

# AGENDA

## PLANNING COMMISSION REGULAR MEETING



Thursday, May 16, 2013  
7:00 p.m.

Shoreline City Hall  
Council Chamber  
17500 Midvale Ave N.

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. APPROVAL OF MINUTES	7:03 p.m.
A. April 18 Regular Meeting	

### **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.*

5. GENERAL PUBLIC COMMENT	7:05 p.m.
6. PUBLIC HEARINGS	7:10 p.m.
A. Development Code Amendments	
• Staff Presentation	
• Questions by the Commission	
• Public Testimony	
• Final Questions & Deliberations	
• Vote to Recommend Approval or Denial or Modification	
• Closure of Public Hearing	
7. DIRECTOR'S REPORT	7:55 p.m.
8. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	8:10 p.m.
9. AGENDA FOR June 6	8:15 p.m.
10. ADJOURNMENT	8:20 p.m.

*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.*

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# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

April 18, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### Commissioners Present

Vice Chair Esselman  
Commissioner Craft  
Commissioner Maul  
Commissioner Montero  
Commissioner Scully (arrived at 7:02)  
Commissioner Wagner

### Staff Present

Rachael Markle, Director, Planning and Community Development  
Miranda Redinger, Senior Planner, Planning and Community Development  
Steve Szafran, Senior Planner, Planning and Community Development  
Jessica Simulcik Smith, Planning Commission Clerk

### Commissioners Absent

Chair Moss

### CALL TO ORDER

Vice Chair Esselman called the regular meeting of the Shoreline Planning Commission to order at 7:02 p.m.

### ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Vice Chair Esselman and Commissioners Craft, Maul, Montero and Wagner. Commissioner Scully arrived at 7:02 p.m., and Chair Moss was absent.

### APPROVAL OF AGENDA

The agenda was accepted as presented.

### APPROVAL OF MINUTES

The minutes of March 21, 2013 were approved as submitted.

### GENERAL PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

## **STUDY ITEM: DEVELOPMENT CODE AMENDMENTS**

### **Staff Presentation**

Mr. Szafran explained that the purpose of his presentation is to introduce the proposed Development Code amendments, discuss and answer Planning Commission questions, and gather public comments. He reminded the Commission that the purpose of the Development Code amendments is to bring the regulations into conformity with the Comprehensive Plan, to respond to changing conditions or needs of the City and/or to comply with state law. He reported that 21 amendments were initially proposed. However, one of the two amendments initiated by a private citizen was withdrawn. He reviewed the proposed amendments (see Attachment 1) as follows:

- **SMC 20.20.048(T)** – This amendment would change the definition for “significant tree” by deleting the words “healthy, windfirm, and nonhazardous.” Although a tree may be unhealthy or hazardous, any significant tree under the current code must be accounted for, and replacement trees will have to be planted.
- **SMC 20.30.085** – This amendment incorporates a notification radius for “early community input meetings. Although records indicate that the City Council wanted the notification radius to be 1,000 feet, this requirement is not included in the current code.
- **SMC 20.30.090(B)(2)** – The current code only requires a 500-foot notification radius for neighborhood meetings, and the proposed amendment would require a 1,000-foot radius for “master development plan permits.”
- **SMC 20.30.180** – This amendment also adds the 1,000-foot notification radius for the notice of public hearing for a master development plan permit.
- **SMC 20.30.280** – Section 20.30.280(C)(2)(c) would be amended to add a reference to SMC 13.12, which outlines the regulations that would apply when repair or reconstruction of a non-conforming structure is necessary in a flood plain. Section 20.30.280(F) would also be amended to add new language that deals with situations where the City creates a non-conformity. For example, if the City takes a right-of-way, any existing use or structure would be considered a lawful non-conforming use or structure.
- **SMC 20.30.353** – Section 20.30.353(E) would be amended to allow any use on a campus-zoned property through an approved master plan. This would be consistent with recent changes in the Comprehensive Plan. A second amendment in SMC 20.30.353(F) would add noticing requirements for early community input meetings by referencing SMC 20.30.085.
- **SMC 20.30.410(C)(2)** – This proposed amendment makes it clear that City staff, and not the City Council, may require dedication of land for public use. This has always been the case.

- **SMC 20.30.730(C)** – This proposed amendment would require the responsible party to pay all penalties and costs before an enforcement case may be closed.
- **SMC 20.30.770** – The proposed amendment to Section 20.30.770(D)(6) would also require the responsible party to pay all penalties before the City can close an enforcement case. In addition, the proposed amendment to Section 20.30.770(D)(7)(b) would allow the Director to approve up to a 20% reduction of accrued penalties if voluntary compliance is achieved and the City is reimbursed its reasonable staff and professional costs.
- **Table 20.40.120** – This amendment would allow community residential facilities as a conditional use in the R-8 and R12 zones. The code currently allows boarding homes and apartments as a conditional use in these zones, and this amendment would treat community residential facilities as a like use.
- **Table 20.40.130** – This amendment was initiated by a private citizen and would allow veterinary clinics and hospitals as conditional uses in multi-family zones. The owners of the Animal Surgical Clinic of Seattle would like to expand their building and parking onto a parcel zoned R-24, but vet clinics are not currently allowed in multi-family zones. However, like uses such as medical offices, nursing and personal care facilities, hospitals and professional offices are allowed as conditional uses in multi-family zones. Staff supports the proposed amendment. Veterinary uses would have to comply with the standard conditions, as well as any additional conditions imposed as part of the conditional use permit.
- **SMC 20.40.240** – This amendment is a staff rewrite of the City’s entire animal code. The old animal code is out of date, vague and does not address most of the questions and concerns of the residents of Shoreline. The rewrite provides a purpose section, allows for chickens, restricts roosters, and supports urban agriculture animals (very small livestock).

Commissioner Craft asked if the code provides noise nuisance provisions that would be applicable to animals. Mr. Szafran answered that there are no noise provisions in the Development Code. These issues would be addressed by the Customer Response Team on a complaint basis.

- **SMC 20.30.340** – The proposed amendment is intended to make this section consistent with the definition for “multi-family,” which was amended last year.
- **Table 20.50.020(1)** – This proposed amendment would delete Note 6, which states that the maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in R-12 zones. This exemption was put in place a number of years ago as a reaction to a single-family subdivision in an R-12 zone. At the time, it was believed that single-family homes on R-12 zoned lots were out of character with the neighborhood and should not be built on smaller lots. Staff believes this exception is out of date and overly restrictive in terms of dictating what sort of housing types may be located on certain parcels.

Commissioner Wagner recalled that the Commission has talked previously about hardscape and building coverage as they relate to surface water runoff and the need to reduce impervious surface area. She suggested that at the public hearing, staff should address how this change would impact the City's ability to address this important issue. Mr. Szafran pointed out that the current provision places stricter requirements on single-family, detached development than for attached units. Commissioner Wagner countered that single-family, detached development is the least environmentally sustainable type of residential unit. Some may argue that this provision could be used as a tool to discourage single-family, detached units in zones where increased density is desirable.

Commissioner Maul noted that eliminating Note 6 would require that the footnotes in the table be renumbered.

- **Exception 20.50.050(3)** – This amendment would allow renewable energy and environmental building features to be constructed above the maximum building heights in residential zones. A similar amendment was recently passed for environmental features over the maximum building height in commercial zones.
- **SMC 20.50.310.** This amendment was initiated by a private citizen, but it has been withdrawn and will likely be included in a future batch of Development Code amendments.
- **Exception 20.50.390(A)** – This proposed amendment would add Item D, which would require that any amount of surface parking lot that is over the minimum required number of stalls must be paved with permeable pavement. The amendment will provide an environmental benefit if a developer proposes to over park a new development.
- **SMC 20.50.400(A)(8)** – The proposed additional language would allow an applicant to use permeable pavement on at least 20% of the area of the parking lot as a criteria for the Director to reduce the overall parking requirement. This amendment will provide greater environmental protection as a way to reduce overall parking spaces.

Commissioner Wagner raised questions about how the 20% would be calculated and asked if the requirement would be additive. She suggested that staff be prepared to address this issue in more detail at the public hearing. Commissioner Craft suggested that the issue could be addressed by requiring permeable pavement for any additional parking.

- **SMC 20.50.410(G)** – This proposed amendment would add a requirement that any parking space abutting a wall shall provide an additional 18 inches above the minimum space width requirement to provide space to exit a vehicle.
- **SMC 20.50.500** – The proposed amendment to Section 20.50.500(E)(5) would allow gaps in curbs to accommodate stormwater runoff. The proposed amendment to Section 20.50.500(E)(6) would allow natural drainage landscapes (rain gardens, bio-filtration swales and bio-retention planters) when designed in compliance with the stormwater design manual.

- **SMC 20.60.040(A)(2)** – The proposed amendment would strike the requirement that the applicant must demonstrate that the existing water supply system available to serve complies with any limitation or condition imposed by the City approved comprehensive plan of the water purveyor. Essential, the current wording allows a district water plan to pre-empt City code and the City’s decision on a permit, and staff would like to change that.

**Public Comment**

**Dr. Russell Patterson, Seattle**, said he is co-owner of the animal specialty hospital building located at Northeast 148<sup>th</sup> Street and 15<sup>th</sup> Avenue Northeast. He said the hospital has been in the business of providing specialty care, mostly surgery, for the pets of the Seattle area for over 25 years. They were previously located in the Wallingford Neighborhood of Seattle. However, because of business growth and cramped quarters, they moved to Shoreline in the spring of 2009. Their experience in the neighborhood has been very positive, and their new facility has allowed them to grow and they are once again experiencing some lack of space. Looking to the future, they began negotiations a year ago to purchase property immediately to the east. The property is currently developed with a small home that has been abandoned for some time.

Dr. Patterson said they are hoping that through the proposed amendment to **Table 20.40.130**, they will be able to use the property for parking, subject to a conditional use permit. This would allow for future growth of the business. He explained that the existing parking lot to the east of the building was zoned residential when the property was purchased, even though it had functioned as a parking lot to access a prior business for a long time. This gave them some reason to hope they would be allowed to use residentially zoned property to access their commercial building. They believe they are a valued member of the community and have a very good report with the neighbors, several of which have submitted letters of support for the proposed amendment. They hope the City will approve their request so they can grow and continue to provide excellent veterinary care for the pets of Shoreline and the surrounding communities.

**Alisha Leviten, Shoreline**, said she is pleased to see that that an amendment has been proposed to ban roosters. She said roosters are the equivalent of a neighbor blasting an air horn every 30 to 60 seconds, sometimes all night long. She has nothing against roosters, as animals, but they are not meant to be in an urban setting. They need to be in locations where neighbors are at least a mile away. She said she is also grateful to the Commission for keeping environmental impacts in mind as they discuss the proposed amendments.

**Commission Discussion**

Vice Chair Esselman referred to **SMC 20.40.240(8)(b)**, which allows animals such as goats for the purpose of vegetation management. She questioned if the term “temporary” should be further defined. Mr. Szafran felt this would be difficult. Commissioner Wagner said the intent of the term “temporary” is that the animals are not kept permanently as pets.

Vice Chair Esselman referred to **SMC 20.50.410(G)**, which would add a requirement that any parking space abutting a wall shall provide an additional 18 inches above the minimum space width requirement

to provide space to exit a vehicle, and **SMC 20.50.500(E)(5)**, which would allow gaps in curbs to accommodate stormwater runoff. She suggested that perhaps a curb should be required for rain catch basins that are located where the parking abuts vegetation areas. Commissioner Maul observed that the language in **SMC 20.50.410(G)** talks about parking strips that abut a wall, but the diagram provided shows the parking up against a planting strip. Mr. Szafran said planter strips have always been required by the code, but the proposed language in **SMC 20.50.410(G)** is specifically related to planter strips next to walls inside parking garages. Commissioner Maul suggested that the words “to provide space to exit the vehicle” should be deleted. The remainder of the Commission concurred.

Commissioner Wagner referenced the proposed amendment to **Exception 20.50.050(3)**, which would allow additional height for renewable energy systems such as solar collectors and small scale wind generators. She cautioned that allowing additional height to enable a building to be retrofitted with a renewable energy system is very different than allowing additional height to accommodate equipment on new structures that were purposefully built to the maximum height allowed. While renewable energy systems are supported by the City’s Environmental Sustainability Strategy, they are typically much larger than chimneys and flag poles. She said she is not convinced that allowing additional height for this equipment would be consistent with the City’s intent in establishing a height limit. On the other hand, the additional height could provide incentive for people to add the equipment. To provide some perspective, she said it would be helpful to have examples of typical solar collectors and small scale wind generators. This will help the Commission gain a better understanding of the benefits and impacts of the proposed amendment.

