

6a. Staff Report - Ground Floor Commercial Development Code Amendments

Planning Commission Meeting Date: November 2, 2023

Agenda Item: 6a.

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Public Hearing on Ground-Floor Commercial Code Amendments
DEPARTMENT: Planning & Community Development, Economic Development
PRESENTED BY: Nathan Daum, Economic Development Program Manager
Patrick Doherty, Consultant
Andrew Bauer, Planning Manager

Public Hearing
Discussion

Study Session
Update

Recommendation Only
Other

INTRODUCTION

Tonight, the Planning Commission is holding a public hearing on the proposed Development Code amendments related to Ground-Floor Commercial Requirements.

Amendments to Shoreline Municipal Code (SMC) Title 20 (Development Code) are processed as legislative actions. Legislative actions are non-project actions 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.

These proposed Development Code amendments contain provisions related to applicable zones, location, parking, size, design, occupancy, and height bonuses associated with ground-floor commercial requirements, as well as minor clean-up of related code provisions (**Attachment A**).

BACKGROUND

Multifamily buildings are permissible in every commercial zone throughout the City (NB, CB, MB, TC) and the MUR zones. To promote more complete mixed-use neighborhoods in the Ridgecrest and North City neighborhoods, the City Council adopted [Ordinance No. 901](#) on October 19, 2020 to approve revisions to SMC 20.40 and 20.50 requiring ground-floor commercial space in these areas. Since these provisions were adopted, the City has continued to monitor multifamily development activity citywide. In its 2022-2023 Council Goals, the City Council adopted the action step of monitoring the outcomes of the Ridgecrest and North City regulations in Ordinance No. 901 in preparation for potential expansion of these regulations citywide.

In October of 2023, City officials and other community leaders gathered for the ceremonial groundbreaking of “Alta North City,” the first project to be permitted that is subject to the ground floor-commercial requirements. Alta North City will include

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approximately 4,000 square feet of commercial space at the street level with apartments above.

On June 5, 2023 the Council passed [Ordinance No. 986](#) that enacted temporary provisions to expand the ground-floor commercial requirements to all properties zoned Neighborhood Business, Community Business, Mixed Business, Town Center, and Mixed Use Residential 70. The temporary provisions address one of the immediate concerns of single-use multifamily buildings being developed without providing active ground-floor uses and provides time for the Planning Commission to further study the topic and recommend to Council permanent regulations for ground-floor commercial uses. The interim regulations exempt projects with pre-existing pre-applications. No new project applications have been filed that would be subject to the interim regulations. The temporary provisions are set to expire by December 13, 2023, but can be extended an additional six months.

September 21, 2023 Planning Commission Discussion

Staff introduced policy considerations and potential code amendments for Commission discussion on September 21, 2023. The staff report for that meeting can be found here: <https://www.shorelinewa.gov/home/showdocument?id=59506>

The video recording of the meeting can be found here: https://shoreline.granicus.com/player/clip/1605?view_id=9&redirect=true&h=dec9bbdba9ba5adb309d1a6fa3f5ff6d

October 19, 2023 Planning Commission Study Session

Staff summarized the Commission's questions and comments from the September 21st meeting, including the results of the public survey and the developer stakeholders meeting. The Commission discussed the the proposed code amendments, updated to incorporate the input of the Commission, stakeholders, and survey respondents, and provided additional feedback to staff. At this meeting, Planning Commissioners provided direction to staff in the form of two revisions to the proposed code amendments:

1. Add "Collector Arterials" to the streets considered "primary commercial corridors," abutting which multifamily buildings should meet the higher requirements for ground-floor nonresidential/commercial space.

Response: The proposed code amendments have been updated to add "Collector Arterials" to the streets considered "primary commercial corridors."

2. Explore whether ground-floor nonresidential/commercial space provided along a mid-block pedestrian connector could be offset by a reduction in ground-floor nonresidential space abutting the main ROW.

Response: Such an offset would be permissible as a design departure through the Administrative Design Review process. No additional code amendment is required.

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The staff report and attachments for that meeting can be found here:

<https://www.shorelinewa.gov/home/showdocument?id=59718>

The video recording of the meeting can be found here:

https://shoreline.granicus.com/player/clip/1630?view_id=9&redirect=true&h=40f2cd0e0275c65e09415c577d361d55

Purpose of Tonight's Meeting

Tonight, the Planning Commission will hold a public hearing on the proposed Development Code amendments. The Commission will have the opportunity to ask questions, request changes, and make a recommendation to forward to Council for final action.

