

**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	<b>Study Session on Regional Green Development Code Amendments</b>		
<b>DEPARTMENT:</b>	<b>Planning &amp; Community Development</b>		
<b>PRESENTED BY:</b>	<b>Kim Lehmborg, Associate Planner Rachael Markle, AICP, Director</b>		
<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Study Session	<input type="checkbox"/> Recommendation Only	
<input type="checkbox"/> Discussion	<input type="checkbox"/> Update	<input type="checkbox"/> Other	

**INTRODUCTION**

At tonight’s meeting, we will be reviewing proposed Development code amendments that have been developed by the Regional Code Collaboration (RCC) team. The team has been working for the past year on alternatives to the International Green Construction Code (IGCC) that can be implemented across jurisdictions.

On October 10, 2011, The City Council was presented an overview of the IGCC as a way of further implementing Shoreline’s Environmental Sustainability Strategy. Council gave staff direction to look at alternatives to the IGCC. The code amendments before the Planning Commission tonight are associated with the Development Code. Changes to the Building Code will go forward to Council during the regular Building Code update cycle in July.

**BACKGROUND**

Under Shoreline Municipal Code (SMC) Section 20.30.070, Amendments to the Development Code are a “Type L” Legislative decision.

The Planning Commission’s role is to review Development Code Amendments and hold a public hearing. Planning Commission findings and recommendations on the proposed amendments are forwarded on to Council for final action. Tonight’s study session will familiarize the Planning Commission on the proposed Code amendments as developed by the RCC and garner feedback for staff. Staff will return to the Planning Commission with Shoreline – specific code language in advance of the Public Hearing scheduled for April 4<sup>th</sup>.

The Regional Code Collaboration effort was initiated by the City of Seattle and King County Green Tools as a way to leverage resources of jurisdictions in the area, saving money and time and consolidating stakeholder and public outreach. The proposed amendments address water, energy and materials conservation, sustainable transportation and light pollution. The ultimate result is for the participating jurisdictions to have the same or very similar codes to make implementing green building practices simpler for developers who work across jurisdictions. Extensive stakeholder and public outreach was conducted, as summarized later in this report

Approved By:

Project Manager



Planning Director



## PROPOSAL & ANALYSIS

The Regional Code Collaboration team has been working for the past year on a number of code changes to promote and facilitate green building practices in the region. The constructive idea behind this is to make it easier for developers to build green by having the same or similar codes in multiple jurisdictions. King County, and the Cities of Seattle, Issaquah, Tacoma, Mountlake Terrace, and to a lesser extent Redmond, Kirkland and Friday Harbor have all been involved with the effort. The effort included considerable public process and outreach to the community as described later in this staff report.

The regional effort package includes amendments to the building, plumbing and electrical codes as well as land use codes. Attached are those amendments specific to the Development code. The remainder of the amendments has to do with water conservation (mostly plumbing code changes) and materials conservation (building code amendment – diversion of waste during construction and demolition).

The Development amendments under the sustainable transportation concept include electric vehicle infrastructure and bicycle parking. Note that the electric vehicle section is a less extensive variation of that proposed by the regional effort.

The other Development amendments have to do with setback flexibility for rainwater catchment (water conservation) and exterior insulation (energy conservation) and one dealing with light pollution and light trespass.

See the chart (Attachment B) for a snapshot of what the participating jurisdictions have adopted or expect to adopt.

## DEVELOPMENT CODE AMENDMENT CRITERIA

SMC 20.30.350 governs amendments to the Development Code (legislative action). See below for a description of the purpose and the decision criteria.

A. Purpose. An amendment to the Development Code (and where applicable amendment of the zoning map) 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.

B. Decision Criteria. The City Council may approve or approve with modifications a proposal for 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. (Ord. 238 Ch. III § 7(g), 2000).

## ANALYSIS OF PROPOSED AMENDMENTS

- Setback Flexibility for exterior insulation on additions

The intent is to allow installation of continuous insulation applied to the exterior face of an existing building to encourage the most economic and energy-efficient method of improving the insulation value of existing building walls. This provision would apply to all existing buildings in zones with setback or yard requirements.

The current code allows projections into setbacks such as decks, entryways, eaves, gutters and other architectural features. It does not address additions of exterior insulation.

Public comment on this item focused on allowing the exception for new development as well as remodels. The regional committee agreed that for new development, the setbacks can be taken into account during the design process so would not need the exception. The exception is intended to help existing buildings become more energy efficient without loss of existing usable interior space.