Commissioner Craft referenced **Table 20.40.120** and asked for more examples of what a facility for “counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification,” would be. Mr. Szafran advised that the proposed amendment is based on an administrative order that is outlined in Attachment 2. In that case, the facility was a home for more than 11 people with severe brain injuries that would be staffed with caregivers 24 hours per day. Currently, the use would not be allowed.

## **DIRECTOR’S REPORT**

Director Markle reported that Jessica Simulcik Smith was recently promoted to be the new Deputy City Clerk, and tonight is her last time to serve as Planning Commission Clerk. She thanked Ms. Simulcik Smith for serving the Commission over the past eight years.

Director Markle referred to the April 2<sup>nd</sup> press release announcing that the City of Shoreline and the Point Wells developer have signed a Memorandum of Understanding to get the transportation corridor study funded by the developer. As agreed, the developer will participate in the process. She advised that the transportation corridor study will include six community meetings with residents of Shoreline who are directly impacted and other interested parties. One element of the study will focus specifically on Richmond Beach Drive, and consultants will talk with each property owner about potential changes in front of their properties and what the impacts will be. The second element of the study will focus on Richmond Beach Road all the way to Aurora Avenue North, including associated side streets where cut through traffic is anticipated. The goal is to identify impacts and necessary mitigation.



Director Markle emphasized that the transportation corridor study will far exceeds any public participation process that would have been required by Snohomish County. Snohomish County would only have required one scoping meeting in Shoreline. In addition, the City of Shoreline would have had to provide funding for the traffic analysis, which the developer has now agreed to pay for. In addition, she advised that the City reached an agreement with Snohomish County to ensure that they will utilize the information that comes out of the Transportation Corridor Study to the extent possible during the Environmental Impact Statement (EIS) review process. She said staff anticipates that Snohomish County will start the EIS process in late April or early May. To avoid confusion, the City will not start the Transportation Corridor Study until after Snohomish County's first scoping meeting. She noted that the City received the first batch of review comments on three different permits that Snohomish County is currently processing for Point Wells.

## **UNFINISHED BUSINESS**

### **Light Rail Station Area Planning – Draft Study Area Boundaries**

Ms. Redinger said the primary focus of tonight's discussion will be the study area boundaries, which the Light Rail Station Area Planning Committee has been working on for a few months. She reminded the Commission that the Comprehensive Plan uses circles to identify potential study area boundaries for the Northeast 145<sup>th</sup> Street and Northeast 185<sup>th</sup> Street light rail stations. The City Council recently asked the staff and Planning Commission to initiate a public process to further refine the boundaries to be parcel-specific. She advised that the Planning Commission is scheduled to meet jointly with the City Council on May 2<sup>nd</sup> to discuss multiple issues related to light rail station area planning, including proposed station area boundaries that will be presented at the first community meeting on May 22<sup>nd</sup> from 6:00 to 8:30 p.m.

Ms. Redinger advised that the committee has not only identified draft boundaries for the Commission's consideration, but they have also provided criteria for the Commission to use as they delineate the boundaries further in preparation for the public hearing. She provided two hard copy maps of the proposed draft boundaries and reviewed the criteria as follows:

- Existing conditions such as density, arterials and community features (See Attachments A, C, E and G).
- Walk and bike travelsheds (See Attachments B and F)
- Topography (See Attachments D and H)
- Comprehensive Plan policy direction (See Attachment I) such as corridors that connect the station areas to major arterials.
- Jurisdictional to clarify that the City won't be drawing lines on the Seattle side of the map
- Homeowner preference, which does not mean that individual homeowners can opt in or out of being in the study area. However, if a block of neighbors on the edge of the boundary feel strongly about being in or out, this preference may influence decision making.

Ms. Redinger explained that in applying the criteria to the draft boundaries, it became apparent to the committee that it would make sense to do two study area boundaries for each station.

- The **mobility study areas** encompass a broader region and the boundary areas are drawn on existing rights-of-way. The feeder arterials are not necessarily part of the study area, but they are additional areas to consider the type of traffic that would be generated. Clearly there will be users of the transit stations coming into the area, and neighbors along the arterials will be primarily concerned with traffic flow, traffic calming, etc. Because these areas are outside of the half-mile radius around the station, they will not likely undergo zoning transitions, but property owners will want the City to examine certain impacts.
- The **land use study areas** represent smaller geographic regions that are more likely to undergo transition and zoning changes based on policies and expectations around light rail planning and transit-oriented development. The boundaries lines are generally drawn along the backside of parcels fronting on an arterial. The properties in this area may be appropriate for higher densities and additional uses.

Ms. Redinger described the differences between the two study areas. For example, the Northeast 145<sup>th</sup> Street study area is more straightforward because they only have to identify a boundary for the Shoreline side. In addition, the big opportunity sites in the Northeast 185<sup>th</sup> Street study area are parcels that are likely to develop, and the larger sites in the Northeast 145<sup>th</sup> Street study are park boundaries and properties that are less likely to develop. These sites may serve better as buffer areas or amenities for higher density areas.

Commissioner Scully explained that the intent of the draft study area boundaries is to structure discussion, not limit it. Where there was a question, the committee was over-inclusive rather than under-inclusive. Although the committee tried to make the boundaries as large as possible, additional properties can be added as the process goes forward and the Commission continues to gather information through public comment and additional study.

Commissioner Wagner asked how much space an actual station would take up compared to the size of a single-family residential parcel. Ms. Redinger noted that the station locations are not zoned single-family residential. The actual station footprints will be relatively small. She said a good way to gauge the potential size of the new stations is to look at the space available, which is about the size of a single-family residential lot. More information about the station footprints and design will be available when the EIS comes out in June. Commissioner Wagner said she would also like more information about the potential footprint of the parking associated with the station. She suggested it would be helpful to compare this footprint with the footprint of the Mountlake Terrace Park and Ride. Ms. Redinger said more information about the number of parking spaces will also be available in the EIS

The Commission gathered around a table on which two hard copy maps of the draft study areas were displayed. Ms. Redinger briefly described the draft boundaries for both the Northeast 185<sup>th</sup> Street and Northeast 145<sup>th</sup> Street study areas.

Ms. Redinger pointed out that Northeast 185<sup>th</sup> Street is a major arterial, and there are very few through-streets within the Northeast 185<sup>th</sup> Street Station area boundary. The mobility area study could identify ways to provide additional, easy connections for people who live in the neighborhoods to access the station. It could also address traffic concerns associated with cut through traffic, etc. Although a study

of the North City area has already been done, portions of the area may be reviewed again as part of the station area study. She noted that the Northeast 185<sup>th</sup> Street study area includes the Shoreline Center, an elementary school, and other large sites that could potentially redevelop.

Vice Chair Esselman asked if “mobility” means the mobility to move from the neighborhood areas to the station, the mobility to move through the neighborhoods, or a combination of both. Ms. Redinger explained that in some areas improving mobility may involve traffic calming measures, but in other areas it may involve additional bicycle and pedestrian connections. She explained that, often, freeway transit stations act as a divider between two neighborhoods. Staff has done a small amount of visioning work with the Northeast 185 Station Area Committee to address this issue. The committee believes that the freeway bisected the neighborhood, and they would like to see additional connections and ways to bridge the large divide. Part of mobility may involve ways to get from one side of the neighborhood to the other.

Commissioner Montero asked if properties in Lake Forest Park and Mountlake Terrace would be included in the Northeast 185<sup>th</sup> Street station area study, as well. Ms. Redinger said they would not be part of the study area, but staff will figure out a strategy to work with the Cities of Lake Forest Park, Mountlake Terrace and Seattle, as well as Snohomish County.

Commissioner Scully said the Light Rail Station Area Planning Committee did consider the car shed (where cars might come from) when determining how wide the mobility study areas should be. They felt there was a significant potential for people coming up from Lake City Way, but car traffic from Mountlake Terrace seemed unlikely because there is a Mountlake Terrace station.

Ms. Redinger clarified that the area internal to the dash lines is not intended to be studied in terms of zoning or mobility, but the transportation department is very aware that the road is dangerous and unsafe for bicycles and pedestrians. The study will identify ways to make it more safe.

Ms. Redinger reminded the Commission that the City will not know if the Sound Transit Board will include Northeast 145<sup>th</sup> Street or Northeast 155<sup>th</sup> Street as a preferred station location. However, because the City Council has expressed a preference for Northeast 145th Street, they asked that the Commission and staff move forward with setting study area boundaries for a Northeast 145th Street station. She emphasized that the Northeast 145th Street study area would not include properties located within the City of Seattle’s jurisdiction. The large sites within the Northeast 145th Street study area are Twin Ponds Park and the Paramount Park and Open Space, both of which are unlikely to change over time.

Ms. Redinger explained that Commissioners Scully and Maul suggested that because the park is a natural boundary, one option would be to draw the study area on the inside. Commissioner Craft thought that because the park is an amenity and has a path system, perhaps the neighborhood would be a candidate for a zoning change and transition. She asked the Commissioners to provide direction as to which boundary line they prefer. It may also be appropriate to extend the boundaries to include properties located further east. She said staff will prepare a walking map of the two study areas so that people can do self-guided or group tours. Along with the map, information will be provided to make it clear that although Northeast 155<sup>th</sup> Street is a potential location, the City will not do study area

boundaries or station area planning for a station in that area unless Sound Transit moves forward with the location as preferred alternative.

Ms. Redinger advised that the west boundary of the Northeast 145<sup>th</sup> Street land use study area will be the west side of Paramount Park, and the mobility study's boundary line will extend to include major arterials (15<sup>th</sup> Avenue Northeast and Northeast 155<sup>th</sup> Street). The committee walked down Northeast 145<sup>th</sup> Street and recognized that it is not a pedestrian friendly environment. The study will identify potential changes to improve the situation.

Commissioner Scully said the committee discussed that as the studies move forward, the City may want to sequentially make changes to the zoning. He emphasized that it is not the City's intent that all properties within the land use study areas will suddenly be zoned for high-density development. The study is intended to think 20, 50 or 100 years into the future, and not just what is going to happen when the stations are developed.

Ms. Redinger agreed it is important to emphasize the differences between study area boundary, comprehensive plan designations, and actual zoning designations. The City decided not to include parcel specific boundaries for the study areas in the Comprehensive Plan because they did not want people to think that decision had been made with regard to zoning. The boundaries merely designate the study areas.

Ms. Redinger said that because the Comprehensive Plan policies identify certain densities for the study areas, people have asked when the rezones will take place. She emphasized that the City's plan is to first draw study area boundaries and then talk about potential transitions, appropriate zoning, design standards, etc. The last step will be to create a system to phase in zoning changes over time. This phased-in process will create more certainty and offer reassurance to surrounding property owners. The goal is to structure the station area plans to identify what is likely to redevelop in the next 10 years, 20 years, 40 years, etc. The intent is to figure out what is realistic, what the market will support, and then create expectations for different phases of the plan over time.

Commissioner Montero asked if it would be possible to overlay the environmentally sensitive areas onto the study area maps. Ms. Redinger said that some environmentally sensitive areas were included in the study areas and some were not. The map could be updated to make it clear that environmentally sensitive areas would not be appropriate for redevelopment. She noted that additional coding is needed on the maps to make them more clear and easier to read.

Vice Chair Esselman suggested that because the boundaries simply delineate an area of study, perhaps Twin Ponds Park should be included as an area that could potentially be impacted. Commissioner Wagner agreed that it would make sense to include Twin Ponds Park in the study area to consider through connections. However, including residential sites, as well, could send the message that the City is considering zoning changes to the residential areas. Vice Chair Esselman expressed her belief that the study area should include both sides of the street to reiterate the fact that the boundaries are intended to include all properties that could be impacted by the light rail station. It is the City's responsibility to identify and respond to all the potential impacts.

Commissioner Scully pointed out that the parcels that are currently zoned as high-density residential were included in the potential impact area, but it was not the committee's intent to suggest that the high-density would expand beyond where it is currently located. He said it seems unlikely that pedestrian and bicycle commuters from outside the half mile circle would utilize the transit center because it is too far away and the park acts as a natural barrier.

