an overall policy decision for the City Council to make.

Vice Chair Montero asked if any of the current self-storage facilities allow outside storage. Director Markle said the facility on Midvale Avenue has outside storage, but she is not familiar with what is allowed at the other facilities. Vice Chair Montero concluded that a citizen of Shoreline would have to go outside of the City to find storage for recreational vehicles.

Commissioner Moss-Thomas asked staff's rationale for the proposed requirement that no more than 25% of the ground floor space could be used for self-storage, and the remaining 75% would require some other type of commercial use. While she understands the intent of requiring commercial uses along the street front, she voiced concern that 75% could be excessive, depending on the size and shape of the lot. Director Markle said the existing Commercial Design Standards require commercial uses along the street frontage to a depth of 20 feet. That would be the intent for this regulation, too. She agreed there should be some correlation between the commercial space and the actual street frontage, and 25% was thrown out for feedback and public comment. Rather than a scientific number, it was intended to be enough to allow space for the commercial use required for self-storage, as well as other commercial uses. She said she did not receive any feedback from the development community regarding this provision. Commissioner Moss-Thomas clarified that that the standard, whatever is applied, would only apply to the portion of property facing the street fronts, and only for a certain depth.

Mr. Cohen said it is important to remember that self-storage is allowed as an accessory use in Mixed Use Residential (MUR) zones. The idea is that there is a need for people living in the multi-family developments to have self-storage as an accessory use. However, the facility would not be at the same scale as the existing and proposed self-storage facilities.

Public Testimony

Randall Olsen, Seattle, Land Use Attorney, Cairncross & Hempelmann, said he was present to represent Sherry Development, the proponent of the project at 14553 Bothell Way NE. The property is located about three lots north of the intersection of 145th Street and Bothell Way NE. It is zoned CB and developed with an existing storage facility that has been permitted and is currently under construction immediately south of the property. He referred to a letter he submitted prior to the meeting, which contains his detailed thoughts and summarized the following requests:

- He recommended that self-storage facilities be permitted in all CB and MB zones that take access from a State Highway. The facilities should be located on properties that are primarily auto-oriented and capable of serving a broader region rather than the immediate neighborhood. Properties in the CB zone that meet this goal are the ones that front on a State Highway (Ballinger Way NE and

Bothell Way NE). The Staff Report suggests that self-storage facilities be permitted in the CB zones, but only on Ballinger Way NE, and it is difficult to see why the use would make sense on Ballinger Way NE but not on Bothell Way NE.

- He expressed his belief that the "distance from" requirement is complicated and probably unnecessary for many reasons. For example, the market will limit the number of uses there will be. The idea of having a maximum square footage for self-storage in a particular area might be a much more workable approach. If the City considers this option, he suggested 250,000 square feet would be a number that would allow two viable projects to occur, but would not be so large as to trigger concerns.

- If the Commission chooses to go forward with a dispersion requirement that has commercial on the ground floor, he requested that it be based upon the frontage of the property. The Sherry property has a small amount of frontage and most of the site is located in the back. Having that ratio taken into consideration would be the way to go.

Michael Sherry, Bainbridge Island, said he is the developer of the project at 14553 Bothell Way NE. He explained that this site, in particular, has very limited other options for development. The traffic is very fast along Bothell Way NE, and access is limited to right-in and right-out. A high-speed bus lane goes right past the property, as well. In terms of meeting the objectives of the CB zone, the site has limitations that are traffic oriented. In addition, the neighborhood is not all that conducive to other options. Surrounding developments include a McDonalds, another storage facility, and a strip club across the street. He said the market analysis indicates that an additional self-storage facility is warranted in this location. He said his analysis of the distinction between MU-2 and MU-1, which are defined in the Comprehensive Plan, is contrary to what staff says. He believes MU-2 would actually be more appropriate for self-storage, and his property is identified as MU-2 under the Comprehensive Plan. Additionally, it does not make sense to him that only self-storage would have a distance limitation from its competitors. He is not aware of any other uses in the City where a distance measurement is applied. The market place does a very good job of limiting the number of self-storage facilities that are developed over time.

Mr. Sherry referred to the proposed 75% commercial requirement. He explained that his site has a minimal amount of frontage along Bothell Way NE and most of the site is around back. The building footprint is about 36,000 square feet, so 75% of the first floor as commercial space would result in approximately 26,000 square feet of non-rentable space. The very front could be used, but he cannot imagine a tenant would pay commercial rates to use the spaces around the back. Wasted space costs about $70 to $80 per foot, which equates to about a $2 million penalty for his project to be located next door to a competitor. In addition, an additional 65 parking stalls would be required, consuming another substantial part of the property. He does not believe having more parking lots is an objective of the Commission. He asked the Commission to reconsider this requirement, and he is encouraged by the previous discussion that the requirement would only apply to a small footprint against the active street front. He stressed the importance of considering the practical cost aspects about what the impact would be on a building with that kind of requirement.

Robin Murphy, Seattle, said his design firm in Seattle designs a lot of self-storage facilities. He observed that a lot of the discussion is centered on aesthetics and preventing the buildings from being large, blank boxes. His firm also designs theaters, which have a similar issue. You cannot put a lot of fenestration on a theater, but the building must be integrated into the fabric of the surrounding area. For storage, they have determined the best formula is to concentrate glazing, both vertically and horizontally, into the areas that are facing the right-of-way. It is important that the buildings are read as storage buildings rather than disguised as office buildings, but they can be designed effectively to meet design requirements by placing the windows in positions where it reads what the building actually provides to the customers. This design keeps windows away from areas that are inappropriate, such as single- and multi-family residential development and other interior lot lines. He explained that windows are very important in storage, and placing them at the end of corridors allows natural lighting into the spaces and provides a sense of security and understanding of where you are. However, imposing a 35% to 50% window requirement around the perimeter of the building does not make sense. The average office building has approximately 35% window to wall area, and the energy code for metal buildings limits the design to 30% windows. A more stringent requirement would require the developer to prescriptively over-insulate to counter affect the fact that too many holes were pocked into the metal building.

Mr. Murphy commented that, generally, two types of materials are used for self-storage facilities: masonry and metal siding. While this may sound like a small pallet, there is an endless variety of articulations of those materials, profiles and colors. There are many ways to modulate the buildings both vertically and horizontally. Windows are part of that, but to require the facility to look like something other than what is it would be a mistake.

Mr. Murphy expressed his belief that self-storage facilities need to be approximately 100,000 gross square feet, which equates to a footprint of about 33,000 square feet for a 3-story building. Requiring that 75% of the ground floor must be a commercial use other than storage would result in a 20,000 square foot footprint that is basically unusable. He reminded the Commissioners that self-storage facilities are not typically located on prime real estate. They are in secondary areas that are zoned for commercial, but not necessarily in a location that a retail tenant would want to occupy.

Holly Golden, Seattle, Land Use Attorney, Hillis Clark Martin & Peterson, said she works with Lake Union Partners on their site at 19237 Aurora Avenue North. She voiced support for the draft ordinance and encouraged the Commission to move it along to the City Council for approval. She commented that the site on Aurora Avenue North is perfectly situated for self-storage, and the proposed legislation would allow it. However, she requested some simple changes to the draft ordinance.

Ms. Golden explained that for the proposal at 19237 Aurora Avenue North, the 35% glazing requirement and the restriction on any metal panels would be problematic. She noted that a comment letter she previously provided included a rendering of the proposed building. As currently designed, it does use metal panels and it has less than 35% glazing. The glazing requirement is tricky, and good design can be achieved through other methods. Especially for a use that does not have occupants, it is difficult to set a hardline rule. She does not support the idea of "fake" windows. The facility is not an office building, and it seems silly to try and make it look like one. As explained earlier by Mr. Murphy, windows in the building can be useful features. The ability to see some of the doors through the

windows would run counter to that and would encourage the fake windows with the fake wall behind it. She asked the Commission to reconsider the restriction on the visibility of doors through the windows.

Ms. Golden also commented that metal panels are versatile and durable, and they are allowed under the current Commercial Design Standards above four feet. It seems reasonable, with all the other design requirements, that it would work in this setting as well. She recommended that the restriction on metal panels be removed. She suggested that another fix to address design concerns would be to allow design departures. Although design departures are currently allowed from the Commercial Design Standards, Item C.9 in the proposed ordinance would prohibit design departures for self-storage facilities. She emphasized that self-storage is often appropriate at difficult sites that are not being used for other multi-family or commercial uses. Flexibility needs to be allowed to account for unusual, site-specific characteristics. Again, she voiced her support for legislation that allows self-storage facilities in Shoreline on appropriate sites like 19327 Aurora Avenue North, and she encouraged the Commission to move the draft legislation forward to City Council.

Joe Ferguson, Shoreline, Lake Union Partners, said his firm is the developer of the property at 19237 Aurora Avenue North. He is also a resident of Shoreline and he is encouraged by the proposed restrictions, specifically in areas with adopted neighborhood plans. His firm also develops a wide variety of mixed-use urban housing and retail in urban locations throughout the northwest, including Seattle, Portland and Salt Lake City; and they have a good perspective on what makes for a great neighborhood. Restrictions on corners make sense, as do restrictions in town centers and subareas where the City is trying to encourage vibrant street use. He said he would also support a reasonable radius restriction, as long as it is applied consistently throughout the City. It would be somewhat silly and unpredictable to assign different rules to different locations. He also voiced support for the previous comments relative to the glazing requirement. He explained that there is a need for authenticity to the use. There is a demand within the market, and developers are seeing opportunity based on this demand. It is a fairly simple equation to identify where and how much square footage of storage would be absorbed in a certain radius. With that in mind, he encouraged the Commission to let the market speak. Let developers build into that demand, and trust the fact that they are going to have trouble getting financing if it does not exist. A size restriction may sound good in concept, but the intent is to avoid the concentration of the use within an area. Regardless of whether the facility is 100,000 or 200,000 square feet, at issue is how the use is experienced at the street.

John Limantzakis, Seattle, said he and his family have owned the parcel on Bothell Way NE between 145th and 146th Avenues for just shy of 20 years. While they have been required to pay property taxes for all of those years, only approximately 6,000 square feet of the site generates revenue. They have been trying to redevelop the property for a number of years, and many different avenues have been considered. However, they have been unable to do anything, particularly when the left-turn lane was cut off to have access to the property. He expressed his belief that Mr. Sherry's proposal is a good fit for the property; not just for him, but there will also be land remaining for another type of commercial use.

Rodger Ricks, Redmond, said he is a former resident of Shoreline. He referred to a letter he submitted prior to the meeting and summarized some of the points it contained. He recalled that, at their last meeting, the Commission seemed to favor self-storage as a use in the community, but it should be appropriately distributed and not take away from prime commercial parcels. There seems to be a bit of a

tone that self-storage is an undesirable use that needs to be shielded, but that is not the case. One of every 10 households use self-storage, and they need to be located conveniently.

Mr. Ricks said he is proposing a new self-storage facility on 19th Avenue NE in the Ballinger District. He agreed with Director Markle that the radius requirement would not be appropriate for the Ballinger District because it is such a concentrated area. If a radius requirement is applied, no additional self-storage facilities would be allowed. There are currently two self-storage facilities in the Ballinger area, an older one that allows outdoor storage and a newer one that is very small. A third-party demand consultant identified a demand for 161,000 square feet in that location, yet the current facilities only provide 90,000 square feet. The area is very underserved at this time. He noted that the parcel has been vacant for 22 years. While it has been cleared, no development proposal has made sense. The occupancy levels of the existing facilities in Ballinger are extremely high, and they are charging much more than surrounding communities.

Mr. Ricks agreed with the previous concerns relative to glazing. He said he attempted to apply some of the concepts suggested by Mr. Murphy, such as putting lights at the ends of hallways so it is convenient for all patrons in the facilities and putting the signature on the front to demonstrate the building's use. He asked that the Commission consider reducing the glazing requirement to a more reasonable level.

Paul Ribary, North Bend, said he is the general contractor for the facility being constructed at 16523 Aurora Avenue N, which broke ground about four weeks ago. As a builder, he has done about 25 storage facilities in the last 15 years and a number of things have changed during that time. Specifically, he referred to the glazing requirement and how it relates to the energy code. He agreed with Mr. Murphy as far as the impact of the glazing requirement on a developer's ability to meet the energy code. On a cold day, you will end up with a very cold facility, which is contrary to the need to make it warm and inviting to the customers and meet the state energy requirements. There is also a cost consideration of glazing versus other options that meet the design requirements. He agreed that windows are important to provide light during the day and advertising and awareness of what the facility is. He noted that it is about 3.5 times more expensive to install siding that is glazed versus metal, hardy or block. In the construction industry, his job is to keep costs down for his clients. He invited the Commissioners to visit the construction site at any time.

Vice Chair Montero closed the public portion of the hearing.

Commission Deliberation and Possible Action

COMMISSIONER MOSS-THOMAS MOVED THAT THE COMMISSION ADOPT DRAFT ORDINANCE 765 AND THE ASSOCIATED DEVELOPMENT CODE CHANGES AS PROPOSED BY STAFF. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Moss-Thomas said she believes there is a demand for self-storage facilities in the City, and there are some parcels that are not well leant to other types of development. She would like the use of these properties to be maximized. The goal of the design guidelines is to have attractive buildings, but she doesn't know if the glazing requirement is the right approach. Although those in the industry believe it is important that the facilities are easily recognized as self-storage, there is also concern that

there not be a lot of large, boxy buildings that have little articulation and do not blend into the character the City is trying to achieve as part of its vision. The discussion should consider the best approach to accomplish both goals. She said she supports keeping the design standards consistent for all buildings types in the MB and CB zones. Applying different standards to specific types of development can create confusion for the community, property owners and developers.

COMMISSIONER MALEK MOVED THAT THE LANGUAGE IN SMC 20.40.505.A.2 BE AMENDED BY ELIMINATING THE EXCEPTION AND REPHRASING THE FIRST PARAGRAPH TO READ, *"SELF-STORAGE FACILITIES IN THE MB ZONE NOT TO EXCEED 250,000 SQUARE FEET AND TO A SUBSTANTIALLY LESSER EXTENT WITHIN THE CB ZONE."*

Commissioner Malek said he does not have a mathematical calculation for what belongs in the CB versus the MB zone, but he feels a fringe zone is something that can accommodate more square footage. He asked about the cumulative square footage of the two existing and one proposed self-storage facilities in the Ballinger CB zone. Director Markle said there is just one existing, and she does not know the exact size of either the existing or proposed facility.

Assistant City Attorney Ainsworth-Taylor suggested that the language in the motion should provide more specificity. Commissioner Malek commented that if a reasonable size is 100,000 square feet, the percentage of useable square footage would be substantially less than the total size of the building. Mr. Cohen asked if this would be square footage of building or lot, and Commissioner Malek answered that he was referring to the gross square footage of the building.

COMMISSIONER MALEK RESTATED HIS MOTION TO MOVE THAT THE LANGUAGE IN AMENDMENT 4a (SMC 20.40.505.A.2) BE AMENDED BY ELIMINATING THE EXCEPTION AND REPHRASING THE FIRST PARAGRAPH TO READ, *"SELF-STORAGE FACILITIES IN THE MB ZONE AGGREGATE ARE NOT TO EXCEED 300,000 SQUARE FEET AND NOT MORE THAN 150,000 SQUARE FEET IN THE CB ZONE.* COMMISSIONER MOSS-THOMAS SECONDED THE MOTION FOR DISCUSSION.

Commissioner Maul commented that the language proposed in the motion seems wide open because it does not specify in what distance the limitation applies to. He said he would be willing to eliminate Item 2 entirely and leave it unrestricted. If there is 300,000 square feet of self-storage in an area, the price will drop like a rock, and a developer might think twice about that level of competition. He expressed his belief that none of the options put forward for limiting the number of facilities makes sense to him. He does not anticipate there will be an overly huge concentration of self-storage facilities being constructed in any of the locations. Mr. Ricks advised that, generally, the industry calculates based on net rentable space, and there is about 90,000 square feet of existing space and the new project would add about 80,000 more.

Commissioner Malek said if a volume of self-storage is located anywhere in the City, it should be in the MB zones and not the CB zones. The intent of his motion was to provide a frame of reference to be evaluated. The motion promotes the concept of having a disparity between the two zones. The "distance from" requirement seems more esoteric and less intuitive.

Commissioner Moss-Thomas agreed with Commissioner Maul. She is not sure that the restriction, as a whole, will meet the intent. Again, she recommended that the Commercial Design Standards should be applied universally to get attractive buildings, which is the ultimate goal. She does not have an issue with the type of businesses allowed, as the design standards will govern the appearance of any new development. She understands the need to make the buildings easily recognizable to customers, but the demand for storage is high and people who are looking for it will find it whether hidden in an unusual area or not.

Commissioner Chang agreed there is a need for storage but expressed her belief that there must be limits placed on the use. There is a certain vision for how they want the City to build out, and having some limit would be appropriate. She supports the proposed "distance from" requirement. Vice Chair Montero agreed there should be some restrictions in place, but he believes the use should be more restrictive in the CB zone than in the MB zone. He noted that the MB zones are primarily located adjacent to the two station subareas or along State highways, which lends them to having a higher concentration of self-storage facilities. The MB zones are also located closer to residential areas and other municipalities that have higher restrictions for self-storage facilities. Director Markle reviewed a map and pointed out the locations of the CB and MB zones.

Commissioner Maul voiced concern that, as proposed, the limitation would apply to all CB and MB zones, yet staff has proposed that the use be prohibited in some of these zones. Commissioner Malek said the intent was to exclude the use in the Aurora Square CRA and other areas as previously stated by staff.

ASSISTANT CITY ATTORNEY AINSWORTH-TAYLOR SUMMARIZED THE MOTION TO READ AS FOLLOWS: STRIKE THE EXCEPTION LANGUAGE IN SMC 20.40.505.A.2 IN ITS ENTIRETY AND REPLACE THE LANGUAGE IN THE FIRST PARAGRAPH OF ITEM 2 TO READ, *"SELF-STORAGE FACILITIES LOCATED IN THE CB ZONE SHALL NOT EXCEED A GROSS BUILDING AGGREGATE SIZE OF 300,000 SQUARE FEET AND THOSE IN THE MB ZONE 150,000 SQUARE FEET.*

THE MOTION FAILED UNANIMOUSLY.

COMMISSIONER MOSS-THOMAS MOVED THAT THE EXCEPTION IN SMC 20.40.505.A.2 BE REPLACED WITH THE FOLLOWING: *"AGGREGATE STORAGE UNITS IN THE MB ZONE WOULD NOT BE GREATER THAN 250,000 SQUARE FEET."* THE MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER MAUL MOVED THAT SMC 20.40.505.A.2 BE ELIMINATED ALTOGETHER. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Maul commented that placing limitations on the use would be difficult. Telling a property owner he/she can't do self-storage because there is already one next door would be unfair. He does not see the use proliferating to an unacceptable level. Until he hears a better idea for how to limit the use, he would like Item 2 to be eliminated.

THE MOTION CARRIED 4-1, WITH COMMISSIONER CHANG VOTING IN OPPOSITION.

COMMISSIONER MOSS-THOMAS MOVED THAT SMC 20.40.505.A.4 BE AMENDED TO ALLOW SELF-STORAGE FACILITIES TO LOCATE IN CB ZONES THAT ARE ADJACENT TO STATE HIGHWAYS.

Commissioner Moss-Thomas expressed her belief that the use would be appropriate along both Ballinger Way NE and Bothell Way NE. Mr. Cohen pointed out that there are a number of other state highways in the City with CB zoning. Director Markle also pointed out that the proposed change would preclude the applicant on 19th Avenue NE from locating a self-storage facility. Although the property is located in the CB zone, it is not adjacent to a State highway. Commissioner Moss-Thomas said the intent of her motion was to allow the use on Bothell Way NE.

COMMISSIONER MOSS WITHDREW HER MOTION.

COMMISSIONER MAUL MOVED THAT SMC 20.40.505.A.4 BE ELIMINATED. COMMISSIONER MOSS-THOMAS SECONDED THE MOTION FOR DISCUSSION.

Commissioner Maul asked the logic behind limiting the use to CB zones that are adjacent to Ballinger Way NE and 19th Avenue NE only. Director Markle explained that the City and public has spent a lot of time talking about what the character of some neighborhoods should be and how they should be developed, etc. Some of these areas are zoned CB and are not very large. For example, if a 40,000 to 60,000 square foot site in Ridgecrest were allowed to develop with self-storage, it would consume a large portion of the neighborhood. Staff does not believe this use would meet the intended vision. The same is true for the North City Neighborhood, which is intended to be more walkable with on-the-street interest. If self-storage is allowed in all CB zones, the use will be allowed in North City, Ridgecrest, and even the Richmond Beach Shopping Center area.

Commissioner Moss agreed that self-storage facilities do not belong in Ridgecrest or in North City, which have subarea plans in place to guide future development. Director Markle shared a suggestion from Mr. Eernissee to change SMC 20.40.505.A.4 to read, *"All self-storage facilities to locate in CB zones that are primarily served by State highways."* Assistant City Attorney Ainsworth-Taylor voiced concern about the meaning of the word, "primary." She cautioned that a traffic analysis would be required for each proposal to determine if a site is primarily served by a State highway or not.

THE MOTION FAILED UNANIMOUSLY.

COMMISSIONER MAUL MOVED THAT SMC 20.40.505.A.4 BE AMENDED TO READ, *"IN THE COMMUNITY BUSINESS ZONE, SELF-STORAGE FACILITIES ARE ALLOWED ADJACENT TO BALLINGER WAY NE, BOTHELL WAY NE AND 19TH AVENUE NE ONLY."* COMMISSIONER MOSS-THOMAS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Commissioner Moss-Thomas observed that the Commercial Design Standards already include standards for glazing and commercial uses on the ground floor. Director Markle clarified that the existing glazing standard only applies to the front façade on the ground floor. The proposed additional design requirement would require glazing on upper floors, as well. Mr. Cohen pointed out that multi-family and office development typically includes windows on all floors anyway, and that is why glazing is only emphasized on the ground floor. Commissioner Moss-Thomas pointed out that, theoretically, the existing Commercial Design Standards would allow an office or multifamily development to be constructed without windows. Mr. Cohen clarified that the glazing standard was not intended for movie theaters and storage. If the motion is to use the existing Commercial Design Standards, the examples of self-storage facilities that were provided would meet the requirement for ground floor glazing, and no glazing would be required above the first floor.

COMMISSIONER MALEK MOVED THAT SMC 20.40.505.C.5 BE ELIMINATED. THE MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER MOSS-THOMAS MOVED THAT SMC 20.40.505.C.5 BE AMENDED TO READ, *"A MINIMUM WINDOW AREA SHALL BE 20% OF EACH FLOOR ABOVE THE GROUND FLOOR OF A SELF-STORAGE FACILITY BUILDING THAT IS VISIBLE FROM A STREET."* COMMISSIONER MAUL SECONDED THE MOTION.

Commissioner Moss-Thomas said her motion was intended to be a compromise between the staff's proposed 35% requirement, which seems to be a lot, and nothing. She is most concerned about the facades that are visible from a street. She wants to get away from the feeling of a big, boxy façade. She understands that business owners do not feel it is necessary for self-storage facilities to blend in with the surrounding development. However, many jurisdictions require certain design standards for facades that are visible from the street. She chose 20% as an arbitrary number based on the examples that were provided.

COMMISSIONER MALEK MOVED TO AMEND THE MOTION TO CHANGE "SMC 20.40.505.C.5 TO READ, *"A MINIMUM WINDOW AREA SHALL BE 20% OF EACH FLOOR ABOVE THE GROUND FLOOR OF A SELF-STORAGE FACILITY BUILDING THAT IS VISIBLE FROM A STREET OR FACING A RIGHT-OF-WAY."* COMMISSIONER MOSS-THOMAS SECONDED THE MOTION TO AMEND. THE MOTION TO AMEND CARRIED UNANIMOUSLY.