- Setback Flexibility for Rainwater Catchment

The intent is to provide exemptions from development standards in single family and multifamily zones of local Land Use Codes to accommodate installation of cisterns to encourage rain catchment thereby reducing demand on the potable water supply. This provision would apply to all uses.

The current code allows projections into setbacks such as decks, entryways, eaves, gutters and other architectural features. It does not address rainwater catchment devices other than roof gutters.

There were a few public comments received on this. One requested more of an exception for larger systems; one appreciated the requirement for screening. There was a request to require the cisterns be labeled as non-potable water; however the team found such a requirement to be unnecessary.

- Light Trespass:

The intent is to reduce both intrusion of light over property lines and excessive lighting contributing to light pollution and unnatural sky glow. This provision would apply to all newly installed lighting fixtures for all uses.

Current Code: SMC 20.50.115, Single-family Design Standards, states that "*Any lighting should be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.*" SMC 20.50.170, in the multi-family design standards, requires that building entries be lit with at least four foot-candle

of light. The new commercial design standards will have a provision that all private lighting shall be shielded to prevent light from entering onto neighboring properties. SMC 20.50.410(Q) states that *all parking lot lighting should be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.*

The new code provisions will strengthen the commitment to preventing light pollution and light trespass. Note that although this provision involves potential lighting reductions, it is not being pursued as an energy savings initiative.

- Bicycle Parking – Short and Long Term

The intent is to reduce greenhouse gas emissions by providing support to bicycling infrastructure for both long and short-term bicycle parking requirements and bicycle rack requirements which increase the safety of both riders and bicycles. Staff made some revisions to the regional draft of this section, eliminating different ratios for office versus retail, while maintaining the ratio above 300 spaces. These minor changes were due in part to input from the City's transportation planning division.

The current code (SMC 20.50.440) requires short term bike parking to be installed at rate of one bike stall per 12 vehicle stalls for developments with six or more parking spaces. The proposed code removes this exemption for the first six vehicle parking spaces.

For long term parking, the current code requires one indoor bicycle storage space shall be provided for every two dwelling units in townhouse and apartment residential uses, unless individual garages are provided for every unit. Also, current code requires long term parking for businesses having 10 or more employees, but does not specify numbers.

- Electric Vehicle Charging Stations

The intent is to reduce greenhouse gas emissions by developing infrastructure for plug-in electric vehicles. The regional version of this section is from the Mountlake Terrace code which is quite extensive. Staff simplified this section for Shoreline, removing the majority of the definitions, removing the requirement for dedicated spaces for commercial uses, and eliminating a separate section on permitted uses.

The requirement for dedicated commercial spaces at this time appears burdensome given the lack of knowledge of how much demand there will be for such spaces. This is an area where the market may be a better determinant for determining commercial use requirements.

The current code does not address electric vehicle charging stations as a specific use in the Permitted Use Tables, however, EV charging stations will fall under

the general land use category of “vehicle fueling stations” in the use tables. Therefore a separate section allowing the use is not necessary.

Shoreline’s new commercial standards allow reductions in parking requirements if EV parking spaces are provided.

**POLICY AND COMPREHENSIVE PLAN SUPPORT**

The proposed amendments are a start to developing a green building program in Shoreline, which is supported by the Shoreline Environmental Sustainability Strategy, Focus Areas #2 *Energy Conservation and Carbon Reduction*, #3, *Sustainable Development and Green Infrastructure*, and #4 *Waste Reduction and Resource Conservation*. Also in the Strategy are Strategic Directions #2: *Develop a Residential Green Building Program* and #7: *Adopt a clear and aggressive green building policy*.

The following goals and policies provide support for one or more of the proposed amendments.

**Land Use:**

- **Goal LU II:** Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.
- **Policies: LU10:** The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses.
- **LU12:** Reduce impacts to single-family neighborhoods adjacent to mixed use and commercial land uses with regard to traffic, noise, and glare through design standards and other development criteria.
- **LU24:** Maintain and enhance the safety of Shoreline’s streets when incorporating light rail, through the use of street design features, materials, street signage, and lane markings that provide clear, unambiguous direction to drivers, pedestrians, and bicyclists.

**Transportation:**

- **Goal T II:** Develop a bicycle system that is connective, safe, and encourages bicycling as a viable alternative to driving.
- **Goal T VI:** Encourage alternative modes of transportation to reduce the number of automobiles on the road, promote a healthy city, and reduce carbon emissions.
- **Policies T3:** Reduce the impact of the city’s transportation system on the environment through the use of technology, expanded transit use, and non-motorized transportation options.
- **T19:** Develop standards for creation of bicycle facilities.