PUBLIC NOTICE AND COMMENT

The City determined that the proposed Development Code amendments will not have a probable significant adverse impact on the environment and issued a Determination of Non-Significance (DNS) on October 5, 2023 for this non-project action. The comment period ended on October 19, 2023. One letter was received from a tribal agency that expressed "no comment."

The notice of this public hearing appeared in the *Seattle Times* on October 18, 2023, and was posted on the City's land use action and planning notices [webpage](#). As of the date this report was finalized, City staff received no public comment.

STAFF REVISIONS SINCE PLANNING COMMISSION MEETING

While preparing the final set of code amendments for presentation at the November 2nd Planning Commission Public Hearing, two issues arose that will also require minor revisions to the package of code amendments, as follows:

1. Table 20.40.160 Station Area Uses, requires a reference to "Indexed Supplemental Criteria" for Live/Work units in the MUR 70' zone by placing a "-i" next to the "P" for "Permitted Use" at that location in the table.
2. Correspondingly, the Supplemental Criterion related to Live/Work units, at SMC 20.40.436, must be revised to cross-reference the provisions for live/work units in ground-floor nonresidential space contained in SMC 20.40.465.
3. Figure 20.40.465(A), which depicts the two areas where ground-floor commercial uses were required per Ordinance 901 in North City and Ridgecrest must be deleted.

DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

In accordance with SMC 20.30.350(A), an amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

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The Planning Commission makes a recommendation to the City Council, which is the final decision-maker on whether to approve or deny an amendment to the Development Code. The following are the Decision Criteria used to analyze a proposed amendment:

1. *The amendment is in accordance with the Comprehensive Plan*

Staff has determined that the proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

Land Use Goals:

Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU III: Create plans and strategies that implement the City's Vision 2029 and Light Rail Station Area Planning Framework Goals for transit supportive development to occur within a ½ mile radius of future light rail stations.

Goal LU VI: Encourage pedestrian-scale design in commercial and mixed-use areas.

Goal LU VII: Plan for commercial areas that serve the community, are attractive, and have long-term economic vitality.

Land Use Policies:

LU3: The High Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre.

LU7: Promote small-scale commercial activity areas within neighborhoods that encourage walkability, and provide opportunities for employment and "third places".

Mixed Use and Commercial Land Use (LU 9-17)

LU55: Parking requirements should be designed for average need, not full capacity. Include regulatory provisions to reduce parking standards, especially for those uses located within ¼ mile of high-capacity transit, or serving a population characterized by low rates of car ownership. Other parking reductions may be based on results of the King County Right-Sized Parking Initiative.

Economic Development Goals:

Goal ED VII: Encourage multi-story buildings for efficient land use.

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Goal ED VIII: Promote and support vibrant activities and businesses that grow the local economy.

Economic Development Policies:

ED7: Enhance existing neighborhood shopping and community nodes to support increased commercial activity, neighborhood identity, and walkability.

ED9: Promote land use and urban design that allows for smart growth and dense nodes of transit-supportive commercial activity to promote a self-sustaining local economy.

ED12: Revitalize commercial business districts, and encourage high-density mixed-use in these areas.

ED14: Encourage a mix of businesses that complement each other, and provide variety to the community to create activity and economic momentum.

ED20: Encourage businesses to plan for shared parking when redeveloping commercial areas in order to provide adequate (but not excessive) parking. Other considerations in design of mixed-use or multi-tenant parking areas should include opportunities for inter-connectivity and shared space, number and placement of curb cuts, and routes for ingress/egress.

ED27: Develop a vision and strategies for creating dense mixed-use nodes anchored by Aurora's retail centers, including how to complement, support, and connect them with mid-rise residential, office, and destination retail buildings.

Staff Analysis: The proposed amendments encourage development of walkable, transit-oriented mixed-use neighborhoods, nodes and corridors that accommodate Shoreline's future residential growth in a sustainable fashion, while also providing nonresidential space that creates jobs.