Commissioner Craft agreed with Vice Chair Esselman that the park offers a great amenity and a tremendous number of opportunities for the surrounding neighborhoods. Including it in the study area would allow the City to consider the opportunities that might exist in the near, medium and long-term from a land-use perspective. Ms. Redinger clarified that the Commission has the opportunity to include the park and residential properties in the mobility study area, but not in the land use study area.

Commissioner Craft pointed out that there are two major arterials near Twin Ponds Park: Northeast 155<sup>th</sup> Street and Meridian Avenue North. There are also two major schools on the west side of Meridian Avenue North. Given the current uses, he suggested there may be potential for greater densities within this area to take advantage of some of the opportunities that already exist. However, he emphasized that the boundaries identify the study area only, and no zoning changes have been identified.

Commissioner Wagner pointed out that there is no through access from the single-family homes to the station sites. Commissioner Craft noted that access could be provided at some point in the future. Commissioner Wagner agreed but observed that it would be a very big change for the neighborhood. While mobility is important, she does not anticipate significant changes in zoning in this residential area. She suggested it would be appropriate to include the park and the residential properties in the mobility study area, but they should not be included in the land use study area as potential areas for rezone. Once again, Commissioner Craft expressed his belief that the properties should be included in the land use study area because of the major arterials that surround them. This neighborhood could take advantage of existing components and future opportunities from a land use and zoning standpoint. Once mobility issues have been addressed, transportation improvements may beget additional opportunities for zoning.

Ms. Redinger reminded the Commission that much of the properties within the Northeast 145th Street study area boundaries were recently studied as part of the Southeast Neighborhood Subarea Plan. However, she recognized that the context of the station area study will be different and it could be beneficial to discuss the areas again. She also pointed out that the owners of the veterinary clinic also own an adjacent parcel of property. While their comment letter phrases the current zoning as a mistake, it was really a missed opportunity. Had the Southeast Neighborhood Subarea Plan Committee recognized that the properties were all under the ownership of the clinic, they would likely have recommended the zoning change previously. That is why Arthur Peach, a member of the committee, suggested that the property owner should not be charged for a rezone. The committee's general practice was to step down intensity parcel by parcel. She suggested that the property could be included in the study area.

Commissioner Craft pointed out that there is quite a lot of traffic on 148<sup>th</sup> Street (I think he may have meant 8<sup>th</sup> Avenue Northeast) because it circumvents 15<sup>th</sup> Avenue Northeast and connects all the way through to Northeast 155<sup>th</sup> Street. Beyond that it is difficult to create any through streets, and the chances for change in the near or medium future are very limited given the current uses. That was his

rationale for keeping the boundary at the corner of Northeast 145<sup>th</sup> Street and 15<sup>th</sup> Avenue Northeast. However, he would not object to extending the study area boundary further.

Commissioner Montero pointed out that ?? is one of the major connector routes to the Burke Gillman Trail, and a station on Northeast 145<sup>th</sup> Street will likely cause people to change their routes from going down Northeast 155<sup>th</sup> Street and 15<sup>th</sup> Avenue Northeast to coming down ?. This may be a reason to extend the study area, as well.

Commissioner Wagner suggested that the Paramount Park Open Space should be included in the study area because there is commercial development in the area and it is located on an arterial. She reminded the Commission that the station area plans are intended to project into the future up to 100 years, and including the open space in the study area will allow them to review potential impacts to the property within the context of future station area development.

The Commission discussed the need to specifically identify environmentally sensitive areas as properties where redevelopment would not be allowed. Ms. Redinger suggested that perhaps it would be helpful to have a symbol or separate color to identify opportunity sites and environmentally sensitive sites where uses will not likely change.

Commissioner Scully recalled that the committee originally discussed fine tuning the study area boundaries to exclude such things as clusters of large trees. While they agreed that environmentally sensitive areas should be protected, they also agreed not to exclude them from the study areas at this time. If the study areas are too fine-grained, something may be missed. Commissioner Wagner suggested that additional criteria should be added to address environmentally sensitive areas. She also suggested “environmental assets” would be a better term than “environmentally sensitive areas.” Commissioner Scully cautioned against distinguishing between the different types of properties in fine detail without first soliciting input from the public. Ms. Redinger noted that all the properties would be included in the study area boundaries, but staff could come up with a symbol or shading to identify opportunity and environmentally sensitive properties.

**The Commission agreed that the boundaries of the 145<sup>th</sup> Street study areas should be:**

Commissioner Maul said he can see where higher density development may want to be located closer to environmental assets, as opposed to across the street from the transit centers. Commissioner Craft agreed. Commissioner Maul suggested that the boundaries for the 185<sup>th</sup> Street study area should be expand, and the remainder of the Commission concurred.

Commissioner Craft explained that when the committee initially looked at the land use study areas, they tried to determine what is realistic. This area that is sandwiched between Interstate 5 and Northeast 175<sup>th</sup> Street did not seem to be a candidate for inclusion in the study because of limited accessibility. Given the topography, it is unlikely that this area will change. However, he said he is not concerned about whether the boundary is closer to Northeast 180<sup>th</sup> Street or Northeast 175<sup>th</sup>.

Commissioner Craft explained that the committee chose 8<sup>th</sup> Avenue Northeast as the Northeast 185<sup>th</sup> Street study area boundary because it is a utility street that is extra wide. It seems appropriate to

concentrate improvements on rights-of-way that can accommodate them. He noted that 10<sup>th</sup> Avenue Northeast is quite narrow. Ms. Redinger agreed that 8<sup>th</sup> Avenue Northeast is a utility corridor, which makes it a candidate for additional zoning because there is more right-of-way space for roadway improvements or pedestrian and walkway improvements. Commissioner Wagner suggested that 10<sup>th</sup> Avenue Northeast may need traffic calming measures to prevent cut-through traffic.

**The Commission agreed that the boundaries for the 185<sup>th</sup> Street study areas should be:**

Ms. Redinger said she would prepare an updated version of the map to incorporate the Commission's comments in preparation for the joint Commission/City Council meeting on May 2<sup>nd</sup>. She would also update the criteria to include environmentally sensitive areas. The staff reports for the May 2<sup>nd</sup> Meeting should be available by April 23<sup>rd</sup>. It is anticipated that the City Council will approve the consultant for the study area project on April 22<sup>nd</sup>.

### **Discussion on Purpose of Point Wells Committee**

Mr. Szafran reviewed that Commissioner Maul would be the Commission's point person for tracking developments related to Point Wells. Vice Chair Esselman would be the backup point person. Vice Chair Esselman advised that the purpose of the committee is to make sure a Commission representative is present at all of the community meetings related to Point Wells. Commissioner Maul said he plans to attend Save Richmond Beach community meetings and be an ear on what is going on in Snohomish County, as well. The committee will report back to the Commission. Vice Chair Esselman added that it is not the committee's intent to duplicate the efforts of staff. Instead, the committee can provide a communication link between the community and the Planning Commission.

Director Markle announced that the Public Works Director is scheduling meetings with neighbors that need more information before the Transportation Corridor Study gets started. For example, he will meet with a group of residents on Apple Tree Lane to provide more information about what is going on and what is coming next, and to answer their questions. He may also meet with Innis Arden residents. She asked Commissioners to notify staff if they know of residents who want to meet with staff to gather more information. Commissioner Maul said two organizations have indicated that they would like to use the Planning Commission as a link to City staff. Perhaps City staff could be invited to attend their meetings and provide additional information.

### **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

None of the Commissioners provided reports or announcements during this portion of the meeting.

### **AGENDA FOR NEXT MEETING**

Mr. Szafran reminded the Commission of their joint meeting with the City Council on May 2<sup>nd</sup> at 7:00 p.m. to discuss light rail station area planning. Ms. Simulcik Smith added that Chair Moss will also present the Commission's annual report to the City Council during the last 15 minutes of the joint meeting. Because the City Council will receive a written copy prior to the meeting, the majority of the time could be spent discussing the report.

**DRAFT**

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Mr. Szafran advised that a public hearing for the proposed Development Code amendments is schedule for May 16<sup>th</sup>.

**ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

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Donna Moss  
Chair, Planning Commission

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Kate Skone  
Clerk, Planning Commission



**TIME STAMP**  
**April 18, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**APPROVAL OF MINUTES:**

**GENERAL PUBLIC COMMENT: 1:35**

**STUDY ITEM: DEVELOPMENT CODE AMENDMENTS:**

**Staff Presentation: 1:50**

**Public Comment: 22:51**

**Commission Discussion: 26:55**

**DIRECTOR'S REPORT: 37:25**

**UNFINISHED BUSINESS**

**Light Rail Station Area Planning – Draft Study Area Boundaries: 42:56**

**Discuss Purpose of Point Wells Committee: 1:44:05**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS: 1:47:45**

**AGENDA FOR NEXT MEETING: 1:47:56**

**ADJOURNMENT**

**DRAFT**

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

**AGENDA TITLE:** Development Code Amendments #301858  
**DEPARTMENT:** Planning & Community Development  
**PRESENTED BY:** Steven Szafran, AICP, Senior Planner

Public Hearing  
 Discussion

Study Session  
 Update

Recommendation  
 Other

**Introduction**

The purpose of this meeting is to conduct a public hearing and make recommendations on proposed amendments to Title 20 of the Shoreline Municipal Code (The Development Code) (**Attachment 1**). The Planning Commission conducted a study session on April 18, 2013. The staff report from the study session that provides the background and analysis for the proposal is included for reference as **Attachment 2**.

The purpose of this staff report is to respond to specific questions raised by the Commission and/or public comment.

**Study Session Questions**

*How will modifying the building and hardscape requirements for single-family homes on R-12 zoned parcels affect storm and surface water?*

Staff has proposed to delete exception #6 to Table 20.50.020(1) which states, "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".

Storm water and surface water are regulated by the Department of Ecology Stormwater Management Manual for Western Washington. The manual does not distinguish between building types when mitigating water quality or quantity. Surface water will be managed and mitigated no matter what building type is proposed to be built.

Surface water regulations will not change because of the proposed amendment. What might change is the type of structure that will be built on a particular parcel. This code regulation almost dictates what kind of structure is to be built on a specific parcel by regulating single family dwellings more stringently than other uses such as single family attached dwellings even though the density is not changing.

Staff is attempting to avoid confusion by seeking to apply the density and dimension standards by zone instead of use.

Approved By:

Project Manager 

Planning Director 

*The Commission had questions about renewable energy systems being allowed above height limits in residential zones.*

Staff has provided examples of renewable energy systems in residential zones in **Attachment 3**. As you can see from the photographs, some systems such as residential wind generators are quite high and much higher than the residential structure maximum of 35 feet. Staff believes renewable energy systems should be allowed above the height limits. However, renewable energy systems should be limited to 15 feet above the height limit of the zone and if a renewable energy system is to be constructed above the height limit, it should be constructed to fit into the surrounding landscape by using similar colors or design by the greatest extent possible.

### **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).

### **Recommendation**

Staff recommends approval of the proposed batch of Development Code amendments with the following underlined modification to SMC 20.50.050(3):

Exception 20.50.050(3): The following structures may be erected above the height limits in residential zones:

- Roof structures housing or screening elevators, stairways, tanks, ventilating fans, or similar equipment required for building operation and maintenance;

- Fire or parapet walls, skylights, flagpoles, chimneys, renewable energy systems such as solar collectors and small scale wind generators are allowed an additional 15 feet above the height limit of the zone when camouflaged to the greatest extent possible, and utility line towers and poles; and
- Steeples, crosses, and spires when integrated as an architectural element of a building. (Ord. 352 § 1, 2004; Ord. 238 Ch. V § 1(B-4), 2000).

**Attachments**

- Attachment 1 – Proposed Development Code Amendments in legislative form.
- Attachment 2 – Study Session Staff Report
- Attachment 3 – Examples of renewable energy systems
- Attachment 4 – Draft Planning Commission Transmittal Memo for Recommendation

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**20.20.048 T definitions.**

Tree, Significant      Any healthy, windfirm, and nonhazardous tree eight inches or greater in diameter in breast height if it is a conifer and 12 inches or greater in diameter at breast height if ~~deciduous~~ if it is a non-conifer.