Commissioner Maul pointed out that glazing of more than 30% of the entire building creates a problem in meeting the energy code. Requiring 20%, or even 35%, glazing only on the facades facing the street or right-of-way, would allow projects to stay below this threshold. He said he does not mind seeing doors through the glass, and great examples were provided at their last meeting. He is not so sure that a 35% requirement would be outrageous if it only applies to the facades facing the street. Perhaps they should leave it at 35% and allow for departures as staff decisions. He noted that the project on Bothell Way NE has very little façade facing the street, so meeting the 35% requirement would not be difficult.

Commissioner Moss-Thomas commented that as long as there are other ways to make the streetscape attractive, it does not have to be done through glazing. However, it seems like glazing has been used as

a tool in other jurisdictions. Regardless of what is inside, the exterior needs to be visually attractive from the streetscape.

THE MAIN MOTION, AS AMENDED, CARRIED UNANIMOUSLY.

Commissioner Moss noted that SMC 20.40.505.C.9 does not allow departures from the Commercial Design Standards for self-storage facilities. She asked why staff is proposing more stringent requirements on this one type of business over another. Mr. Cohen explained that an Administrative Design Review is only required when an applicant wants to depart from the design standards. Commissioner Moss-Thomas clarified that she is not suggesting that all self-storage facility applications must go through Administrative Design Review. She is simply suggesting that it note be eliminated as an option for self-storage facilities.

Director Markle explained that SMC 20.40.505.C.9 would require self-storage facilities to adhere strictly to the adopted standards, and there would be no opportunity for an administrative variance. If the Commission is not concerned about strict compliance with the standards, they could allow staff to administer departures through the Administrative Design Review process. Commissioner Moss-Thomas noted that allowing departures would be consistent with what is currently allowed for all other types of commercial development.

COMMISSIONER MOSS MOVED THAT SMC 20.40.505.C.9 BE ELIMINATED IN ITS ENTIRETY. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Chang asked about the potential impact of eliminating Item 9. As an example of a potential problem, Commissioner Maul advised that an applicant could request a code departure for the requirement of 50% glazing on the ground floor. Mr. Cohen reminded the Commission that requests for departures from the Commercial Design Standards must meet one of two criteria: 1) it must meet the purposes of the Commercial Design Standards, or 2) it must have a hardship. Rather than simply allowing a departure, staff tries to negotiate with applicants for additional design elements as a tradeoff.

Commissioner Chang asked how cost comes into play when applicants request code departures. Mr. Cohen answered that cost cannot specifically play into the decision making, but staff does look for parity when negotiating with applicants. The idea is that design standards, by regulation, do not always produce the best product, even though that is the intent. Flexibility allows staff to work with applicants to make a project look better in a different way.

Vice Chair Montero referred to SMC 20.40.050.C.8, which prohibits un-backed, non-composite sheet metal products that can easily dent. Commissioner Maul asked if a product that comes as a sandwich panel or a sheet that is applied to a wall would be considered "backed." Mr. Cohen answered that the Commercial Design Standards allow cladding, and they also look at how the façade is inset or stepped back and color changes. They have departed from some of the requirements to actually get better quality cladding as a tradeoff. Vice Chair Montero also referred to SMC 20.40.050.C.7 and asked who would determine what a "muted tone" is. Mr. Cohen clarified that the additional design standards laid out in SMC 20.40.050.C would supplement the Commercial Design Standards and would not be

negotiable. If Item C.9 is eliminated, then departures from the Commercial Design Standards would also be allowed for self-service storage facilities.

THE MOTION CARRIED 3-2, WITH VICE CHAIR MONTERO AND COMMISSIONER MALEK VOTING IN OPPOSITION.

Commissioner Moss-Thomas explained that the existing Commercial Design Standards require 50% glazing and 12-foot ceilings on the ground floor for the first 20 feet in depth. Because the standard would apply to just the front portion of the ground floor, the public concern about losing the entire first floor would not be an issue.

Director Markle referred to the new language proposed by staff for second sentence in SMC 20.40.050.A.1, which prohibits self-storage facilities from locating on a corner on an arterial street.

COMMISSIONER MALEK MOVED THAT SMC 20.40.050.A.1 BE AMENDED BY CHANGING THE SECOND SENTENCE TO READ, *"FOR THE PURPOSES OF THIS CRITERION, CORNERS ARE DEFINED AS ALL PRIVATE PROPERTY ADJACENT TO TWO OR MORE INTERSECTING ARTERIAL STREETS FOR A MINIMUM DISTANCE OF 200 FEET IN LENGTH BY A WIDT OF 200 FEET AS MESAURED FROM THE PROEPRTY LINES THAT FACE THAT ARTERIALS."* COMMISSIONER MOSS-THOMAS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

COMMISSIONER MAUL MOVED THAT SMC 20.40.050.C.8 BE AMENDED TO ADD "AT THE FIRST FLOOR" AFTER THE WORD "DENT." THE MOTION DIED FOR LACK OF A SECOND.

Commissioner Moss-Thomas summarized that the proposed changes to the Use Table (Table 20.40.130) would allow self-storage facilities in the CB and MB zones, but not in the TC and NB zones.

THE MAIN MOTION TO ADOPT DRAFT ORDINANCE 765 AND THE ASSOCIATED DEVELOPMENT CODE CHANGES AS PROPOSED BY STAFF WAS UNANIMOUSLY APPROVED AS AMENDED. COMMISSIONER MALEK SECONDED THE MOTION.

The Commission took a 5-minute break at 9:25 p.m. The meeting reconvened at 9:30 p.m.

STUDY ITEM: 2016 COMPREHENSIVE PLAN AMENDMENTS

Staff Presentation

Mr. Szafran reminded the Commission that the State Growth Management Act (GMA) limits review of the proposed Comprehensive Plan amendments to no more than once per year. To ensure that the public can view the proposals in a citywide context, the City creates a docket or list of the amendments that will be considered each year. The City Council set the final list in June with 8 amendments: 3 privately-initiated amendments and 5 city-initiated.

Staff reviewed each of the proposed amendments with the Commission as follows:

- **Amendment 1** would amend Land Use Policy LU-47, which considers annexation of 145th Street adjacent to the southern border of the City. This amendment was also on the 2015 Comprehensive Plan Amendment Docket and was bumped to 2016. staff is not prepared to bring it forward yet, and is recommending it be placed on the 2017 docket.

  None of the Commissioners had questions relative to this amendment.

- **Amendment 2** is consideration of amendments to the Point Wells Subarea Plan as described in the Staff Report. This amendment has also been on the City's docket for a while. Staff is recommending that it be bumped to the 2017 docket.

  None of the Commissioners had questions relative to this amendment.

- **Amendment 3** would amend the Parks, Recreation and Open Space (PROS) Master Plan. The Parks Department is currently working on the PROS Master Plan update, which will hopefully be adopted next year. Staff is recommending that this amendment be bumped to the 2017 docket.

  None of the Commissioners had questions relative to this amendment.

- **Amendment 4** would amend Transportation Policy T-44 by adding a Volume Over Capacity (V/C) Ratio for Collector Arterial Streets. The amendment was privately initiated. The City does not currently have a V/C ratio for Collector Arterial Streets. Staff is not recommending approval of the amendment.

  Ms. Dedinski cautioned that applying the proposed V/C ratio standard in a widespread manner and more rigidly than it already is would limit the City's ability to accommodate growth in a flexible way. Also, the only mitigation strategy is to widen roadways, which might not be the kind of thing that communities want to see on local streets or collector arterials.

  Ms. Dedinski said the City Council directed staff to study the amendment as part of the Transportation Master Plan (TMP) update, which has not yet started. In an effort to get information before the Commission, she reviewed the 2011 TMP modeling effort, which modeled the collector arterial network with relation to the V/C standard. From that static model, she saw that the City does have streets that would fail the V/C standard. That means the City would have to restructure its Transportation Impact Fee to accommodate an additional growth project, which would be costly because the only way to get at the V/C ratio is by widening the roadway to add more lanes to accommodate more traffic. The main thing to consider is whether that would be the right fit for the street and would that be the goal they want to achieve with the Transportation Impact Fee.

  Ms. Dedinski advised that, in considering an updated model as part of the TMP Update, it is likely that other collector arterials would also fail the V/C standard, and the City would once again have to revisit additional growth projects, which would mean widening roadways. Examples of streets that would exceed the threshold include Freemont Avenue North and 196th Street. Commissioner Chang

asked if adding lanes would be the only way to address potential failures. Ms. Dedinski answered affirmatively, according to the City's current framework. There are other methodologies for concurrency that get at the heart of the City's concerns, and what they have been directed to study as part of the TMP update is a multi-modal level of service that encompasses sidewalks and non-motorized facilities, etc. The current concurrency standard only really addresses vehicles. While this approach is easy to apply, it has implications as to what happens with roads.

Commissioner Moss-Thomas asked Ms. Dedinski to provide a description of a collector arterial. Ms. Dedinski explained that principle and minor streets are the main arterials through the City and carry the largest amounts of traffic. The collector arterials provide a supporting framework for feeding the principle and minor arterials. They provide connections to the communities and neighborhoods. At the request of Commissioner Moss-Thomas, Ms. Dedinski provided a map to illustrate the collector arterial infrastructure.

Given that the amendment was proposed by residents of Richmond Beach, Commissioner Moss-Thomas said she assumes the assumption for promoting the amendment is the thought that if a road only has a certain capacity, the City cannot allow the development that will overwhelm the current capacity of the road. Ms. Dedinski agreed that is the idea. Staff's recommendation is to specifically focus on the Richmond Beach (Point Wells) component in order to avoid unintended consequences. Staff does not want the policy to be applied to all collector arterials, as they don't want the unintended consequences to spiral out from the Point Wells site. For example, one unintended consequence would be that the City must update its Transportation Impact Fee Structure to include a growth project for Freemont Avenue North, which would probably require right-of-way acquisition and be quite costly. This would increase costs to developers and put the City on the hook to complete the growth project. It would also have some implications in the future when the City updates its traffic model for other streets, meaning more widening on more streets.

Commissioner Chang said it does not make sense to her that the proposed amendment would imply that the City has to widen as opposed to certain projects could not happen. Ms. Dedinski agreed that the V/C ratio would limit growth until the infrastructure is in place to support it. That means it could potentially limit build-out at the Point Wells site because it requires right-of-way. However, on roadways that are already at the standard or near, it would also put the City on the hook for widening roadways and planning for growth projects to accommodate those. Although the V/C on Richmond Beach Drive is currently very low and is unlikely to reach the .9 V/C ratio unless development occurs at Point Wells, that would not be the case if applied citywide. All of the locations where potential problems could occur will be identified as part of the modeling that is done for the TMP Update in 2017.

Commissioner Moss-Thomas asked what criteria the City uses to upgrade a collector arterial to a minor arterial. Ms. Dedinski said the last time this occurred was as part of the TMP Update that occurred in 2007. Usually, this change is justified by increased traffic volumes and supporting land uses. Commissioner Moss-Thomas said that if those factors continue and there is a lot of congestion, the City could reclassify a roadway from a collector to a minor arterial. Ms. Dedinski agreed and said another alternative is proposed in Amendment 8, which would provide a supplemental level of service for the single roadway they are really concerned about.

- **Amendment 5** would clean up Land Use Policies LU-63, LU-64, LU-65, LU-66 and LU-67. These all reference an outdated King County Countywide Planning Policy.

  None of the Commissioners had questions relative to this amendment.

- **Amendment 6** would amend Point Wells Subarea Plan Policy PW-12 by adding a separate limitation about the maximum number of vehicle trips entering a day on the City's road network from and to Point Wells. As proposed, the capacity should not exceed the spare capacity of Richmond Beach Road west of 8th Avenue NW under the City's V/C ratios. This is a privately initiated amendment.

  Ms. Dedinski advised that staff is not opposed to the concept proposed in the amendment, but it is redundant with the language proposed in Amendment 8. Staff is recommending approval of Amendment 8.

  Commissioner Moss-Thomas asked if "spare capacity" is a phrase put forward by the proponent of the amendment or if it is a common phrase. Ms. Dedinski explained that V/C refers to the actual measured volume of the roadway over the capacity of the roadway, and makes sense in the context of the proposed amendment. It is a common planning tool, and the baseline planning level capacities are assigned by the Puget Sound Regional Council (PSRC). The City further refines the V/C ratio in the TMP model. For example, for the capacity of the referenced Richmond Beach Road (west of 8th), if there is an assigned capacity per lane of 800 vehicles per hour, the V/C ratio would be the amount left after the current volumes are deducted out.

  Commissioner Moss-Thomas pointed out that Amendment 6 would only be redundant if Amendment 8 is adopted in some form to address this issue. Ms. Dedinski explained that the intent of Amendment 6 is to be very specific and direct and to allow less wiggle room from the current Level of Service (LOS) Standards. But it is actually redundant to the existing citywide LOS Standard, which is .9 V/C. The proposed amendment would simply reiterate that it is .9 V/C for Richmond Beach Road. It would do the same thing as the current citywide standard is already doing. The intent is to not allow the City to allow it to go higher. For example, on 15th Avenue NE, the City has allowed the V/C to go up to 1.1 to address safety issues and neighborhood right-of-way constraints.

  Commissioner Chang asked if the City is allowed to exceed the .9 V/C if the intersection is still working at a certain LOS Standard. Ms. Dedinski answered affirmatively. She explained the V/C ratio is a supplemental LOS Standard, and that the intent of the amendment is to keep the V/C at .9 on all legs Richmond Beach Road. Commissioner Maul commented that the V/C Standard is for peak hour situations and has nothing to do with the 4,000-vehicle maximum. Ms. Dedinski agreed and said the two do not conflict with one another. The V/C standard simply provides an added measure of protection.

- **Amendment 7** would amend the Southeast Neighborhood Subarea Plan to move policies related to the 145th Street Station Subarea Plan, amend the text, and amend the boarders of the Southeast

Neighborhood Subarea Plan. The City just adopted the 145th Street Station Area Plan, and applicable policies from the Southeast Neighborhood Subarea Plan were moved into the 145th Plan, and the borders need to be amended so they no longer overlap.

None of the Commissioners had questions relative to this amendment.

- **Amendment 8** would add a new Point Wells Subarea Plan Policy adopting a V/C ratio of 0.65 or lower for Richmond Beach Drive northwest of 196th Street. This is a privately-initiated amendment, as well.

  Ms. Dedinski clarified that, in addition to the redundant language in Amendment 6, Amendment 8 proposes an additional supplemental LOS Standard for Richmond Beach Drive, specifically. She recalled that Mr. McCormick commented earlier in the meeting, asking for a lower V/C standard. She cautioned that the City already has a table in the TMP that outlines what each V/C range relates to in terms of LOS A through F. Going any lower would make the V/C questionably defensible from a legal perspective because .65 is already an LOS B within the TMP, and this is not typically defined as a failure.

Mr. Szafran advised that a public hearing on the proposed amendments is scheduled for November 17th.

Public Comment

There was no one in the audience who indicated a desire to comment.

DIRECTOR'S REPORT

Director Markle did not have any additional items to report on.

UNFINISHED BUSINESS

Letter to the City Council

The Commission reviewed the letter that was drafted as a report to the City Council of the Commission's most recent activities. Commissioner Moss-Thomas pointed out that the letter does not include the Commission's recent discussions and public hearing on the proposed Development Code amendments related to Temporary Encampments. She reviewed that the Commission postponed its recommendation and continued the hearing. She suggested it would be helpful to have a discussion with the City Council to learn more about the goals and objectives they want to achieve regarding the matter. The Commissioners agreed it should be added as a topic of discussion at their joint meeting with the City Council on November 28th. Assistant City Attorney Ainsworth-Taylor agreed to forward the Commissioners a copy of the resolution the City Council adopted on homelessness.

Mr. Cohen explained that the memorandum that is prepared for the joint meeting will list a number of topics the Commission has discussed and wants to make a priority. The proposed amendments related

to Temporary Encampments could be added to the list as an issue for discussion. The Commissioners agreed that would be appropriate.

Commissioner Malek requested a copy of the 2017 Draft Budget, as well as a list of the Council's 2017 goals. Assistant City Attorney Ainsworth-Taylor advised that the City Council is slated to adopt the 2017 Budget following a public hearing on November 24th. She agreed to forward the Commissioners a link to the draft budget, which is available on line. Commissioner Malek felt it would be helpful for the Commission to understand where the City Council is looking at spending time and money and how the goals align with that. This will enable the Commission to better align its time and initiatives with those of the Council. Mr. Cohen said the joint meeting agenda will include a discussion of the Council's priorities and goals.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

There were no reports of committees or Commissioners.

AGENDA FOR NEXT MEETING

Mr. Szafran advised that a public hearing on the draft Comprehensive Plan amendments is scheduled for November 17th. Assistant City Attorney Ainsworth-Taylor reminded the Commissioners that, at their last meeting, they continued the study session for the Development Code batch amendments. The Commission agreed to add the amendments to the November 17th meeting agenda. Mr. Szafran noted that a public hearing on the Development Code amendments is scheduled for December 1st.

Mr. Szafran reminded the Commission that the joint meeting with the City Council is scheduled for November 28th at 5:45 p.m.

ADJOURNMENT

The meeting was adjourned at 10:05 p.m.

Easton Craft	Lisa Basher
Chair, Planning Commission	Clerk, Planning Commission

Planning Commission Meeting Date: November 17, 2016 Agenda Item 6a

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	**2016 Comprehensive Plan Amendment Public Hearing**
DEPARTMENT:	**Planning & Community Development**
PRESENTED BY:	**Kendra Dedinsky, City of Shoreline Traffic Engineer** **Paul Cohen, Planning Manager** **Steven Szafran, AICP, Senior Planner**

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

INTRODUCTION

The State Growth Management Act generally limits review of proposed Comprehensive Plan Amendments (CPAs) to no more than once a year. To ensure that the public can view the proposals within a citywide context, the Growth Management Act directs cities to create a docket that lists the amendments to be considered in this "once a year" review process.

The Planning Commission held a study session on November 3rd to discuss the proposed Comprehensive Plan amendments listed in the 2016 Comprehensive Plan Docket (**Attachment 1**). At that meeting, planning staff and the City's Traffic Engineer, Kendra Dedinsky, introduced the proposed Comprehensive Plan amendments and made recommendations on each item.

This staff report, in the analysis section, has been updated to reflect Planning Commission's direction on each of the amendments as well as staff's recommendation.

BACKGROUND

In June 2016, the City Council established the 2016 Comprehensive Plan Final Docket which included:

1. Amend the Comprehensive Plan for 145th Street annexation and all applicable maps.

2. Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9. Based on the outcome of the corridor study, it is expected that proposed amendments would include text changes to the Subarea Plan discussing the study, increasing the vehicle trips per day from a 4,000 trip maximum as described in Policy PW-12 and adding identified mitigation projects and associated funding needed to raise the maximum daily trip count

Approved By: **Project Manager** ____ **Planning Director** ____

while maintaining adopted Levels of Service to the Capital Facilities Element. Also, consider amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.

3. Consider amendments to the Comprehensive Plan that address the location of new park space within the light-rail station subareas, explore the establishment of a city-wide park impact fee, and determine a ratio of park space per new resident in the light-rail station subareas, and any other park issues that arise through the light-rail station subarea public process.

4. Update Policy T44 to add Collector Arterials to the street classifications that have a LOS standard. The proposed amendment reads:

> "Adopt a supplemental level of service for Principal Arterials, ~~and~~ Minor Arterials, and Collector Arterials that limits the volume to capacity (V/C) ratio to 0.90 or lower, provided the V/C ratio on any leg of a Principal, ~~or~~ Minor, or Collector Arterial intersection may be greater than 0.90 if the intersection operates at LOS D or better. These Level of Service standards apply throughout the city unless an alternative LOS standard is identified in the Transportation Element for intersections or road segments, where an alternate level of service has been adopted in a subarea plan, or for Principal, ~~or~~ Minor, or Collector Arterial segments where:
>
> • Widening the roadway cross-section is not feasible, due to significant topographic constraints; or
>
> • Rechannelization and safety improvements result in acceptable levels of increased congestion in light of the improved operational safety of the roadway. (Applicant: Save Richmond Beach).

5. Update Land Use Policies LU63, LU64, LU65, LU66, and LU67 by correcting references to the King County Countywide Planning Policies regarding the siting of essential Public Facilities.

6. Amend Point Wells Subarea Plan Policy PW-12 to read:

> "In view of the fact that Richmond Beach Drive between NW 199th St. and NW 205th St. is a local road with no opportunities for alternative access to dozens of homes in Shoreline and Woodway, the City designates this as a local street with a maximum capacity of 4,000 vehicle trips per day. Unless and until 1) Snohomish County and/or the owner of the Point Wells Urban Center can provide to the City the Transportation Corridor Study and Mitigation Plan called for in Policy PW-9, and 2) sources of financing for necessary mitigation are committed, the City should not consider reclassifying this road segment. As a separate limitation in addition to the foregoing, the maximum number of vehicle trips a day entering the City's road network from/to Point Wells shall not exceed the spare capacity of Richmond Beach Road west of 8th Ave NW under the City's .90 V/C standard based on Richmond Beach Road being a 3-lane road (the .90

V/C standard may not be exceeded at any location west of 8th Ave NW along Richmond Beach Road). (Applicant: McCormick).

7. Amend the Southeast Neighborhoods Subarea Plan to move policies related to the 145 Street Station Subarea Plan, amend text, and amend the boarders of the Southeast Neighborhoods Subarea Plan to avoid overlap with the 145th Street Station Subarea Plan.

8. Adopt a volume to capacity ratio (V/C) ratio of 0.65 or lower for Richmond Beach Drive north of NW 196th Street, assuming a roadway capacity of 700 vehicles per hour per lane or less for an improved roadway consistent with pedestrian and bike standards and a V/C ratio not to exceed 0.90 on Richmond Beach Road, measured at any point, west of 8th Avenue NW assuming a three-lane roadway consistent with the City's Transportation Master Plan and Capital Improvement Plan. The applicable V/C standards shall not be exceeded on either of these road segments.

The 2016 final docket is included as **Attachment 1**.

Prior to the adoption of Ordinance 730 on December 14, 2015, the Council carried over a number of items from the 2015 Docket to the 2016 Docket. Those amendments include:

- Amendment #1: Consider amendments to the Comprehensive Plan related to the 145th annexation, including amendments for all applicable maps.

- Amendment #2: Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9. Based on the outcome of the corridor study, it is expected that proposed amendments would include text changes to the Subarea Plan discussing the study, increasing the vehicle trips per day from a 4,000 trip maximum as described in Policy PW-12 and adding identified mitigation projects and associated funding needed to raise the maximum daily trip count while maintaining adopted Levels of Service to the Capital Facilities Element. Also, consider amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.

- Amendment #3: Consider amendments to the Comprehensive Plan that address the location of new park space within the light-rail station subareas, explore the establishment of a city-wide park impact fee, and determine a ratio of park space per new resident in the light-rail station subareas, and any other park issues that arise through the light-rail station subarea public process.

- Amendment #4: Study the requirement of adding a volume over capacity ratio of .90 to all Collector Arterial Streets in the City. Any changes to the City's V/C ratio would be reflected in Policy T44 of the Comprehensive Plan. This work for this

proposed amendment will occur as part of the Transportation Master Plan Update.