2. *The amendment will not adversely affect the public health, safety or general welfare.*

The proposed amendments will not adversely affect the public health, safety, or general welfare of the residents of Shoreline. The amendments provide for a more sustainable, mixed-use, transit-oriented development pattern that will be beneficial to Shoreline's residents.

3. *The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.*

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The proposed amendments are not contrary to the best interest of the residents and property owners of the City of Shoreline. The amendments provide for a more sustainable, mixed-use, transit-oriented development pattern that will be beneficial to Shoreline's residents.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the proposed Ground Floor Commercial Development Code Amendments (**Attachment A**) to the City Council.

NEXT STEPS

November 20, 2023 City Council Meeting – City Council will discuss the Planning Commission's recommendation on the Ground Floor Commercial Development Code amendments.

December 11, 2023 City Council Meeting – City Council is scheduled to consider potential adoption of the Ground Floor Commercial Development Code amendments.

December 13, 2023: Interim regulations expire

ATTACHMENTS

Attachment A – Ground-Floor Commercial Development Code Amendments

Attachment A - Ground Floor Commercial Development Code Amendments

ATTACHMENT A

Chapter 20.40

Zoning and Use Provisions

20.40.120 Residential uses.

Table 20.40.120 Residential Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
RESIDENTIAL GENERAL									
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Cottage Housing Development	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				
	Multifamily		C	P	P	P-i	P-i	P-i	P-i
	Single-Family Attached	P-i	P	P	P	P			
	Single-Family Detached	P	P	P	P				
GROUP RESIDENCES									
	Adult Family Home	P	P	P	P				
	Assisted Living Facility		C	P	P	P	P	P	P
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i	P-i	P-i
	Residential Care Facility	C-i	C-i	P-i	P-i				
721310	Dormitory		C-i	P-i	P-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING									

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NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
	Enhanced Shelter							P-i	
	Homeless Shelter						P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
MISCELLANEOUS									
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i

P = Permitted Use

S = Special Use

C = Conditional Use

-i = Indexed Supplemental Criteria

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20.40.160 Station area uses.

Table 20.40.160 Station Area Uses

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
RESIDENTIAL				
	Accessory Dwelling Unit	P-i	P-i	P-i
	Adult Family Home	P		
	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
	Home Occupation	P-i	P-i	P-i
	Hotel/Motel			P

Attachment A - Ground Floor Commercial Development Code Amendments

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
	Live/Work	P (Adjacent to Arterial Street)	P	<u>P-i</u>
	Microhousing			
	<u>Multifamily</u>	<u>P</u>	<u>P</u>	<u>P-i</u>
	Residential Care Facility	C-i		
	Single-Family Attached	P-i	P-i	
	Single-Family Detached	P-i		
COMMERCIAL				
	Book and Video Stores/Rental (excludes Adult Use Facilities)	P (Adjacent to Arterial Street)	P (Adjacent to Arterial Street)	P
	Brewpub	P (Adjacent to Arterial Street)	P (Adjacent to Arterial Street)	P
	House of Worship	C	C	P
	Daycare I Facilities	P	P	P
	Daycare II Facilities	P	P	P
	Eating and Drinking Establishment (excluding Gambling Uses)	P-i (Adjacent to Arterial Street)	P-i (Adjacent to Arterial Street)	P-i
	General Retail Trade/Services	P-i (Adjacent to Arterial Street)	P-i (Adjacent to Arterial Street)	P-i
	Individual Transportation and Taxi			P -A
	Kennel or Cattery			C -A
	Marijuana Operations – Medical Cooperative	P	P	P
	Marijuana Operations – Retail			
	Marijuana Operations – Processor			
	Marijuana Operations – Producer			

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NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
	Microbrewery		P (Adjacent to Arterial Street, cannot abut R-6 zone)	P
	Microdistillery		P (Adjacent to Arterial Street, cannot abut R-6 zone)	P
	Mini-Storage		C -A	C -A
	Professional Office	P-i (Adjacent to Arterial Street)	P-i (Adjacent to Arterial Street)	P
	Research, Development and Testing			P-i
	Veterinary Clinic and Hospital			P-i
	Wireless Telecommunication Facility	P-i	P-i	P-i
EDUCATION, ENTERTAINMENT, CULTURE, AND RECREATION				
	Amusement Arcade		P -A	P -A
	Bowling Center		P-i (Adjacent to Arterial Street)	P
	College and University			P
	Conference Center		P-i (Adjacent to Arterial Street)	P
	Elementary School, Middle/Junior High School	C	C	P
	Library		P-i (Adjacent to Arterial Street)	P
	Museum		P-i (Adjacent to Arterial Street)	P
	Parks and Trails	P	P	P
	Performing Arts Companies/Theater (excludes Adult Use Facilities)		P -A	P -A
	School District Support Facility		C	C

