Council Meeting Date: May 11, 2009 **Agenda Item: 8(b)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance 546 adopting interim regulations for the portions of the RB zone that front Midvale Avenue between N. 175th St. and N. 185th St.
DEPARTMENT:	Planning and Development Services Department and Public Works Department
PRESENTED BY:	Joseph W. Tovar, FAICP, PADS Director Mark Relph, Public Works Director

PROBLEM/ ISSUE STATEMENT:

At its meetings on March 23 and April 6, 2009, the City Council conducted public hearings on this subject as part of the extension of a moratorium on Regional Business (RB) zones throughout the City. On April 6, the issues of the Midvale Demonstration Area (MDA) and RB moratorium were separated when the Council extended the moratorium (Ordinance 535).

Ordinance 546 would establish interim regulations for a 16-acre demonstration area where a form-based code is applicable. In exchange for potentially permitting higher residential densities, the ordinance would adopt new requirements for RB-zoned sites that front Midvale Avenue North between N. 175th Street and N. 185th Street.

Staff has gathered ideas from Council members about possible changes to the proposed ordinance. Staff will reflect on these suggestions and send out a revised proposal near the end of the week of May 4 for consideration at the May 11 meeting.

FINANCIAL IMPACT:

None.

RECOMMENDATION

Staff recommends that Council accept additional public comment at the public hearing and then adopt Ordinance No. 546 as recommended.

Approved By: City Manager City Attorney

INTRODUCTION

The adoption of regulations for the Midvale Demonstration Area is a legislative action. The City informed the public of the May 11 public hearing by published notice in the Seattle Times, the Enterprise, on the City's website, at the libraries, and City Hall posting sites.

The City Council heard public testimony on this proposal on March 23 and April 6, 2009

BACKGROUND

This ordinance proposes to modify the current RB zoning regulations (as amended by the moratorium) and add additional requirements for the Midvale Demonstration Area, situated along Midvale Avenue N. between N. 175th Street and N. 185th Street. This area constitutes about 6% of all the RB zoned land in the City. Not counting the new City Hall and relatively recent Gateway project, there are six parcels in the area that collectively constitute about 7.5 acres.

The staff proposes new regulations in the MDA for two reasons:
First, this area remains highly attractive to developers of mixed retail, office and residential uses despite the current economic downturn. The area is anchored by recent improvements at the north end (the Gateway retail center) and the south end (the new City Hall) and is located directly across the street from the Interurban Trail improvements and green space. The "Mile Two" improvements to Aurora will begin construction this year with BRT (bus rapid transit) service due by 2013. With frequent transit service just a three minute walk away and two grocery stores (Fred Meyer and Top Foods) only five minutes away, this area will be very attractive for mixed use development.

Second, a walkable precinct with open space, bicycle, pedestrian and transit amenities is exactly what the City has envisioned for this area for many years. As early as 2002, this area was identified in a "Main Street Vision for Midvale" as part of the Central Shoreline Subarea Study (see Attachment 1) and the current draft of the City's Vision Statement explicitly describes a "compact, mixed-use, pedestrian-friendly" area "focused between N. 175th Street and N. 185th Street." If there is anywhere in Shoreline to demonstrate what a walkable, mixed-use, mid-rise neighborhood can look like, the MDA is it.

The items below are enumerated in the attached ordinance and reflect staff thinking prior to talking with individual Council members during the week of April 27. Following these discussions, staff will redraft the ordinance to reflect a revised staff proposal that will be delivered to the Council by May 8.

CURRENT STAFF PROPOSAL

The proposed regulations for this area retain the setback and stepback "transition" requirements for the RB zone that were included in the interim RB regulations. In addition, the following regulations would apply to the RB zoned properties within the MDA:

- 50 foot building maximum height within 200 feet of any R-8, R-6 or R-4 zone to further protect residential areas along Stone Avenue N. (See Attachment 2);
- At least three star Built Green construction standard (See Attachment 3);
- Electric vehicle plug-in facilities in parking lots;
- Uses on the ground floor along Midvale would be limited to commercial or live/work units;
- The density cap of 110 residential units per acre that was imposed by the current moratorium would be removed, so that density would instead be limited by building height and lot coverage maxima and required parking;
- Administrative design review process and design standards would be applied.

These are borrowed from the Ridgecrest PLA 2 zoning adopted last year, including standards for pedestrian weather protection along Midvale, required facade articulation and vertical differentiation.

Staff will modify the proposal based on ideas we have heard from individual Council members. A revised proposal will be sent to the Council near the end of the week of May 4.

ALTERNATIVES

After concluding the May 11 public hearing, the City Council has the following options:

Option #l: No action. If Ordinance 546 is not adopted, the moratorium and interim regulations adopted on April 6 will apply to this area until November 12, 2009 unless modified by permanent regulations.

Option #2: Adopt Ordinance No. 546 as modified (to be delivered to the Council by May 8). The special regulations for the Midvale Demonstration Area are interim regulations and will expire November 12, 2009, unless modified by the permanent RB regulations or regulations that implement the Town Center Subarea Plan.

Option #3. Council may choose to modify Ordinance 546 and adopt the ordinance with additional amendments.

RECOMMENDATION

Staff recommends that Council accept additional public comment at the public hearing and then adopt Ordinance No. 546.