2016 Comprehensive Plan Amendments

Comprehensive Plan Amendments take two forms: Privately-initiated amendments and city-initiated amendments. Pursuant to SMC 20.30.340, all Comprehensive Plan Amendments, except those proposed by City Council, must be submitted by December 1 and there is no fee for general text or map amendments. There are three (3) privately-initiated amendments and five (5) city-initiated amendments.

ANALYSIS

Amendment #1

This amendment was carried over from the 2015 Final Docket.

This amendment will amend Policy LU47 which states, "Consider annexation of 145th Street adjacent to the existing southern border of the City". The City is currently engaged in the 145th Street Corridor Study and is working towards annexation of 145th Street.

There are some maps contained in the Comprehensive Plan that do not include 145th Street. If the City annexes 145th Street, all of the maps in the Comprehensive must be amended to include 145th Street as a street within the City of Shoreline.

Consideration of annexation is not scheduled to occur until 2017 or later. The 145th Street Corridor Study was completed in April 2016, and Council and staff will need the outcomes of this study to help formulate any potential recommendations or action on annexation of roadway into the City of Shoreline.

Staff Recommendation:
Staff recommends that this amendment be carried-over and placed on the 2017 Comprehensive Plan Docket with the intent that the item will be studied in 2017.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Amendment #2

This amendment was carried over from the 2015 Final Docket. The amendment reads:

Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the

Richmond Beach Traffic Corridor Study as described in Policy PW-9. Based on the outcome of the corridor study, it is expected that proposed amendments would include text changes to the Subarea Plan discussing the study, increasing the vehicle trips per day from a 4,000 trip maximum as described in Policy PW-12 and adding identified mitigation projects and associated funding needed to raise the maximum daily trip count while maintaining adopted Levels of Service to the Capital Facilities Element. Also, consider amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.

The City anticipated that the Transportation Corridor Study on mitigating adverse impacts from BSRE's proposed development of Point Wells would be completed in 2016. Delays in Snohomish County's review of BSRE's Draft Environmental Impact Statement have delayed the City's review of the DEIS and the completion of the Richmond Beach Traffic Corridor Study as described in the Point Wells Subarea Plan Policy PW-12. Therefore, staff recommends that the same Comprehensive Plan amendment docketed in 2017.

Staff Recommendation:
Staff recommends that this amendment be carried-over and placed on the 2017 Comprehensive Plan Docket.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Amendment #3

This amendment was carried over from the 2015 Final Docket.

This amendment will add goals and policies to the Parks, Recreation, and Open Space Element of the Comprehensive Plan based on policies identified in the 185th Street Light Rail Station Subarea Plan. The City, through analysis contained in the Environmental Impact Statement for the 185th Street Station, has identified the need for more parks, recreation, and open space.

The City will work with the Parks Board and the community to determine the process of locating new park space within the subarea, establishing a means to fund new park space such as a park impact fee, determining a ratio of park space per new resident in the subarea, and any other park issues that arise through the public process.

The 185th Street Light Rail Station Subarea Plan includes policies for parks, recreation, and open space. The policies are:

- Investigate potential funding and master planning efforts to reconfigure and consolidate existing City facilities at or adjacent to the Shoreline Center. Analyze potential sites and community needs, and opportunities to enhance existing partnerships, for a new aquatic and community center facility to combine the Shoreline Pool and Spartan Recreation Center services.
- Consider potential acquisition of sites that are ill-suited for redevelopment due to high water table or other site-specific challenge for new public open space or stormwater function.
- Explore a park impact fee or dedication program for acquisition and maintenance of new park or open space or additional improvements to existing parks.

Much of the analytical work for this amendment will occur as part of the Parks, Recreation, and Open Space Master Plan update that will begin in 2016 and most likely be adopted in 2017. The City Manager's 2016 proposed budget includes one-time funding for professional service support to work on these items.

Staff Recommendation:
Staff recommends that this amendment be carried-over and added to the 2017 Comprehensive Plan Docket with the understanding that the PROS Plan will most likely be adopted in 2017.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Amendment #4

This proposed amendment would add the following language to Transportation Policy T-44:

> "Adopt a supplemental level of service for Principal Arterials, ~~and~~ Minor Arterials, and Collector Arterials that limits the volume to capacity (V/C) ratio to 0.90 or lower, provided the V/C ratio on any leg of a Principal, ~~or~~ Minor, or Collector Arterial intersection may be greater than 0.90 if the intersection operates at LOS D or better. These Level of Service standards apply throughout the city unless an alternative LOS standard is identified in the Transportation Element for intersections or road segments, where an alternate level of service has been adopted in a subarea plan, or for Principal, ~~or~~ Minor, or Collector Arterial segments where:
>
> • Widening the roadway cross-section is not feasible, due to significant topographic constraints; or

• Rechannelization and safety improvements result in acceptable levels of increased congestion in light of the improved operational safety of the roadway.

This amendment was carried over from the 2015 Final Docket. Council directed staff to study this as part of the Transportation Master Plan (TMP) update which will most likely be part of the 2017 Comprehensive Plan Docket.

Staff Recommendation:
Staff does not recommend adoption of this policy amendment. Council directed staff to study this as part of the TMP. The TMP update has not yet begun, however staff has reviewed this proposal in consideration of existing TMP modeling efforts. Expanding the .90 V/C standard to apply to Collector Arterials would have current and future implications on required growth projects to address deficiencies and on our Transportation Impact Fee structure. Although Collector Arterials were not initially included as part of the standard, 2030 modeling was done for all arterials in order to gauge future V/C. The 2030 traffic model developed for the 2011 Transportation Master Plan shows that Fremont Ave N would fail concurrency and therefore, the City would need to plan and estimate costs for a project to increase vehicle capacity. This project would likely require an additional lane in order to increase vehicle capacity. Given that bike lanes are slated for this street, right of way acquisition would likely be needed in order to accommodate the growth project. This would be a high-cost project which would need to be incorporated into the Transportation Impact Fee schedule, increasing costs to developers and to the City. In addition, the project would widen a roadway which may not be consistent with the residents or community's vision for this street. Other Collector Arterial streets are nearing this limit and in future updates, would need to be addressed with additional growth projects, and additional lanes, if the standard was carried forward.

Planning Commission Recommendation:
The Commission had questions about the impact of this amendment. The Commission was concerned about the consequences of recommending denial of this amendment. Specifically, would this amendment limit traffic impacts in the Richmond Beach Neighborhood if development occurs at Point Wells?

Staff explained that the volume over capacity ratio (V/C) is one way to measure traffic on a particular street. If a proposed development adds a significant amount of traffic to the city's streets, that developer can mitigate the trips generated by increasing the capacity of the roadway. This typically occurs by widening the street, thus adding more traffic to a particular neighborhood. The concern here is that the proposed widened roadway will be out of character for the neighborhood.

Another unintended consequence is those Collector Arterial streets that are currently approaching the 0.90 V/C ratios. The City will be responsible for mitigating a Collector Arterial street if that roadway exceeds the 0.90 V/C ratios. Road widening projects are expensive and the City already has seven other growth projects that are identified in the Transportation Master Plan.

Approved By: **Project Manager** ____ **Planning Director** ____

Staff recommended to the Commission Amendment #6 is unnecessary because Amendment #8 will address potential traffic impacts in the Richmond Beach Neighborhood by placing a lower V/C ratio to Richmond Beach Drive north of NW 196th Street and a provision to limit the V/C ratio west of 8th Avenue NW, measured at any point, on Richmond Beach Road.

Amendment #5

This amendment is a clean-up of Land Use Policies 63, 64, 65, 66, and 67 which references two King County Countywide Planning Policies, Policies FW-32 (establish a countywide process for siting essential public facilities) and S-1 (consideration of alternative siting strategies), that are no longer in the Countywide Policies. The proposed amendments also correct references to policies numbers that have changed.

Staff recommends that the following Land Use Policies be updated:

LU63: Require land use decisions on essential public facilities meeting the following criteria to be made consistent with the process and criteria set forth in LU65 ~~LU62~~:

a. The facility meets the Growth Management Act definition of an essential public facility, ref. RCW 36.70A.200(1) now and as amended; or
b. The facility is on the statewide list maintained by the Office of Financial Management, ref. RCW 36.70A.200(4) or on the countywide list of essential public facilities; and
c. The facility is not otherwise regulated by the Shoreline Municipal Code (SMC).

LU64: Participate in efforts to create an interjurisdictional approach to the siting of countywide or statewide essential public facilities with neighboring jurisdictions ~~as encouraged by Countywide Planning Policies FW-32 (establish a countywide process for siting essential public facilities) and S-1 (consideration of alternative siting strategies).~~ Through participation in this process, seek agreements among jurisdictions to mitigate against the disproportionate financial burden, which may fall on the jurisdiction that becomes the site of a facility of a state-wide, regional, or countywide nature.

~~The essential public facility siting process set forth in LU65 LU62 is an interim process. If the CPP FW-32 siting process is adopted through the Growth Management Planning Council (GMPC), the City may modify this process to be consistent with the GMPC recommendations.~~

LU65: Use this interim Siting Process to site the essential public facilities described in LU63 ~~LU60~~ in Shoreline. Implement this process through appropriate procedures incorporated into the SMC.

~~Interim~~ EPF Siting Process

1. Use policies LU63 ~~LU60~~ and LU64 ~~LU61~~ to determine if a proposed essential public facility serves local, countywide, or statewide public needs.

2. Site EPF through a separate multi-jurisdictional process, if one is available, when the City determines that a proposed essential public facility serves a countywide or statewide need.

3. Require an agency, special district, or organization proposing an essential public facility to provide information about the difficulty of siting the essential public facility, and about the alternative sites considered for location of the proposed essential public facility.

4. Process applications for siting essential public facilities through SMC Section 20.30.330 — Special Use Permit.

5. Address the following criteria in addition to the Special Use Permit decision criteria:
   a. Consistency with the plan under which the proposing agency, special district or organization operates, if any such plan exists;
   b. Include conditions or mitigation measures on approval that may be imposed within the scope of the City's authority to mitigate against any environmental, compatibility, public safety or other impacts of the EPF, its location, design, use or operation; and
   c. The EPF and its location, design, use, and operation must be in compliance with any guidelines, regulations, rules, or statutes governing the EPF as adopted by state law or by any other agency or jurisdiction with authority over the EPF.

LU66: After a final siting decision has been made on an essential public facility according to the process described in LU65 ~~LU62~~, pursue any amenities or incentives offered by the operating agency, or by state law, other rule, or regulation to jurisdictions within which such EPF is located.

LU67: For EPF having public safety impacts that cannot be mitigated through the process described in LU64 ~~LU61~~, the City should participate in any process available to provide comments and suggested conditions to mitigate those public safety impacts to the agency, special district or organization proposing the EPF. If no such process exists, the City should encourage consideration of such comments and conditions through coordination with the agency, special district, or organization proposing the EPF. A mediation process may be the appropriate means of resolving any disagreement about the appropriateness of any mitigating condition requested by the City as a result of the public safety impacts of a proposal.

Staff Recommendation:
Staff recommends that this amendment be approved.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Approved By: **Project Manager** ____ **Planning Director** ____

Amendment #6

This proposed amendment would add the following language to the Point Wells Subarea Plan Policy PW-12:

> In view of the fact that Richmond Beach Drive between NW 199th St. and NW 205th St. is a local road with no opportunities for alternative access to dozens of homes in Shoreline and Woodway, the City designates this as a local street with a maximum capacity of 4,000 vehicle trips per day. Unless and until 1) Snohomish County and/or the owner of the Point Wells Urban Center can provide to the City the Transportation Corridor Study and Mitigation Plan called for in Policy PW-9, and 2) sources of financing for necessary mitigation are committed, the City should not consider reclassifying this road segment. As a separate limitation in addition to the foregoing, the maximum number of new vehicle trips a day entering the City's road network from/to Point Wells shall not exceed the spare capacity of Richmond Beach Road west of 8th Avenue NW under the City's .90 V/C standard based on Richmond Beach Road being a 3-lane road (the .90 V/C standard may not be exceeded at any location west of 8th Avenue NW along Richmond Beach Road).

Staff does not support this amendment as it is already addressed by the City's LOS Standards. While the applicant has pointed out it is not staff's place to recommend changes to the proposed amendment, the City's Capital Improvement Program (CIP) includes a project to restripe Richmond Beach Road in this segment from four lanes to three. This would be the future roadway configuration, which would limit capacity more than it is today. Therefore, the capacity is driven by the future CIP.

Staff Recommendation:
Staff recommends that the Commission deny this proposed Comprehensive Plan amendment. This language is redundant as the City's adopted Level of Service standard already implies the above language. In addition, this language is included in Comprehensive Plan Amendment 8 and would again be redundant. Adopting the proposed language may limit any flexibility to make an exception to our adopted standard, regardless of potential benefits or tradeoffs. No other impacts would be expected however staff recommends adopting the language only once, as part of Amendment 8.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Approved By: **Project Manager** ____ **Planning Director** ____

Amendment #7

This proposed amendment will strike three policies from the Southeast Neighborhoods Subarea Plan that were moved to the 145th Street Station Subarea Plan and amend the planning area boundaries of the Southeast Neighborhoods Subarea Plan to align with the 145th Street Station Subarea Plan boundaries.

The Southeast Neighborhoods Subarea Plan was adopted in May 2010. It covered an area bounded on the south by 145th Street, on the west by 8th Avenue, on the north by 155th and 150th Streets, and on the east by Lake City Way. It contained portions of both the Ridgecrest and Briarcrest neighborhoods. When the Briarcrest neighborhood annexed into the City, most of the area was not assigned Comprehensive Plan designations, but given the place-holder "Special Study Area." The City worked with a Citizen's Advisory Committee from July 2008 until November 2009 to create a vision, craft policy recommendations, and adopt Comprehensive Plan and zoning designations for this area of Shoreline.

There is an area of overlap between the Southeast Neighborhoods Subarea and the 145th Street Station Subarea, which creates an inconsistency within the Comprehensive Plan with regard to designations on the Future Land Use Map. The Southeast Neighborhood Subarea Plan uses the standard Comprehensive Plan land use designations (e.g. Low Density Residential, High Density Residential, and Mixed Use 2) while the 145th Street Station Subarea Plan uses the station-specific land use designations (e.g. Station Areas 1, 2, and 3).

The GMA (36.70A RCW) states that a Comprehensive Plan is to be an internally consistent document and, therefore, any subarea plan must be consistent with all elements of the Comprehensive Plan, including other subarea plans. The overlap of the proposed 145th Street Station Subarea and the Southeast Neighborhood Subarea creates inconsistencies and, therefore, an amendment should occur in order to address the overlap between the two subareas.

Since the boundary of the Southeast Neighborhoods Subarea Plan is being amended, some of the policies contained in that plan would refer to areas no longer within the boundaries of that subarea. Therefore, in order to preserve the work of the Citizen Advisory Committee that created the Southeast Neighborhood Subarea Plan, staff moved policies that refer to Paramount Park, Paramount Open Space, or 15th Avenue into the 145th Street Station Subarea Plan and must be deleted from the Southeast Neighborhood Subarea Plan. These policies are listed below as they are currently included in the 145th Street Station Subarea Plan:

- Transportation Policy 6 - Implement improvements along arterials to revitalize business, increase pedestrian and bicycle safety and usability, and add vehicle capacity where necessary.
    - In the Southeast Neighborhoods Subarea Plan, this policy specifically referred to 15th Avenue, but the Planning Commission changed it to

"arterials", as shown above, because they felt that it applied to other streets in the subarea as well.

- Community Design Policy 13 - Improve the area around 145th Street and 15th Avenue with place-making treatments, such as lighting, benches, and landscaping, to identify it as a gateway to the city.

- Parks, Recreation, and Open Space Policy 6 - Ensure Twin Ponds and Paramount Open Space Parks' pedestrian connections from the neighborhood to the 145th Street light rail station are designed and constructed to fit the character of the parks.
    - In the Southeast Neighborhoods Subarea Plan, this policy was phased a bit differently: "Redevelop paths in Paramount Open Space to ensure at least one year-round connection between the east and west sides of the Ridgecrest Neighborhood." A committee of the Parks Board made recommendations to the Planning Commission with regard to Parks and Natural Environment policies, and suggested the language above.

The revised Southeast Neighborhoods Subarea Plan is included as **Attachment 2**.

Staff Recommendation:
Staff recommends that this amendment be approved.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

Amendment #8

This proposed amendment would add a new policy to the Implementation Plan section of the Point Wells Subarea Plan. The proposed language is included in **Attachment 3**. The new language includes:

Adopt a volume to capacity ratio (V/C) ratio of 0.65 or lower for Richmond Beach Drive north of NW 196th Street, assuming a roadway capacity of 700 vehicles per hour per lane or less for an improved roadway consistent with pedestrian and bike standards and a V/C ratio not to exceed 0.90 on Richmond Beach Road, measured at any point, west of 8th Avenue NW assuming a three-lane roadway consistent with the City's Transportation Master Plan and Capital Improvement Plan. The applicable V/C standards shall not be exceeded on either of these road segments.

The Council discussed the merits of this amendment at their June 13, 2016 meeting. The Council said the Amendment provides the community assurance that the City will study a V/C ratio of .65 or lower for Richmond Beach Drive north of NW 196th Street and would not exceed .90 on Richmond Beach Road measured at any point west of 8th Ave.

The Council acknowledged that there are no other areas in the City with a V/C ratio lower than .90, but added the amendment adds supplemental protection from traffic moving to and from development from Point Wells on Richmond Beach Drive. The Council commented that a citywide V/C ratio is not necessary and noted there are certain streets that have unique problems that need to be addressed.

(Mayor Roberts asked if v/c ratios apply to local streets, how the current language in the Comprehensive Plan "4000 Average Daily Trip (ADT)" will be affected, and if there is an overlap between Amendments 17 and 8. Ms. Dedinsky replied that v/c ratios do not apply to local streets, and said the language in the Comprehensive Plan does not need to be changed. She agreed that there is redundancy and an overlap with Amendment 6 and 8, but explained the Amendments work together and highlight the need to enforce a V/C of .90 west of 8th Avenue NW).

Staff Recommendation:
Staff supports the language in the proposed Comprehensive Plan Amendment. Staff believes this supplemental Level of Service standard provides an appropriate limit for the street in consideration of the existing neighborhood and future growth at the Point Wells site. This supplemental LOS standard is generally consistent with the previously established 4000 ADT cap, as well as with the citywide V/C ration set for Principal and Minor Arterials. While a V/C lower than .65 would further constrain trips generated by the Point Wells site, staff has concerns about justification. A V/C lower than .6 is considered Level of Service A. Standard practice when planning transportation facilities is to have a target Level of Service of C or D. It would be difficult to classify a V/C within the category of Level of Service A as failing a traffic concurrency standard.

Planning Commission Recommendation:
The Planning Commission did not have any comments or concerns about this amendment.

TIMING AND SCHEDULE

- Council Study Session on Proposed Amendments – November 28, 2016
- Council adoption of the Proposed Docketed Amendments– December 12, 2016

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Carry-over amendments #1, #2, and #3 to the 2017 docket.
2. Approve amendments #5, #7, and #8.
3. Deny amendments #4 and #6.

ATTACHMENT

Approved By: **Project Manager** ____ **Planning Director** ____

Attachment 1 – 2016 Docket
Attachment 2 – Southeast Neighborhoods Subarea Plan
Attachment 3 – Point Wells Subarea Plan

Approved By: **Project Manager** ____ **Planning Director** ____

2016 COMPREHENSIVE PLAN AMENDMENT DOCKET

The State Growth Management Act generally limits the City to amending its Comprehensive Plan once a year and requires that it create a Docket (or list) of the amendments to be reviewed.

Final 2016 Comprehensive Plan Amendments

1. Amend the Comprehensive Plan for 145th Street annexation and all applicable maps.

2. Consider amendments to the Point Wells Subarea Plan and other elements of the Comprehensive Plan that may have applicability to reflect the outcomes of the Richmond Beach Traffic Corridor Study as described in Policy PW-9. Based on the outcome of the corridor study, it is expected that proposed amendments would include text changes to the Subarea Plan discussing the study, increasing the vehicle trips per day from a 4,000 trip maximum as described in Policy PW-12 and adding identified mitigation projects and associated funding needed to raise the maximum daily trip count while maintaining adopted Levels of Service to the Capital Facilities Element. Also, consider amendments to the Comprehensive Plan that could result from the development of Interlocal Agreements as described in Policy PW-13.

3. Consider amendments to the Comprehensive Plan that address the location of new park space within the light-rail station subareas, explore the establishment of a city-wide park impact fee, and determine a ratio of park space per new resident in the light-rail station subareas, and any other park issues that arise through the light-rail station subarea public process.

4. Update Policy T44 to add Collector Arterials to the street classifications that have a LOS standard. The proposed amendment reads:

   "Adopt a supplemental level of service for Principal Arterials, ~~and~~ Minor Arterials, and Collector Arterials that limits the volume to capacity (V/C) ratio to 0.90 or lower, provided the V/C ratio on any leg of a Principal, ~~or~~ Minor, or Collector Arterial intersection may be greater than 0.90 if the intersection operates at LOS D or better. These Level of Service standards apply throughout the city unless an alternative LOS standard is identified in the Transportation Element for intersections or road segments, where an alternate level of service has been adopted in a

subarea plan, or for Principal, ~~or~~ Minor, or Collector Arterial segments where:

• Widening the roadway cross-section is not feasible, due to significant topographic constraints; or

• Rechannelization and safety improvements result in acceptable levels of increased congestion in light of the improved operational safety of the roadway. (Applicant: Save Richmond Beach).

5. Update Land Use Policies LU63, LU64, LU65, LU66, and LU67 by correcting references to the King County Countywide Planning Policies regarding the siting of essential Public Facilities.

6. Amend Point Wells Subarea Plan Policy PW-12 to read:

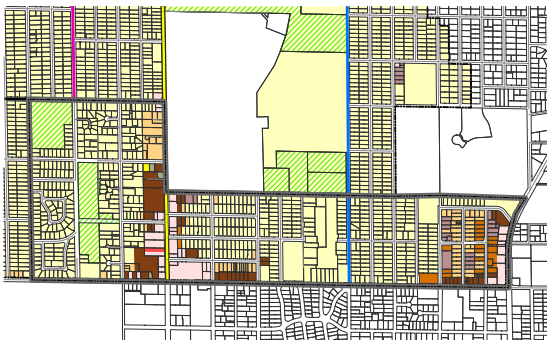
"In view of the fact that Richmond Beach Drive between NW 199th St. and NW 205th St. is a local road with no opportunities for alternative access to dozens of homes in Shoreline and Woodway, the City designates this as a local street with a maximum capacity of 4,000 vehicle trips per day. Unless and until 1) Snohomish County and/or the owner of the Point Wells Urban Center can provide to the City the Transportation Corridor Study and Mitigation Plan called for in Policy PW-9, and 2) sources of financing for necessary mitigation are committed, the City should not consider reclassifying this road segment. As a separate limitation in addition to the foregoing, the maximum number of vehicle trips a day entering the City's road network from/to Point Wells shall not exceed the spare capacity of Richmond Beach Road west of 8th Ave NW under the City's .90 V/C standard based on Richmond Beach Road being a 3-lane road (the .90 V/C standard may not be exceeded at any location west of 8th Ave NW along Richmond Beach Road). (Applicant: McCormick).

7. Amend the Southeast Neighborhoods Subarea Plan to move policies related to the 145 Street Station Subarea Plan, amend text, and amend the boarders of the Southeast Neighborhoods Subarea Plan to avoid overlap with the 145th Street Station Subarea Plan.