**Natural Environment:**

- **Goal V:** Protect clean air and the climate for present and future generations through reduction of greenhouse gas emissions, and promotion of efficient and effective solutions for transportation, clean industries, and development.

- **Policy NE37:** Advocate for expansion of mass transit and encourage car-sharing, cycling, and walking to reduce greenhouse gas emissions, and as an alternative to dependence on automobiles.

**TIMING AND SCHEDULE**

Tonight’s meeting is an introduction to the regional code effort in general and the code amendments specific to the Development code in particular. On April 7, 2013 the Planning Commission will hold a public hearing on the proposed amendments. Two weeks prior staff will publish the proposed Development Code amendments and begin receiving public comment.

SEPA Determination: Amendments to the Development Code are subject to SEPA. An environmental checklist will be prepared and a threshold determination issued prior to the public hearing on this issue in April.

The Department of Commerce will be notified of the proposed changes 60 days prior to Council action.

**PUBLIC AND STAKEHOLDER OUTREACH**

The following is a summary of stakeholder and public outreach to date.

Kathleen Petrie, Sustainable Codes Analyst at the City of Seattle, coordinated the groups for stakeholder and public outreach.

The following list includes the groups who were invited to the presentations on the proposed amendments, as well as the open houses hosted by the RCC. There have also been countless numbers of e-mails and phone calls to various groups to share the specific topic related to their organization and see if they wanted a personal presentation. Ms. Petrie also sent out e-mails to all major professional organizations such as AGC (Associated General Contractors) and the AIA (American Institute of Architects).

2-9-12:	Open Session for public hosted at Department of Planning & Development (DPD - City of Seattle)
4-17-12:	Structural Engineers Association of Washington
5-2-12:	Seattle Bicycle Advisory Board
5-23-12:	NW Ecobuilding Guild
6-12-12:	Open Session for public hosted at DPD
7-16-12:	King County Plumbing Inspections
8-13-12:	Open House for public
8-1-12 to 8-24-12:	1st Public comment period
9-11-12:	Seattle Branch Steering Committee of Cascadia

9-18-12:	Home Performance Washington
10-29-12:	Open House for public
10-22-12 to 11-12-12:	2nd Public comment period
12-12-12:	Master Builders Association
12-19-12:	American Society of Plumbing Engineers
1-29-13	Master Builders Working Group on Waste Diversion Process
3-7-13	Shoreline Planning Commission Study Session
3-13-13 to 3-28-13	Shoreline Public Comment Period, Posting on Website, Currents
4-4-13	Shoreline Planning Commission Public Hearing
April/May	Shoreline Council Study Session and Adoption

**RECOMMENDATION**

No action is required at this time, however staff will welcome feedback on the proposed Code language.

**ATTACHMENTS**

Attachment A - Proposed Amendment Concepts  
Attachment B – Participating Jurisdictions

This page intentionally blank



## Proposed Code Amendment Concepts

### ENERGY CONSERVATION SUPPORT

#### 1. Setback Dimension Exception for Exterior Insulation:

***Background:***

The following draft code language is under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent is to support the installation of continuous insulation to the exterior building framing of an existing building in order to encourage the most economic and energy-efficient method of improving the insulation value of existing building walls. This provision would apply to all existing buildings in zones with setback or yard requirements.

***Add the following language to the Land Use Code:***

Where allowed by building code and fire code minimum fire separation distance requirements, required setback distance from adjacent property lines may be decreased by a maximum of 4 inches, and the maximum allowable roof height may be increased by 8 inches, only for the purpose of adding insulation to the exterior of the existing building structural frame. Existing buildings not conforming to development standards shall not extend into required setback more than 4 inches nor exceed the maximum allowable height limit by 8 inches.

**Exception:** The Code Official may prohibit additional roof height encroachments in view-sensitive districts.

***Add the following language to local Street Use or Right-of-Way Ordinance:***

Where an existing building wall is located immediately adjacent to a public right-of-way, the portion of the wall that is more than 12 feet above the adjacent sidewalk paving or grade (15 feet above grade in alleys) may extend a maximum of 4 inches into the public right-of-way, only for the purpose of adding insulation to the exterior of the existing building structure.

## Proposed Code Amendment Concepts

### WATER CONSERVATION

#### 1. Rain barrels, cisterns and other rainwater catchment systems.

***Background:***

The following draft code language is currently under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent of this provision is to provide exemptions from development standards in single family and multifamily zones of local Land Use Codes to accommodate the allowance of cisterns in order to encourage rain catchment thereby reducing the demand on potable water supply. This provision would apply to all uses.