Attachment A - Ground Floor Commercial Development Code Amendments

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

P = Permitted Use

C = Conditional Use

S = Special Use

-i = Indexed Supplemental Criteria

A= Accessory = Thirty percent (30%) of the gross floor area of a building or the first level of a multi-level building.

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20.40.436 Live/Work.

Live/work units may be located in the MUR-35' zone; however, only if the project site is located on an arterial street. In NB, CB, MB, TC-1, 2, 3 and MUR-70' zones live/work units may be located in ground-floor nonresidential space pursuant to SMC 20.40.465.

20.40.465 Multifamily.

A. Applicability. ~~The criteria standards in this section apply only to the CB-zoned properties zoned NB, CB, MB, TC-1, 2, 3, and MUR-70' shown in Figure 20.40.465(A) and supplement the standards in Chapter 20.50 SMC, Subchapter 4, Commercial and Multifamily Zone Design.~~

~~Figure 20.40.465(A) — Areas of Required Ground Floor Commercial~~

(Figure deleted)

B. ~~Commercial Nonresidential~~ space shall be constructed on the portion of the building's ground floor abutting a public right-of-way (ROW) in all mixed multifamily-commercial buildings in accordance with SMC 20.50.250(C). ~~Commercial Nonresidential~~ space may be used for any use allowed in the zone, except parking area, adult use facilities, marijuana operations – retail, and the following general retail trade/services: check-cashing services and payday lending, pawnshop, and tobacco/vape store. Residential dwelling units are not allowed in required nonresidential spaces, except, for a period ending January 1, 2029, the City may issue permits for live/work residential units that cumulatively occupy no more than fifty percent (50%) of the required ground floor nonresidential space abutting streets not designated Principal, Minor, or Collector Arterials.

C. In order to accommodate a range of tenants, nonresidential uses subject to these supplemental use criteria are exempt from the minimum off street parking requirements in SMC 20.50.390. ~~the required parking ratio for any ground floor commercial tenant space shall be one parking stall per 400 square feet of floor area. Square footage refers to net usable area and excludes walls, corridors, lobbies, bathrooms, etc. Buildings subject to these standards are also eligible for the parking reductions available in SMC 20.50.400.~~

D. ~~Available Incentives.~~ All ~~b~~Buildings subject to these ~~indexed~~ supplemental use criteria may increase their base height up to five feet. Buildings providing a restaurant ready space may increase their base height up to 10 feet. A restaurant ready space shall include the following components: ADA-compliant bathrooms (common facilities are acceptable); a central plumbing drain line; a grease interceptor; and a

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~~ventilation shaft for a commercial kitchen hood/exhaust. Buildings providing grocery store ready space may increase their base height up to 20 feet, permissible as a design departure pursuant to administrative design review, in accordance with SMC 20.30.297. Base height are eligible for a height bonus. An additional five eight feet in height is granted through this bonus. The eight five feet is considered base height and shall be measured in accordance with SMC 20.50.050.~~

~~E. Restaurant ready is preferred use in commercial spaces. Restaurant ready spaces are constructed to accommodate a restaurant by including the following components:-~~

- ~~1. ADA compliant bathrooms (common facilities are acceptable);~~
- ~~2. A central plumbing drain line;~~
- ~~3. A grease interceptor; and~~
- ~~4. A ventilation shaft for a commercial kitchen hood/exhaust.~~

~~E. Buildings subject to these supplemental use criteria may increase their hardscape an additional five percent, to a maximum of 95 percent.~~

~~F. The following incentives are available when the ground floor commercial space is constructed to accommodate a restaurant:~~

- ~~1. Height Bonus. An additional 10 feet in height is granted through this bonus. The 10 feet is considered base height and shall be measured in accordance with SMC 20.50.050.~~
- ~~2. Hardscape Maximum Increase. An additional five percent of hardscape is granted through this bonus.~~