8. Adopt a volume to capacity ratio (V/C) ratio of 0.65 or lower for Richmond Beach Drive north of NW 196th Street, assuming a roadway capacity of 700 vehicles per hour per lane or less for an improved roadway consistent with pedestrian and bike standards and a V/C ratio not to exceed 0.90 on Richmond Beach Road, measured at any point, west of 8th Avenue NW assuming a three-lane roadway consistent with the City's Transportation Master Plan and Capital Improvement Plan. The applicable V/C standards shall not be exceeded on either of these road segments.

Estimated timeframe for Council review/adoption: December 2016.

Southeast Neighborhoods Subarea Plan
May 24, 2010



The Southeast Neighborhoods Subarea is bounded on the south by 145th Street, on the west by 8th Avenue, on the north by 155th and 150th Streets, and on the east by Lake City Way. It contains portions of both the Ridgecrest and Briarcrest neighborhoods, and is comprised predominately of single-family households, most of which were constructed after WWII.

When it was annexed, most of the subarea was not assigned Comprehensive Plan designations, but given the place-holder "Special Study Area." The City of Shoreline worked with a Citizen's Advisory Committee from July of 2008 until November of 2009 to create a vision and craft policy and zoning recommendations. This subarea plan is a condensed version of their report.

The plan is intended to provide direction for the next 20 years. Many things will change in that time period. By 2030, there will likely be a light rail stop near 145th St. and Interstate 5. New automotive technology may have transformed the fueling, design, and maybe even necessity of cars. Successive generations may have different preferences for building and neighborhood design and amenities. New technologies may spur new industries and the job base and commercial districts will likely grow and evolve.

Yet while contemplating these uncertainties and determining how to incorporate them into the long-range vision for the subarea, the City wants to preserve existing aspects of these neighborhoods. The single-family character, friendly atmosphere, natural amenities, and other characteristics are all of paramount importance. Change may be inevitable, but it can be channeled to provide amenities and improvements and

prevented from negatively affecting the quality of life that is why people choose to live in this part of Shoreline.

Natural Environment

Goal: To provide a healthy and flourishing natural environment for the benefit of both human and wildlife residents, utilizing innovative technology and conservation measures

The community identified a number of natural characteristics that enhanced the quality of life in the neighborhood and were highly valued. These included the extensive tree canopy, vegetative cover, and prevalent wildlife, notably the varied list of bird species. They also acknowledged other existing, natural conditions that could pose problems in the process of development or redevelopment. These included the high groundwater table, poor soil conditions and infiltration rates that exist on some sites. This section attempts to balance natural capital with development.

Natural Environment Policy Recommendations:

NE1: Create incentives to encourage the use of innovative methods of protecting natural resources (solar power for lighting outside space, green storm water conveyance systems, new recycling options).

NE2: Create incentives to encourage innovative strategies to enhance the natural environment on and around developed sites (green roof and green wall techniques, hedgerow buffers, contiguous green zones through neighborhoods, green storm water conveyance systems).

NE3: When redeveloping a site, encourage incorporation of measures that improve or complement the community's natural assets such as its tree canopy, surface water elements, wildlife habitat, and open space.

NE4: Link green open spaces within subarea and then link them to those outside subarea to create trails.

NE5: Support creation of contiguous ecosystems, with attention to wildlife habitat, through development of a "green corridor," as a public/private partnership, including the area between Seattle's Jackson Park, Paramount Park, and Hamlin Park.

NE6: Protect and renew ("daylight") streams in the area.
NE7: Create incentives to encourage enhancement and restoration of wildlife habitat on both public and private property through existing programs such as the backyard wildlife habitat stewardship certification program.
NE8: Use green street designs in south Briarcrest to provide more green space for residents in that area and to link residents to an east-west trail that connects the area to other trails such as the Interurban Trail.
NE9: Develop technical resources for better understanding of overall hydrology, including the locations of covered streams in the subarea, and recommend actions and measures to address existing stormwater drainage problems.
NE10: Create incentives to plan all remodel and new development around substantial trees and groves of trees to preserve tree canopy.
NE11: Retain and establish new trees, open spaces, and green belts.
NE12: Use green buffers of specific buffer area to building height ratio between different land uses, especially where transition zoning is not possible.

Land Use

Goal: To promote smart growth, enhancement of local businesses and amenities, connectivity and transition between uses, and compatibility between potential development and the established residential character of the neighborhoods.

Because the Central Puget Sound region is a desirable place to live, its population is expected to grow over the next 20 years. Shoreline, due to its location and amenities, is likely to grow as well.

In general, the plan preserves the single-family character of the neighborhoods. However, a major focus of the plan is to increase housing choice by encouraging styles of "appropriate" infill development, such as Accessory Dwelling Units and small houses on small lots, rather than zoning large areas for higher density. This way, growth is diffused throughout the area, has minimal visual impact on neighboring houses, and provides extra living space for extended families or rental income.

In addition to encouraging infill development, the subarea plan identifies a few areas where access to transit, business corridors, and park amenities would allow multifamily homes and create areas with commercial and residential uses. To create a transition between single family areas and mixed-use commercial areas, the plan provides

for stepping down in zoning intensity from the areas designated for higher density or mixed-use to the single-family core of the neighborhood.

Land Use Policy Recommendations:

LU1: Promote the analysis of impacts to the full range of systems as part of the planning and development process.
LU2: Create incentives to use vegetated buffers between types of land use, in addition to transition zoning or open space.
LU3: Development, as defined in the Comprehensive Plan, should be approached from the perspective of innovative options for increasing density.
LU4: Establish policies and zoning to provide appropriate transitions between existing and proposed development and dissimilar land uses to minimize conflicts relating to solar access, noise, scale, etc.
LU5: Place highest-density housing (mixed-use) on transit lines or in already established commercial zones.
LU6: After updated regulations governing new development and redevelopment have been established, revisit the rules on a regularly scheduled basis for the purpose of enhancing the rules that work and eliminating those that don't work.
LU7: Consider establishing a neighborhood business zone that would be restricted to non-residential uses, or some other solution to the problem of retail development being overlooked when residential development on the site yields more profit.
LU8: Establish metrics, targets, baselines and a reporting timeframe to measure progress of social, economic and natural capital when evaluating Comprehensive Plan completeness.
LU9: As the housing market and transportation technologies evolve to support more options, establish zoning designations for areas that may be appropriate for car-free zones or reduced parking standards.
LU10: Quality of life for current residents in the subarea should be considered in decision-making processes that involve new development in the community, even though decisions must also take into account overall land use goals and the economic needs of the City as a whole.

Housing

Goal: To promote housing diversity, affordability and adaptability while respecting and maintaining the identified single-family character of the neighborhoods.

The subarea is mostly built out, with very few large tracts of raw land remaining, so most expected growth will occur as infill and/or redevelopment. Given that these options include a wide spectrum of styles and quality, how this housing would fit with the surrounding community posed one of the greatest challenges. Through a visual preference survey, a number of infill development concepts were identified as having good potential for being compatible with the existing neighborhood character. These include: Accessory Dwelling Units (ADU), small houses on small lots, cluster development, duplexes on corner lots, etc. Examples of some of these styles of housing and policy recommendations regarding their incorporation into the neighborhoods are included below.

Housing Policy Recommendations:

H1: Recognize and continue the area's history of providing affordable yet diverse housing to a variety of residents across the income spectrum.

H2: New housing development that is added in the center of established neighborhoods of the SE Subarea should be consistent with neighborhood character. Lot size to structure ratios and the scale of building are important.

H3: Distribute low-income housing so that it is not all in one place in the neighborhood, prohibiting the development of large, low-income housing groups or units.

H4: Increase housing stock that attracts new residents by appealing to a diversity of buyers' and renters' interests, including:

- Energy efficiency
- Parking options
- Density/size/FAR
- Private/shared outdoor open space

- Affordable/quality/sustainable building materials and construction practices
- Multi-family/multi-generational/single family housing options
- Accessory Dwelling Units
- Adaptability

H5: Because existing housing tends to be more affordable than new construction, remodeling and refurbishing current stock should be encouraged over demolition and redevelopment.
H6: Review existing policies and City code on Accessory Dwelling Units and home businesses to promote low-impact density.
H7: Adopt regulations that would allow "cottage style" housing without compromising quality.
H8: Encourage "green" building through incentives, fees and /or tax policies.
H9: Encourage partnerships with non-profit affordable housing providers, land trusts, Community Development Corporations and other organizations whose mission involves increasing the stock of affordable housing.

Transportation

Goal: To promote connectivity, safety, alternative transportation and walkability throughout the subarea's roadways and trail systems

This subarea faces a number of problems similar to those of other neighborhoods. Certain issues, most notably those related to 145th Street and increasing transit service, cannot be addressed on a subarea level because of complicated jurisdictional and funding logistics. Therefore, this subarea plan focuses on improvements to traffic safety, road treatments, and pedestrian and bicycle networks within the City's boundaries and purview.

Transportation Policy Recommendations:

T1: Encourage "walkable" and "bikeable" neighborhoods and intra-area connections through incorporation of safe pedestrian and bicycle corridors.
T2: Retain, improve, and expand public transit.
T3: Increase local transit service to economic hubs and schools (in addition to service to downtown Seattle) that focuses on east/west connections.

T4: Improve automobile traffic flow on major arterial corridors to accommodate increased density.
T5: Implement traffic calming measures on priority local streets between 145th and 150th Streets, as well as other local roadways to improve safety and reduce cut through traffic.
~~T6: Implement improvements along 15th Ave. to revitalize business, increase pedestrian and bicycle safety and usability, and add vehicle capacity where necessary.~~
T6~~7~~: Work with neighbors to complete more "green street" type projects that will "complete" the street right of way and add pedestrian ways without adding curb-gutter and sidewalk.
T7~~8~~: Add bus shelters at busy stops.
T8~~9~~: As part of potential redevelopment of the commercial area on Bothell Way, address the east/west access issues to promote neighborhood connectivity to businesses, while protecting the residential neighborhood from cut-thru traffic.
T9~~10~~: As part of the update of the Transportation Master Plan, also consider smaller, innovative solutions to reducing automobile dependence, such as circulator busses, car-sharing, bike rentals, etc.
T10~~11~~: Encourage the City to work with Seattle, King County, Sound Transit, and WSDOT to undertake a corridor study on 145th St. that would result in a plan for the corridor to improve safety, efficiency, and modality for all users. This plan should include adjacent neighborhoods in the process, and should have a proposed funding strategy for implementation.

Parks, Recreation & Open Space

Goal: To preserve, protect and promote creation of public spaces that balance needs for human recreation, animal habitat, and natural vegetative growth

The subarea contains or is adjacent to several of Shoreline's parks, including Hamlin, South Woods, and Paramount Park and Open Space. The following policies are proposals for implementation by the City as resources permit, recognizing that the Parks Department and Board have their own Master Plan and processes. The City has an interest in acquiring lands adjacent to Paramount Park Open Space.

Parks, Recreation & Open Space Policy Recommendations:

PR1: Support development of a trail/designated pathway connecting the Interurban trail and the Burke-Gilman trail with Paramount Park (upper and lower), Hamlin Park, South Woods, and Seattle's Jackson Park.
PR2: Encourage development of sidewalks, footpaths, green streets, and signage on existing walkways near trail areas.
PR3: Use incentives to encourage development of more open/green space.
PR4: For larger-scale developments, establish a standard for proportional area of open space created or green space preserved.
PR5: Provide reasonable signage at main entrances to all parks.
~~PR6: Redevelop paths in Paramount Open Space to ensure at least one year-round connection between the east and west sides of the Ridgecrest Neighborhood.~~

Economic Development

Goal: To promote development of businesses that serve needs of local residents, add to vibrancy and socially-oriented identity of neighborhoods, and provide jobs

The neighborhood supports opportunities for establishment of local gathering places and nodes of business activity where needed goods and services are located within walking distance, and could provide employment opportunities for local residents.

Economic Development Policy Recommendations:

ED1: Encourage the creation of community gathering places. Create nodes (indoor & outdoor) for gathering and social interaction.
ED2: Revitalize the local economy by encouraging new business that is beneficial to the community in terms of services, entertainment, and employment.
ED3: Increase small-scale economic development (e.g., retail, office, service) that employs local people and complements residential character.
ED4: Inventory and promote the SE Subarea resources and opportunities, such as redevelopment at Shorecrest, Public Health Labs, and Fircrest.
ED5: Encourage community groups to define specific types of commercial, retail and professional businesses to best serve needs of subarea residents.
ED6: Encourage home-based business within the parameters of the residential zoning to bolster employment without adverse impact to neighborhood character.
ED7: Attract neighborhood businesses with support from the Economic Development Advisory Committee that could be sustained by the community.

ED8: Continue active participation from the City and the neighboring community in determining most beneficial uses, practices, and mitigation in long-term plans for Fircrest.
ED9: Encourage staff to identify potential Capital Improvement Projects that support the adopted subarea plan vision for business areas in the southeast neighborhoods.
ED10: Modify commercial zoning regulations to require that mixed-use buildings be designed to accommodate ground level commercial uses along arterial street frontages.

Community Design

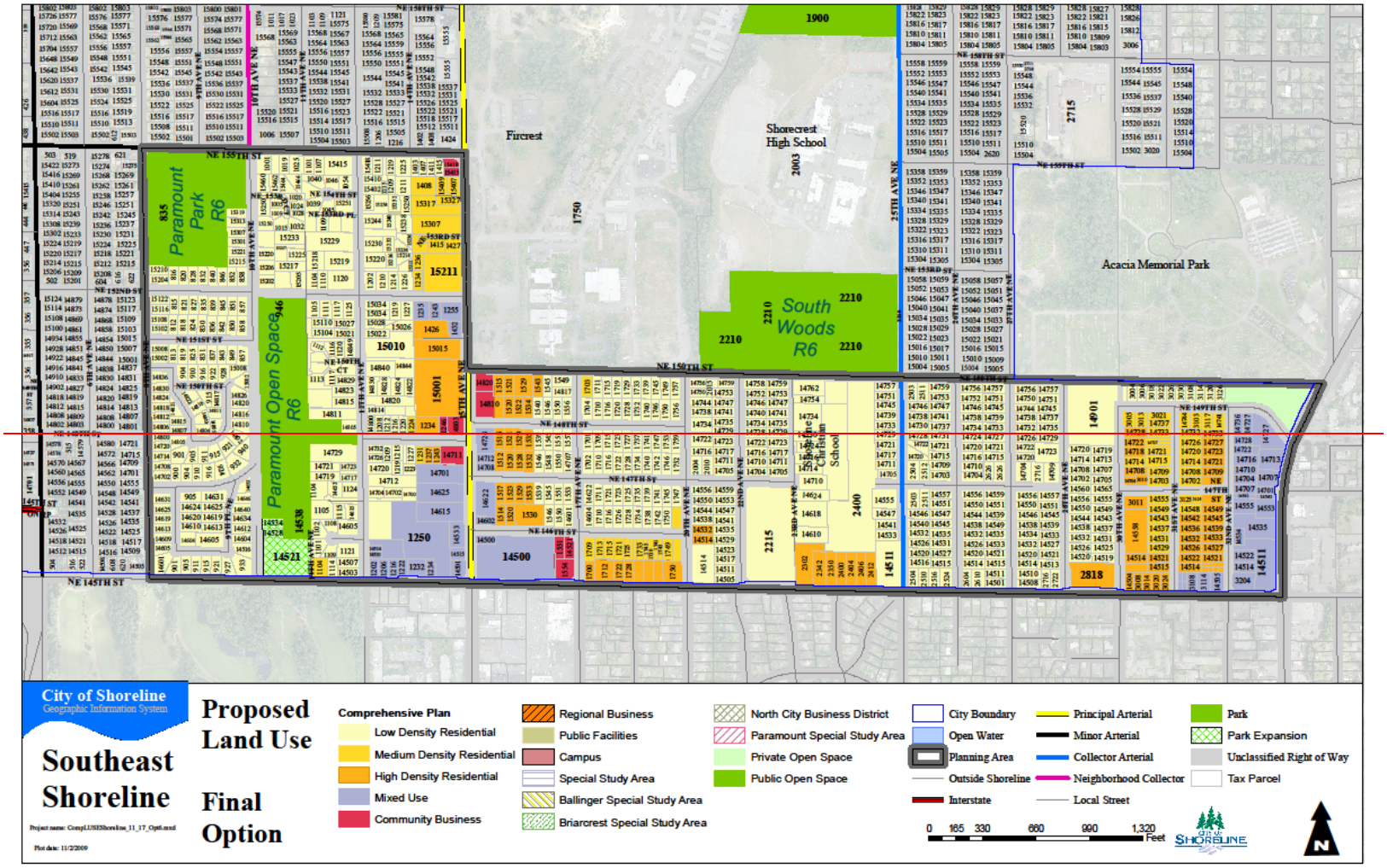
Goal: To encourage well-planned design of systems and appropriate transitions between different uses so that positive impacts of growth are realized and negative impacts may be minimized

Over the next 20 years, the community wished to maintain a reputation of supporting a diverse population base and providing some of the City's most affordable housing options. Another priority was to retain green and open space so that a variety of wild flora and fauna would also continue to live in the neighborhood. There was widespread support for a thriving business district and alternative forms of housing, as long as they were visually compatible with existing single-family homes. Concentrating on elements of design and transition and articulating standards could provide an effective method to bring the vision to fruition.

Community Design Policy Recommendations:
CD1: Development regulations applicable to the SE Subarea should be predictable and clear, written in a manner that reduces uncertainty for developers, City staff, and the community.
CD2: Development & Land Use designs and patterns should contribute to the vitality of the area as a whole, serving the broader community and immediately adjacent neighbors, using compatibility criteria and incentives to be determined.
CD3: Encourage planning of local "hubs" for provision of services and gathering places.
CD4: Support development of a plan to implement a network of "feeder" pathways/trails (may also be in the form of green streets) to connect neighborhoods to larger, city-wide walkways (such as a potential trail connecting Interurban, Hamlin, Southwoods & Burke-Gilman) and to encourage walkable neighborhoods.
CD5: Encourage redevelopment and revitalization of existing infrastructure (schools, businesses, single and multi-family structures) by providing incentives.

CD6: Community design should be pedestrian-oriented with incentives for development and redevelopment to open new or enhance existing pedestrian access and green spaces.
CD7: Establish rules and incentives that ensure developments are planned in ways that are consistent with the communities' vision of three-pronged sustainability (economic, environmental and social equity).
CD8: Establish density and zoning regulations and design review processes that are flexible enough to allow for creativity in design, but restrictive enough to ensure the protection of the community, especially the immediately adjacent neighbors.
CD9: Use medium- to low-density, multi-family units as transitional areas from high-density residential or commercial properties to single-family homes.
CD10: Modify the existing R-48 transition regulations to permit a 50 foot height limit (60 feet through a conditional use process) only if the subject site is adjacent to R-24 or R-48 residential zones or commercial zones and not adjacent to residential zones with a density less than R-24.
CD11: Take advantage of city, state, and federal pilot projects whose focus is improvement of the environmental health of the community, such as green streets, innovative housing designs, alternative power generation, etc.
CD12: Establish rules and incentives that ensure actions occur in a manner that is consistent with the community's vision, while still promoting and providing incentives for redevelopment.
~~CD13: Improve the area around 145th St. and 15th Ave. with place-making treatments, such as lighting, benches, and landscaping, to identify it as a gateway to the City.~~
CD13~~14~~: Work with community groups, neighborhoods and outside experts to promote "community gardens" for production of food and recreation.

Appendix A: Comprehensive Plan Map



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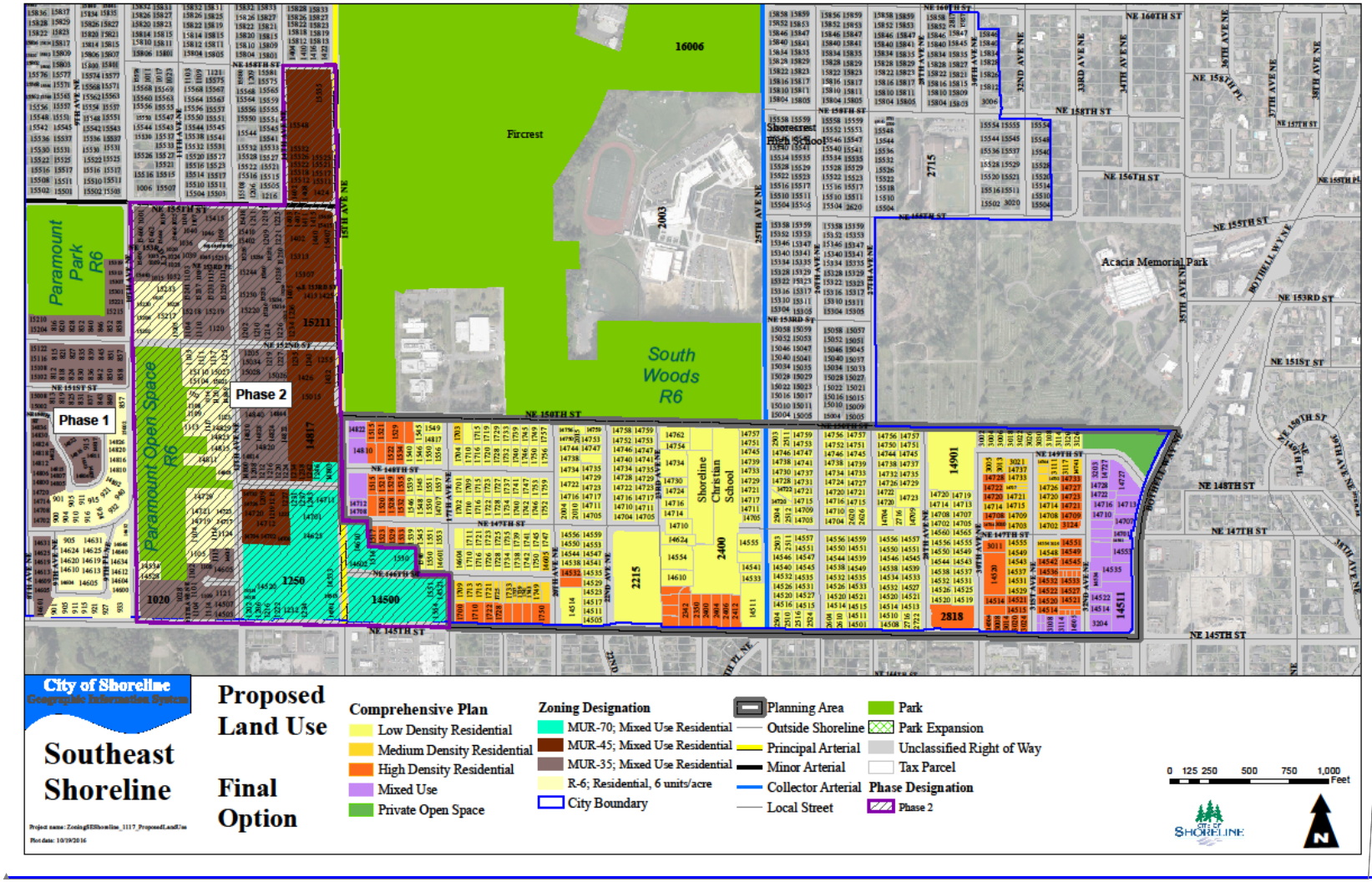

Subarea Plan 2 – Point Wells

Geographic and Historical Context

Point Wells is an unincorporated island of approximately 100 acres in the southwesternmost corner of Snohomish County. It is bordered on the west by Puget Sound, on the east by the Town of Woodway, and on the south by the town of Woodway and the City of Shoreline (see Fig. 1). It is an "island" of unincorporated Snohomish County because this land is not contiguous with any other portion of unincorporated Snohomish County. The island is bisected roughly north-south by the Burlington Northern Railroad (B.N.R.R.) right-of-way.