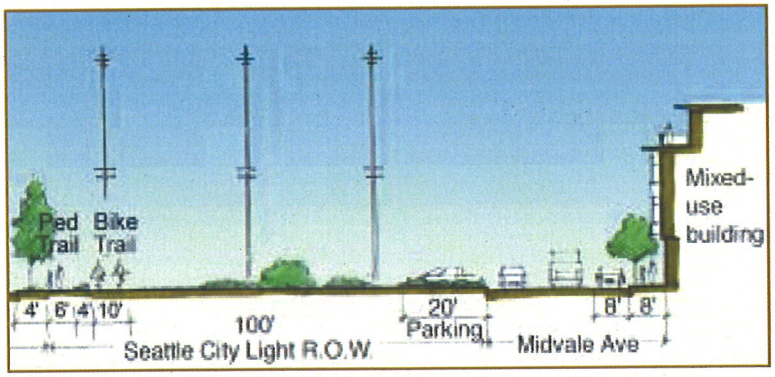
Attachments

1. Main Street Vision for Midvale
2. Midvale Demonstration Area RB zoning
3. 2008 Built Green Multifamily Checklist
4. Answers to Questions Posed at March 23 Council meeting
5. Ordinance 546

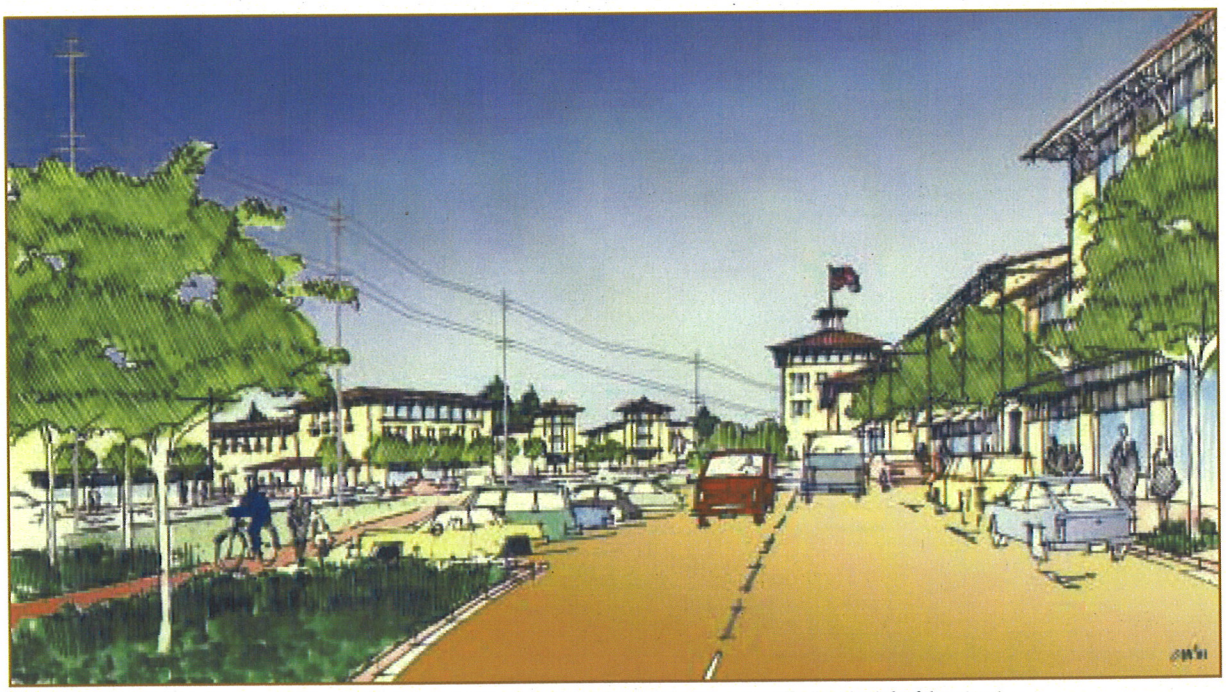
CENTRAL SHORELINE SUBAREA PLAN

MAIN STREET VISION FOR MIDVALE

In the 25-year vision, mixed-use buildings with ground floor retail line the eastern edge of Midvale Avenue. Storefronts invite people to stroll along the sidewalk, which is protected from moving traffic by a row of parked cars. On-street parking also helps ensure the viability of retail along Midvale Avenue. The stores along Midvale Avenue have good visibility to drivers on Aurora Avenue. The Interurban Trail buffers the Midvale Main Street from fast moving through traffic and functions as Midvale's "civic front yard" where people can walk, ride their bikes, or rest on a park bench.