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Chapter 20.50

General Development Standards

20.50.020 Dimensional Requirements

Table 20.50.020(2) - Density and Dimensions in Mixed-Use Residential Zones

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Exception 11. Developments that exceed the base height and do not qualify for a height bonus within the Deep Green Incentive Program in SMC 20.50.630, or the significant tree retention bonus in footnote 12, or the allowable exceptions to height in SMC 20.50.050, may exceed the base height and develop to the maximum allowable height of 140 feet, subject to administrative design review approval and to the following:

- a. The affordable housing requirements for MUR-70'+ in SMC 20.40.235 are satisfied;
- b. ~~One of the following is provided:~~ The development provides nonresidential space of at least 10,000 square feet.
 - i. ~~The development provides commercial nonresidential space of at least 10,000 square feet; or~~
 - ii. ~~Commercial space is constructed on the portion of the building's ground floor abutting a public right of way.~~ Commercial space may be used for any allowed use in the MUR 70' zone in Table 20.40.160 – Station Area Uses, except the following general retail/trade/services: check cashing services and payday lending. Residential dwellings are not allowed in commercial spaces. Ground floor commercial is subject to the standards in SMC 20.50.240 and 20.50.250(C).

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

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

Commercial Zones				
STANDARDS	Neighborhood Business (NB)	Community Business (CB)	Mixed Business (MB)	Town Center (TC-1, 2 & 3)
Min. Front Yard Setback (Street) (1) (2) (5) (see Transition Area Setback, SMC 20.50.021)	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from Commercial Zones and the MUR-70' zone	0 ft	0 ft	0 ft	0 ft
Min. Side and Rear Yard Setback from R-4, R-6 and R-8 Zones (see Transition Area Setback, SMC 20.50.021)	20 ft	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from TC-4, R-12 through R-48 Zones, MUR-35' and MUR-45' Zones	15 ft	15 ft	15 ft	15 ft
Base Height (3)	50 ft	60 ft (6)	70 ft	70 ft
Hardscape (4)	85%	85% (7)	95%	95%

Exceptions to Table 20.50.020(3):

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- (1) Front yards may be used for outdoor display of vehicles to be sold or leased.
- (2) Front yard setbacks, when in transition areas (SMC 20.50.021(A)) shall be a minimum of 15 feet except on rights-of-way that are classified as principal arterials or when R-4, R-6, or R-8 zones have the Comprehensive Plan designation of Public Open Space.
- (3) The following structures may be erected above the height limits in all commercial zones:
 - a. Roof structures housing or screening elevators, stairways, tanks, mechanical equipment required for building operation and maintenance, skylights, flagpoles, chimneys, utility lines, towers, and poles; provided, that no structure shall be erected more than 10 feet above the height limit of the district, whether such structure is attached or freestanding except as provided in subsection (3)(f) of these exceptions. WTF provisions (SMC 20.40.600) are not included in this exception.
 - b. Parapets, firewalls, and railings shall be limited to four feet in height.
 - c. Steeples, crosses, and spires when integrated as an architectural element of a building may be erected up to 18 feet above the base height of the district.
 - d. Base height may be exceeded by gymnasiums to 55 feet and for theater fly spaces to 72 feet.
 - e. Solar energy collector arrays, small scale wind turbines, or other renewable energy equipment have no height limits.
 - f. Base height may be exceeded by 15 feet for rooftop structures such as elevators, arbors, shelters, barbeque enclosures and other structures that provide open space amenities and their access.
- (4) Site hardscape shall not include the following:
 - a. Areas of the site or roof covered by solar photovoltaic arrays or solar thermal collectors.
 - b. Intensive vegetative roofing systems.

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

(6) Base height may be exceeded for multifamily buildings providing ground floor nonresidential uses pursuant to ~~by eight feet for properties that qualify for SMC 20.40.465(D). or 18 feet for properties that qualify under SMC 20.40.465(F)(1).~~

(7) Maximum hardscape may be exceeded for qualifying multifamily buildings pursuant to ~~by an additional five percent for properties that qualify under SMC 20.40.465(F)(2).~~

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20.50.240 Site Design.