Figure 1 – Point Wells unincorporated island

(Ord. 649; 596; 571)

The lowland area of this unincorporated island (see Fig. 2) is approximately 50 acres in size. The only vehicular access to the lowland portion is to Richmond Beach Road and the regional road network via the City of Shoreline.

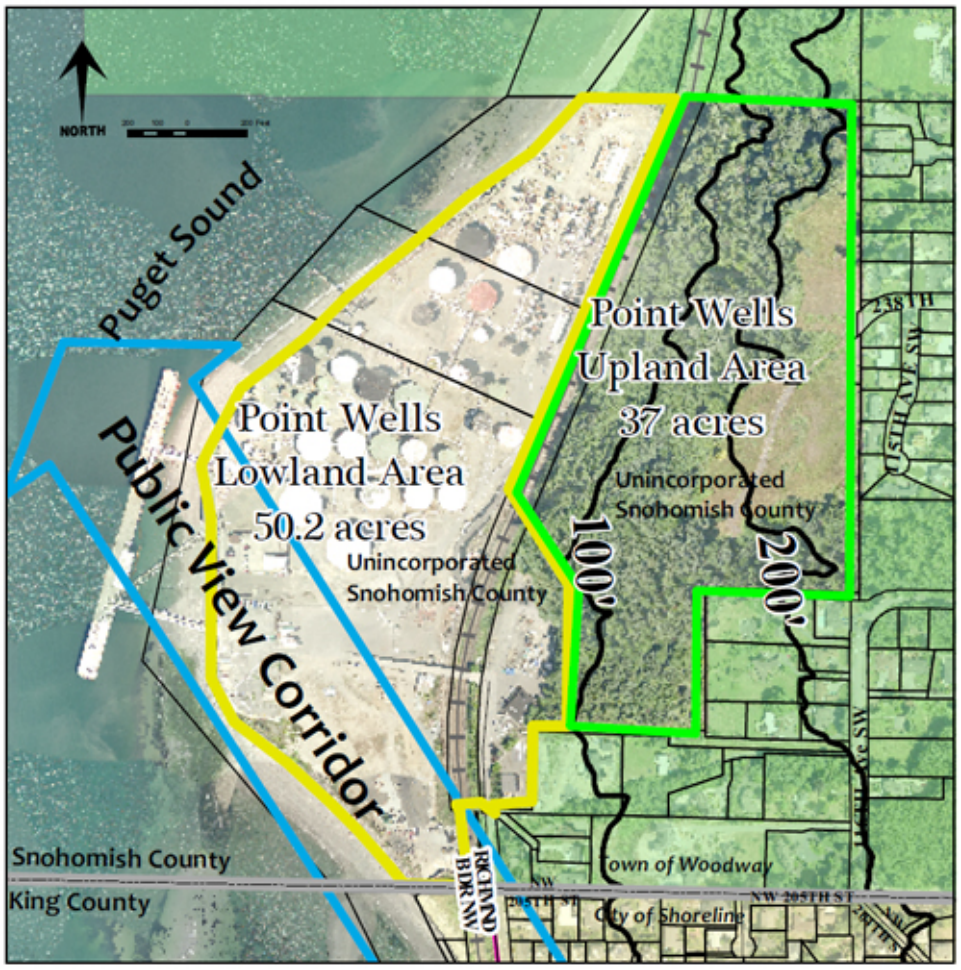

Figure 2 – Upland and Lowland Areas at Point Wells

The upland area of the Point Wells Island (see Fig. 2) is approximately 37 acres in size. The upland does not have access to Richmond Beach Drive due to very steep environmentally sensitive slopes that separate the upland portion from the lowland portion. However, the upland portion does have potential easterly access through the Town of Woodway via 238th St. SW.

All of the Point Wells Island was previously designated by the City of Shoreline as a "Potential Annexation Area" (PAA). The Town of Woodway, and Snohomish County, have previously identified all of the Point Wells unincorporated island as within the Woodway "Municipal Urban Growth Area" (MUGA). The Washington State Court of Appeals, in a 2004 decision, determined that the overlap of Shoreline's PAA and Woodway's MUGA does not violate the provisions of the Growth Management Act.

(Ord. 649; 596; 571)

Snohomish County's designation of Point Wells as an "Urban Center"

In April of 2009, the Shoreline City Council adopted Resolution 285 which opposed the pending Snohomish County designation of Point Wells as an "Urban Center." The resolution cited the likely excessive impacts of up to 3,500 dwelling units on Shoreline streets, parks, schools, and libraries. The City submitted several comment letters to the County Council detailing the reasons for the City's opposition, reiterating the City's support for a mixed use development of a more reasonable scale at Point Wells, and pointed out that an "Urban Center" designation would be inconsistent with provisions of the County's plan as well as the Growth Management Act.

Designation of a Future Service and Annexation Area (FSAA) at Point Wells

After a review of the topography and access options for Point Wells, the City of Shoreline no longer wishes to include the upland portion of this unincorporated island within its designated urban growth area. Because of the upland portion's geographic proximity and potential for direct vehicular access to the Town of Woodway, the City of Shoreline concludes that the upland portion should be exclusively within the Town of Woodway's future urban growth area. Any people living in future developments in the upland portion of the Point Wells Island would feel a part of the Woodway community because they would share parks, schools, and other associations facilitated by a shared street grid.

Applying the same rationale to the lowland portion of the Point Wells Island, the City of Shoreline wishes to reiterate and clarify its policies. These lands all presently connect to the regional road network only via Richmond Beach Drive and Richmond Beach Road in the City of Shoreline. Therefore future re-development of the lowland area would be most efficiently, effectively, and equitably provided by the City of Shoreline and its public safety partners, the Shoreline Fire Department and Shoreline Police Department.

At such future time that the lowland portion of the Point Wells Island annexes to the City of Shoreline, the urban services and facilities necessary to support mixed use urban development would be provided in an efficient and equitable manner. These would include police from the Shoreline police department and emergency medical services and fire protection from the Shoreline Fire Department. In addition, the City would be responsible for development permit processing, code enforcement, parks, recreation and cultural services, and public works roads maintenance.

Future residents of the lowland portion of Point Wells would become a part of the Richmond Beach community by virtue of the shared parks, schools, libraries, shopping districts and road grid. As citizens of the City of Shoreline, they would be able to participate in the civic life of this "community of shared interests," including the City's Parks Board, Library Board, Planning Commission, or other advisory committees, and City Council.

(Ord. 649; 596; 571)

*Policy PW-1 The Lowland Portion of the Point Wells Island, as shown on Figure 3, is designated as the City of Shoreline's proposed future service and annexation area (**FSAA**)*

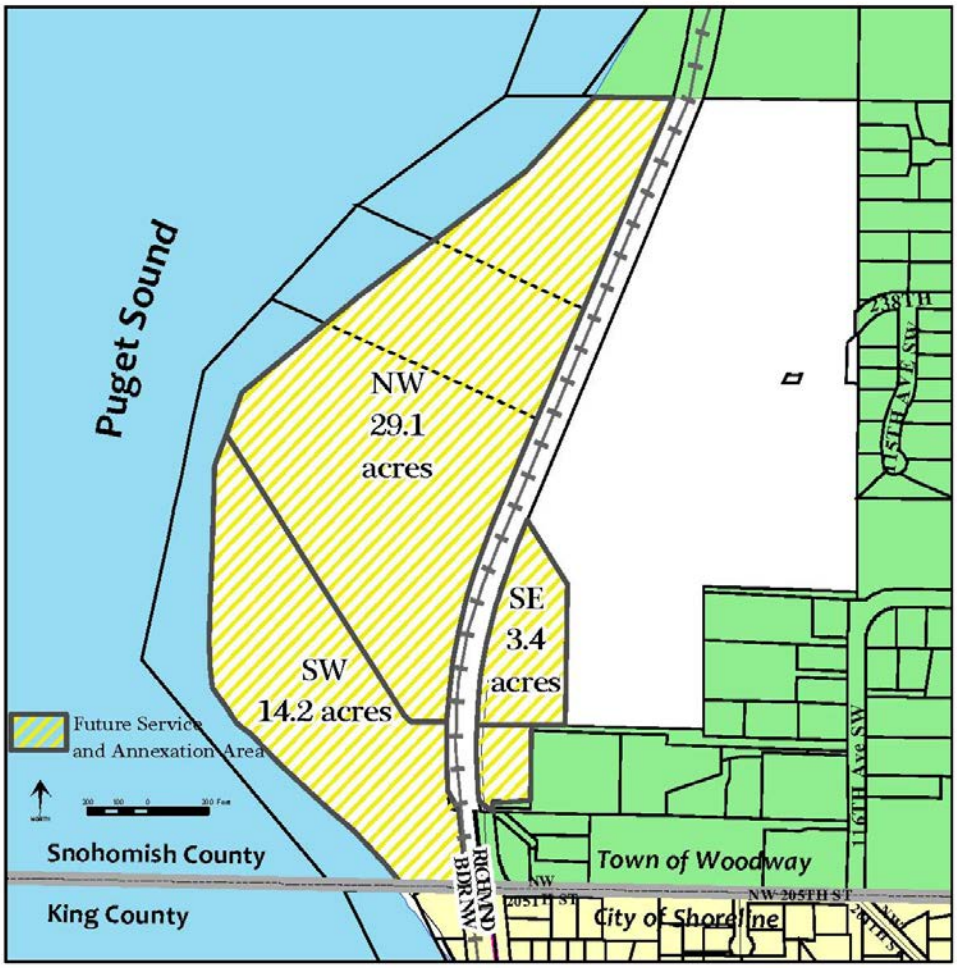

Fig. 3 – City of Shoreline Future Service and Annexation Area

A Future Vision for Point Wells

The Subarea Plan, intended to be a 20-year plan document, envisions a Point Wells development that could take longer than 20 years to become fully realized. Because of the time horizon of the plan and future development, the City, in its decision-making, should consider the long-term costs of near-term actions and make choices that reflect a long-term perspective.

The City's vision for Point Wells is a world class environmentally sustainable community, both in site development and architecture. The redevelopment of the site should be predicated on remediation of the contaminated soil, and the restoration of streams and native plant regimes appropriate to the shoreline setting. New site design and improvements should incorporate low impact and climate friendly practices such as

(Ord. 649; 596; 571)

alternative energy sources, vegetated roofs, rainwater harvesting, rain gardens, bioswales, solar and wind technologies. Development at Point Wells should exhibit the highest quality of sustainable architecture, striving for gold or platinum LEED (Leadership in Energy and Environmental Design) certification.

> *Policy PW-2 The Vision for Point Wells is an environmentally sustainable mixed-use community that is a model of environmental restoration, low-impact and climate-friendly sustainable development practices, and which provides extensive public access to the Puget Sound with a variety of trails, parks, public and semi-public spaces.*

Point Wells also represents a major opportunity to create a new subarea consistent with City objectives for economic development, housing choice, and waterfront public access and recreation. With almost 3,000 linear feet of waterfront, and sweeping 180 degree public views from Admiralty Inlet off Whidbey Island to Rolling Bay on Bainbridge Island, this site has unparalleled opportunity for public access, environmental restoration, education, and recreation oriented to Puget Sound.

The City's vision for Point Wells includes a mix of land uses, including residential, commercial, and recreational. The City recognizes that the site may be suited to a wide range of residential uses (e.g., market rate housing, senior housing, special needs housing, hotels, extended stay, etc.) as well as a range of commercial uses (e.g., office, retail, restaurant). Rather than proscribe the number or type of residential units, or the floor area of various types of commercial uses, the City prefers that flexibility be left to the developer to respond to market realities. However, whatever use mix is proposed must demonstrate that it conforms to adopted parking requirements, site design and building form policies cited below.

There are at least three distinct sub-areas within the FSAA, identified on Fig. 3 with the notations NW, SW, and SE. Because of their proximity to the single family neighborhoods to the east and south, maximum building heights in the SW and SE areas should be lower than in the NW subarea. Because of the large difference in elevation between the NW subarea and lands east of the railroad tracks, much taller buildings could be placed in this area without significantly impairing public views. Building placement in this area should avoid obstruction of the public view corridor shown on Fig. 2. The appropriate number, placement and size of taller buildings in NW subarea should be determined through the development permit and environmental review process.

The portion of the Puget Sound shoreline in the SW subarea is the most environmentally sensitive area and a candidate for habitat restoration. This area has sandy substrate, supports some beach grass and other herbaceous vegetation, and contains a fair amount of driftwood. This area should be a priority for open space and restoration including elimination of invasive plants, re-establishing native riparian and backshore vegetation.

> *Policy PW-3 Use and development of and near the Puget Sound shoreline and aquatic lands at Point Wells should be carefully designed and implemented to minimize impacts and achieve long-term sustainable systems. New bulkheads or over-water structures should not be permitted and the detrimental effects of existing bulkheads should be reduced through removal of bulkheads or alternative, more natural stabilization techniques.*

(Ord. 649; 596; 571)

Any improvements in the westernmost 200 feet (within the jurisdiction of the Shoreline Management Act) of the NW and SW subareas should be limited to walkways and public use or park areas. Outside that shoreline area, buildings should be located and configured to maintain as much openness and public views across the site as possible, with taller structures limited to the central and easterly portions.

> *Policy PW-4 A public access trail should be provided and appropriate signage installed along the entire Puget Sound shoreline of the NW and SW subareas and secured with an appropriate public access easement document.*

The relatively lowland area west of the tracks (between 10 and 20 feet above sea level) is abutted east of the tracks by a heavily forested slope. See Fig. 1. The slope rises steeply (15% to 25% grades) from the railroad tracks to the top of the slope, which is at approximately elevation 200. See Figure 2. The tree line at the top of the slope consists of mature trees from 50 to 100 feet in height, which further obscures public views of Point Wells from the portions of Woodway above elevation 200.

> *Policy PW-5 New structures in the NW subarea should rise no higher than elevation 200.*

New buildings east of the railroad tracks would be much closer to existing single family homes in Woodway and Richmond Beach. To reflect this proximity, buildings of a smaller scale are appropriate.

> *Policy PW-6 New structures in the SE Subarea should rise no higher than six stories.*

In order to promote maximum openness on the site and prevent bulky buildings, the City should consider innovative regulations such as design standards and guidelines, building floor plate maxima, requiring a minimum separation between taller structures and the protection of public view corridors. Public views from city rights-of-way in the Richmond Beach neighborhood are a major part of the area's character, and provide a sense of place, openness, beauty and orientation. A prominent public view corridor across the lowland area, shown in Fig. 2, affords a public view from Richmond Beach Drive northwest to Admiralty Inlet and Whidbey Island. Placement and size of structures at Point Wells should be located and configured so as not obstruct this important public view corridor.

> *Policy PW-7 The public view from Richmond Beach Drive in Shoreline to Admiralty Inlet should be protected by a public view corridor across the southwest portion of the NW and SW subareas.*

> *Policy PW-8 New structures in the NW subarea should be developed in a series of slender towers separated by public view corridors.*

Transportation Corridor Study and Mitigation

A traffic and safety analysis performed by the City in the summer of 2009 evaluated the nature and magnitude of impacts likely to accrue from the development of Point Wells as an "Urban Center" under Snohomish County zoning, as well as development scenarios

(Ord. 649; 596; 571)

assuming lesser orders of magnitude. This background information provided a basis for the City to conclude that, prior to the approval of any specific development project at Point Wells, the applicant for any development permit at Point Wells should fund, and the City oversee, the preparation of a detailed Transportation Corridor Study.

Corridor Study

The Transportation Corridor Study and Implementation Plan should include an evaluation of projected impacts on vehicular flow and levels of service at every intersection and road segment in the corridor. If a potential alternative access scenario is identified, it should be added to the corridor study. The Study should also evaluate and identify expanded bicycle and pedestrian safety and mobility investments, and identify "context sensitive design" treatments as appropriate for intersections, road segments, block faces, crosswalks and walkways in the study area with emphasis on Richmond Beach Road and Richmond Beach Drive and other routes such as 20th Ave. NW, 23rd Place NW, NW 204th Street and other streets that may be impacted if a secondary road is opened through Woodway.

Implementation Plan

The corridor study would be a step in the development of such a plan. The scope of the implementation plan should include a multimodal approach to mobility and accessibility to and from Point Wells, as well as detailed planning for investments and services to improve multimodal travel for adjacent communities between Point Wells and I-5. This could well include an integrated approach to accessing Point Wells, the Richmond Beach neighborhood, and Richmond Highlands with the Bus Rapid Transit system along Aurora Avenue, the I-5 corridor itself - focusing on the interchanges at N. 205th and N. 175th , as well as the Sound Transit light rail stations serving Shoreline.

While the analysis of vehicle flows is appropriate as part of the study, the solutions should provide alternatives to vehicle travel to and from Point Wells - as well as more transportation choices than those that currently exist today for the Richmond Beach neighborhood and adjacent communities.

> *<u>Policy PW-9</u> To enable appropriate traffic mitigation of future development at Point Wells, the developer should fund the preparation of a Transportation Corridor Study as the first phase of a Transportation Implementation Plan, under the direction of the City, with input and participation of Woodway, Edmonds, Snohomish County and WSDOT. The Study and Transportation Implementation Plan should identify, engineer, and provide schematic design and costs for intersection, roadway, walkway and other public investments needed to maintain or improve vehicular, transit, bicycle and pedestrian safety and flow on all road segments and intersections between SR 104, N 175th Street, and I-5 with particular attention focused on Richmond Beach Drive and Richmond Beach Road. Road segments that would be impacted by an alternate secondary access through Woodway should also be analyzed, which would include 20th Avenue NW, 23rd Place NW and NW 204th Street. The Study and Transportation Plan should identify needed investments and services, including design and financing, for multimodal solutions to improving mobility and accessibility within the Richmond Beach neighborhood and adjacent communities, including but not limited to investments on Richmond Beach Drive and Richmond Beach Road.*

(Ord. 649; 596; 571)

Policy PW-10 The needed mitigation improvements identified in the Transportation Corridor Study and Implementation Plan should be built and operational concurrent with the occupancy of the phases of development at Point Wells.

Richmond Beach Road and Richmond Beach Drive provide the only vehicular access to Point Wells at this time. Therefore, it is critical that identified impacts be effectively mitigated as a condition of development approval. It is also vital that the traffic generated from Point Wells be limited to preserve safety and the quality of residential neighborhoods along this road corridor. In the event that secondary vehicular access is obtained through Woodway to the Point Wells site, the mitigation and improvements of the impacts to those additional road segments must also occur concurrent with the phased development.

Historically, mobility and accessibility in Richmond Beach and adjacent communities has been dominated by the single occupancy vehicle. Provision of bicycle and pedestrian facilities has been limited because retrofitting an existing road network with these facilities is an expensive undertaking. The Richmond Beach Road corridor is served by limited Metro bus service and is beyond a reasonable walking distance from potential development within Point Wells. Though rail service to a station in Richmond Beach was evaluated by Sound Transit, no service is envisioned in the transit agency's adopted 20 year plan. Improved transit, bicycle and pedestrian mobility is a long-term policy objective, but the majority of trips in the area will likely continue to be by automobiles utilizing the road network. The City's traffic study completed in 2009 shows that if more than 8,250 vehicle trips a day enter the City's road network from Point Wells, it would result in a level of service "F" or worse at a number of City intersections. This would be an unacceptable impact.

Policy PW-11 The City should address opportunities to improve mobility, accessibility, and multimodal east-west movement in the Richmond Beach Road Corridor between Puget Sound and I-5 as part of the update of the city-wide Transportation Management Plan. The City should also work with neighboring jurisdictions Woodway and Edmonds to improve north-south mobility. These opportunities should be pursued in a manner that reduces existing single occupancy vehicle trips in the corridor.

Policy PW-12 In view of the fact that Richmond Beach Drive between NW 199th St. and NW 205th St. is a local road with no opportunities for alternative access to dozens of homes in Shoreline and Woodway, the City designates this as a local street with a maximum capacity of 4,000 vehicle trips per day. Unless and until 1) Snohomish County and/or the owner of the Point Wells Urban Center can provide to the City the Transportation Corridor Study and Mitigation Plan called for in Policy PW-9, and 2) sources of financing for necessary mitigation are committed, the City should not consider reclassifying this road segment. As a separate limitation in addition to the foregoing, the maximum number of new vehicle trips a day entering the City's road network from/to Point Wells shall not exceed the spare capacity of Richmond Beach Road west of 8th Avenue NW under the City's .90 V/C standard based on Richmond Beach Road being a 3-lane road (the .90 V/C standard may not be exceeded at any location west of 8th Avenue NW along Richmond Beach Road).

Policy PW-13 The City should adopt a volume to capacity ratio (V/C) ratio of 0.65 or lower for Richmond Beach Drive north of NW 196th Street, assuming a roadway capacity of 700 vehicles per hour per lane or less for an improved roadway consistent with pedestrian and bike standards and a V/C ratio not to exceed 0.90 on

(Ord. 649; 596; 571)

Richmond Beach Road, measured at any point, west of 8th Avenue NW assuming a three-lane roadway consistent with the City's Transportation Master Plan and Capital Improvement Plan. The applicable V/C standards shall not be exceeded on either of these road segments.

Interjurisdictional Coordination

The City should work with the Town of Woodway and Edmonds to identify ways in which potential future development in the lowland portion of Point Wells could be configured or mitigated to reduce potential impacts on Woodway. There is no practical primary vehicular access to the lowland part of Point Wells other than via Richmond Beach Road. However, the City should work with property owners and Woodway to provide a bicycle and pedestrian route between Woodway and Point Wells.

The Growth Management Act states that cities, rather than county governments, are the preferred providers of urban governmental services. Because urban governmental services and facilities in Shoreline are much closer to Point Wells than are similar services and facilities located in Snohomish County, it is most efficient for the City to provide those services.

Working with its public safety partners, Shoreline Fire Department and Shoreline Police Department, the City should invite Snohomish County to discuss an interlocal agreement to address the timing and methods to transition local governmental responsibilities for Point Wells from the County to the City. Included in these discussions should be responsibilities for permitting and inspection of future development at Point Wells, and possible sharing of permitting or other local government revenues to provide an orderly transition.

Policy PW-14 ~~13~~ The City should work with the Town of Woodway, City of Edmonds, Snohomish County, and all other service providers toward adoption of interlocal agreements to address the issues of land use, construction management of, urban service delivery to, and local governance of Point Wells. A joint SEPA lead-agency or other interlocal agreement with the County could assign to the City the responsibility for determining the scope, parameters, and technical review for the transportation component of the County's Environmental Impact Statement prepared for a future project at Point Wells. Under such agreement, this environmental analysis, funded by the permit applicant, could satisfy the policy objectives of the Transportation Corridor Study and Implementation Plan referenced at PW-10.

Policy PW-15 ~~14~~ In the event that development permit applications are processed by Snohomish County, the City should use the policies in this Subarea Plan as guidance for identifying required mitigations through the SEPA process and for recommending changes or additional permit conditions to achieve greater consistency with the City's adopted policies.

(Ord. 649; 596; 571)

Planning Commission Meeting Date: November 17, 2016 Agenda Item: 7a

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	**Continuation of 2016 Development Code Amendments focusing on amendments submitted since September 15, clarification of Unit Lot Development and Self-Service Storage, and repeal of SMC 16.10 and 16.20.**
DEPARTMENT:	**Planning & Community Development**
PRESENTED BY:	**Steven Szafran, AICP, Senior Planner** **Paul Cohen, Planning Manager**

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

Introduction

The purpose of this study session is to:

- Respond to questions and concerns by Commission;
- Introduce new Development Code regulations since the September 15th Planning Commission meeting;
- Provide information for issues identified by staff;
- Ask direction on options for certain Development Code regulations;
- Respond to questions regarding the proposed development regulations; and
- Gather public comment.