***Add the following language to the Land Use Code:***

**Purpose.** The intent of this provision is to provide exceptions from development standards in local Land Use codes to accommodate the allowance of cisterns in order to encourage rain catchment thereby reducing the demand on potable water supply.

- A.** Rain barrels, cisterns and other rainwater catchment systems may extend into a required yard according to the following:
  - 1.** Cisterns, rain barrels or other rainwater catchment systems no greater than 600 gallons shall be allowed to encroach into a required yard if each cistern is less than 4' wide and less than 4.5' tall excluding piping.
  - 2.** Cisterns or rainwater catchment systems larger than 600 gallons may be permitted in required setbacks provided that they do not exceed 10% coverage in any required yard, and they are not located closer than 2.5' from a side or rear lot line, or 15' from the front lot line. If located in the front, cisterns or rainwater catchment systems must be screened.
  - 3.** Cisterns may not impede requirements for lighting, open space, fire protection or egress.

## Proposed Code Amendment Concepts

### MISCELLANEOUS REQUIREMENTS

#### 1. Light Trespass

***Background:***

The following draft code language is under development by participating jurisdictions in the Puget Sound Region, including Seattle. The intent is to reduce the intrusion of light over property lines and excessive lighting contributing light pollution and unnatural sky glow. This provision would apply to all newly installed lighting fixtures for all uses.

***Add the following language to the Land Use Code:***

- A. Light Trespass Standard.** All light fixtures shall be located, aimed or shielded so as to minimize stray light trespassing across property boundaries. A lamp in a fixture installed on a property and visible from any residential property must be shielded such that it is not directly visible from that property.
- B. Prohibited Lighting.** The following types of lighting are prohibited:
1. Outdoor floodlighting by flood light projection above the horizontal plane.
  2. Search lights, laser source lights, or any similar high intensity light,
  3. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with, flashing, blinking, rotating or strobe light illumination.

**Exemptions:**

1. Emergencies by police, fire, or medical personnel (vehicle lights and accident/crime scene lighting).
  2. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
  3. Signs and sign lighting regulated by the sign code
  4. Holiday and event lighting.
  5. Sports and field lighting;
  6. Lighting triggered by an automatic emergency or security alarm system.
- C. Critical Areas:** Special review may be required for lighting on sites that are in or bordering critical areas. Lighting may not be allowed to negatively impact habitat areas.

## Proposed Code Amendment Concepts

### SUSTAINABLE TRANSPORTATION

#### 1. Short and Long-term Bicycle Parking (Regional Proposal):

##### **Background:**

The following draft code language is under development by participating jurisdictions in the Puget Sound Region. The intent is to reduce greenhouse gas emissions by providing support to bicycling infrastructure relative to long and short-term bicycle parking requirements and bicycle rack requirements which increase the safety of both riders and bicycles.

##### **Code Proposal:**

##### **Definitions:**

**BICYCLE PARKING, LONG TERM.** Bicycle racks or storage lockers provided for bicycles anticipated to be at a building site for four or more hours.

**BICYCLE PARKING, SHORT TERM.** Bicycle racks or storage lockers provided for bicycles anticipated to be at a building site for less than four hours.

**Short-term bicycle parking.** Short-term bicycle parking shall be provided as specified in Table A.

**TABLE A: Short-Term Bicycle Parking Requirements**

Type of Use	Minimum Number of Spaces Required
Multifamily	1 per 10 dwelling units
Commercial	1 per 4,000 sf of building floor area OR 1 bicycle stall per 12 vehicle parking spaces for the first 300 vehicle parking spaces

**Installation of short-term bicycle parking.** Short-term bicycle parking shall comply with all of the following:

1. It shall be visible from a building's entrance;

**Exception:** Where directional signage is provided at a building entrance, short-term bicycle parking shall be permitted to be provided at locations not visible from the main entrance.

## Proposed Code Amendment Concepts

2. It shall be located at the same grade as the sidewalk or at a location reachable by ramp or accessible route;
3. It shall be provided with illumination of not less than 1 footcandle at the parking surface;
4. It shall have an area of not less than 18 inches by 60 inches for each bicycle;
5. It shall be provided with a rack or other facility for locking or securing each bicycle;
6. The rack or other locking feature shall be permanently attached to concrete or other comparable material; and
7. The rack or other locking feature shall be designed to accommodate the use of U-locks for bicycle security.