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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, except when the required minimum front yard setback is greater than zero feet, in which case the building shall be placed at the minimum setback. 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;

b. 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. Reference dimensional Table 20.50.020(2) and exceptions;

c. For properties ~~not~~ subject to SMC 20.40.465, the minimum height of space dimension for ground floor nonresidential space ~~building interiors that are ground level and abutting~~ streets shall be 1215 feet -

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~~foot height, measured from finished floor to finished floor ceiling, the minimum depth shall be and 20-foot feet, depth and it shall be built to commercial building code. These spaces may be used for any permitted land use.~~ This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones;

d. Transparency. Buildings shall comply with the following:

i. Transparent window area, including glass entry doors, shall occupy a minimum of 60 percent of the ground floor façade as measured between a height of 30 inches and 8 feet, where abutting Principal, Minor, and Collector Arterials, as mapped in the Transportation Master Plan. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones. The following exception applies:

On lots up to 100 feet in width, as measured where the lot abuts the right-of-way, and where no other feasible vehicle access point exists, the width of the vehicle access drive may be excluded from the ground floor facade lineal frontage for the purposes of calculating the 60 percent minimum transparent window area.

ii. Transparent window area, including glass entry doors, shall occupy a minimum of 45 percent of the ground floor façade as measured between a height of 30 inches and 8 feet, where abutting streets not designated as Principal, Minor, or Collector Arterials, as mapped in the Transportation Master Plan. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones. ~~Minimum window area shall be 50 percent of the ground floor facade for each front facade which can include glass entry doors. This requirement does not apply when developing a residential only building in the MUR 35' and MUR 45' zones;~~ The following exception applies:

On lots up to 100 feet in width, as measured where the lot abuts the right-of-way, and where no other feasible vehicle access point exists, the width of the vehicle access drive may be excluded from the ground floor facade lineal frontage for the purposes of calculating the 45 percent minimum transparent window area.

e. A building's primary entry shall be located on a street frontage and recessed to prevent door swings over sidewalks, or an entry to an interior plaza or courtyard from which building entries are accessible;

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20.50.250 Building Design.

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C. Ground Floor ~~Commercial~~ Nonresidential.

1. New buildings subject to SMC 20.40.465 and 20.50.020(A)(11)(b)(~~ii~~) shall comply with these provisions.

2. These requirements apply to the portion of the building's ground floor abutting a public right-of-way (ROW).

3. Required amount of nonresidential space.

a. A minimum of 75 percent of the lineal frontage abutting Principal, Minor, and Collector Arterials, as mapped in the Transportation Master Plan, shall consist of nonresidential ~~commercial~~ space. Up to 25 percent of the lineal frontage may consist of facilities associated with the multifamily use, such as lobbies, leasing offices, fitness centers and community rooms. ~~Amenities, such as fitness centers that offer memberships to the general public, shall not be included in the maximum 25 percent lineal frontage limitation.~~ The following exception applies:

On lots up to 100 feet in width, as measured where the lot abuts the right-of-way, and where no other feasible vehicle access point exists, the width of the vehicle access drive may be excluded from the lineal frontage for the purposes of calculating the 75 percent minimum nonresidential frontage.

b. A minimum of 60 percent of the lineal frontage abutting streets not designated as Principal, Minor, or Collector Arterials shall consist of nonresidential space. Up to 40 percent of the lineal frontage may consist of facilities associated with the multifamily use, such as lobbies, leasing offices, fitness centers and community rooms. The following exception applies:

Attachment A - Ground Floor Commercial Development Code Amendments

On lots up to 100 feet in width, as measured where the lot abuts the right-of-way, and where no other feasible vehicle access point exists, the width of the vehicle access drive may be excluded from the lineal frontage for the purposes of calculating the 60 percent minimum nonresidential frontage.

4. All ground floor ~~commercial~~ nonresidential spaces abutting a right-of-way ROW shall be constructed at a minimum average depth of 30 feet, with no depth less than ~~20~~ 15 feet, measured from the wall abutting the right-of-way ROW frontage to the rear wall of the ~~commercial~~ nonresidential space. A public place, as required by SMC 20.40.250(F), may be included in the average depth calculation provided it is designed cohesively and integrated with the nonresidential space. The average depth of nonresidential space may be measured from the lot line abutting the right-of-way and include the public place.

5. All ground floor ~~commercial~~ nonresidential spaces shall be constructed with a minimum floor-to-~~ceiling~~ floor height of ~~18~~ 15 feet, ~~and a minimum clear height of 15 feet.~~