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 proposed Development Code amendments and making a recommendation to the City Council on each amendment.

Background

There are minor amendments to 20.20 – Definitions, 20.30 – Procedures and Administration, 20.40 – Zoning and Use Provisions, 20.50 – General Development Standards, 20.70 – Engineering & Utilities Development Standards, and 20.100 – Special Districts.

Approved By: **Project Manager** ____ **Planning 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.

The proposed amendments to the Development Code are included in **Attachment 1**. Each amendment includes a description of the amendment, justification for the amendment and staff recommendations for the amendment.

Amendments Added Since September 15

At the September 15 meeting, the Planning Commission reviewed the 2016 batch of Development Code amendments. The staff report and attachment for September 15 can be found at http://www.cityofshoreline.com/home/showdocument?id=27891.

Staff is proposing five Development Code amendments and two Municipal Code amendments since the Commission has last reviewed the 2016 batch on September 15th. The additions are the result of continued implementation of the City's 2016 Citywide work plan and include provisions for: NPDES requirements, Sound Transit development activities, minor amendments, and City Council direction.

- New Amendment #2 – SMC 20.20.026 – I Definitions

  This amendment adds Non-Vegetated Surface to the Impervious Surface Definition. This is one of four proposed Development Code amendments that are recommended by the Department of Ecology to incorporate Low Impact Development and Best Management Practices into the Development Code.

- New Amendment #7 – SMC 20.30.160 – Expiration of Vested Status for Land Use Permits and Approvals.

  This amendment, along with Amendment #3, adds an exception to the vesting timelines for Special Use Permits granted to public agencies which includes Sound Transit.

- New Amendment #10 – SMC 20.30.330 – Special Use Permit – SUP (Type C Action).

  This amendment, along with Amendment #2, will increase the vesting period for Special Use Permits issued to public agencies because of the long development timelines for large public projects such as light rail.

- New Amendment #9 – SMC 20.30.290 – Deviations From the Engineering Standards (Type A Standards).

  This amendment simply changes “Director” to “Director of Public Works” for the approval of a Deviation from Engineering Standards applications because Public Works is the department that processes and approves deviations from engineering standards.

- New Amendment #25 – SMC 20.50.020(2) – Dimensional Requirements in Mixed-Use Zones.

  This is a minor amendment to strike “up to” in the front setback standards in the Density and Dimensions in Mixed-Use Zones Table.

- New Municipal Code Amendments #1 and #2 – SMC 16.10 and 16.20.

  Amendment #1 will delete SMC 16.10 – Shoreline Management Plan. The City has adopted a new Shoreline Master Program in 2012 which is part of the Development Code (SMC 20.200) which replaces SMC 16.10.

  Amendment #2 will strike SMC 16.20 – Fee Schedule. The City lists all of the fees in SMC 3.01 making SMC 16.20 redundant and unnecessary.

Amendments Needing Further Analysis

The Commission requested more information regarding Amendment #5 for Unit Lot Development and Amendment #13 for Self-Service Storage Facilities.

Unit Lot Development is an improved process to create more housing options and home ownership opportunities by reducing unnecessary regulatory barriers. The Commission’s concerns regarding Unit Lot Development are:

- Vertical separation of walls and fire sprinkler requirements
- Construction of walls between units
- Additional cost of building structurally independent units
- Difficulty financing condominium projects versus fee simple units

The City’s Building Official, Ray Allshouse, explained at the October 6 Planning Commission meeting that the City’s current fire code requirements include a provision that any new building that is greater than 4,800 square feet (including the garage) must be sprinkled, and there are no exceptions. Most of the projects in the Mixed-Use Residential (MUR) zones are more than three units, which mean the units will actually be some of the safest in the City because they will be sprinkled.

Mr. Allshouse advised that there are provisions in the model residential building code, as amended by the State of Washington, that lay out specific requirements for separation walls and the proposed Unit-Lot Development provisions would not reduce

these requirements in any way, shape or form. From a fire safety standpoint, the minimum requirements would always be maintained.

Regarding seismic issues, the main concern is the structure's ability to react to lateral forces. Because the units in ULD projects would be located next to each other, the lateral dimension would be greater. The longer dimensions would be more resistive to lateral forces.

As a precaution, it will be important to require a recording on the title that indicates that the individual dwelling units are considered as a portion of a single building under the applicable edition of the residential code so that people who purchase the structures understand that they cannot just modify or remove the unit without having to worry about their neighbors unit or the integrity of the structure as a whole.

In summary, the City's Building Official voiced assurance that the proposed provisions of the Unit Lot Development represent a solution that meets both the requirements of what the developers are looking for, providing opportunities for further ownership of units, and assures the City's health and safety requirements.

The Commission may refer to **Attachment 2** which generally lists the Shoreline Fire Department's residential sprinkler requirements in preparation of the discussion on October 20.

Self-Service Storage Facilities

The City Council enacted a six (6) month moratorium on the acceptance, processing, and/or approving permit applications or permits for any new self-service storage facilities on August 8, 2016. The Development Code has no clear definition, zoning, building, or site design standards for self-storage. The Council directed staff and the Planning Commission to analyze and make recommendations as to where self-service storage facilities should be located and determine if any additional requirements should apply.

Staff has removed amendments regarding self-service storage facilities from this general batch of Development Code amendments. Self-service storage facilities are now included as a separate batch of amendments which the Commission held a study session on October 6 and held a public hearing on November 3, 2016.

The staff report for the self-service storage amendments can be found at http://www.cityofshoreline.com/home/showdocument?id=29110

Next Steps

The 2016 batch of Development Code amendments schedule is as follows:

November 17	Public Hearing for 2016 Comprehensive Plan Amendments
November 28	Joint Meeting City Council and Planning Commission
December 1	Public Hearing for 2016 Development Code Batch and Deep Green Development Code Amendments

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Attachments

Attachment 1 – Proposed 2016 Development Code Amendments
Attachment 2 – Shoreline Fire Department Residential Sprinkler Requirements

DEVELOPMENT CODE AMENDMENT BATCH 2016

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AMENDMENTS ADDED SINCE SEPTEMBER 15

		the TC-1, 2 & 3 Zones
17	20.40.130 – Nonresidential Uses	Add Light Manufacturing Permitted in MB Zones
18	20.40.160 – Station Area Uses	Combine Dwelling Types
19	20.40.230 – Affordable Housing	Update Critical Area References
20	20.40.240 – Animals	Revised Rules for Beekeeping
21	20.40.340 – Duplex	Delete Entire Section
22	20.40.510 – Single Family Attached Dwellings	Amend Criteria
23	20.40.600 – Wireless Telecommunication Facilities	Delete Notice of Decision for Wireless Facilities
	20.50 – General Development Standards	
24	20.50.020(1) – Dimensional Requirements	Combined Sideyard Setback
25	20.50.020(2) – Dimensional Requirements in Mixed-Use Zones	Front Setbacks
26	20.50.021 – Transition Areas	Add Aurora Square Community Renewal Area (CRA) Standards to the Section
27	20.50.040.I. 4, 5, and 6 – Setbacks	Setbacks for Uncovered Porches and Decks
28	20.50.070 – Site Planning – Front Yard Setback	Move 20-foot Driveway Requirement
29	20.50.090 – Additions to Existing Single-Family Residence (SFR)	Additions to Existing, Non-Conforming SFR
30	20.50.110 – Fences and Walls	Delete 3.5 foot Fence Height Limit
31	20.50.240(C)(1)(a) – Site Frontage	Strike “On Private Property”
32	20.50.330 – Project Review and Approval	Add NPDES Language
33	20.50.390(D) – Minimum Off Street Parking Requirements	Self-Service Storage Facility Parking
34	20.50.540(G) – Sign Design	Add Reference to Aurora Square CRA Sign Code
	20.70 – Engineering & Utilities Development Standards	
35	20.70.020 – Engineering Development Manual	Corrects Reference to EDM and Deletes Text
36	20.70.430 – Undergrounding of Electric and Communication Service Connections	Delete Section and Refer to Title 13
	20.100.020 – Aurora Square Community Renewal Area	
37	20.100.020 – Aurora Square Community Renewal Area (CRA)	Add a Reference to Ordinance 705

	Municipal Code Amendments	
1	16.10 – Shoreline Management Plan	Delete Section
2	16.20 – Fee Schedule	Delete Section

Amendment #1
20.20.016 – D Definitions

This proposed Development Code amendment will amend the definitions of various types of dwellings. The amendment will also combine these dwelling types into three distinct categories.

***Justification** – The current definitions for various types of dwelling units and housing styles are confusing, repetitive, and in some cases, contradict themselves. The proposed amendments to the dwelling definitions seek to cut down the number of housing types by combining housing styles into distinct categories. For example, townhomes and duplexes are both single-family attached dwellings so staff believes these should be in one category instead of treated separately in the definitions.*

- *The definition of apartments will be retained but will be updated to read more clearly.*
- *Duplexes and townhomes will be defined in the single-family attached definition.*
- *The multifamily dwelling definition will be amended to strike a number of dwelling types within the category. This will lead to less confusion about how to define certain housing types.*
- *The single-family attached definition will be amended to strike "three or more" and replaced with more than one.*

With the proposed amendments to the dwelling definitions, there will be three logical categories of dwellings: Multifamily, single-family attached, and single-family detached.

This proposed Development Code amendment is related to amendments 15, 18, 21, and 22.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Dwelling, Apartment	A building containing ~~three or more~~ multiple dwelling units that are usually ~~may be are~~ located one over the other in a multi-unit configuration.
Dwelling, Duplex	A house containing two individual single-family dwelling units that are separated from each other by one-hour fire wall or floor but not including approved accessory dwelling unit.
Dwelling, Live/Work	A structure or portion of a structure: (1) that combines a residential dwelling with a commercial use in a space for an activity that is allowed in the zone; and (2) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises. (Ord. 706 § 1 (Exh. A), 2015).
Dwelling, Multifamily	Multifamily dwellings are separate housing units contained within one building or several buildings within one complex. Multifamily dwellings may have units located above one over another. Apartments and mixed-use buildings with apartments are considered multifamily dwellings. ~~include: townhouses, apartments, mixed use buildings, single-family attached, and more than two duplexes located on a single parcel.~~ (Ord. 631 § 1 (Exh. 1), 2012; Ord. 299 § 1, 2002).
Dwelling,	A building containing ~~three or more~~ more than one dwelling unit attached by

Single-Family Attached	common vertical wall(s), such as townhouse(s), rowhouses, and duplex(s). Single-family attached dwellings shall not have units located one over another (except duplexes may be one unit over the other).(Ord. 469 § 1, 2007).
Dwelling, Single-Family Detached	A house containing one dwelling unit that is not attached to any other dwelling, except approved accessory dwelling unit.
~~Dwelling, Townhouse~~	~~A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. Townhomes may be located on a separate (fee simple) lot or several units may be located on a common parcel. Townhomes are considered single-family attached dwellings or multifamily dwellings.~~

Amendment #2
20.20.026 – I Definitions

This proposed amendment will update the definition of impervious surface by replacing "hard surface" with "non-vegetated surface".

***Justification** – The Washington State Department of Ecology (DOE) NPDES Permit requires that we review, revise and make effective codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMP) by December 31st 2016. The intent of the revisions is to make LID principles and green stormwater infrastructure the preferred and commonly-used approach to site development.*

In 2015, the City contracted Brown and Caldwell (BC) to review the following codes, standards and documents;

- *Shoreline Municipal Code (SMC Chapter 12-20)*
- *Engineering Development Manual (EDM)*
- *Comprehensive Land Use Plan*
- *Stormwater Management Program (SWMP) Plan*
- *Critical Area Ordinance (CAO) standards*

There are four proposed Development Code amendments that are recommended to be updated based on the Department of Ecology's review of the code. All of the amendments are minor in nature and will help Shoreline comply with the City's NPDES Permit.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Impervious Surface: A ~~hard~~ non-vegetated surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Amendment #3
20.20.040 – P Definitions

This proposed amendment will update the definition of private stormwater management facility by adding the word "infiltrate" as a way to control surface water.

***Justification** – The Washington State Department of Ecology (DOE) NPDES Permit requires that we review, revise and make effective codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMP) by December 31st 2016. The intent of the revisions is to make LID principles and green stormwater infrastructure the preferred and commonly-used approach to site development.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Private Stormwater Management Facility – A surface water control structure installed by a project proponent to retain, detain, infiltrate or otherwise limit runoff from an individual or group of developed sites specifically served by such structure.

Amendment #4
20.20.046 – S Definitions

There are two proposed amendments to the S Definitions. The first amendment is a minor amendment that updates the definition of formal and short subdivisions. The second amendment adds a definition for "Stormwater Manual".

Justification *– The City Council increased the number of lots for a short plat to 9 during the 2015 Development Code amendment batch. The definition section was not updated at the time and this proposed amendment will rectify this change.*

Subdivision, Formal - A subdivision of ten ~~five~~ or more lots.
Subdivision, Short - A subdivision of nine ~~four~~ or fewer lots.

Justification *- The Washington State Department of Ecology (DOE) NPDES Permit requires that we review, revise and make effective codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMP) by December 31st 2016. The intent of the revisions is to make LID principles and green stormwater infrastructures the preferred and commonly-used approach to site development. The City does not have a definition of Stormwater Manual.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Stormwater Manual: The most recent version of the Stormwater Management Manual for Western Washington published by Washington Department of Ecology ("Stormwater Manual").

Amendment #5
20.20.050 – U Definitions

The City is open to consider improved processes and standards in order to create more housing options, reduce unnecessary barriers, and redefine other types of ownership. A Unit Lot Development (ULD) is an alternative approach to the division of property. Other jurisdictions such as Seattle and Mountlake Terrace, have adopted ULD code amendments. This proposed amendment will add a definition of Unit Lot Development. Amendment #13 contains the regulations for ULD.

Justification *– A ULD is a subdivision of ownership into fee simple units and does not require the same Building and Fire Code requirements for traditional, attached housing with a property line between the units. Traditional attached housing requires that each unit must be structurally independent and have fire separation as if they were not attached structures. This amendment allows the Building and Fire codes to treat a ULD as one building, such as an apartment building, for fire separation and structural requirements rather than as stand-alone units because of a property line internal to the development.*

Also, a ULD allows separate ownership of housing units within a "parent lot" without requiring condominium ownership and the State restrictions that accompany it. The ULD is permitted in zones where density supports multiple units on one lot. Currently, multiple units on one lot are allowed in all zones in Shoreline with different unit density limits per acre.

Under Amendment #13 these units will be considered individual units but part of one structure that cannot be segregated from one another. A ULD is defined as one building or one structure in the International Building Code and International Fire Code and National Electrical Code.

Amendment #24 is a related amendment that will add ULD into Exception 2 in Tables 20.50.020(1) and 20.50.020(2).

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Unit Lot Development (ULD) – A Unit Lot Development (also known as a "Fee Simple lot") is the subdivision of land for single-family attached dwelling *units*, such as townhouses, rowhouses, or other single-family attached dwellings, or any combination of the above types of single-family attached dwelling units in all zones in which these uses are permitted.

Amendment #6
Table 20.30.040 – Summary of Type A Actions and Target Time Limits for Decision, and Appeal Authority

This amendment will strike "home occupations" from the Type A permit table and add "planned action determination" to the table.

***Justification** – The City no longer requires or processes Home Occupation permits. A home occupation is applied for through the City Clerk's office through the business licensing program. When the City instituted the business licensing program, the home occupation permit process became redundant.*

The second amendment adds the Planned Action Determination of Consistency to the Type A action table. The determination of consistency is required for projects that require SEPA review within Planned Action areas such as the 145th and 185th Street Station Subareas.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

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,	120 days	20.40.120, 20.40.250, 20.40.260,

Boarding House		~~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
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
17. Planned Action Determination	**14 days**	**20.30.360**

Amendment #7
20.30.160 – Expiration of Vested Status of Land Use Permits and Approvals

This proposed amendment adds an exception to the vesting timelines for Special Use Permits granted to public agencies.

***Justification** – Projects proposed by public agencies, such as Sound Transit, are usually long, complex, and may require multiple phases to complete. This amendment will add a vesting provision to the Special Use Permit that allows a longer vesting period to account for projects that may take many years to complete. This provision gives the public agency the flexibility for longer vesting timeframes.*

This amendment is related to amendment #10 which defines the vesting timelines for Special Use Permits for public agencies.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Except for subdivisions~~, and~~ master development plans and Special Use Permits for Public Agency uses or where a different duration of approval is indicated in this Code, vested status of an approved land use permit under Type A, B, and C actions shall expire two years from the date of the City's final decision, unless a complete building permit application is filed before the end of the two-year term. In the event of an administrative or judicial appeal, the two-year term shall not expire. Continuance of the two-year period may be reinstated upon resolution of the appeal.

If a complete building permit application is filed before the end of the two-year term, the vested status of the permit shall be automatically extended for the time period during which the building permit application is pending prior to issuance; provided, that if the building permit application expires or is canceled, the vested status of the permit or approval under Type A, B, and C actions shall also expire or be canceled. If a building permit is issued and subsequently renewed, the vested status of the subject permit or approval under Type A, B, and C actions shall be automatically extended for the period of the renewal.

Amendment #8
20.30.280 – Nonconformance.

This Development Code provision speaks to the additions of single-family homes which are a nonconforming use in the MUR-45' and MUR-70' zones. The structures may be conforming in terms of setbacks, lot coverage, and height but the use is not. This is why staff is recommending that this provision move from expansions of nonconforming structures to expansions of the nonconforming use section.

***Justification** – This proposed amendment is moving a section of the Development Code. The provision of "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" should not be in expansions of a nonconforming structure section but in the expansion of a nonconforming use section.*

The second amendment to this section is adding when a change of use occurs. The amendment allows the Director, or designee, to require upgrades to a building if a change of use occurs. These upgrades may include fire sprinklers, electrical, mechanical, or other provisions of the building code. The provision also allows the Director to require additional parking spaces if the new use necessitates an increase in parking demand.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Any use, structure, lot or other site improvement (e.g., landscaping or signage), which was legally established prior to the effective date of a land use regulation that rendered it nonconforming, shall be considered nonconforming if:

1. The use is now prohibited or cannot meet use limitations applicable to the zone in which it is located; or

2. The use or structure does not comply with the development standards or other requirements of this code;

3. A change in the required permit review process shall not create a nonconformance.

B. Abatement of Illegal Use, Structure or Development. Any use, structure, lot or other site improvement not established in compliance with use, lot size, building, and development

standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal.

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~~. Modification of structures that are nonconforming with regards to critical areas may only be permitted consistent with SMC 20.80.040.

D. Expansion of Nonconforming Use. A nonconforming use may be expanded subject to approval of a conditional use permit unless the indexed supplemental criteria (SMC 20.40.200) require a special use permit for expansion of the use under the code. A nonconformance with the development standards shall not be created or increased and the total expansion shall not exceed 10 percent of the use area. 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.

E. Nonconforming Lots. Any permitted use may be established on an undersized lot, which cannot satisfy the lot size or width requirements of this code; provided, that:

1. All other applicable standards of the code are met; or a variance has been granted;
2. The lot was legally created and satisfied the lot size and width requirements applicable at the time of creation;
3. The lot cannot be combined with contiguous undeveloped lots to create a lot of required size;
4. No unsafe condition is created by permitting development on the nonconforming lot; and
5. The lot was not created as a “special tract” to protect critical area, provide open space, or as a public or private access tract.

F. Nonconformance Created by Government Action.
1. Where a lot, tract, or parcel is occupied by a lawful use or structure, and where the acquisition of right-of-way, by eminent domain, dedication or purchase, by the City or a County, State, or Federal agency creates noncompliance of the use or structure regarding any

requirement of this code, such use or structure shall be deemed lawful and subject to regulation as a nonconforming use or structure under this section.

2. Existing signs that are nonconforming may be relocated on the same parcel if displaced by government action provided setback standards are met to the extent feasible. If an existing conforming or nonconforming sign would have setbacks reduced below applicable standards as a result of government action, the sign may be relocated on the same parcel to reduce the setback nonconformity to the extent feasible. To be consistent with SMC 20.50.590(A), the signs shall not be altered in size, shape, or height.

3. A nonconforming lot created under this subsection shall qualify as a building site pursuant to RCW 58.17.210, provided the lot cannot be combined with a contiguous lot(s) to create a conforming parcel.

G. Change of Use – Single Tenant.
If any applicant proposes a change of use on a lot used or occupied by a single tenant or use, the applicant shall meet those code provisions determined by the Director to be reasonably related and applicable to the change in use. These provisions shall apply to the entire lot. If the development is nonconforming due to the number of parking spaces provided for the existing use, any change in use, which requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements.

H. Change of Use – Multi-Tenant.
If any applicant proposes a change of use on a portion of a lot occupied by multiple tenants or uses, the applicant shall meet those code provisions determined by the Director to be reasonably related and applicable to the change in use. These provisions shall apply only to that geographic portion of the lot related to the use or tenant space on which the change is proposed. If the multi-tenant lot is nonconforming due to the number of parking spaces provided for the existing uses, any change in use, which requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements.

Amendment #9
20.30.290 – Deviation from the engineering standards (Type A action).

This proposed amendment will change who will approve a deviation from engineering standards from the Director to the Director of Public Works.

***Justification** – The Deviation from Engineering Standards is a request to deviate from certain engineering standards such as driveway widths, number of driveways, street frontage standards, or right-of-way improvements. These applications are submitted in the Planning & Community Development Department, usually accompanied by a building permit, and then routed to the Public Works Department for approval. This Development Code Amendment will make it clear the Director of Public Works makes the final decision this application.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Purpose. Deviation from the engineering standards is a mechanism to allow the City to grant an adjustment in the application of engineering standards where there are unique circumstances relating to the proposal.

B. Decision Criteria. The Director of Public Works shall grant an engineering standards deviation only if the applicant demonstrates all of the following:

Amendment #10
20.30.330 – Special Use Permit – SUP (Type C Action)

This proposed amendment will increase the vesting period for Special Use Permits issued to public agencies.

***Justification** – Projects proposed by public agencies, such as Sound Transit, are usually long, complex, and may require multiple phases to complete. This amendment will add a vesting provision to the Special Use Permit that allows a longer vesting period to account for projects that may take many years to complete. This provision gives the public agency the flexibility for longer vesting timeframes.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Purpose. The purpose of a special use permit is to allow a permit granted by the City to locate a regional land use including essential public facilities on unclassified lands, unzoned lands, or when not specifically allowed by the zoning of the location, but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. The special use permit may be granted subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. The special use permit shall not be used to preclude the siting of an essential public facility.
B. Decision Criteria (Applies to All Special Uses). A special use permit shall be granted by the City, only if the applicant demonstrates that:

1. The use will provide a public benefit or satisfy a public need of the neighborhood, district, City or region;

2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;

3. The special use will not materially endanger the health, safety and welfare of the community;

4. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;

5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

6. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;

7. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties;

8. The special use is not in conflict with the basic purposes of this title; and

9. The special use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Plan, SMC Title 20, Division II.

C. Decision Criteria (Light Rail Transit Facility/System Only). In addition to the criteria in subsection B of this section, a special use permit for a light rail transit system/facilities located anywhere in the City may be granted by the City only if the applicant demonstrates the following standards are met:

1. The proposed light rail transit system/facilities uses energy efficient and environmentally sustainable architecture and site design consistent with the City's guiding principles for light rail system/facilities and Sound Transit's design criteria manual used for all light rail transit facilities throughout the system and provides equitable features for all proposed light rail transit system/facilities;

2. The use will not result in, or will appropriately mitigate, adverse impacts on City infrastructure (e.g., roads, sidewalks, bike lanes (as confirmed by the performance of an access assessment report or similar assessment) to ensure that the City's transportation system (motorized and nonmotorized) will be adequate to safely support the light rail transit system/facility development proposed. If capacity or infrastructure must be increased to meet the decision criteria set forth in this subsection C, then the applicant must identify a mitigation plan for funding or constructing its proportionate share of the improvements; and

3. The applicant demonstrates that the design of the proposed light rail transit system/facility is generally consistent with the City's guiding principles for light rail system/facilities.