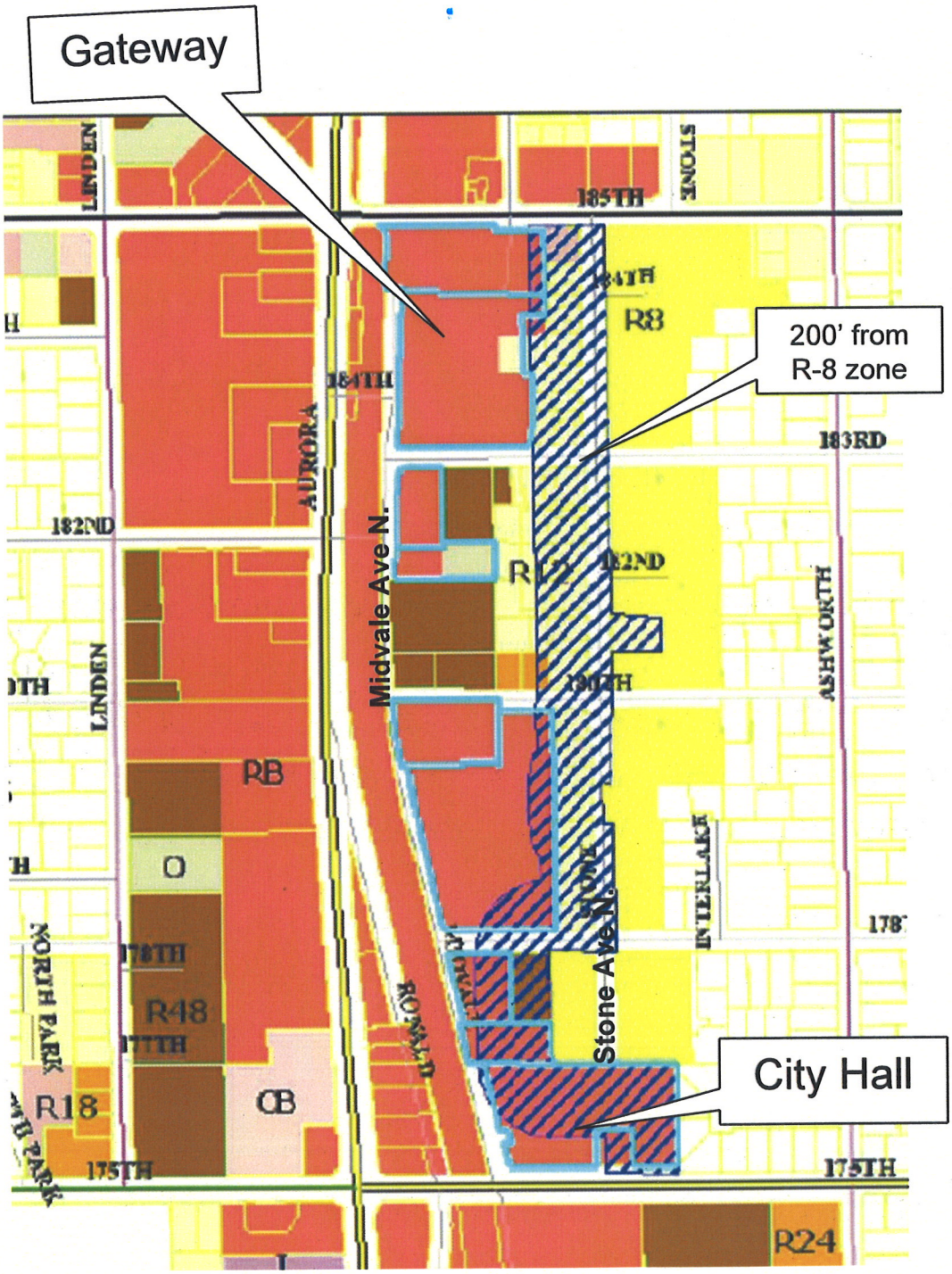


Typical section of the Midvale Main Street.



This view along Midvale Avenue looking north shows storefronts to the right and the Interurban Trail to the left of the street.

Attachment 2



Built Green Project Checklist
Multi-Family 2008 Extended Pilot MASTER

BUILT GREEN

Project Address _____

Company Name _____

Action Item Number	Possible Points	CREDITS	Total Points	Comments
TWO-STAR REQUIREMENTS (200 points minimum)				
	required	Program Orientation (one time only)	★	
	required	Section 1: Build to Program Requirements and Green Codes / Regulations	★	
	required	Achieve 30 points from each section	★	
THREE-STAR REQUIREMENTS (300 points minimum)				
	required	Meet 2-Star requirements	★	
	required	Achieve a minimum of 40 points from each section	★	
FOUR-STAR REQUIREMENTS (400 points minimum)				
	required	Meet 3-Star requirements	★	
	required	3rd party verification required	★	
Site & Water	required	Amend disturbed soil with compost to a depth of 8 to 10 inches or better than code to restore soil environmental functions(See Action Item 2-17)	★	
Site & Water	required	Landscape with plants appropriate for site topography and soil types, emphasizing use of plants with low watering requirements [drought tolerant] (See Action Item 2-44)	★	
Site & Water	required	Install ALL bathroom faucets with GPM 1.5 or better (See Action Item 2-51)	★	
Site & Water	required	Install ALL showerheads with GPM less than code (See Action Item 2-53)	★	
Energy	required	Building Modeled to have 15% better performance than energy code	★	
Energy	required	Install photovoltaic system, minimum 1 kW (See Action Item 3-80)	★	
IAQ	required	Use only low-VOC /low-toxic interior paints, primers, and finishes for large surface areas (See Action Item 4-31)	★	
IAQ	required	Provide permanently installed track-off mats and/or shoe grates at common entryways to building (See Action Item 4-79)	★	
IAQ	required	Do not install a wood-burning fireplace inside unit or building (See Action Item 4-82)	★	
Materials	required	Practice waste prevention and recycling and buy recycled products (See Action Item 5-1)	★	
Materials	required	Achieve a minimum of 70 points from each section	★	
FIVE-STAR REQUIREMENTS (600 points minimum)				
	required	Meet 4-Star requirements	★	
Site & Water	required	Preserve existing native vegetation as landscaping (See Action Item 2-8)	★	
Site & Water	required	Use pervious materials for at least one-third of total area for hardscapes (See Action Item 2-24)	★	
Energy	required	Alternate: In lieu of energy requirements demonstrate building energy performance 30% beyond code per (See Action Item 3-2)	★	
Energy	required	Install LED, Energy Star® compliant fixtures, or demonstrated energy equivalent in units and in common areas (See Action Item 3-67)	★	
IAQ	required	Use plywood and composites of exterior grade with no added urea formaldehyde (for interior use) (See Action Item 4-18)	★	
Materials	required	Achieve a minimum recycling rate of 90% of waste by weight (See Action Item 5-31 for reference)	★	
Materials	required	Use a minimum of 10 materials with recycled content per unit (See Action Items in Section 5)	★	
Materials	required	Achieve a minimum of 100 points from each section	★	
SECTION ONE: BUILD TO PROGRAM REQUIREMENTS AND GREEN CODES/REGULATIONS				
1-1	★	Provide owner with an environmentally friendly operations and maintenance kit		
1-2	★	Take extra precautions to not dispose of topsoil in lowlands or wetlands	★	
1-3	★	When construction is complete, leave no part of the disturbed site uncovered or unstabilized	★	
1-4	★	Prepare jobsite recycling plan and post on site	★	
1-5	★	If using can lights, use Energy Star® can lights or can lights approved by Washington Energy Code for all can light applications	★	
1-6	★	2-4 Star: Install CO detector for all units (hardwired preferred) with a combustion device or attached garage	★	
1-7	★	5 Star: Install CO detector for all units (hardwired required) with a combustion device	★	
1-8	★	Prohibit burying demolition and/or construction waste	★	
1-9	★	Dispose of non-recyclable hazardous waste at legally permitted facilities	★	
1-10	★	Meet all applicable state and local codes, regulations, and development standards	★	
		CODES SECTION TOTALS	**ALL**	
SECTION TWO: SITE AND WATER				
SITE PROTECTION				
Overall				
2-1	10	Build on an infill lot to take advantage of existing infrastructure and reduce development of virgin sites		
2-2	10	Build in a planned Built Green® development		
2-3	20	Build on a previously developed site (greyfield or brownfield)		
2-4	30	Create a Low Impact Development		
2-5	5-50	**Meet City of Seattle's Green Factor standards**		
2-6	5	For each acre of development, set aside an equal amount of land as a conservation easement or transfer the development rights		
		Subtotal	**0**	
Protect Site's Natural Features				
2-7	3	Avoid soil compaction by limiting heavy equipment use to building footprint and construction entrance		
2-8	3	Preserve existing native vegetation as landscaping		
2-9	4	Retain 30% of trees on site or retain arborist to determine tree retention plan for site		
2-10	4	Do not build on or adjacent to sensitive ecological areas: wetlands, shorelines, bluffs, old growth forests, or other critical areas		
2-11	2	If building near sensitive ecological areas, limit development footprint and preserve and protect beyond code		