**20.30.085 Early community input meeting.**

Applicants are encouraged to develop a community and stakeholders consensus-based master development plan. Community input is required to include soliciting input from stakeholders, community members and any other interested parties with bubble diagrams, diagrammatic site plans, or conceptual site plans. The meeting notice shall be provided at a minimum to property owners located within 1000 feet of the proposal, the Neighborhood Chair as identified by the Shoreline Office of Neighborhoods (Note: if a proposed development is within 1000 feet of adjacent neighborhoods, those chairs shall also be notified), and to the City of Shoreline Planning and Development Services Department. Tape recording, video recording, or a court reporter transcription of this meeting or meetings is required at the time of application. The applicant shall provide an explanation of the comments of these entities to the City regarding the incorporation (or not) of these comments into the design and development of the proposal.



**20.30.090 Neighborhood meeting.**

Prior to application submittal for a Type B or C action, the applicant shall conduct a neighborhood meeting to discuss the proposal.

- A. The purpose of the neighborhood meeting is to:
1. Ensure that potential applicants pursue early and effective citizen participation in conjunction with their proposal, giving the project proponent the opportunity to understand and try to mitigate any real and perceived impact their proposal may have on the neighborhood;
  2. Ensure that the citizens and property owners of the City have an adequate opportunity to learn about the proposal that may affect them and to work with project proponents to resolve concerns at an early stage of the application process.
- B. The neighborhood meeting shall meet the following requirements:
1. Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time and location of the neighborhood meeting and a description of the project, zoning of the property, site and vicinity maps and the land use applications that would be required.
  2. The notice shall be provided at a minimum to property owners located within 500 feet (1000 feet for Master Development Plan Permits) of the proposal, the Neighborhood Chair as identified by the Shoreline Office of Neighborhoods (Note: if a proposed development is within 500 feet of adjacent neighborhoods, those chairs shall also be notified), and to the City of Shoreline Planning and Development Services Department.
  3. The notice shall be postmarked 10 to 14 days prior to the neighborhood meeting.
  4. The neighborhood meeting shall be held within the City limits of Shoreline.
  5. The neighborhood meeting shall be held anytime between the hours of 5:30 and 9:30 p.m. on weekdays or anytime between the hours of 9:00 a.m. and 9:00 p.m. on weekends.
  6. The neighborhood meeting agenda shall cover the following items:
    - a. Introduction of neighborhood meeting organizer (i.e., developer, property owner, etc.);

- b. Description of proposed project;
- c. Listing of permits that are anticipated for the project;
- d. Description of how comments made at the neighborhood meeting are used;
- e. Provide meeting attendees with the City's contact information;
- f. Provide a sign-up sheet for attendees.

**20.30.180 Public notice of public hearing.**

Notice of the time and place of an open record hearing shall be made available to the public by the Department no less than 15 days prior to the hearing, through use of these methods:

- **Mail.** Mailing to owners of real property located within 500 feet (1000 feet for Master Development Plan Permit) of the subject property;

- **Newspaper.** The Department shall publish a notice of the open record public hearing in the newspaper of general circulation for the general area in which the proposal is located;

- **Post Site.** Posting the property (for site-specific proposals).

Information regarding Master Development Plan public hearings will be posted on the City's website and cable access channel. (Ord. 591\* § 1 (Exh. A), 2010; Ord. 581 § 1 (Exh. 1), 2010; Ord. 317 § 1, 2003; Ord. 238 Ch. III § 5(b), 2000).

**20.30.280 Nonconformance.**

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; and
  - b. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction.
  - c. The provisions of Chapter 13.12 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.

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) requires 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.

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. (Ord. 515 § 1, 2008; Ord. 352 § 1, 2004; Ord. 238 Ch. III § 6, 2000).

**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 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.

**20.30.353 Master Development Plan.**

**A. Purpose.** The purpose of the master development plan is to define the development of property zoned campus or essential public facilities in order to serve its users, promote compatibility with neighboring areas and benefit the community with flexibility and innovation. With the exception of those uses and standards contained in this section, all other aspects of development, redevelopment or expansion will be regulated as prescribed in this title and other applicable codes for all uses that are permitted outright or through conditional or special use processes in the underlying zones.

**B. Decision Criteria.** A master development plan shall be granted by the City only if the applicant demonstrates that:

1. The project is designated as either campus or essential public facility in the Comprehensive Plan and Development Code and is consistent with goals and polices of the Comprehensive Plan.
2. The master development plan includes a general phasing timeline of development and associated mitigation.
3. The master development plan meets or exceeds the current regulations for critical areas if critical areas are present.
4. The proposed development uses innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design (including low impact development stormwater systems and substantial tree retention) to mitigate impacts to the surrounding neighborhoods.
5. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.
6. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.

7. The master development plan proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards that minimize conflicts and create transitions between the proposal site and adjacent neighborhoods and between institutional uses and residential uses.

8. The applicant shall demonstrate that proposed industrial, commercial or laboratory uses will be safe for the surrounding neighborhood and for other uses on the campus.

**C. Amendments.** Minor amendments to an approved master development plan may be approved by the Director if the amendment meets the development standards and criteria applicable to the zoning and requirements set forth in this section. Minor amendments include any revision or modification of the previously approved master development plan that would result in any one or more of the following:

1. An increase in the square footage of any proposed building or structure by 10 percent or less; or
2. A change of 15 percent or less in the number of new parking spaces, parking spaces created by re-striping existing parking areas and/or a combination of both except for an increase in parking spaces for bicycles or electric vehicles; or
3. A change in the original phasing timeline for mitigation of the master development plan; or
4. Changes to building placement when located outside of the required setbacks and any required setbacks for critical areas; or
5. A cumulative increase in impervious surface of 10 percent or less or a cumulative decrease in tree cover of 10 percent or less; or
6. Other specific changes as noted in the master development plan.

Major amendments are changes that exceed the thresholds for a minor amendment or were not analyzed as part of an approved master development plan. Major amendments to an approved master development plan shall be processed as a new master development plan.

**D. Development Standards.**



1. Density is limited to a maximum of 48 units per acre;
2. Height is limited to a maximum of 65 feet;
3. Buildings must be set back at least 20 feet from property lines at 35 feet building height abutting all R-4 and R-6 zones. Above 35 feet buildings shall be set back at a ratio of two to one;
4. New building bulk shall be massed to have the least impact on neighboring single-family neighborhood(s) and development on campus;
5. At a minimum, landscaping along interior lot lines shall conform with the standards set forth in SMC 20.50.490;
6. Construction of buildings and parking areas shall preserve existing significant trees to the maximum extent possible. Landscaping of parking areas shall at a minimum conform with the standards set forth in SMC 20.50.500;
7. Development permits for parking shall include a lighting plan for review and approval by the Planning Director. The lighting shall be hooded and directed such that it does not negatively impact adjacent residential areas;
8. The location, material, and design of any walkway within the campus shall be subject to the review and approval of the Planning Director; and
9. Where adjacent to existing single-family residences, campus roadways and parking areas shall be landscaped as much as possible in the space available to provide a visual screen. The amount and type of plant materials shall be subject to the review and approval of the Planning Director.

These standards may be modified to mitigate significant off-site impacts of implementing the master development plan in a manner equal to or greater than the code standards.

**E. New Uses or New Development Standards.** In order to allow a new use or new uses on a campus zoned site, a new use or uses may be approved as part of a Master Development Plan Permit. New uses established through a Master Development Permit will be added to permitted uses in SMC 20.40.150 Campus uses ~~an amendment to the Comprehensive Plan and Development Code is required.~~

**F. Early Community Input.** Applicants are encouraged to develop a community and stakeholders consensus-based master development plan. Community input is required to include soliciting input from stakeholders, community members and any other interested parties with bubble diagrams, diagrammatic site plans, or conceptual

site plans. The meeting notice shall be provided at a minimum to property owners located within 1000 feet of the proposal, the Neighborhood Chair as identified by the Shoreline Office of Neighborhoods (Note: if a proposed development is within 1000 feet of adjacent neighborhoods, those chairs shall also be notified), and to the City of Shoreline Planning and Development Services Department. Tape recording, video recording, or a court reporter transcription of this meeting or meetings is required at the time of application. The applicant shall provide an explanation of the comments of these entities to the City regarding the incorporation (or not) of these comments into the design and development of the proposal.

**G. Master Plan Vesting Expiration.** A master development plan's determination of consistency under RCW 36.70B.040 shall vest for 10 years after issuance or after a major amendment, unless extended vesting for phased development is approved in the master development plan permit. After 10 years, the Planning Commission may review the master development plan permit for consistency with current City's vision, goals, strategies (such as the Economic Development Strategy, Housing Strategy, Environmental Sustainability Strategy) Comprehensive Plan and other sections of the Development Code. If changes are recommended, staff shall initiate a major amendment under this section to achieve consistency unless the revision is approved by the owner. (Ord. 631 § 1 (Exh. 1), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 507 § 4, 2008).

**20.30.410 Preliminary subdivision review procedures and criteria.**

**C. Dedications and Improvements.**

1. The City Council may require dedication of land in the proposed subdivision for public use.
2. Only the City Council may approve a dedication of park land. ~~The council may request a review and written recommendation from the Planning Commission~~<sup>3</sup>. In addition, the City Council 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.

**20.30.730 General provisions.**

A. For the purposes of this subchapter, any person who causes or maintains a Code Violation and the owner, lessor, tenant or other person entitled to control, use, or occupancy of property where a Code Violation occurs shall be identified as the responsible party and shall be subject to enforcement action as provided in this subchapter.

However, if a property owner affirmatively demonstrates that the action which resulted in the violation was taken without the owner's knowledge or consent by someone other than the owner or someone acting on the owner's behalf, that owner shall be responsible only for bringing the property into compliance to the extent reasonably feasible under the circumstances, as determined by the Director. Should the responsible party not correct the violation, after service of the notice and order, civil penalties and abatement costs may be assessed.

B. It shall be the responsibility of any person identified as a responsible party to bring the property into a safe and reasonable condition to achieve compliance. Payment of fines, applications for permits, acknowledgment of stop work orders and compliance with other remedies does not substitute for performing the corrective work required and having the property brought into compliance to the extent reasonably possible under the circumstances. The date set for compliance in the notice and order takes precedence over any date established for the expiration of any required permit(s) and will be subordinate only to written extension of the notice and order.

C. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance. A violation shall be considered ongoing until the responsible party has come into compliance and has notified the Director of this compliance, and an official inspection has verified compliance and all assessed penalties and costs have been paid to the City.

D. The procedures set forth in this subchapter are not exclusive. These procedures shall not in any manner limit or restrict the City from remedying or abating Code Violations in any other manner authorized by law. (Ord. 515 § 1, 2008; Ord. 406 § 1, 2006; Ord. 391 § 4, 2005; Ord. 238 Ch. III § 10(b), 2000).

**20.30.770 Enforcement provisions.**

A. **Infraction.** Whenever the Director has determined that a Code Violation has occurred, the Director may issue a Class 1 civil infraction, or other class of infraction specified in the particular ordinance violated, to any responsible party, according to the provisions set forth in Chapter 7.80 RCW.

B. **Misdemeanor.** Any person who willfully or knowingly causes, aids or abets a Code Violation by any act of commission or omission is guilty of a misdemeanor. Upon conviction, the person shall be punished by a fine not to exceed \$1,000 and/or imprisonment in the county jail for a term not to exceed 90 days. Each week (seven days) such violation continues shall be considered a separate misdemeanor offense. A misdemeanor complaint or notice of infraction may be filed as an alternative, or in addition to, any other judicial or administrative remedy provided in this subchapter or by law or other regulation.

C. **Suspension, Revocation or Limitation of Permit.**

1. The Director may suspend, revoke or limit any permit issued whenever:

a. The permit holder has committed a Code Violation in the course of performing activities subject to that permit;

b. The permit holder has interfered with the Director in the performance of his or her duties relating to that permit;

c. The permit was issued in error or on the basis of materially incorrect information supplied to the City; or

d. Permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled.

2. Such suspension, revocation or modification shall be carried out through the notice and order provisions of this subchapter and shall be effective upon the compliance date established by the notice and order. Such revocation, suspension or cancellation may be appealed to the Hearing Examiner using the appeal provisions of this subchapter. Notwithstanding any other provision of this subchapter, the Director may immediately suspend operations under any permit by issuing a stop work order.

D. **Civil Penalties.**

1. A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500.00. The total initial penalties assessed

for notice and orders and stop work orders pursuant to this section shall apply for the first 14-day period following the violation of the order, if no appeal is filed. The penalties for the next 14-day period shall be 150 percent of the initial penalties, and the penalties for the next 14-day period and each such period or portion thereafter shall be double the amount of the initial penalties.