D. Vesting of Special Use Permits requested by Public Agencies. A public agency may, at the time or application or at any time prior to submittal of the SUP application to the City Hearing Examiner, request a modification in the vesting expiration provisions of SMC 20.30.160, allowing for vesting of the SUP for a period of up to five years from the date of hearing examiner approval or, if the SUP provides for phased development, for a period of up to ten years from date of hearing examiner approval. If permitted, the expiration date for vesting shall be set forth as a condition in the SUP.

Amendment #11
20.30.357 – Planned Action Determination

The Planned Action Determination is a new addition to the Development Code.

Justification *–This determination is required for applications that want to be considered a planned action and rely on the environmental documentation that was prepared for the planned action area. The new Development Code language proposed establishes a purpose and decision criteria section. Staff has also developed a planned Action form that an applicant must use when submitting for a Planned Action Determination.*

Staff recommendation*– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Purpose. The purpose of a planned action determination is decide if a project qualifies as a planned action project thereby not requiring additional substantive and procedural review under SEPA .

Decision criteria. For a site-specific project to qualify as a planned action, the applicant shall submit a Planned Action Determination Checklist on a form prescribed and provided by the Department and demonstrate that:

1. The project is located within one of the City's designated Planned Action Areas;

2. The uses and activities of the project are consistent with qualifying land use categories described in the relevant Planned Action EIS;

3. The project is within and does not exceed the planned action thresholds established for the relevant Planned Action Area;

4. The project is consistent with the Shoreline Municipal Code and the Shoreline Comprehensive Plan, including any goals and policies applicable to the Planned Action Area;

5. If applicable, the project's significant adverse environmental impacts have been identified in the relevant Planned Action EIS;

6. If applicable, the project's significant adverse environmental impacts have been mitigated by application of mitigation measures identified for the Planned Action Area and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;

7. The project complies with all applicable local, state, and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and

8. The project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a planned action project.

Amendment #12
20.30.380 – Subdivision Categories

This amendment seeks to strike lot line adjustments as a subdivision category.

***Justification** – Lot line adjustments are not a subdivision of land. Also, lot line adjustments provisions are found in 20.30.400 and do not need to be included in 20.30.380.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

~~A. Lot Line Adjustment: A minor reorientation of a lot line between existing lots to correct an encroachment by a structure or improvement to more logically follow topography or other natural features, or for other good cause, which results in no more lots than existed before the lot line adjustment.~~

A. ~~B~~. Short Subdivision: A subdivision of nine or fewer lots.

B. ~~C~~. Formal Subdivision: A subdivision of 10 or more lots.

C. ~~D~~. Binding Site Plan: A land division for commercial, industrial, and mixed use type of developments.

Note: When reference to "subdivision" is made in this Code, it is intended to refer to both "formal subdivision" and "short subdivision" unless one or the other is specified.

Amendment #13
20.30.410 – Preliminary subdivision review procedures and criteria.

There are two proposed amendments to this section. The first amendment establishes a procedure for Unit Lot Developments. This amendment allows a developer to create fee simple lots (each unit located on its own lot) without having to construct the units to Building Code standards for standalone units. The building is considered one unit even though the units are sold individually with a generally a small lot created from a larger "parent lot". This eliminates the need to construct each unit as if it may someday need to be structurally independent of the other units. Constructing the building as one structure is more cost effective. This process also creates a home ownership opportunity for people to buy a unit and the property on which the unit is located.

***Justification** – The proposed amendment will allow single family attached-developments to be subdivided for fee simple ownership and to allow application of International Building Code (IBC), National Electrical Code (NEC), and International Fire Code (IFC) to consider the units together as constituting one building, notwithstanding the property lines separating the units Please also see the justification for Amendment #5 – Definition of Unit Lot Development (ULD).*

The second amendment to this section is part of a group of amendments recommended by the Department of Ecology to comply with the City's NPDES Permit. Amendment A.4 below is related to NPDES requirements in Amendments #3 and #4.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

The short subdivision may be referred to as a short plat – Type B action.

The formal subdivision may be referred to as long plat – Type C action.

Time limit: A final short plat or final long plat meeting all of the requirements of this chapter and Chapter 58.17 RCW shall be submitted for approval within the time frame specified in RCW 58.17.140.

Review criteria: The following criteria shall be used to review proposed subdivisions:

A. **Environmental.**

1. Where environmental resources exist, such as trees, streams, geologic hazards, or wildlife habitats, the proposal shall be designed to fully implement the goals, policies, procedures and standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and the tree conservation, land clearing, and site grading standards sections.

2. The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.

3. Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, such as floodplains, landslide hazards, or unstable soil or geologic conditions, a subdivision of the hazardous land shall be denied unless the condition can be permanently corrected, consistent with subsections (A)(1) and (2) of this section, Chapter 20.80 SMC Critical Areas, and Chapter 13.12 SMC, Floodplain Management.

4. Low Impact Development (LID) techniques shall be applied where feasible to minimize impervious areas, manage storm water, preserve on-site natural features, native vegetation, open space and critical areas.

B. **Lot and Street Layout.**

1. Lots shall be designed to contain a usable building area. If the building area would be difficult to develop, the lot shall be redesigned or eliminated, unless special conditions can be imposed that will ensure the lot is developed consistent with the standards of this Code and does not create nonconforming structures, uses or lots.

2. Lots shall not front on primary or secondary highways unless there is no other feasible access. Special access provisions, such as, shared driveways, turnarounds or frontage streets may be required to minimize traffic hazards.

3. Each lot shall meet the applicable dimensional requirements of the Code.

4. Pedestrian walks or bicycle paths shall be provided to serve schools, parks, public facilities, shorelines and streams where street access is not adequate.

C. **Dedications and Improvements.**

1. The City may require dedication of land in the proposed subdivision for public use.

2. Only the City may approve a dedication of park land.

3. In addition, the City may require dedication of land and improvements in the proposed subdivision for public use under the standards of Chapter 20.60 SMC, Adequacy of Public Facilities, and Chapter 20.70 SMC, Engineering and Utilities Development Standards, necessary to mitigate project impacts to utilities, rights-of-way, and stormwater systems.

a. Required improvements may include, but are not limited to, streets, curbs, pedestrian walks and bicycle paths, critical area enhancements, sidewalks, street landscaping, water lines, sewage systems, drainage systems and underground utilities.

D. Unit Lot Development.

1. The provisions of this subsection apply exclusively to Unit Lot Developments for single-family attached dwelling units or zero lot line developments in all zones in which these uses are permitted.

2. Unit Lot Developments may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested.

3. As a result of the subdivision, development on individual unit lots may modify standards in SMC 20.50.020 Exception 2.

4. Access easements and joint use and maintenance agreements shall be executed for use of a common garage or parking area, common open space, and other similar features, to be recorded with King County Records and Licensing Services Division.

5. Within the parent lot or overall site, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, to be recorded with King County Records and Licensing Services Division.

6. The unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot and shall be noted on the plat, to be recorded with King County Records and Licensing Services Division.

7. The applicant shall record a covenant on the plat that states, "*These units will be considered individual units and part of one structure that cannot be segregated from one another. A unit lot development is defined as one building or one structure in the International Building Code and International Fire Code and National Electrical Code".*

Amendment #14
20.30.470 – Further division – Short subdivisions.

The proposed Development Code amendment changes the number of lots in a short plat from four to nine.

***Justification** – The City Council increased the number of lots for a short plat to 9 during the 2015 Development Code amendment batch. The definition section was not updated at the time and this proposed amendment will rectify this change.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A further division of any lot created by a short subdivision shall be reviewed as and meet the requirements of this subchapter for formal subdivision if the further division is proposed within five years from the date the final plat was filed for record; provided, however, that when a short plat contains fewer than nine ~~four~~ parcels, nothing in this subchapter shall be interpreted to prevent the owner who filed the original short plat, from filing a revision thereof within the five-year period in order to create up to a total of nine ~~four~~ lots within the original short subdivision boundaries.

USE TABLES: Amendments 15-18

Amendment #15
20.40.120 – Residential uses.

***Justification** – This amendment is related to amendments 1, 18, 21 and 22. The current definitions for various types of dwelling units and housing styles are confusing, repetitive, and in some cases, contradict themselves. The proposed amendments to the table below seek to cut down the number of housing types by combining housing styles into distinct categories. For example, townhomes and duplexes are both single-family attached dwellings so staff believes these should be in one category instead of treated separately in the definitions.*

- *Apartments are a housing type within the multifamily dwelling category.*
- *Duplexes and townhomes are a housing type within the single-family attached dwelling category.*
- *The multifamily dwelling definition will be amended to strike a number of dwelling types within the category. This will lead to less confusion about how to define certain housing types.*
- *The single-family attached definition will be amended to strike "three or more" and replaced with more than one.*

With the proposed amendments to the dwelling definitions, there will be three logical categories of dwellings: Multifamily, single-family attached, and single-family detached.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Amendment #16
20.40.130 – Nonresidential uses

This proposed amendment will remove fuel and service stations as a permitted use in the Town Center 2, 3, and 4 zones.

***Justification** – Automotive Fueling and Service Stations are exclusively automotive uses. These uses detract from the goal of enhancing the pedestrian experience in TC-2, TC-3, and TC-4 zones. Prohibiting Automotive Fueling and Service Stations in TC-2, TC-3, and TC-4 zones, removes the conflict between the needs of a purely automotive use and those uses that encourage pedestrian and gathering zones is removed.*

Ample alternative locations are available to Fuel and Service Station operators. Automotive Fueling and Service Stations are allowed to be located in Neighborhood Business (NB), Community Business (CB), Mixed Business (MB), zones of the City, notably in the Town Center (TC)-1 and MB zones along Aurora Ave N immediately to the north and south of Town Center. Most commercial uses generate revenue for the city. However, because Shoreline obtains tax revenue from fueling stations regardless of where the fuel is sold in the state, no incremental increase in City revenues will be experienced from increasing fuel sales in TC-2, TC-3, and TC-4 zones.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

Amendment #17
20.40.130 – Nonresidential uses

This proposed amendment will make light manufacturing an approved use in the Mixed-Business (MB) zone. Currently, light manufacturing requires a Special Use Permit in the MB zone.

***Justification** – The City permits outright light manufacturing land uses in TC zones and in MB zones with a Special Use Permit. Town Center is small area and to require a Special Use Permit in MB seems unnecessary considering these zones all border Aurora Avenue. Based on the intent of these two zones, if a Special Use permit is needed it would be better served in the TC zones and to be permitted outright in the MB zones. A recent example is a small t-shirt print shop and wholesaler was deterred because the Special Use Permit was too expensive and the decision and conditions unpredictable to apply. The t-shirt shop is not a big proposal but it*

raises the question: does Shoreline provide enough opportunity for light manufacturing locate here? Is the MB zone the appropriate place to allow light manufacturing since it already allows wholesale and warehouse uses, car repair, etc.?

The proposed definition from the manual of A Glossary of Zoning and, Development and Planning Terms for "Light Manufacturing" is: "The manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabricating, assemble, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing."

***Staff recommendation** –Permit Light Manufacturing outright in MB zones rather than through a Special Use Permit and add a Light Manufacturing definition to SMC 20.20.016 that clearly defines the type of uses allowed.*

Staff recommends that this amendment be included in the 2016 Development Code amendment batch.

Amendment #18
Table 20.40.160 – Station Area Uses

***Justification** – This proposed amendment is related to amendments 1, 15, 21, and 22. The current definitions for various types of dwelling units and housing styles are confusing, repetitive, and in some cases, contradict themselves. The proposed amendments to the table below seek to combine housing styles into distinct categories. For example, townhomes and duplexes are both single-family attached dwellings so staff believes these should be in one category instead of treated separately in the definitions and use tables.*

- *The definition of apartments will be retained but will be updated to read more clearly.*
- *Duplexes and townhomes will be defined in the single-family attached definition.*
- *The multifamily dwelling definition will be amended to strike a number of dwelling types within the category. This will lead to less confusion about how to define certain housing types.*
- *The single-family attached definition will be amended to strike "three or more" and replaced with more than one.*

With the proposed amendments to the dwelling definitions, there will be three logical categories of dwellings: Multifamily, single-family attached, and single-family detached.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

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~~ **Amendment #15**	~~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				
	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				

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

20.40.130 Nonresidential uses.

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
RETAIL/SERVICE									
532	Automotive Rental and Leasing						P	P	P only in TC-1
81111	Automotive Repair and Service					P	P	P	P only in TC-1
451	Book and Video Stores/Rental (excludes Adult Use Facilities)			C	C	P	P	P	P
513	Broadcasting and Telecommunications							P	P

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
812220	Cemetery, Columbarium	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	Houses of Worship	C	C	P	P	P	P	P	P
	Construction Retail, Freight, Cargo Service							P	
	Daycare I Facilities	P-i	P-i	P	P	P	P	P	P
	Daycare II Facilities	P-i	P-i	P	P	P	P	P	P
722	Eating and Drinking Establishments (Excluding Gambling Uses)	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
812210	Funeral Home/Crematory	C-i	C-i	C-i	C-i		P-i	P-i	P-i
447	Fuel and Service Stations **Amendment #16**					P	P	P	~~P~~
	General Retail Trade/Services					P	P	P	P
811310	Heavy Equipment and Truck Repair							P	
481	Helistop			S	S	S	S	C	C
485	Individual Transportation and Taxi						C	P	P only in TC-1
812910	Kennel or Cattery						C-i	P-i	P-i
	Library Adaptive Reuse	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
31	Light Manufacturing **Amendment #17**							P ~~S~~	P
	Marijuana Operations – Medical Cooperative	P	P	P	P	P	P	P	P
	Marijuana Operations – Retail					P	P	P	P
	Marijuana Operations – Processor							S	P
	Marijuana Operations – Producer							P	

Table 20.40.130 Nonresidential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
441	Motor Vehicle and Boat Sales							P	P only in TC-1
	Professional Office			C	C	P	P	P	P
5417	Research, Development and Testing							P	P
484	Trucking and Courier Service						P-i	P-i	P-i
541940	Veterinary Clinics and Hospitals			C-i		P-i	P-i	P-i	P-i
	Warehousing and Wholesale Trade							P	
	Wireless Telecommunication Facility	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

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~~ **Amendment #18**	~~P-i~~	~~P-i~~	~~P-i~~

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
	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		

Amendment #19
20.40.230 – Affordable housing

The proposed amendment updates critical area language contained in this section that was missed when the City updated the Critical Areas Ordinance as part of Ordinance 724 which is the City's Critical Areas.

***Justification** – Ordinance 724 updated many sections of the Development Code for consistency of terms and references. Section 20.40.230(A) was revised by this ordinance, however the reference to the critical area regulations in Section 20.40.230(A)(5) was missed.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Provisions for density bonuses for the provision of affordable housing apply to all land use applications, except the following which are not eligible for density bonuses: (a) the construction of one single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation, (b) and provisions for accessory dwelling units~~, and (c) projects which are limited by the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II~~.

5. All land use applications for which the applicant is seeking to include the area designated as a critical area ~~overlay district~~ in the density calculation shall satisfy the requirements of this Code. The applicant shall enter into a third party contract with a qualified ~~consultant~~ professional and the City to address the requirements of the critical area ~~overlay district chapter~~ regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II.

Amendment #20
20.40.240 – Animals – Keeping of

The proposed amendment will amend the rules related to beekeeping.

***Justification** – The City has a business, Rainy Day Bees, which tends to bees in hives that belong to them but are on other people's private property on a voluntary basis. It is used on underutilized yards. Shoreline recently adopted an ordinance about beekeeping that is stricter than Seattle's regulations. Briefly, Seattle and other municipalities allow for hives to be closer to the property line if there is a fence or hedge or if the hives are elevated. Shoreline has no exemptions; the hives must be 25 feet from the nearest property line. Rainy Day Bees are being forced to locate most of their hives in Seattle.*

This amendment will make Shoreline's rules for beekeeping aligns with that of Seattle's and promote Shoreline as a beekeeping friendly city.

- *Pros to this proposal include: Health benefits from the end product: honey;*
- *Financial boost: supports small businesses like Rainy Day Bees;*
- *Health of bees: Urban bees tend to be more resilient;*

Cons to this proposal include:
- *Overcrowding: More urban bees competing for potentially limited pollen sources;*
- *Increased threat of stings: Can be eliminated with proper placement and management of hives.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

F. Beekeeping is limited as follows:

1. Beehives are limited to no more than four hives, each with only one swarm, on sites less than 20,000 square feet.

2. ~~Hives must be at least 25 feet from any property line; if the lot width or depth does not allow for 25 feet per side, then the hive may be placed in the center of the widest point of the lot on a lot, so long as it is at least 50 feet wide.~~

2. Hives shall not be located within 25 feet of any lot line except when situated 8 feet or more above the grade immediately adjacent to the grade of the lot on which the hives are located or when situated less than 8 feet above the adjacent existing lot grade and behind a solid fence or hedge six (6) feet high parallel to any lot line within 25 feet of a hive and extending at least 20 feet beyond the hive in both directions.

3. Must register with the Washington State Department of Agriculture.

4. Must be maintained to avoid overpopulation and swarming.

Amendment #21
20.40.340 – Duplex.

Justification *- The current definitions for various types of dwelling units and housing styles are confusing, repetitive, and in some cases, contradict themselves. This proposed amendment is related to amendments 1, 15, 18, and 22. The proposed amendment will strike the indexed criteria for duplexes and move the entire section into the indexed criteria for single-family attached dwellings. This proposed amendment matches the other changes in this batch that includes duplexes with single-family attached dwellings. The criteria for duplexes in the R-4 and R-6 will not be completely deleted from the Development Code. The conditions for duplexes in the R-4 and R-6 zones will be moved to the conditions for single-family attached dwellings in SMC 20.40.510.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

~~Duplex may be permitted in R-4 and R-6 zones subject to compliance with dimensional and density standards for applicable R-4 or R-6 zone and subject to single-family residential design standards.~~

~~More than two duplexes on a single parcel are subject to multifamily and single-family attached residential design standards.~~

Amendment #22
20.40.510 – Single-family attached dwellings.

Justification *– Proposed amendments 1, 15, 18, and 21 amend dwelling types in the definition section and the use tables. This proposed amendment strikes letter "A" since single-family attached dwellings include more than just triplexes and townhomes. Letter "C" is an outdated set of guidelines that may or may not apply to a development project. There are specific sections of the Development Code that regulate the items in the below list and therefore do not need to be included in this section. These include:*

1. *SMC 20.50.350 is the section that regulates minimum tree retention requirements.*
2. *The Development Code is silent on view restrictions so this item is not enforceable.*
3. *SMC 20.80.280 regulates fish and wildlife habitat conservation areas.*
4. *SMC Table 20.50.020 lists required setbacks along property lines while SMC 20.50.460 requires landscaping within those required setbacks.*
5. *The Critical Areas Ordinance has been recently updated to regulate development in geologic hazard areas.*
6. *The Development Code is largely silent on the protection of historic features and therefore not enforceable.*

This amendment also adds the indexed criteria for duplexes since the definition of single-family attached dwellings now include duplexes.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

20.40.510 – Single-family attached dwellings.

~~A. Single-family attached dwellings include triplexes and townhouses.~~

~~B.~~ Single-family attached dwellings in R-4 and R-6 zones shall comply with applicable R-4 and R-6 dimensional and density standards, and ~~multifamily~~ single-family residential design standards.

~~C. Single-family attached dwellings shall comply with one or more of the following:~~

~~1. The development of the attached dwelling units enable protection and retention of windfirm trees; or~~

~~2. The development of the attached dwelling units enable preservation of scenic vistas; or~~

~~3. The development of the attached dwelling units enable creation of buffers along fish and wildlife habitat conservation areas and wetlands; or~~

~~4. The development of the attached dwelling units enable creation of buffers among incompatible uses; or~~

~~5. The development of the attached dwelling units protects slopes steeper than 15 percent; or~~

~~6. The development of the attached dwelling units would allow for retention of natural or historic features.~~

~~B. D. The single-family attached dwelling development shall not result in greater density than would otherwise be permitted on site. (Ord. 238 Ch. IV § 3(B), 2000).~~

Amendment #23
20.40.600 – Wireless Telecommunications Facilities/ Satellite Dish and Antennas

This proposed amendment will delete the requirement that a Notice of Decision be issued for a wireless communication permit when attached to a right-of-way permit.

***Justification** – This is a Type A process which does not require a public notice of application nor decision.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

4. Wireless telecommunication facilities located on structures within the City of Shoreline rights-of-way shall satisfy the following requirements and procedures:

a. Only wireless telecommunication providers holding a valid franchise in accordance with SMC 12.25.030 shall be eligible to apply for a right-of-way permit, which shall be required prior to installation in addition to other permits specified in this chapter. Obtaining a right-of-way site permit in accordance with this title may be an alternative to obtaining both a franchise and a right-of-way permit for a single facility at a specific location.
b. All supporting ground equipment located within a public right-of-way shall be placed underground or, if located on private property, shall comply with all development standards of the applicable zone.
c. To determine allowed height under subsection (F)(2) of this section, the zoning height of the zone adjacent to the right-of-way shall extend to the centerline except where the right-of-way is classified by the zoning map. An applicant shall have no right to appeal an administrative decision denying a variance from height limitations for wireless facilities to be located within the right-of-way.
~~d. A notice of decision issued for a right-of-way permit shall be distributed using procedures for an application. Parties of record may appeal the approval to the Hearing Examiner but not the denial of a permit.~~

Amendment #24 and #25
20.50.020 – Dimensional requirements.

Amendment #24 deletes the requirement for a combined side setback of 15 feet in the R-6 zone and adds Unit Lot Development to exception #2 of the Tables.

***Justification** – The City currently requires 15-foot setbacks for two side yards combined with a minimum 5-foot setback in R-4 and R-6 zones. Setbacks are used to create separation between residences. However, since either neighbor on each side of residence can experience a 5-foot setback how does the combined setback benefit each neighbor? The indirect benefit of a greater sideyard setback may be the overall size of the house on the property. Lot coverage maximums are a better regulation to affect the density and open space to surrounding neighbors. This amendment complements Amendment #29.*

Amendment #25 makes a minor change to the setbacks in the MUR zones. Staff is proposing to strike "up to" in the table to clear up confusion and will provide the explanation of the front setback in the exceptions section immediately following the table.

Please refer to Amendment #5 for the justification for adding Unit Lot Development to Exception #2.