2-12	5 or 7 or 10	Restore percentage of site outside the footprint for the life of the building -10% - 20% - 35%		
			Subtotal	**0**
Protect Natural Processes On-Site				
2-13	2	Install and maintain temporary erosion control devices that significantly reduce sediment discharge from the site beyond code requirements		
2-14	3	Use compost to stabilize disturbed slopes		
2-15	3	Retain all native topsoil and protect stockpiles from erosion		
2-16	3	Balance cut and fill, while minimizing change to original topography		
2-17	4	Amend disturbed soil with compost to a depth of 8 to 10 inches (or better than code) to restore soil environmental functions		
2-18	2	Replant or donate removed vegetation for immediate reuse		
2-19	2	Use plants salvaged from another site		
2-20	3	Grind land clearing wood and stumps for reuse		
2-21	3	Use a water management system that allows groundwater to recharge		
2-22	10 or 20 or 30	Manage specified percentage of stormwater and building water discharge on site by 60%, 80%, or 100%		
			Subtotal	**0**
Hardscapes				
2-23	5 or 10 or15	Design to achieve 50%, 75%, or 90% effective pervious surface outside of building footprint		
2-24	3	Use pervious materials for at least one-third of total area for hardscapes		
2-25	10 or 15 or 25	Install vegetated roof system (e.g. eco-roof) to reduce impervious surface on 25%, 50%, or 90%+ of total roof surface		
2-26	1	Integrate landscaping with parking area beyond code		
2-27	3	For an urban infill, replace impervious surfaces with permanent pervious surfaces outside building footprint		
			Subtotal	**0**
Reduce Urban Heat Island Effect				
2-28	7	Install a high albedo or light colored roof		
2-29	7	Provide shading for 30% of hardscapes by using landscape, landscape features, or overhangs		
2-30	7	For all exterior hardscape, including surface parking, use only light colored pavement for 90% of project area		
			Subtotal	**0**
Eliminate Water Pollutants				
2-31	1	Wash out concrete trucks in slab or pavement subbase areas		
2-32	1	Establish and post clean up procedures for spills to prevent illegal discharges		
2-33	1	Reduce hazardous waste through good jobsite housekeeping		
2-34	2	Construct tire wash, establish and post clean up protocol for tire wash		
2-35	2	Use slow-release organic fertilizers to establish vegetation		
2-36	2	Use less toxic form releasers		
2-37	4	Provide an infiltration system for rooftop runoff		
2-38	3	Use non-toxic or low-toxic outdoor materials for landscaping (e.g. plastic, least-toxic treated wood)		
2-39	5	No clearing or grading during wet weather periods		
2-40	25 or 50	On-site wastewater treatment for greywater only or for blackwater and greywater		
			Subtotal	**0**
WATER CONSERVATION				
Outdoor Conservation				
2-41	2	Mulch landscape beds with 2 inches organic mulch		
2-42	1	Use grass type requiring less irrigation and minimal maintenance		
2-43	5	Limit use of turf grass to 25% or less of landscaped area		
2-44	10	No turf grass		
2-45	5	Landscape with plants appropriate for site topography and soil types, emphasizing use of plants with low watering requirements (drought tolerant)		
2-46	5	Install intelligent irrigation system		
2-47	2	Install sub-surface or drip systems for irrigation with timers		
2-48	10	Install landscaping that requires no potable water for irrigation whatsoever after initial establishment period (approximately 2 years)		
2-49	1-15	Install rainwater collection system (cistern) that reduces water consumption for irrigation by 50% annually		
2-50	50	Provide 100% of building and landscaping water use with captured precipitation or reused water purified without the use of chemicals		
			Subtotal	**0**
Indoor Conservation				
2-51	3	Install ALL bathroom faucets with GPM 1.5 or better		
2-52	3	Install motion-sensor for bathroom faucets - one per unit and in all common areas		
2-53	3	Install ALL kitchen faucets with GPM less than code		
2-54	5	Install ALL showerheads with GPM less than code		
2-55	5	Stub-in plumbing to use greywater for toilet flushing		
2-56	20	Use greywater or rainwater for toilet flushing		
2-57	3	Provide water sub-metering for each unit		
2-58	8	Install high efficiency toilets in highest use area and at least one per unit in all units		
2-59	2	Install no-cartridge waterless urinals or 1/8 gallon urinals and high efficiency toilets in all common areas		
2-60	4	Install point-source, on-demand (tankless), or recirculation pump hot water systems (where appropriate)		
			Subtotal	**0**
Eliminate Water Pollutants				
2-61	3	Develop and provide a building-wide food waste disposal strategy		
2-62	1	Do not install garbage disposal		
			Subtotal	**0**
DESIGN ALTERNATIVES				
2-63	10	Follow comprehensive integrated design plan for site and structure (as described in the Handbook)		
2-64	5	Hold design charette during various stages including pre-design, schematic design, design development, and construction documents		
2-65	5	Provide community common areas accessible to all buildng occupants		
2-66	2	Take advantage of parking reduction credits that are available in your jurisdiction		
2-67	5 or 10	Provide structured parking within the proposed building footprint at a 50% minimum or 100% with no surface parking		
			Subtotal	**0**
TRANSPORTATION				
2-68	25	Create a transit-oriented development		
2-69	4	Build within ¼ mile of a transit stop or Park and Ride		
2-70	8+	Create a "mixed-use" building		