2. Any responsible party who has committed a violation of the provisions of Chapter 20.80 SMC, Critical Areas, or Chapter 20.50 SMC, General Development Standards (tree conservation, land clearing and site grading standards), will not only be required to restore unlawfully removed trees or damaged critical areas, insofar as that is possible and beneficial, as determined by the Director, but will also be required to pay civil penalties in addition to penalties under subsection (D)(1) of this section, for the redress of ecological, recreation, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:

- a. An amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:
  - i. The resulting increase in market value of the property; and
  - ii. The value received by the responsible party; and
  - iii. The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and
- b. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.

3. An additional penalty of \$2,000 if the violation was deliberate, the result of knowingly false information submitted by the property owner, agent, or contractor, or the result of reckless disregard on the part of the property owner, agent, or their contractor. The property owner shall assume the burden of proof for demonstrating that the violation was not deliberate.

4. A repeat violation means a violation of the same regulation in any location within the City by the same responsible party, for which voluntary compliance previously has been sought or any enforcement action taken, within the immediate preceding 24-consecutive-month period, and will incur double the civil penalties set forth above.

5. Under RCW 59.18.085, if, after 60 days from the date that the City first advanced relocation assistance funds to displaced tenants, the landlord does

not repay the amount of relocation assistance advanced by the City, the City shall assess civil penalties in the amount of \$50.00 per day for each tenant to whom the City has advanced a relocation assistance payment.

6. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance with the notice and order. For purposes of assessing civil penalties, a violation shall be considered ongoing until the responsible party has come into compliance with the notice and order and has notified the Director of this compliance, and an official inspection has verified compliance and all assessed penalties and costs have been paid to the City.

7. a. Civil penalties will be waived by the Director or will be reimbursed to the payer by the Director, with the concurrence of the Administrative Services Director, under the following documented circumstances:

- i. The notice and order was issued in error; or
- ii. The civil penalties were assessed in error; or
- iii. Notice failed to reach the property owner due to unusual circumstances;

b. Civil penalties accrued under 20.30.770. D.1 will be reduced by the Director to 20 percent of accrued penalties if voluntary compliance is achieved and the City is reimbursed its reasonable staff and professional costs attorney's fees incurred in enforcing the notice and order.

#### E. Abatement.

1. All public nuisances are subject to abatement under this subchapter.

2. **Imminent Nuisance and Summary Abatement.** If a condition, substance, act or nuisance exists which causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the City may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for the abatement, shall be given to the person responsible for the property and the violation as soon as reasonably possible after the abatement. The Director shall make the determination of a condition, substance, act or other occurrence constituting an imminent nuisance requiring summary abatement. Costs, both direct and indirect, of the abatement may be assessed as provided in this chapter.

3. In the case of such unfit dwellings, buildings, structures, and premises or portions thereof, the Director, as an alternative to any other remedy provided in this subchapter, may abate such conditions by demolition, repair, removal, or securing the site and have abatement costs collected as taxes by the King County Treasury pursuant to SMC 20.30.775. If an occupied rental dwelling or its premises are declared unfit and required to be vacated by a notice and order, and the landlord fails to pay relocation assistance as set forth in RCW 59.18.085, the City shall advance relocation assistance funds to eligible tenants in accordance with RCW 59.18.085.

**F. Additional Enforcement Provisions.** The enforcement provisions of this section are not exclusive, and may be used in addition to other enforcement provisions authorized by the Shoreline Municipal Code or by state law, including filing for injunctive relief or filing of a civil action. (Ord. 631 § 1 (Exh. 1), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 466 § 2, 2007; Ord. 406 § 1, 2006; Ord. 391 § 4, 2005; Ord. 251 § 2(D), 2000; Ord. 238 Ch. III § 10(c), 2000. Formerly 20.30.740).



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
<b>RESIDENTIAL GENERAL</b>									
	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	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				
<b>GROUP RESIDENCES</b>									
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i	P-i	P-i
	Community Residential Facility-I (Less than 11 residents and staff)	C	C	P	P	P	P	P	P
	Community Residential Facility-II		C	P-i	P-i	P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i	P-i	P-i
<b>TEMPORARY LODGING</b>									
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	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	
	Tent City	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
<b>MISCELLANEOUS</b>									
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
<b>P = Permitted Use   S = Special Use</b> <b>C = Conditional Use   -i = Indexed Supplemental Criteria</b>									

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
	<b>RETAIL/SERVICE</b>								
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
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
	Collective Gardens					P-i	P-i	P-i	
	Construction Retail, Freight, Cargo Service							P	
	Daycare I Facilities	P-i	P-i	P	P	P	P	P	P
	Daycare II Facilities		C	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					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	P-i
31	Light Manufacturing								S	P
441	Motor Vehicle and Boat Sales								P	P only in TC- 1
	Professional Office			C	C	P	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-i
<b>P = Permitted Use   S = Special Use</b> <b>C = Conditional Use   -i = Indexed Supplemental Criteria</b>										

## 20.40.240 Animals – Keeping of

1. Purpose. Establish regulations for the keeping of animals that will minimize nuisances and disturbances caused by animals, minimize the impact of livestock on the environment and prevent cruelty to animals.

2. Permitted accessory use. The keeping of pets, and the raising, keeping and breeding of small animals, bees and livestock are allowed as an accessory use to residential uses in any zone, subject to the regulations of this section and SMC Title 6, Animals. Keeping of animals related to commercial uses is not subject to this section and is covered in SMC Title 6.

3. Small animals. The maximum numbers of small animals are as follows, small animals on the premises less than 2 months in age are excluded from the density limitations:

a. Small animals which are kept exclusively in a dwelling as household pets including those kept in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in SMC Title 6, and SMC 20.30.740.

b. Regardless of the total numbers of animals allowed in this section, the total number of unaltered adult cats and dogs per household shall not exceed three, provided, that all unaltered animals kept outdoors must be kept on a leash or in a confined area. See Title 6 for exceptions.

c. The total maximum of a combination of small animals allowed outside, including dogs and cats, shall be limited to three per household on lots of less than 20,000 square feet. One additional small animal is allowed with each additional 5,000 square feet of site area over 20,000 square feet, up to a maximum of 20. See Title 6 for exceptions and licensing information.

d. Chickens (hens), rabbits and similarly sized animals: Any combination of six (6) chickens (excluding roosters), rabbits and similarly sized animals may be kept on any lot in addition to the small animals permitted in the preceding subsections. On lots of at least one-half acre, such animals may be kept at the rate of twelve (12) for each one-half acre.

e. Birds (other than domestic fowl) shall be kept in an aviary or loft that meets the following standards:

1. The aviary or loft shall provide one-half cubic foot for each parakeet, canary or similarly sized birds, one cubic foot for each pigeon, small parrot or similarly sized bird, and two cubic feet for each large parrot, macaw or similarly sized bird.

2. Aviaries or lofts shall not exceed 2,000 square feet in footprint.
3. The aviary is set back at least 10 feet from any property line, and 20 feet from any neighboring dwelling unit.
4. Beekeeping is limited as follows:
  - a. Beehives are limited to four hives on sites less than 20,000 square feet;
  - b. Hives must be at least 25 feet from any property line; if the lot width or depth does not allow for 25' 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.
  - c. Must register with the Washington State Department of Agriculture;
  - d. Must be maintained to avoid overpopulation and swarming.

5. Livestock (Farm Animals):

The maximum number of livestock shall be as follows:

- a. Large livestock such as horses, cattle and similar sized livestock animals: One-half acre minimum for each animal of area available for the animal's occupancy; with a two-acre minimum lot size.
  - b. Small livestock such as sheep, goats: Subject to the provisions of (3) above. Male goats must be de-horned and neutered.
  - c. Livestock under six months of age are excluded from the density limitations.
6. Categorization of animals. In the event that animals are proposed that do not clearly fall within the size categories established by this code, the Director shall determine an appropriate category based on that which is most similar to the animal in question and its impact on neighboring properties and the environment.
7. Prohibited Animals. In addition to the exotic animals prohibited in SMC Title 6, the keeping of swine over 120 lbs and 20 inches tall, roosters, peacocks and peahens, mink, nutria and foxes shall be prohibited.
8. Exemptions. The following animals are exempt from the provisions of this chapter:
- a. Service Animals as defined by SMC Title 6.

b. Temporary uses of animals such as goats for the purpose of vegetation management.

9. Maintenance and operational standards. All animal keeping shall comply with all of the following maintenance and operational standards.

- a. Odor and vector control. All animal enclosures, including but not limited to pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. They shall provide adequate ventilation and protection from the elements, pests and predators. There must be adequate space within the enclosures so that each animal has room to fully extend themselves and turn around.
- b. Enclosures. Enclosures for large livestock must be set back at least 20 feet from any property line.
- c. Animal Waste. Manure shall not be allowed to accumulate within setback areas. Each site shall be maintained in a neat and sanitary manner.
- d. Containment. All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
- e. Waterway protection. All animal keeping shall adhere to the Best Management Practices as required by the City's adopted Stormwater Manual.

~~A. The raising, keeping, breeding or fee boarding of small animals are subject to SMC Title 6, Animal Control Regulations.~~

~~B. Small animals which are kept exclusively indoors as household pets shall not be limited in number, except as may be provided in SMC Title 6. Other small animals, excluding cats kept indoors as household pets, shall be limited to five, of which not more than four may be unaltered cats and dogs. Cats kept indoors shall not be limited in number.~~

~~C. Other small animals, including adult cats and dogs, shall be limited to three per household on lots of less than 20,000 square feet, five per household on lots of 20,000 to 35,000 square feet, with an additional two per acre of site area over 35,000 square feet up to a maximum of 20, unless more are allowed as an accessory use pursuant to subsection (F) of this section; provided, that all unaltered~~

~~animals kept outdoors must be kept on a leash or in a confined area, except as authorized for a kennel or cattery.~~

~~D.—Excluding kennels and catteries, the total number of unaltered adult cats and/or dogs per household shall not exceed three.~~

~~E.—Animals considered to be household pets shall be treated as other small animals, when they are kept for commercial breeding, boarding or training.~~

~~F.—Small animals and household pets kept as an accessory use outside the dwelling shall be raised, kept or bred only as an accessory use on the premises of the owner, or in a kennel or cattery approved through the conditional use permit process, subject to the following limitations:~~

~~1.—Birds shall be kept in an aviary or loft that meets the following standards:~~

~~a.—The aviary or loft shall provide one-half cubic foot for each parakeet, canary or similarly sized birds, one cubic foot for each pigeon, small parrot or similarly sized bird, and two cubic feet for each large parrot, macaw or similarly sized bird.~~

~~b.—Aviaries or lofts shall not exceed 2,000 square feet in footprint.~~

~~c.—The aviary is set back at least 10 feet from any property line, and 20 feet from any dwelling unit.~~

~~2.—Small animals other than birds shall be kept according to the following standards:~~

~~a.—All animals shall be confined within a building, pen, aviary or similar structure.~~

~~b.—Any covered structure used to house or contain such animals shall maintain a distance of not less than 10 feet to any property line.~~

~~c.—Rabbits are limited to a maximum of one animal per one square foot of structure used to house such animals, up to a maximum of 2,000 square feet.~~

~~d.—Hamsters, nutria and chinchilla are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of 2,000 square feet.~~

~~e.—Beekeeping is limited as follows:~~

~~i.—Beehives are limited to four hives on sites less than 20,000 square feet;~~

~~ii.—Hives must be at least 25 feet from any property line;~~

~~iii.—Must register with the Washington State Department of Agriculture;~~

~~iv. Must be maintained to avoid overpopulation and swarming.~~

~~f. Prohibited Animals. The keeping of mink, foxes, and/or hogs shall be prohibited. (Ord. 406 § 1, 2006; Ord. 238 Ch. IV § 3(B), 2000).~~



**20.40.340 Duplex.**

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.