***Staff recommendation** – Staff recommends that these amendments be included in the 2016 Development Code amendment batch.*

A. Table 20.50.020(1) – Densities and Dimensions in Residential Zones.
Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

Residential Zones								
STANDARDS	R-4	R-6	R-8	R-12	R-18	R-24	R-48	TC-4
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (7)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac	Based on bldg. bulk limits
Min. Density	4 du/ac	4 du/ac	4 du/ac	6 du/ac	8 du/ac	10 du/ac	12 du/ac	Based on bldg. bulk limits
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft	N/A
Min. Lot Area (2) (13)	7,200 sq ft	7,200 sq ft	5,000 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	N/A
Min. Front Yard Setback (2) (3)	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min. ~~and 15 ft total sum of two~~	5 ft min. ~~and 15 ft total sum of two~~	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height (9)	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof) (8)	35 ft
Max. Building Coverage (2) (6)	35%	35%	45%	55%	60%	70%	70%	N/A
Max. Hardscape (2) (6)	45%	50%	65%	75%	85%	85%	90%	90%

Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones.
Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

Table 20.50.020(2) Dimensional Standards for MUR Zones

STANDARDS	MUR-35'	MUR-45'	MUR-70' (10)
Base Density:	N/A	N/A	N/A

STANDARDS	MUR-35'	MUR-45'	MUR-70' (10)
Dwelling Units/Acre			
Min. Density	12 du/ac(16)	18 du/ac	48 du/ac
Min. Lot Width (2)	N/A	N/A	N/A
Min. Lot Area (2)	N/A	N/A	N/A
Min. Front Yard Setback (2) (3)	0 ft if located on an arterial street 10 ft on nonarterial street ~~Up to~~ 20 ft if located on 145th Street (14)	15 ft if located on 185th Street (14) 0 ft if located on an arterial street 10 ft on nonarterial street ~~Up to~~ 20 ft if located on 145th Street (14)	~~Up to~~ 15 ft if located on 185th Street (14) ~~Up to~~ 20 ft if located on 145th Street (14) 0 ft if located on an arterial street 10 ft on nonarterial street
Min. Rear Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft	5 ft	5 ft
Base Height (9)	35 ft (15)	45 ft (15)	70 ft (11) (12)(15)
Max. Building Coverage (2) (6)	N/A	N/A	N/A
Max. Hardscape (2) (6)	85%	90%	90%

Exceptions to Table 20.50.020(1) and Table 20.50.020(2):
(1) Repealed by Ord. 462.

(2) These standards may be modified to allow zero lot line and Unit Lot developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.

(3) For single-family detached development exceptions to front yard setback requirements, please see SMC 20.50.070.

(4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC 20.50.080.

(5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.

(6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.

(7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.

(8) For development on R-48 lots abutting R-12, R-18, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.

(9) Base height for high schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.

(10) Dimensional standards in the MUR-70' zone may be modified with an approved development agreement.

(11) The maximum allowable height in the MUR-70' zone is 140 feet with an approved development agreement.

(12) All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45 feet in height. Alternatively, a building in the MUR-70' zone may be set back 10 feet at ground level instead of providing a 10-foot step-back at 45 feet in height. MUR-70' fronting on 185th Street shall be set back an additional 10 feet to use this alternative because the current 15-foot setback is planned for street dedication and widening of 185th Street.

(13) The minimum lot area may be reduced proportional to the amount of land needed for dedication of facilities to the City as defined in Chapter 20.70 SMC.

(14) The exact setback along 145th Street and 185th Street, up to the maximum described in Table 20.50.020(2), will be determined by the Public Works Department through a development application.

(15) Base height may be exceeded by 15 feet for rooftop structures such as arbors, shelters, barbeque enclosures and other structures that provide open space amenities.

(16) Single-family detached dwellings that do not meet the minimum density are permitted in the MUR-35' zone subject to the R-6 development standards.

Amendment #26
20.50.021 – Transition Areas

This proposed amendment will move the transition standards from SMC 20.100.020, the Aurora Square Community Renewal Area (CRA), to SMC 20.50.021.

***Justification** – This amendment is related to amendment #36. There is only one regulation in this section that regulates the transition standards in the CRA. Staff believes this provision*

should be moved from this section and placed in SMC 20.50.021 where all the other transition standards are located. This will ensure that the transition standards in the CRA will not be overlooked since all of the transition area requirements will be in one place in the code.

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

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.

B. Type I landscaping (SMC 20.50.460), significant tree preservation, and a solid, eight-foot, property line fence shall be required for transition area setbacks abutting R-4, R-6, or R-8 zones. Twenty percent of significant trees that are healthy without increasing the building setback shall be protected per SMC 20.50.370. The landscape area shall be a recorded easement that requires plant replacement as needed to meet Type I landscaping and required significant trees. Utility easements parallel to the required landscape area shall not encroach into the landscape area. Type II landscaping shall be required for transition area setbacks abutting rights-of-way directly across from R-4, R-6 or R-8 zones. Required tree species shall be selected to grow a minimum height of 50 feet.

C. All vehicular access to proposed development in nonresidential zones shall be from arterial classified streets, unless determined by the Director to be technically not feasible or in conflict with state law addressing access to state highways. All developments in commercial zones shall conduct a transportation impact analysis per the Engineering Development Manual. Developments that create additional traffic that is projected to use nonarterial streets may be required to install appropriate traffic-calming measures. These additional measures will be identified and approved by the City's Traffic Engineer.

<u>D. For development within the Aurora Square Community Renewal Area; maximum building height of 35 feet within the first 10 feet horizontally from the front yard setback line. No additional upper-story setback required.</u>

<u>Amendment #27</u>
20.50.040.I 4, 5,and 6 – Setbacks – Designation and measurements

This amendment proposes clarity to existing confusing and contradictory language for decks, porches and stairs and ramps in required yard setbacks.

Justification - *The amendment to section #4 will allow the projection of decks, under 18 inches in height, into the front yard in addition to side and rear yards. A patio is permitted in front yard setbacks as well as side and rear yards then the impacts or uses of these amenities are mostly the same.*

The amendment to section, #5, cleans-up confusing language about how far an uncovered porch or deck more than 18 inches above the finished grade may project into the front, side, and rear setbacks. Currently, the language allows decks above 18 inches in height to extend 18 inches into the sideyard which is greater than 6 feet 6 inches. This language is obtuse and it is more direct to say that these cannot be built within 5 feet of the property line. The amendment also clarifies the contradiction of why a deck above 18 inches is allowed in the front yard but not a deck under 18 inches in height in section #4.

The amendment to section #6 clears up confusion about the size of porches in setbacks. Currently, #6 allows covered entries to extend 5 feet into the setback if they are 60 square feet or greater. Staff thinks the intention is not to allow decks without a maximum size but to allow covered entries less than 60 feet to extend 5 feet into the setback.

The amendment to section #7 will allow building stairs or ramps to project to the property line, subject to conditions, for the purpose of retrofitting an existing residence. Some houses have a short, steep grade to the front sidewalk. If the intent is to allow residents to retrofit their access then limiting the height of stairs or ramps for the purpose of entry limiting their height seems prohibitive. This becomes especially relevant if residents have limited mobility.

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

4. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the front, rear, and side property lines.

5. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project 5 feet into the required front, rear and side yard setbacks but not within 5 feet of a property line:

~~a. Eighteen inches into a side yard setback which is greater than six feet, six inches; and~~

~~b. Five feet into the required front and rear yard setback.~~

6. Entrances with covered but unenclosed porches may project up to 60 square feet into the front and rear yard setback. ~~that are at least 60 square feet in footprint area may project up to five feet into the front yard setback.~~

7. For the purpose of retrofitting an existing residence, uncovered building stairs or ramps no more than ~~than 30 inches from grade to stair tread and~~ 44 inches wide may project to the property line subject to right-of-way sight distance requirements.

Amendment #28
20.50.070 – Site planning – Front yard setback – Standards.

The proposed amendment will move the requirement for a 20-foot driveway from the exceptions section and move it into the regulation.

***Justification** – The requirement for a 20-foot driveway should not be in the exception section but should be a stand-alone requirement.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

20.50.070 – Site planning – Front yard setback – Standards.

The front yard setback requirements are specified in Subchapter 1 of this chapter, Dimensional and Density Standards for Residential Development, except as provided for below.

For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

Exception 20.50.070(1): The front yard setback may be reduced to the average front setback of the two adjacent lots; provided the applicant demonstrates by survey that the average setback of adjacent houses is less than 20 feet. However, in no case shall an averaged setback of less than 15 feet be allowed. If the subject lot is a corner lot, the setback may be reduced to the average setback of the lot abutting the proposed house on the same street and the 20 feet required setback. (This provision shall not be construed as requiring a greater front yard setback than 20 feet.)

~~For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.~~

Amendment #29
20.50.090 – Additions to existing single-family house - Standards

The proposed amendment is related to amendment #24 and deletes the provisions that allow a homeowner to add on and expand a home that is nonconforming to setbacks.

***Justification** – Additions to existing single-family house are allowed, within limits, to expand a non-conforming structure within a yard setback. The allowance is based on an existing, nonconforming façade that is more than 60% of the entire façade to be able to expand the nonconformance. The intent is to allow flexibility when retrofitting an existing structure but its standards are not logical or statistically based and are confusing to administer.*

1) Why would we allow a nonconformance to expand?
2) Why is nonconformance greater than 60% needed to allow the expansion?

3) Therefore, why would a percentage less than 60% not be more qualified to expand since it would be less of a nonconformance, and
4) Why is there no limit to how much the nonconforming façade can expand?

There is no other nonconformance allowance for decks, hardscape, height, or lot coverage in the Development Code. SMC 20.30.280 – Nonconformance addresses this issue which limits structure expansion to the "degree of an existing nonconformity" and "limited to 50% of the use area (building coverage"). The Development Code will provide greater flexibility, through amendment #24, by allowing only two, 5-foot side yard setbacks. By approving amendment #24, Table 20.50.020(1) regarding setbacks, property owners will have greater flexibility with other alternatives to expand their homes without expanding a nonconformance that is difficult to administer and is not logical.

Staff Recommendation *– Repeal the entire code section. The Development Code will provide greater flexibility, through amendment #24, by allowing only two, 5-foot side yard setbacks.*

~~SMC 20.50.090 Additions to existing single-family house – Standards.~~

~~A. Additions to existing single-family house and related accessory structures may extend into a required yard when the house is already nonconforming with respect to that yard. The length of the existing nonconforming facade must be at least 60 percent of the total length of the respective facade of the existing house (prior to the addition). The line formed by the nonconforming facade of the house shall be the limit to which any additions may be built as described below, except that roof elements, i.e., eaves and beams, may be extended to the limits of existing roof elements. The additions may include basement additions. New additions to the nonconforming wall or walls shall comply with the following yard requirements:~~

~~1. Side Yard. When the addition is to the side of the existing house, the existing side facade line may be continued by the addition, except that in no case shall the addition be closer than three feet to the side yard line;~~
~~2. Rear Yard. When the addition is to the rear facade of the existing house, the existing facade line may be continued by the addition, except that in no case shall the addition be closer than three feet to the rear yard line;~~
~~3. Front Yard. When the addition is to the front facade of the existing house, the existing facade line may be continued by the addition, except that in no case shall the addition be closer than 10 feet to the front lot line;~~
~~4. Height. Any part of the addition going above the height of the existing roof must meet standard yard setbacks; and~~
~~5. This provision applies only to additions, not to rebuilds. When the nonconforming facade of the house is not parallel or is otherwise irregular relative to the lot line, then the Director shall determine the limit of the facade extensions on case by case basis.~~

Amendment #30
20.50.110 – Fences and walls - Standards

The proposed amendment will delete the suggestion that fences in the front yard be limited to 3.5 feet in height.

***Justification** – This provision is a design standard for appearance or defensible space. It is inconsistent with the allowance for 6-foot fences in all other yards of a residential property. It is also written as a recommendation and not as a requirement. The intent of the existing code can be met with the requirement for sight clearance standards and the preference of the property owner. Staff believes that the fence lower height limit is more a design standard for the purpose of street appeal. It also contradicts the code allowance for arbors in any setback up to 6 feet in height.*

***Staff recommendation** – Staff recommends that this amendment be approved in the 2016 Development Code amendment batch.*

20.50.110 Fences and walls – Standards.

A. The maximum height of fences located along a property line shall be six feet, subject to the sight clearance provisions in the Engineering Development Manual. ~~(Note: The recommended maximum height of fences and walls located between the front yard building setback line and the front property line is three feet, six inches high.)~~

B. All electric, razor wire, and barbed wire fences are prohibited.

C. The height of a fence located on a retaining wall shall be measured from the finished grade at the top of the wall to the top of the fence. The overall height of the fence located on the wall shall be a maximum of six feet.

Amendment #31
20.50.240 – Site Design

***Justification** – The phrase "on private property" is redundant and confusing. Buildings and parking structures are only developed on private property.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

C. Site Frontage.

1. Development in 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 #32
20.50.330 – Project review and approval

This proposed Development Code amendment is recommended to be updated based on the Department of Ecology's review of the code. All of the amendments are minor in nature and will help Shoreline comply with the City's NPDES Permit.

***Justification** – The Washington State Department of Ecology (DOE) NPDES Permit requires that we review, revise and make effective codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID Best Management Practices (BMP) by December 31st 2016. The intent of the revisions is to make LID principles and green stormwater infrastructures the preferred and commonly-used approach to site development.*

***Staff recommendation** – Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Review Criteria. The Director shall review the application and approve the permit, or approve the permit with conditions; provided that the application demonstrates compliance with the criteria below.

1. The proposal complies with SMC 20.50.340 through 20.50.370, or has been granted a deviation from the Engineering Development Manual.

2. The proposal complies with all standards and requirements for the underlying permit.

3. If the project is located in a critical area or buffer, or has the potential to impact a critical area, the project must comply with the critical areas standards.

4. The project complies with all requirements of the City's Stormwater Management Manual as set for the in SMC 13.10.200 and applicable provisions of SMC 13.10, Engineering Development Manual and SMC 13.10, Surface Water Management Code and adopted standards.

5. All required financial guarantees or other assurance devices are posted with the City.

Amendment #33
20.50.390 – Minimum off-street parking requirements - Standards

This proposed amendment will match up the parking requirement for self-service storage facilities with the ITE trip generation calculator for mini-warehouse uses, which do not generate as much parking as the City has been requiring.

Justification *– The City uses the trip generation calculator to assess Transportation Impact Fees. This figure also matches more closely traffic impact analyses that have been prepared for such uses. The proposed minimum spaces required may look strange but that is the number cited by multiple parking demand studies submitted by various self-service storage providers. For example, an 80,000 square foot self-service storage facility would be required to provide 11 parking spaces.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

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

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
Restaurants:	1 per 75 square feet in dining or lounge area

NONRESIDENTIAL USE	MINIMUM SPACES REQUIRED
Self-service storage facility:	1 per .000130 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

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Amendment #34
20.50.540(G) – Sign design

Justification *– The Aurora Square Community Renewal Area is a special district and has a unique set of signage requirement. Staff recommends inserting a reference into this section to point the reader to the specific sign regulations of the CRA because the sign code uses zones and the CRA is in the MB zone.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

G. Table 20.50.540(G) – Sign Dimensions.

A property may use a combination of the four types of signs listed below.

Refer to SMC 20.50.620 for the Aurora Square Community Renewal Area sign regulations.

Amendment #35
20.70.020 – Engineering Development Manual.

Justification *– The proposed Development Code amendment will strike the reference to SMC 12.10.100, which does not exist, and replace the reference with 12.10.015 which is the chapter that includes processes, design and construction criteria, inspection requirements, standard plans, and technical standards for engineering design related to the development of all streets and utilities and/or improved within the City. The remainder of the section will be deleted since the requirements for development are located in the Engineering Development Manual.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

The Engineering Development Manual adopted pursuant to SMC 12.10.~~100~~.015 includes processes, design and construction criteria, inspection requirements, standard plans, and technical standards for engineering design related to the development of all streets and utilities and/or improved within the City. ~~The specifications shall include, but are not limited to:~~

~~A. Street widths, curve radii, alignments, street layout, street grades;~~

~~B. Intersection design, sight distance and clearance, driveway location;~~

~~C. Block size, sidewalk placement and standards, length of cul-de-sacs, usage of hammerhead turnarounds;~~

~~D. Streetscape specifications (trees, landscaping, benches, other amenities);~~

~~E. Surface water and stormwater specifications;~~

~~F. Traffic control and safety markings, signs, signals, street lights, turn lanes and other devices be installed or funded; and~~

~~G. Other improvements within rights-of-way.~~

Amendment #36
20.70.430 – Undergrounding of electric and communication service connections.

Justification *– The proposed Development Code amendment to Section 20.70.430 will delete the language regarding the undergrounding of utilities from the Development Code. SMC 20.70.430 is in conflict with the Shoreline Municipal Code Title 13 when undergrounding is required for certain development activities. The proposed amendment will direct the reader to Title 13 for specific undergrounding requirements.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

A. Undergrounding required under this subchapter shall be limited to the service connection and new facilities located within and directly serving the development from the public right-of-way, excluding existing or relocated street crossings.

B. Undergrounding of service connections and new electrical and telecommunication facilities shall be required as defined in Chapter 13.20.050 SMC. ~~shall be required with new development as follows:~~

~~1. All new nonresidential construction, including remodels and additions where the total value of the project exceeds 50 percent of the assessed valuation of the property and improvements and involves the relocation of service.~~
~~2. All new residential construction and new accessory structures or the creation of new residential lots.~~

~~3. Residential remodels and additions where the total value of the project exceeds 50 percent of the assessed valuation of the property and improvements and involves the relocation of the service connection to the structure.~~

~~C. Conversion of a service connection from aboveground to underground shall not be required under this subchapter for:~~

~~1. The upgrade or change of location of electrical panel, service, or meter for existing structures not associated with a development application; and~~

~~2. New or replacement phone lines, cable lines, or any communication lines for existing structures not associated with a development application.~~

Amendment #37
20.100.020 – Aurora Square Community Renewal Area (CRA).

Justification *– Council adopted the Aurora Square Community Renewal Area Planned Action in August 2015. The planned action contains development regulations, design standards, signage standards, residential unit thresholds, commercial building thresholds and other goals and policies to shape future development in that area. The proposed Development Code amendment will alert the reader to the planned action so specific development standards can be met.*

The second amendment to this section will move "A" to SMC 20.50.021. There is only one regulation in this section that regulates the transition standards in the CRA. Staff believes this provision should be moved from this section and placed in SMC 20.50.021 where all the other transition standards are located. This will ensure that the transition standards in the CRA will not be overlooked since all of the transition area requirements will be in one place in the code.

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

All development proposed within the Aurora Square Community Renewal Area shall comply with provisions of Ordinance 705 – Aurora Square Community Renewal Area Planned Action.
~~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.~~

Municipal Code Amendments

Amendment #1
SMC 16.10 – Shoreline Management Plan

This proposed amendment will repeal SMC Chapter 16.10 in its entirety.

Justification *– SMC 16.10 was the chapter that regulated the City's Shoreline Master Program which referred to King County's regulations as Shoreline did not have its own program. The Council adopted the City's own Shoreline Master Program in 2013, making Chapter 16.10 unnecessary.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

~~Sections:~~

~~**16.10.010 Authority to adopt.**~~

~~**16.10.020 Adoption of administrative rules.**~~

~~**16.10.030 Adoption of certain other laws.**~~

~~**16.10.040 Reference to hearing bodies.**~~

~~**16.10.010 Authority to adopt.**~~

~~Pursuant to RCW 35.21.180, 35A.11.020, 35A.21.160 and 90.58.280, the city adopts by reference Title 25 of the King County Code (Exhibit A, attached to the ordinance codified in this chapter) as presently constituted, as the interim shoreline management code. Exhibit A is hereby incorporated by reference as if fully set forth herein. [Ord. 93 § 1, 1996; Ord. 23 § 1, 1995]~~

~~**16.10.020 Adoption of administrative rules.**~~

~~Pursuant to Chapter 25.32 KCC of the shoreline management plan, there are hereby adopted by reference any and all implementing administrative rules now in effect regarding shoreline management that have been adopted either pursuant to King County Code Chapter 2.98, Rules of county agencies, or Title 23, Enforcement, or elsewhere in the King County Code except that, unless the context requires otherwise, any reference to the "county" or to "King County" shall~~

~~refer to the city of Shoreline, and any reference to county staff shall refer to the city manager or designee. [Ord. 23 § 2, 1995]~~

~~16.10.030 Adoption of certain other laws.~~

~~To the extent that any provision of the King County Code, or any other law, rule or regulation referenced in the shoreline management code is necessary or convenient to establish the validity, enforceability or interpretation of the shoreline management code, then such provision of the King County Code, or other law, rule or regulation, is hereby adopted by reference. [Ord. 23 § 3, 1995]~~

~~16.10.040 Reference to hearing bodies.~~

~~To the extent that the shoreline management code refers to planning commissions, board of appeals, hearing examiner, or any other similar body, the city council shall serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending. [Ord. 23 § 4, 1995]~~

Amendment #2
SMC 16.20 – Fee Schedule

This proposed amendment will delete SMC Chapter 16.20 in its entirety.

Justification *- On August 12, 1996, the Shoreline City Council adopted Ordinance No. 101, revising fees for land use and building permit development applications which were codified as Shoreline Municipal Code Chapter 16.20. On February 28, 2000, the Shoreline City Council adopted Ordinance No. 230 establishing Title 20 Unified Development Code of the Shoreline Municipal Code. Given the enactment of Title 20, the provisions of Shoreline Municipal Code Chapter 16.20 Fee Schedule are no longer necessary as all of the City's fees are codified in SMC Chapter 3.01.*

Staff recommendation *– Staff recommends that this amendment be included in the 2016 Development Code amendment batch.*

~~Sections:~~

~~16.20.010 Land use and development fee schedule.~~

~~16.20.020 Fee collection – King County authority.~~

~~16.20.030 Administration.~~

~~16.20.040 Refund of application fees.~~

~~16.20.010 Land use and development fee schedule.~~

~~A. The city manager or designee is authorized to charge applicants for development and land use permits received by the city's permit center, in the amounts set forth in the development services fee schedule.~~

B. Fee Schedule. See SMC 3.01.010, 3.01.015 and 3.01.020. [Ord. 256 § 1, 2000; Ord. 101 § 1, 1996]

16.20.020 Fee collection – King County authority.

Pursuant to the August 1995 "Interlocal Agreement Relating to the Use of City-Owned Real Property", King County is authorized to collect fees pursuant to the county's adopted fee schedule, as presently constituted or hereafter amended, for those applications to be processed by the county pursuant to the interlocal agreement. [Ord. 101 § 2, 1996]

16.20.030 Administration.

The director of development services is authorized to interpret the provisions of this chapter and may issue rules for its administration. [Ord. 101 § 3, 1996]

16.20.040 Refund of application fees.

Any fee established in this chapter which was erroneously paid or collected will be refunded. Refunds for applications, permits, or approvals which are withdrawn or canceled shall be determined by the director of development services. [Ord. 101 § 4, 1996]

Shoreline Fire Dept Residential Sprinkler Requirements:

Size:

- All homes over 4800 sq ft need NFPA 13D Sprinkler System. Square footage includes garage space and covered decks, porches and patios.

- Homes under 4800 sq ft. may require sprinkler system based on the following:

Fire Flow: (per IFC Appendix B)

- Fire flow less than 1000 gpm: all homes need sprinklers
- Fire Flow between 1000 and 1750gpm: all homes over 3600 sq ft. need sprinklers.

Hydrant Distance:

- If Nearest Hydrant is more than 500 ft (measured as a logical hose lay) from farthest corner of proposed home, home will need sprinklers. **Note:** Cannot use hydrants on opposite side of street where car volume is over 20,000 per day.

Access:

Width

- If home is accessed by a shared access road, minimum width is 20 feet wide or homes need sprinklers.
- If road serves more than 2 homes, road can reduce to 14' wide after 2nd home.

Length

- If Access Road is over 150 ft. long, a fire engine turnaround or fire sprinklers in homes are required.

Additions:

- Any addition over 500 sq ft will trigger the above requirements.

For additional information or questions please call the Shoreline Fire Marshall Office at: 206-533-6565