2-71	2-4	Provide subsidized bus passes		
2-72	2	Provide bicycle lockers or bicycle storage beyond code		
2-73	2	Provide bus shelters		
2-74	5+	Points for B20 biodiesel or better equipment		
2-75	5+	Provide dedicated parking spots for carpool or car-share vehicles		
2-76	1+	Provide a hardwire outlet(s) for electric vehicles		
2-77	2	Provide a link to community trails		
2-78	15	Provide alternative fueling station		
		Subtotal	**0**	
TRAINING AND EDUCATION				
2-79	2	Prepare an environmentally friendly operations and maintenance plan for common area facilities		
2-80	2	Prepare an environmentally friendly landscape operations and maintenance plan		
2-81	3	Conduct training sessions for maintenance staff and/or occupants		
2-82	5	Provide educational materials designed for the public that highlight the green building features and their performance that are included in the project		
		Subtotal	**0**	
EXTRA CREDIT / INNOVATION for Site and Water				
2-83	1-10	Extra credit / innovation for Site and Water		
		Subtotal	**0**	
		SITE & WATER SECTION TOTALS	**0**	
SECTION THREE: ENERGY EFFICIENCY				
3-1	5 or 15	Building systems commissioning beyond code		
		Subtotal	**0**	
ENVELOPE				
Thermal Performance				
3-2	10 or 20 or 30 or 40	Document envelope improvements beyond code (component performance approach) by 10%, 20%, 50%, or 75%		
3-3	2-20	Document envelope improvements beyond code minimum (prescriptive approach)		
3-4	50	Build a zero net energy building that draws zero outside power or fuel on a net annual basis		
3-5	5	Use dense packed cellulose (over 2.5 lbs/inch) or wet blown cellulose or blown in foam		
3-6	3	For concrete walls - use perimeter insulation for exterior slab edges		
3-7	6	Increase roof insulation 20% beyond code		
3-8	8	Participate in a program that provides third-party review and inspection		
		Subtotal	**0**	
Air Sealing				
3-9	3	Airtight drywall approach for framed structures		
3-10	3	Use airtight building method, such as SIP or ICF		
3-11	3	Eliminate or airtight seal all air pathways between floors and units		
3-12	5 or 10	Conduct blower door test for a sampling of units with results better than 0.30 ACH or 0.25 ACH		
		Subtotal	**0**	
Reduce Thermal Bridging				
3-13	1	Use rigid insulation as thermal break in headers		
3-14	1	Fully insulate corners at intersecting exterior walls		
3-15	1	Fully insulate at interior/exterior wall intersection by open cavity framing		
3-16	3	Use energy heels of 6 in. or more on trusses and stick frame roofs to allow added insulation over top plate		
3-17	2	Use insulated exterior sheathing		
3-18	5	Use advanced wall framing - 24-inch OC, with double top plate		
		Subtotal	**0**	
Solar Design Features				
3-19	6	Passive solar design, *basic* features installed		
3-20	12	Passive solar design, *advanced* features installed		
3-21	5	Model solar design features using approved modeling software		
3-22	2	Use landscaping plans that reduce heating/cooling loads naturally		
		Subtotal	**0**	
HEATING/COOLING				
Distribution				
3-23	1	Centrally locate heating / cooling system to reduce the size of the distribution system		
3-24	3	Install ceiling fans in all units - minimum one per unit		
3-25	2	Use advanced sealing of ducts using low-toxic mastic		
3-26	10	Third-party performance air leakage test using prescribed sampling method for each unit type meets certification		
3-27	5	Third-party duct test results less than 6% loss of floor area to outside/total flow		
3-28	2	All ducts are in conditioned space		
3-29	4	Locate heating / cooling equipment inside the conditioned space		
		Subtotal	**0**	
Controls				
3-30	1	Install thermostat with on-switch for furnace fan to circulate air		
3-31	1	Install thermostat with one degree dead-band (electronic or vapor diaphragm) for non-ducted electric heat		
3-32	2	Install 60-minute timers or humidistat for bathroom and laundry room fans		
3-33	2	Install programmable thermostats		
3-34	1	Provide separate switching for bathrooms fan/heat lamp and fan/light combination fixtures		
3-35	3	Provide electricity and/or natural gas direct metering for each unit		
3-36	5	Install heat systems with separate zones for sleeping and living areas (not including electric resistance heating)		
		Subtotal	**0**	
Heat Recovery				
3-37	7	Install a heat recovery ventilator or an energy recovery ventilator		
		Subtotal	**0**	
Equipment				
3-38	3	Select high efficiency heat pumps		
3-39	3	Select Energy Star® heating / cooling equipment or equivalent		
3-40	2	No gas fireplaces, or use direct vent gas or propane hearth product (AFUE rating)		
3-41	7	No air conditioner		
3-42	5	Direct use of natural gas, i.e., centralized boiler with hydronic heating system units<u>or</u> units with fan coil system that can do both heating and cooling		