~~Two or~~ More than two duplexes on a single parcel are subject to multifamily and single-family attached residential design standards. (Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

**20.50.020 Standards – Dimensional requirements.****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 (6 <del>7</del> )	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)	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	5 ft min. and 15 ft total sum of two	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height (89)	30 ft  (35 ft with pitched	30 ft  (35 ft with pitched	35 ft	35 ft	35 ft  (40 ft with pitched	35 ft  (40 ft with pitched	35 ft  (40 ft with pitched	35 ft

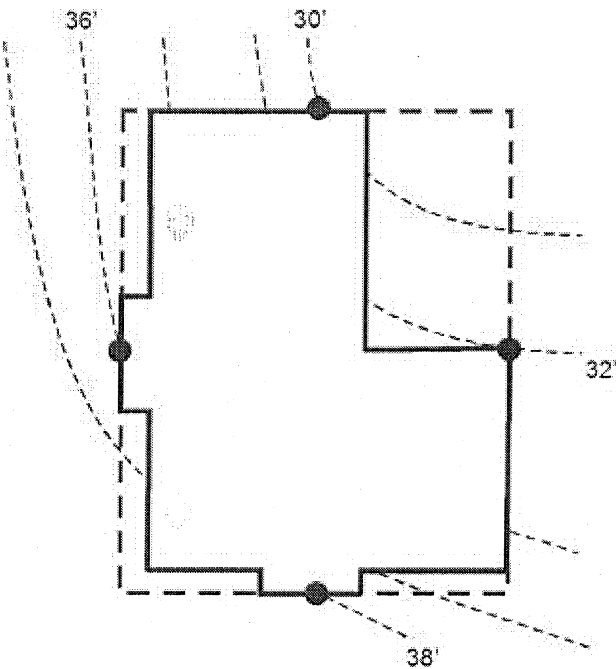
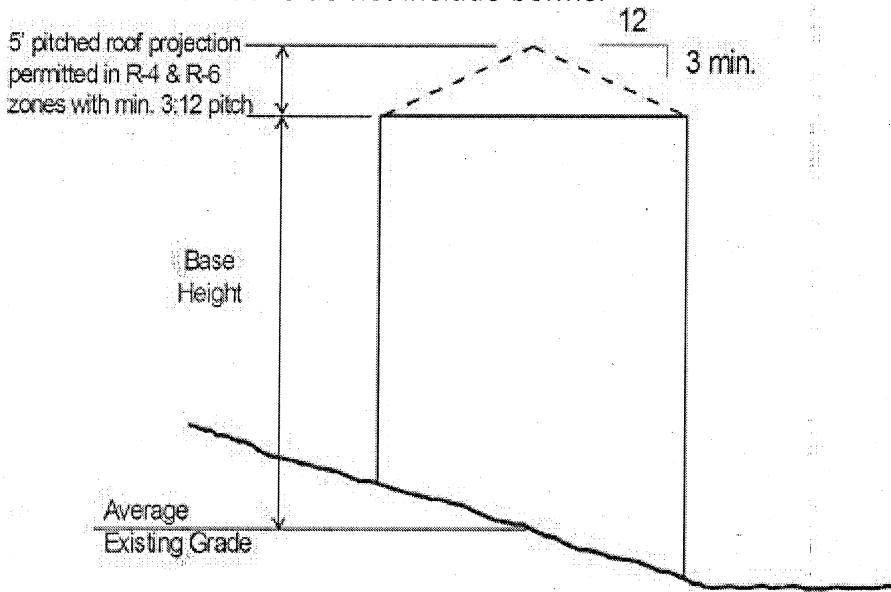
	roof)	roof)			roof)	roof)	roof) (78)	
Max. Building Coverage (2) (6)	35%	35%	45%	55%	60%	70%	70%	N/A
Max. Hardscape (2) (6)	45%	50%	65%	75%	85%	85%	90%	90%

*Exceptions to Table 20.50.020(1):*

- (1) Repealed by Ord. 462.
- (2) These standards may be modified to allow zero lot line 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.~~
- (6) (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.
- (7) (8) For development on R-48 lots abutting R-12, R-24, R-48, O, NB, CB, MB, TC, NCBD, MUZ, I, and CZ 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.
- (8) (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.

**20.50.050 Building height – Standards.**

The base height for all structures shall be measured from the average existing grade to the highest point of the roof. The average existing grade shall be determined by first delineating the smallest rectangle which can enclose the building and then averaging the elevations taken at the midpoint of each side of the rectangle; provided, that the measured elevations do not include berms.



$$\text{Average Existing Grade} = \frac{30' + 32' + 36' + 38'}{4} = 34'$$

**Figure 20.50.050(A): Building height measurement.**

Exception 20.50.050(1): The ridge of a pitched roof on the principal house in R-4 and R-6 zones may extend up to 35 feet; provided, that all parts of the roof above 30 feet must be pitched at a rate of not less than three to 12.

Exception 20.50.050(2): The ridge of a pitched roof on the building in the R-18 through R-48 zones may extend up to 40 feet; provided, that all parts of the roof above 35 feet must be pitched at a rate of not less than four to 12. (For further exceptions to height limits in the R-48 zone, see Exceptions 20.50.020(8) and (9).)

Exception 20.50.050(3): The following structures may be erected above the height limits in residential zones:

- Roof structures housing or screening elevators, stairways, tanks, ventilating fans, or similar equipment required for building operation and maintenance;
- Fire or parapet walls, skylights, flagpoles, chimneys, renewable energy systems such as solar collectors and small scale wind generators when camouflaged to the greatest extent possible, and utility line towers and poles; and
- Steeples, crosses, and spires when integrated as an architectural element of a building. (Ord. 352 § 1, 2004; Ord. 238 Ch. V § 1(B-4), 2000).

**Table 20.50.390A – General Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
Single detached/townhouse:	2.0 per dwelling unit
Apartment:	
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

**Table 20.50.390B – Special Residential Parking Standards**

<b>RESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
Bed and breakfast guesthouse:	1 per guest room, plus 2 per facility
Community residential facilities:	1 per 2 units
Dormitory, including religious:	1 per 2 units
Hotel/motel, including organizational hotel/lodging:	1 per unit
Senior citizen assisted:	1 per 3 dwelling or sleeping units

**Table 20.50.390C – General Nonresidential Parking Standards**

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

<b>NONRESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
General services uses:	1 per 300 square feet
Government/business services uses:	1 per 500 square feet
Manufacturing uses:	.9 per 1,000 square feet
Recreation/culture uses:	1 per 300 square feet
Regional uses:	(Director)
Retail trade uses:	1 per 400 square feet

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

**Table 20.50.390D – Special Nonresidential Standards**

<b>NONRESIDENTIAL USE</b>	<b>MINIMUM SPACES REQUIRED</b>
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
Fuelservice 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

**Table 20.50.390D – Special Nonresidential Standards (Continued)**

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

Exception 20.50.390(A)(1): If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street 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.

Exception 20.50.390(A)(2): When the City of Shoreline has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the Director will establish the amount of parking based on a likely range of uses.

Exception 20.50.390(A)(3): Where other provisions of this Code stipulate higher maximum parking or reduced minimum parking requirements, those provisions shall apply.

Exception 20.50.390(A)(4): Minimum parking requirements may be reduced through provisions in SMC 20.50.400.

B. Off-street parking ratios expressed as number of spaces per square feet shall be based on the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

C. For all nonresidential uses, the maximum amount of allowed parking shall not exceed 50 percent over the minimum required number of stalls. Any proposal for parking that exceeds 10 percent over the minimum required number of stalls must be approved by the Director.

D. Any amount of surface parking lot that is over the minimum required number of stalls shall be paved with permeable pavement. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 238 Ch. V § 6(B-1), 2000).

**20.50.400 Reductions to minimum parking requirements.**

- A. Reductions of up to 25 percent may be approved by the Director using a combination of the following criteria:
1. On-street parking along the parcel's street frontage.
  2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
  3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.
  4. Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.
  5. High-capacity transit service available within a one-half mile walk shed.
  6. A pedestrian public access easement that is 8 feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.
  7. Concurrence with King County Right-sized Parking data, census tract data, and other parking demand study results.
  8. The applicant uses permeable pavement on at least 20% of the area of the parking lot.
- B. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing.
- C. The Director may impose performance standards and conditions of approval on a project including a financial guarantee.
- D. Reductions of up to 50 percent may be approved by Director for the portion of housing providing low-income housing units that are 60% of AMI or less as defined by the U.S. Department of Housing and Urban Development.

**20.50.410 Parking design standards.**

A. All vehicle parking and storage for single-family detached dwellings and duplexes must be in a garage, carport or on an approved impervious surface or pervious concrete or pavers. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

B. All vehicle parking and storage for multifamily and commercial uses must be on a paved surface, pervious concrete or pavers.

C. On property occupied by a single-family detached residence or duplex, the total number of vehicles wholly or partially parked or stored outside of a building or carport shall not exceed six, excluding a maximum combination of any two boats, recreational vehicles, or trailers. This section shall not be interpreted to allow the storage of junk vehicles as covered in SMC 20.30.750.

D. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve. Where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings, the parking spaces shall be located on the same lot they are required to serve;
2. For all other residential dwellings, at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve; and
3. For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve;
4. No more than 50 percent of the required minimum number of parking stalls may be compact spaces.

Exception 20.50.410(D)(1): In commercial zones, the Director may allow required parking to be supplied in a shared parking facility that is located more than 500 feet from the building it is designed to serve if adequate pedestrian access is provided and the applicant submits evidence of a long-term, shared parking agreement.

E. The minimum parking space and aisle dimensions for the most common parking angles are shown in Table 20.50.410E below. For parking angles other than those shown in the table, the minimum parking space and aisle dimensions shall be determined by the Director. Regardless of the parking angle, one-way aisles shall be at

least 10 feet wide, and two-way aisles shall be at least 20 feet wide. Parking plans for angle parking shall use space widths no less than eight feet, six inches for a standard parking space design and eight feet for a compact car parking space design.

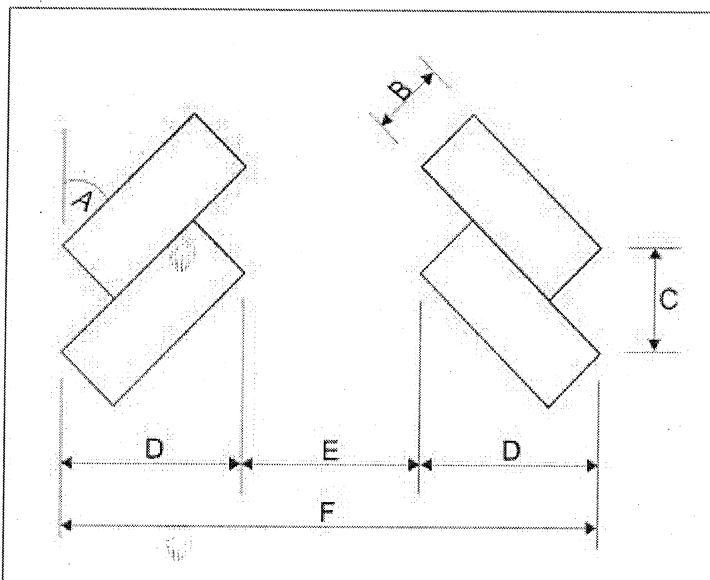
**Table 20.50.410E – Minimum Parking Stall and Aisle Dimensions**

A	B	C	D	E	F
Parking Angle	Stall Width (feet)	Curb Length (feet)	Stall Depth (feet)	Aisle Width (feet)	Unit Depth (feet)
				1-Way 2-Way	1-Way 2-Way
0	8.0*	20.0*	8.0	12.0 20.0	** **
	Min. 8.5	22.5	8.5	12.0 20.0	29.0 37.0
	Desired 9.0	22.5	9.0	12.0 20.0	30.0 38.0
30	8.0*	16.0*	15.0	10.0 20.0	** **
	Min. 8.5	17.0	16.5	10.0 20.0	42.0 53.0
	Desired 9.0	18.0	17.0	10.0 20.0	44.0 54.0
45	8.0*	11.5*	17.0*	12.0 20.0	** **
	Min. 8.5	12.0		12.0 20.0	50.0 58.0
	Desired 9.0	12.5		12.0 20.0	51.0 59.0
60	8.0*	9.6*	18.0	18.0 20.0	** **
	Min. 8.5	10.0	20.0	18.0 20.0	58.0 60.0
	Desired 9.0	10.5	21.0	18.0 20.0	60.0 62.0
90	8.0*	8.0*	16.0*	23.0 23.0	** **
	Min. 8.5	8.5	20.0	23.0 23.0	63.0 63.0
	Desired 9.0	9.0	20.0	23.0 23.0	63.0 63.0

Notes:

\* For compact stalls only

\*\* Variable, with compact and standard combinations

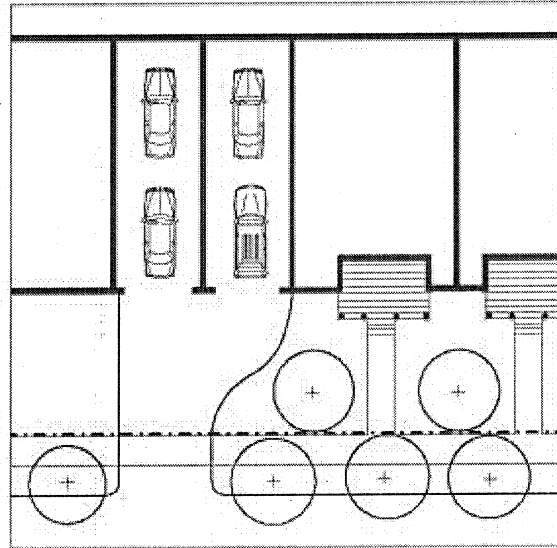


**Figure 20.50.410(E)(1): Diagram of corresponding parking dimensions A through F from Table 20.50.410.**

Exception 20.50.410(E)(1): The parking space depth may be reduced up to 18 inches when vehicles overhang a walkway under the following conditions:

1. Wheel stops or curbs are installed that provide a maximum 18-inch overhang; and
2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.