**Long-term bicycle parking.** Long-term bicycle parking shall be provided as specified in Table B.

**TABLE B: Long-Term Bicycle Parking Requirements**

Type of Use	Minimum Number of Spaces Required
Multifamily	1 per studio or 1-bedroom unit 2 per unit having 2 or more bedrooms
Commercial	1 per 25,000 square feet of floor area; not less than 2 spaces

**Installation of long-term bicycle parking.** Long-term bicycle parking shall comply with all of the following:

1. It shall be located on the same site as the building;
2. It shall be located inside the building, or shall be located within 300 feet of the building's main entrance and provided with permanent cover including, but not limited to, roof overhang, awning, or bicycle storage lockers;
2. Illumination of not less than 1 footcandle at the parking surface shall be available;
3. It shall have an area of not less than 18 inches by 60 inches for each bicycle;
4. It shall be provided with a permanent rack or other facility for locking or securing each bicycle; and

## Proposed Code Amendment Concepts

5. Vehicle parking spaces, other than spaces required for electric vehicles, required by local zoning code, and accessible parking required by the *International Building Code*, shall be permitted to be used for the installation of long term bicycle parking spaces.

## Proposed Code Amendment Concepts

### SUSTAINABLE TRANSPORTATION

#### 2. Electric Vehicle Charging Stations:

##### **Background:**

The following draft code concept is under development by participating jurisdictions in the Puget Sound Region. The intent is to reduce greenhouse gas emissions by developing infrastructure for electric vehicles.

##### **Code Proposal:**

###### **Definitions:**

1. **“Electric vehicle infrastructure (EVI)”** means the site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future *electric vehicle charging stations* pursuant to National Electrical Code (2008) Article 625.

2. **“Electric vehicle parking space”** means any marked parking space that identifies the use to be exclusively for the parking of an *electric vehicle*.

#### XX.XX.XXX EV Parking Requirement

**XX.XX.010 Purpose.** The purpose of this section is to encourage the transition to *electric vehicle* use by providing *electric vehicle infrastructure* in order to increase the cost effectiveness of future *electric vehicle charging station* installations.

##### **XX.XX.030 Requirements for Multifamily Uses.**

- A. The uses identified in Table 1 of this subsection shall be required to provide electric vehicle infrastructure for the percentage of parking spaces provided when development meets one of the following thresholds:
1. A New structure with associated parking or a new off street parking structure of principle use (threshold determined by jurisdiction);
  2. Expanding the square footage of an existing structure by 20 percent, as long as the original building footprint is a minimum size of 4,000 square feet; or
  3. The construction valuation is 50 percent of the existing site and building valuation.

**Table 1 Required infrastructure for future electric vehicle charging stations based on Use**

Land Use Type	Percentage of Required Parking Spaces <sub>a</sub>
Multi-family residential zones	10%

## Proposed Code Amendment Concepts

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

### **XX.XX.060 Signage.**

- A.** *Electric vehicle charging stations* available for public use shall have posted signage, as identified in this subsection, allowing only charging *electric vehicles* to park in such spaces. For purposes of this subsection, “charging” means that an *electric vehicle* is parked at an *electric vehicle charging station* and is connected to the charging station equipment.
- B.** Signage for parking of *electric vehicles* shall include:
  1. Information about the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.
  2. As appropriate, directional signs at appropriate decision points to effectively guide motorists to the charging station space(s).
- C.** Optional Signage. Optional information may be posted to alert potential charging station users to other expectations.
- D.** EV signage is exempt from a sign permit.



	Hand Washing Sinks - IBC	Fixtures and Fittings - IBC	Rain barrels, cisterns and other rainwater catchment systems	Diversion of Building Materials from Landfills - IBC	Moisture Prevention - IBC	Electric Vehicle Charging Stations	Short and Long-term Bicycle Parking	Showers and Changing Facilities	Setback Dimension Exception for Exterior Insulation	Heat Island Mitigation - IBC	Light Trespass
Shoreline	X	X	X	X		Less stringent	X*		X	X	X
King County	X	X	X	X		?	?	?	X	?	X
Tacoma	X	X	X	X					X	X	X
Redmond	I	I	I	?		I		I		I	I
Seattle	X	X	X	X	X				X	X	
MLT							Stringent		?		
Issaquah	X	X	X	X		?		X	X	X	

KEY

X Intent to adopt

? Adoption not yet determined

Similar code requirement already in place

I Adopted Incentive-based Code

\* Note that Shoreline has similar code in place but is anticipating adopting additional regulations