3-43	10 or15	Install whole building hydronic heating for heating in all units, point range based on boiler efficiency - 85% or 92%		
3-44	10	Install geothermal heat pumps		
		Subtotal	**0**	
WATER HEATING				
Overall				
3-45	5	Install drainwater heat recovery system (DHR)		
3-46	2	Install whole building recirculation pump		
3-47	2	Passive or on-demand hot water delivery system installed at farthest location from water heater		
3-48	2	Install on-demand (tankless) hot water heater		
3-49	3	Upgrade electric water efficiency above code		
3-50	2 or 4	Upgrade gas or propane water heater efficiency to 0.61 or 0.81		
3-51	2	Install the water heater inside the heated space (electric, direct vent, or sealed venting only)		
3-52	4	Upgrade electric water heater to an exhaust air heat pump water heater or de-superheater: EF 1.9		
3-53	3	Install a timer to regulate standby hot water loss in hot water heater		
3-54	3	Ultra high efficiency central water heating		
3-55	5	Solar water heating system for common facilities		
3-56	5	Install Solar Hot Water Heating		
		Subtotal	**0**	
Distribution				
3-57	2	Locate water heater within 20 pipe feet of highest use		
3-58	1	Insulate all hot water pipes and install cold inlet heat traps on hot water heater		
		Subtotal	**0**	
LIGHTING				
Natural Light				
3-59	1	Light-colored interior finishes		
3-60	2	Use clerestory for natural lighting		
3-61	5	Maximize daylighting for all units		
		Subtotal	**0**	
Efficient Lighting				
3-62	2	Install low-mercury T-8 lamps		
3-63	1	Halogen lighting substitited for incandescent downlights		
3-64	3	Install lighting dimmer, photo cells, timers, and/or motion detectors (interior) for high efficiency fixtures		
3-65	2	Install photo cells, timers, motion detectors (exterior) for 90% of fixtures		
3-66	3-5	Install LED or Energy Star® compliant CFL bulbs or demonstrated energy equivalent in all units and common areas.		
3-67	1-10	Install LED, Energy Star® compliant fixtures, or demonstrated energy equivalent in all units and common areas		
3-68	5	Avoid excessive outdoor light levels while maintaining adequate light for security and safe access, meet IESNA Levels		
		Subtotal	**0**	
APPLIANCES				
3-69	4	Install gas clothes dryer in common laundry or in all units		
3-70	2	Install a water-saving, energy-efficient washing machine in all units		
3-71	5	Install common laundry facilities instead of in each unit with water-saving, energy-efficient washers		
3-72	1	Install a water-saving, energy-efficient dishwasher in all units		
3-73	2	Install Energy Star® refrigerator in all units		
3-74	2	Install gas stove/cooktop in all units		
3-75	2	Install biofuel appliances		
3-76	2	Install Energy Star® exhaust fans in all units		
		Subtotal	**0**	
ALTERNATIVE ENERGY BONUS POINTS				
3-77	2-5	Participate in the local utility's electricity program for renewable electricity sources		
3-78	1	Solar-powered or low-voltage walkway or outdoor area lighting		
3-79	10	More than 2% of building powered by photovoltaic		
3-80	5-25	Install photovoltaic system, minimum 1 kW		
3-81	5 or 10 or 25	Install innovative non-solar renewable power systems that produce a minimum of 15%, 30%, or 50% of the common area's total annual energy		
		Subtotal	**0**	
EXTRA CREDIT / INNOVATION for Energy Efficiency				
3-82	1--10	Extra credit / innovation for Energy Efficiency		
		Subtotal	**0**	
		ENERGY EFFICIENCY SECTION TOTALS	**0**	
SECTION 4: HEALTH AND INDOOR AIR QUALITY				
OVERALL				
4-1	5	Builder or architect certified to have taken American Lung Association (ALA) of Washington "Healthy House Professional Training course, or equivalent approved by Director		
4-2	15	Certify building under an IAQ program approved by Director		
4-3	5	Building is designated non-smoking		
4-4	2	Provide tenants or homeowners with maintenance checklists		
		Subtotal	**0**	
JOBSITE OPERATIONS				
4-5	1	Use less-toxic cleaners		
4-6	1	Require workers to use VOC-safe masks when applying VOC containing wet products and N-95 dust masks when generating dust		
4-7	3 or 5	Take measures during construction operations to avoid moisture problems later (see Handbook for Basic or Expanded levels)		
4-8	2	Take measures to avoid problems due to construction dust by performing all items listed in the handbook		
4-9	3	Ventilate during all new wet finish applications		
4-10	2	No use of unvented heaters during construction		
4-11	3	Clean duct and furnace thoroughly before occupany		
4-12	2	Train subs in implementing a healthy building jobsite plan for the project		
4-13	2	Cover all duct openings during construction		
		Subtotal	**0**	
LAYOUT AND MATERIAL SELECTION				
4-14		Inside the building envelope use only low-VOC, low-toxic, water-based, solvent-free sealers, grouts, mortars, drywall mud, caulks, and adhesives for:		