Exception 20.50.410(E)(2): Tandem or end-to-end parking is allowed in residential developments. Single-family, duplex and townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

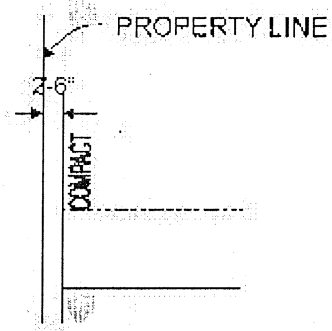


**Figure Exception to 20.50.410(E)(2): Illustration of tandem parking.**

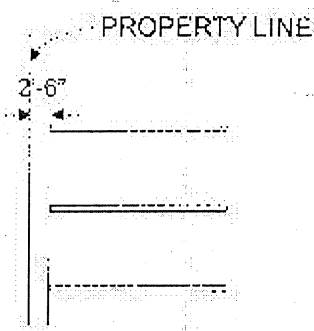
Exception 20.50.410(E)(3): Vanpool/carpool parking areas shall meet the following minimum design standards;

1. A minimum vertical clearance of seven feet, three inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and
2. A minimum turning radius of 26 feet, four inches with a minimum turning diameter (curb to curb) of 52 feet, five inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.

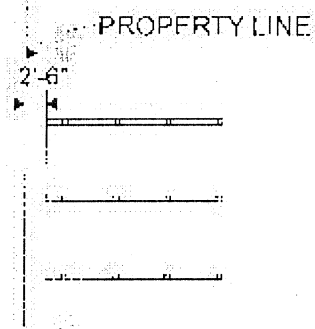
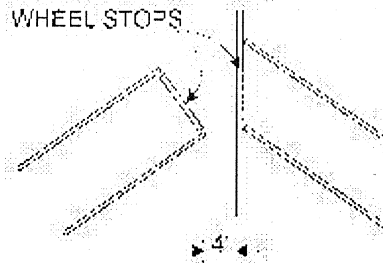
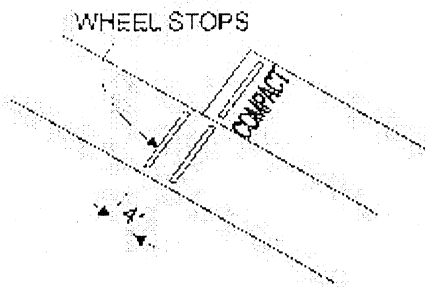
F. Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with Washington State Department of Transportation standards. Wheel stops are required where a parked vehicle encroaches on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typical approved markings and wheel stop locations are illustrated in Figure 20.50.410(F).



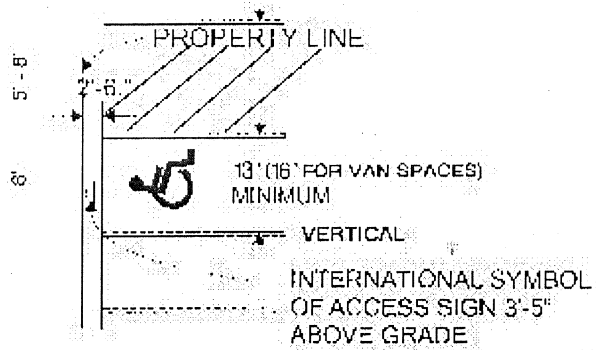
COMPACT MARKING



PAINTED HORSESHOE MARKING

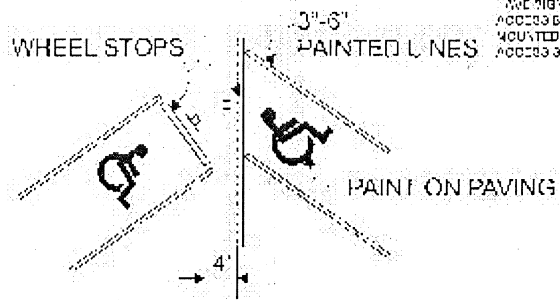
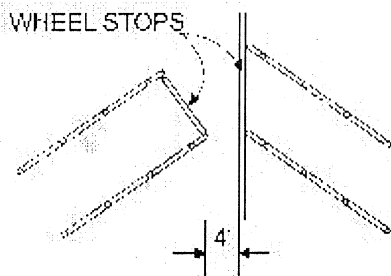


METAL OR PLASTIC TRAFFIC MARKING



DISABLED PERSONS PARKING

HOW IT SHOULD BE  
 BACKED TO THE CURB  
 ABOVE GRADE WITH  
 THE NOTICE STATE  
 DISABLED PARKING  
 PERMIT REQUIRED.  
 VAN SPACES MUST  
 BE 16' MIN  
 ACCESSIBLE  
 MOUNTED BELOW  
 ACCESSIBLE



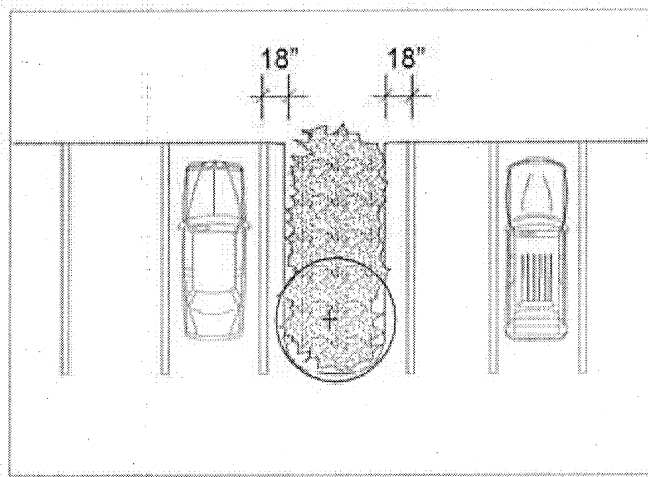
PAINT ON PAVING



**Figure 20.50.410(F): Pavement marking and wheel stop standards.**

***Note that parking spaces must meet setbacks from property lines where required by the zone.***

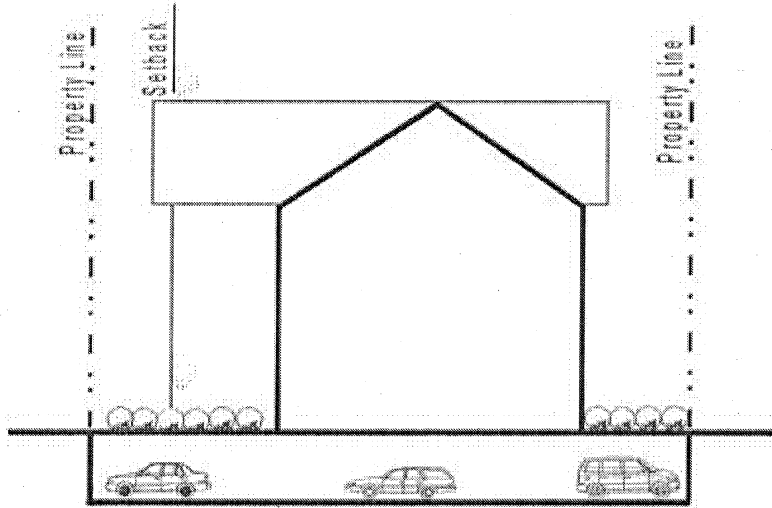
G. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. In a parking garage, any space abutting a wall shall provide an additional 18 inches. The additional width shall be separated from the adjacent parking space by a parking space division stripe. This requirement does not apply to single-family and duplex developments.



**Figure 20.50.410(G): Illustration of buffer between parking and landscaping.**

H. Required parking spaces shall be located outside of any required setbacks, provided driveways located in setbacks may be used for parking.

Exception 20.50.410(H)(1): If parking is located below grade, parking may be located within the required setback; provided, that the portion of the parking structure located within setback is landscaped or serves as pedestrian access.



**Figure Exception to 20.50.410(H)(1): Illustration of underground parking.**

- I. Any parking stalls located in enclosed buildings must be totally within the enclosed building.
- J. Off-street parking and access for physically handicapped persons shall be provided in accordance with WAC 51-40-1100 Chapter 11 – Accessibility and subsequent addendum.
- K. Every nonresidential building engaged in retail, wholesale, manufacturing or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below in Table 20.50.410K.

**Table 20.50.410K**

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
10,000 to 16,000 square feet	1
16,001 to 40,000 square feet	2
40,001 to 64,000 square feet	3
64,001 to 96,000 square feet	4
96,001 to 128,000 square feet	5
128,001 to 160,000 square feet	6

160,001 to 196,000 square feet	7
For each additional 36,000 square feet	1 additional

L. Every building engaged in retail, hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar use shall provide loading spaces in accordance with the standards listed in Table 20.50.410L.

**Table 20.50.410L**

<b>GROSS FLOOR AREA</b>	<b>REQUIRED NUMBER OF LOADING SPACES</b>
40,000 to 60,000 square feet	1
60,001 to 160,000 square feet	2
160,001 to 264,000 square feet	3
264,001 to 388,000 square feet	4
388,001 to 520,000 square feet	5
520,001 to 652,000 square feet	6
652,001 to 784,000 square feet	7
784,001 to 920,000 square feet	8
For each additional 140,000 square feet	1 additional

M. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by the Engineering Development Guide. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from required parking areas and shall be designated as truck loading spaces.

N. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, berms, walls, or restrictions on the hours of operation.

O. Multi-story self-service storage facilities shall provide two loading spaces, single story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet inches, and

shall be surfaced, improved and maintained as required by the Engineering Development Guide.

P. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this section.

Q. All parking lot lighting should be nonglare and shielded to minimize direct illumination of abutting properties and adjacent streets. (Ord. 560 § 4 (Exh. A), 2009; Ord. 469 § 1, 2007; Ord. 391 § 4, 2005; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 6(B-3), 2000).

**20.50.500 Internal landscaping for parking area.**

Required parking area landscaping shall include landscape areas that are located in areas within or adjacent to parking areas. However, landscaping designed to meet perimeter landscaping requirements cannot also be used to meet parking lot landscaping requirements.

- A. Multifamily developments with common parking areas shall provide planting areas in parking lots at a rate of 20 square feet per parking stall.
- B. Commercial, office, industrial or institutional developments shall provide landscaping at a rate of:
  - 1. Twenty square feet per parking stall when 10 to 30 parking stalls are provided or;
  - 2. Twenty-five square feet per parking stall when 31 or more parking stalls are provided.
- C. Trees shall be provided and distributed throughout the parking area at a rate of one tree for every 10 parking stalls.
- D. Permanent curbs or structural barriers shall be provided to protect shrub and trees from vehicle bumpers. Landscaping under vehicle overhang shall not be included in required landscape area calculations.
- E. Parking area landscaping shall require:
  - 1. At least 60 square feet with a lineal dimension of no less than four feet;
  - 2. Shrubs planted from five-gallon containers or at 24 inches in height and spaced no more than four feet apart on center;
  - 3. Ground covers planted from minimally four-inch pots and spaced no more than 18 inches apart; and
  - 4. Trees planted at least 1.5 inches caliper in size.
  - 5. Gaps in curbs are allowed for stormwater runoff.
  - 6. Natural drainage landscapes (such as rain gardens, bio-filtration swales and bioretention planters) when designed in compliance with the stormwater design manual.