4-14a	2	Tiling		
4-14b	2	Framing		
4-14c	4	Flooring		
4-14d	2	Plumbing		
4-14e	2	HVAC		
4-14f	2	Insulating		
4-14g	2	Drywalling		
4-15	5	Use an alternatiave to fiberglass insulation		
4-16	3	Use urea formaldehyde-free insulation or Greenguard certified product		
4-17	1	Do not install insulation or carpet padding that contains brominated flame retardant		
4-18	3	Use plywood and composites of exterior grade with no added urea formaldehyde (for interior use)		
4-19	5	Use only shelving, window trim, door trim, base molding, etc., with no added urea formaldehyde		
4-20	5	Install cabinets made with board with no added urea formaldehyde and low-toxic finish		
4-21	1	Use pre-finished flooring		
4-22	3	Use ceramic tile flooring		
4-23	18	Bonus Points: No carpet in units		
4-24	3	Limit use of carpet to one-third of unit's square footage		
4-25	2	If installing carpet system (carpet, pad, and adhesive), specify CRI Green Label Plus or Greenguard		
4-26	3	If using carpet, install by dry method		
4-27	2	Install low pile or less allergen-attracting carpet and pad		
4-28	2	Install natural fiber carpet		
4-29	2	Avoid carpet in environments where it can get wet		
4-30	2 or 6	Optimize air quality in family bedrooms to basic or advanced level by completing items listed in handbook		
4-31	5	Use only low-VOC / low-toxic interior paints, primers, and finishes for large surface areas		
4-32	7	Use only low-VOC / low toxic interior paints and finishes for all surface areas (including doors, windows, trim)		
4-33	30	Select materials such that the building is free from the following materials/chemicals: added formaldehyde, halogenated flame retardants, PVC, mercury, CFCs, HCFCs, neoprene (chloroprene), cadmium, chlorinated polyethelene, xylene, tolulene		
		Subtotal	**0**	
MOISTURE CONTROL				
Overall				
4-34	4	Use Building Envelope Consultant during design		
4-35	1	Grade to drain away from buildings		
4-36	4	Envelope inspection at various stages of envelope installation by a qualified professional		
Roof				
4-37	6	Provide 50% minimum 2 inch 12 pitch sloped roof surface		
4-38	10	Provide 100% minimum 2 inch 12 pitch sloped roof surface		
Walls - Above Grade				
4-39	3	Provide continuous weather resistive barrier and continuous air seal barrier with manufacturer's recommended termination (seal or tape)		
4-40	3	Use self-adhering membrane flashing and counter-flashing at all inside and outside corners and at exterior siding materials transitions		
4-41	6	Install an enhanced drainage plane with an air space to allow ventilation between the weather barrier and cladding and include weep control system		
4-42	3 or 7	Use moisture test to ensure that wood framing contains less than 15% moisture content prior to installation of any interior finish		
4-43	3	In wood-framed structures, use low-toxic mold-inhibitor product		
Below Grade				
4-44	3	For slab on grade, use 10 mil polyethylene vapor barrier or equivalent performance, under slab		
4-45	2	Perform moisture test for any slab on grade prior to installing any finish to manufacturer's specifications		
4-46	2	Install working mechanical vent system to eliminate potential moisture, methane, and radon problems in crawl space or under slabs on grade		
4-47	1	Install a rigid perforated footing drain at foundation perimeter, not connected to roof drain system		
4-48	3	Install moisture management system for below grade walls beyond code, i.e., drainage mat		
Openings				
4-49	3	Provide appropriately sized overhangs at 25% of openings		
4-50	6	Provide appropriately sized overhangs on 100% south and/or west side openings		
4-51	1	Properly seal building openings and penetrations against moisture and air leaks as specified in handbook		
4-52		Install additonal moisture control measures:		
4-52a	1	sill pans with back dams at windows		
4-52b	7	door pans with back dams at doors		
4-52c	3	sill protection at windows		
4-52d	3	threshold protection at doors		
4-52e	1	metal head flashing at windows		
4-52f	1	metal head flashing at doors		
4-53	3	Provide hose testing or negative pressurization testing to pre-installed sample of each window type to test assembly for moisture control protection		
		Subtotal	**0**	
AIR DISTRIBUTION AND FILTRATION				
4-54	1	Provide ideal relative humidity and air circulation to prevent IAQ problems		
4-55	1	Ensure ceiling plenums contain no hazardous/unhealthy materials		
4-56	2	No stud or joist cavities used as plenums		
4-57	2	Do not install electronic, metal mesh, horse hair, or non-pleated fiberglass filters		
4-58	1	Make sure air intakes are placed to avoid intake from air pollutant sources that go beyond code		
4-59	1	No parking within 40 feet of building air intakes		
4-60		Use effective air filter:		
4-60a	1	Use medium efficiency pleated filter, MERV 10		
4-60b	5	Use high efficiency pleated filter, MERV 12 or better, or HEPA		
4-61	2	Install operable windows in all occupied spaces to allow for cross ventilation and daylighting		
4-62	3	Install CO detector (hardwired) for all units with a combustion device		
4-63	3	Separately ventilate all janitorial spaces, copy rooms, and chemical storage areas		
4-64	2	Install CO_2 detectors in community rooms		
		Subtotal	**0**	
HVAC EQUIPMENT				
4-65	1	Design to ensure accessibility of all system components		