**20.60.040 Adequate water supply.**

All development proposals shall be served by an adequate public water supply system as follows:

- A. For the issuance of a building permit, preliminary plat approval or other land use approval, the applicant can demonstrate that:
1. The existing water supply system available to serve the site complies with the requirements of adopted rules and regulations of the applicable government, agency, or district; ~~and~~
  - ~~2. The existing water supply system available to serve the site complies with any limitation or condition imposed by the City approved comprehensive plan of the water purveyor; and~~
  2. The proposed improvements to an existing water system or a proposed new water supply system have been reviewed by the Department and determined to comply with the design standards and conditions specified above.
- B. Prior to issuance of a certificate of occupancy for a building or change of use permit, the approved water system and any system improvements are installed to serve each building or lot respectively;
- C. For recording a final plat, final short plat or binding site plan, either the approved water supply system or system improvements shall be installed or bonded to serve each lot, within two years of recording; and
- D. For a zone reclassification the timing of installation of required water system improvements is included in the approving ordinance. (Ord. 238 Ch. VI § 2(B), 2000).

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**Planning Commission Meeting Date: April 18, 2013**

Agenda Item 6.A

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

**AGENDA TITLE: Development Code Amendments #301858****DEPARTMENT: Planning & Community Development****PRESENTED BY: Steven Szafran, AICP, Senior Planner** **Public Hearing** **Study Session** **Recommendation Only** **Discussion** **Update** **Other****Introduction**

The purpose of this study session is to:

- Briefly review the proposed Development Code Amendments
- Respond to questions regarding the proposed amendments
- Gather public comment
- Deliberate and, if necessary, ask further questions of staff
- Develop a recommended set of Development Code Amendments for the public hearing

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

**Background**

Amendments to the Development Code are used to bring the City's land use and development regulations into conformity with the Comprehensive Plan, State of Washington rules and regulations, or to respond to changing conditions or needs of the City.

Any member of the public at any time may request a development code amendment without fee. This group of development code amendments has two citizen initiated amendments and 19 City-initiated amendments. The list of development code amendments is organized by Chapters of the Development Code below (see **Attachment 1** for amendments in legislative form):

**Chapter 20.20 – Definitions****20.20.048** – “T” definitions.

**Chapter 20.30 – Procedures and Administration**

20.30.085 - Early community input meeting.

20.30.090 - Neighborhood meeting.

20.30.180 - Public notice of public hearing.

20.30.280 – Nonconformance.

20.30.353 – Master development plan.

20.30.410 - Preliminary subdivision review procedures and criteria.

20.30.730 - General provisions.

20.30.770 - Enforcement provisions.

**Chapter 20.40 – Zoning and Use Provisions**

20.40.120 – Residential uses.

20.40.130 – Nonresidential uses.

20.40.240 – Animals.

20.40.340 – Duplex.

**Chapter 20.50 – General Development Standards**

Table 20.50.020 – Standards – Dimensional requirements.

20.50.050 – Building height – Standards.

20.50.310 – Exemptions from permit.

20.50.390 - Required parking tables.

20.50.400 - Reductions to minimum parking requirements.

20.50.410 - Parking design standards.

20.50.500 - Internal landscaping for parking areas.

**Chapter 20.60 – Adequacy of Public Facilities**

20.60.040 - Adequate water supply.



## **Discussion and Analysis**

### **Chapter 20.20 – Definitions**

**20.20.048** - “Tree, Significant”. The amendment proposes to strike the words “healthy, windfirm and nonhazardous” from the definition. Even though a tree may be unhealthy or hazardous, any significant tree, under the current code, must be accounted for in terms of removal, replacement and retention.

### **Chapter 20.30 – Procedures and Administration**

**20.30.085** Master Development Plan - requires an early community input meeting. It makes more sense to include this requirement in the general noticing section than divorced in another part of the code. Also, this section of the code does not specify what the notification radius is for the early community input meeting. It was the City’s intent to require a 1,000 foot notification radius for all notices for a master development plan permit.

**20.30.090** Master Development Plan - adds the proper notification radius for neighborhood meetings. Currently, the code requires a 500-foot notification radius for all neighborhood meetings. However, it was the City’s intent to establish a 1,000 foot notification radius for these permits.

**20.30.180** Master Development Plan - adds the proper notification radius for public notice of public hearing. Again, these permits should have a greater notification radius and be consistent with the early community input meeting, neighborhood meeting and notice of public hearing.

**20.30.280** Nonconformance - has two amendments. The first amendment adds the reference to Chapter 13.12 when repair or reconstruction of a nonconforming structure is necessary. This amendment is necessary because new floodplain regulations have been adopted by the City and newly repaired or reconstructed structures must comply with the new regulations. The second amendment adds new language for when the City creates a nonconforming situation. For example, an advertizing sign or building may not meet setbacks if the City takes right-of-way for street improvements such as road widening or sidewalk construction. If this is the case, the sign or structure will be considered lawful as a nonconforming use or structure.

**20.30.353** Master Development Plan - has two proposed amendments. The first amendment allows a new use on a Campus zoned property through an approved master development plan. This amendment is required since the adoption of the 2012 Comprehensive Plan. The second amendment adds noticing requirements for the early community input meeting. This amendment is related to 20.30.085 above. The two code sections will be consistent with each other.

**20.30.410** Subdivisions - is the preliminary subdivision review procedures and criteria. The proposed amendments make it clear that city staff, not City Council, require dedication of land for public use through development applications or building permits.

**20.30.730** Code Enforcement - This proposed amendment requires the responsible party to pay all penalties and costs before an enforcement case may be closed.

**20.30.770** Code Enforcement - is the enforcement provisions. The proposed amendment requires the responsible party to pay all penalties before the City can close an enforcement case. The proposed amendment also allows reduction of accrued penalties if voluntary compliance is achieved and the City is reimbursed its reasonable staff and professional costs.

### **Chapter 20.40 – Zoning and Use Provisions**

**20.40.120** Residential Use Table - This development code amendment is based on an administrative order (see **Attachment 2**) to allow community residential facilities (facilities for counseling, rehabilitation, and medical supervision excluding drug and alcohol detoxification) as a conditional use in the R8 and R12 zones. The code allows boarding homes and apartments as a conditional use in the R8-R12 zones so this amendment will treat the CRFII facility as a like use.

**20.40.130** Nonresidential Use Table. This proposed amendment is one of two privately initiated development code amendments (see **Attachment 3**). The owners of the Animal Surgical Clinic of Seattle would like to expand their building and parking onto a parcel zoned R24. Currently, a veterinarian clinic is not allowed as a use in the R18 through R48 zone. However, there are like uses of varying intensities that are allowed through a conditional use permit in the R-18 through R-48 such as medical offices, nursing and personal care facilities, hospitals, and professional offices. Staff does not have any objections to add veterinarian clinics as a conditional use in the multi-family zones.

**20.40.240** Animal Code - This amendment is a staff initiated rewrite of the entire animal section. The old animal code is out of date, vague and does not address most of the questions and concerns of the residents of Shoreline. The rewrite now has a purpose section, allows for chickens, restricts roosters, supports urban agriculture, and allows for small livestock such as goats and llamas.

**20.40.340** Duplex Index Criteria. Last year, the definition for multifamily was amended to state that more than two duplexes are considered multifamily development. This proposed amendment is being revised to match that adopted language.

### **Chapter 20.50 – General Development Standards**

**Table 20.50.020** Residential Density and Dimension Table - The proposed amendment will delete exception #6 which states maximum building coverage shall be 35% and the maximum hardscape shall be 50% for single family detached in the R12 zone. This exception was originally put in place a number of years ago as a reaction to a single family subdivision in an R12 zone. At the time, neighbors believed that single family homes on R12 sized lots were out of character with the neighborhood and single family homes shouldn't be built on smaller lots. Staff believes that this exception is out of date

and overly restrictive in terms of dictating what sort of housing type may be located on a parcel.

**20.50.050 Residential Building Height** - The proposed amendment will allow renewable energy and environmental building features to be built above maximum building heights. A similar amendment was recently passed for environmental features over the maximum building height in the commercial zones.

**20.50.310 Golf Courses** – (see **Attachment 4**). Seattle Golf and Country Club submitted this amendment in February 2012 and seeks to amend the code by allowing golf courses to be completely exempt from the tree conservation, land clearing and site grading standards in the code. Typically, a site that has many trees, such as CRISTA Ministries, has tree regulations imposed by the master development plan permit. In the case of the Seattle Golf Club, a golf course by nature needs to be free of trees in order to play the game. Also, trees create shading on the course which restricts grass from growing making it difficult to maintain the playing surface. Staff does not support a total exemption from the tree section of the development code. However, staff does support alternative language presented in **Attachment 5**.

**20.50.390 Parking Tables** - The proposed amendment is located in the exception section of the tables. The proposed amendment will add a requirement “D” that states any amount of surface parking lot that is over the minimum required number of stalls shall be paved with permeable pavement. This amendment will provide an environmental benefit if a developer proposes to “over park” a new development.

**20.50.400 Minimum Parking Requirements.** The proposed addition would allow an applicant to use permeable pavement on at least 20% of the area of the parking as a criteria for the Director to reduce overall parking up to 25%. This amendment will provide greater environmental protection as a way to reduce overall parking spaces.

**20.50.410 Parking Design Standards** - the proposed amendment will add a requirement for any parking space abutting a wall shall provide an additional 18 inches above the minimum space width to provide space to exit the vehicle.

**20.50.500 Internal Landscaping for Parking.** Staff has proposed adding two items under letter “E”. The first is allowing gaps in curbs to allow for stormwater runoff. The second item is natural drainage landscapes (such as rain gardens, bio-filtration swales and bioretention planters) when designed in compliance with the stormwater design manual.

**20.60.040 Adequate Water Supply** - The proposed amendment will strike the requirement that the applicant can demonstrate that the existing water supply system available to serve the site complies with any limitation or condition imposed by the City approved comprehensive plan of the water purveyor. The wording in this section allows a District’s water plan to preempt City code.

**Next Steps**

Staff will gather all comments from the study session and make necessary changes. The completed code amendments will be presented at the public hearing.

*The Public Hearing is tentatively scheduled on May 16, 2013*

**Attachments**

Attachment 1 – Proposed Development Code Amendments - Legislative Form.

Attachment 2 – Administrative Order

Attachment 3 – Animal Surgical Clinic of Seattle - Application

Attachment 4 – Seattle Golf and Country Club - Application

Attachment 5 – Alternative Language for SMC 20.50.310







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## Memorandum

**DATE:** May 7, 2013

**TO:** Shoreline City Council

**FROM:** Shoreline Planning Commission

**RE:** Planning Commission Recommendation on Amendments to the City's Development Code

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The Planning Commission held a study session and public hearing on amendments to Title 20 Shoreline Development Code. The Commission voted to recommend the attached amendments.

The Commission concluded its public hearing on May 16, 2013 and is forwarding this recommendation for City Council consideration.

The Planning Commission believes that the amendments meet the applicable criteria in SMC 20.30.350

**A. Purpose.** 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.

**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;*

The amendments are intended to support the planning efforts of the City and implement policies of the Comprehensive Plan. Some relevant Comprehensive Plan Policies are:

**LU5:** Review and update infill standards and procedures that promote quality development, and consider the existing neighborhood.

**LU57:** Explore incentives to residents and businesses that improve building energy performance and/or incorporate onsite renewable energy.

**LU66:** Design, locate, and construct surface water facilities to promote water quality.

**H1:** Encourage a variety of residential design alternatives that increase housing choice.

**H25:** Encourage, assist, and support social and health service organizations that offer housing programs for targeted populations.

**ED1:** Improve economic vitality by promoting existing businesses.

**ED13:** Support and retain small businesses, and create an environment where new businesses can flourish.

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

The proposal entails amending various sections of the Development Code. The impacts of the Development Code Amendments were reviewed under the State Environmental Policy Act and were determined to be nonsignificant. Amending the Development Code will not adversely affect the public health, safety, or general welfare.

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

The amendments are consistent with and further the community vision and Council goals.

The Planning Commission reviewed the proposal in light of the criteria and determined that the proposal met the criteria for an amendment to Title 20 of the Shoreline Municipal Code.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Planning Commission Chair