4-66	1	Design to prevent standing water in HVAC system		
4-67	1	Flow test all spot ventilation fans in units		
4-68	1	Use heating system controls that are free of mercury		
4-69	1	Limit kitchen exhaust fan to 300 cfm maximum		
4-70	1	Install a 60-minute timer or humidistat for bath exhaust fans		
4-71	2	Install quiet (≤0.8 sone) bath fan with smooth ducting, minimum 4 inch		
4-72	1	Reduced or zero use of ozone-depleting compounds in refrigeration and fire suppression systems		
4-73	1	No sound insulation or other fibrous materials installed inside ducting		
4-74	3	Install sealed combustion heating and hot water equipment		
		Subtotal	**0**	
HEALTH AND INDOOR AIR QUALITY				
4-75	1	Build a lockable storage closet for hazardous cleaning and maintenance products, separate from occupied space		
4-76	1	Install biodegradable carbon filter at sink		
4-77	3	Install showerhead filter in all units, include information in the tenent handbook		
4-78	3	Provide permanently installed track-off mats and/or shoe grates at common entryways to building		
4-79	2	Provide track-off mats at exterior unit main entrances to each unit and a shoe storage area		
4-80	3	Design a shoe removal vestibule at major entrances to units		
4-81	3	Do not install a wood-burning fireplace inside unit or building		
4-82	1	Do not install gas-burning appliances inside unit or building		
4-83	1	Install floor drain or catch basin with drain under washing machine		
		Subtotal	**0**	
EXTRA CREDIT / INNOVATION for Health and Indoor Air Quality				
4-84	1-10	Extra credit / innovation for Health and Indoor Air Quality		
		Subtotal	**0**	
		HEALTH AND INDOOR AIR QUALITY SECTION TOTALS	**0**	
SECTION FIVE: MATERIALS EFFICIENCY				
OVERALL				
5-1	10	Practice waste prevention and recycling and buy recycled products		
5-2	5 or 7 or 9	Design and build for deconstruction concept - 50%, 75%, or 90%		
5-3	1-5	Eliminate materials and systems that require finishes or finish materials on a minimum of 100 square feet in common areas- 1 pt per 100 sf - 5 pts max		
		Subtotal	**0**	
JOBSITE OPERATIONS				
5-4	3	Provide weather protection for stored materials		
5-5	1	Substitute products that require solvent-based cleaning methods with solvent-free or water-based methods		
5-6	5	Purchase a one-time carbon offset to account for construction carbon footprint		
		Subtotal	**0**	
Reduce				
5-7	2	Create detailed take-off and provide as cut list to framer		
5-8	2	Use central cutting area or cut packs		
5-9	3	Require subcontractors and contractor's employees to participate in waste reduction efforts		
		Subtotal	**0**	
Reuse				
5-10	2 or 10 or 20	Use deconstruction to dismantle and reuse existing building(s) on site		
5-11	1	Sell or give away wood scraps, lumber and land clearing debris		
5-12	1	Donate, give away, or sell reusable finish items		
5-13		Re-use materials:		
5-13a	1	doors		
5-13b	1	flooring		
5-13c	1	windows		
5-13d	1	appliances		
5-13e	1	fixtures		
5-13f	1	hardware		
5-13g	1	cabinets		
5-13h	1	siding		
5-13i	1	decking		
5-13j	1	trim		
5-13k	2	framing lumber		
5-14	1-10	Bonus points for reuse of salvaged materials		
		Subtotal	**0**	
Recycle				
Source Separation Recycling				
5-15	1	Recycle cardboard by source separation, 90% minimum recycling rate		
5-16	2	Recycle metal scraps by source separation, 90% minimum recycling rate		
5-17	5	Recycle clean scrap wood and broken pallets by source separation, 90% minimum recycling rate		
5-18	2	Recycle package wrap and pallet wrap by source separation, 90% minimum recycling rate		
5-19	3	Recycle drywall by source separation, 90% minimum recycling rate		
5-20	2	Recycle concrete/asphalt rubble, masonry materials, or porcelain by source separation, 90% minimum recycling rate		
5-21	1	Recycle paint by source separation, 90% minimum recycling rate		
5-22	4	Recycle asphalt roofing by source separation, 90% minimum recycling rate		
5-23	2	Recycle carpet padding by source separation, 90% minimum recycling rate		
5-24	2	Recycle carpet by source separation, 90% minimum recycling rate		
5-25	1	Recycle glass by source separation, 90% minimum recycling rate		
5-26	3	Recycle land clearing and yard waste, soil and sod by source separation, 90% minimum recycling rate		
5-27	1	Recycle batteries		
5-28	4	Commingle recycle at least 50% of remaining jobsite debris, and take to a facility with a minimum recycling rate of 50%		
		Subtotal	**0**	
Commingle Recycling				
5-29	5 or 10	Send less than 1lb per square foot of gross construction waste to land fill, or less than ½ lb per square foot to land fill (does not include deconstruction)		
5-30	10	Send at least 85% of jobsite waste (by weight excluding concrete) to a commingled recycling facility with 50% recycling rate		

5-31	18	Send at least 85% of jobsite waste (by weight excluding concrete) to a commingled recycling facility with 75% recycling rate		
5-32	24	Send at least 85% of jobsite waste (by weight excluding concrete) to a commingled recycling facility with 90% recycling rate		
		Subtotal	**0**	
DESIGN AND MATERIAL SELECTION				
Overall				
5-33	1	Use standard dimensions in design of structure		
5-34	10	Design and install recycling stations on each floor, including a maintenance service plan		
5-35	1	Install materials with longer life cycles		
5-36	1	Install locally/regionally produced materials		
5-37	10	Install locally/regionally produced materials, minimum 5 materials used in all units		
5-38	5	Use salvaged lumber, minimum of 1,000 board feet		
5-39	1	Use any amount of rapidly renewable building materials and products made from plants harvested within a ten-year cycle or shorter		
5-40	3	In three applications, use rapidly renewable building materials and products made from plants harvested within a ten-year cycle or shorter		
5-41	3	Use no endangered wood species		
5-42	2	Use environmentally preferable products with third-party certifications		
5-43	3	Use no PVC or CPVC piping for plumbing or sprinkler within the building envelope		
		Subtotal	**0**	
Framing				
5-44	10	Use dimensional lumber that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-45	6	Use dimensional lumber that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-46	7	Use sheathing that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-47	4	Use sheathing that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-48	5	Use beams that are third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-49	3	Use beams that are third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-50	3	Use factory framed wall panels (panelized wall construction)		
5-51	3	Use engineered structural products and use no 2xs larger than 2x8, and no 4xs larger than 4x8		
5-52	1	For interior walls, use steel studs with minimum 50% recycled content		
5-53	4	Use structural insulated panels (SIPs)		
5-54	2	Use insulated concrete forms (ICFs)		
5-55	1	Use finger-jointed framing material (e.g. studs)		
5-56	5	Use advanced system framing with double top plate		
		Subtotal	**0**	
Foundation				
5-57	1 or 3	Use at least 90% regionally or locally produced block		
5-58	3 or 6	Use regionally produced flyash or blast furnace slag for 25% by weight of cementitious materials for all concrete (20% for flat work), if available		
5-59	2	Use recycled concrete, asphalt, or glass cullet for base or fill		
		Subtotal	**0**	
Sub-Floor				
5-60	1	Use recycled content sub-floor		
		Subtotal	**0**	
Doors				
5-61	2	Use domestically-grown wood interior doors		
		Subtotal	**0**	
Finish Floor				
5-62	1	If using vinyl flooring, use product with recycled content		
5-63	4	No vinyl flooring		
5-64	1	Use any amount of rapidly renewable flooring products made from plants harvested within a ten-year cycle or shorter (excluding carpet)		
5-65	3	On more than 250 square feet per unit, use rapidly renewable flooring products made from plants harvested within a ten-year cycle or shorter (excluding carpet)		
5-66	1	Use recycled content carpet pad		
5-67	1	Use recycled content or renewed carpet		
5-68	2 or 4	Use replaceable carpet tile for 50% of carpeted area or 100% of carpeted area		
5-69	5	If using tile, use 75% of tile that is 40% recycled content		
5-70	5	Use natural linoleum		
5-71	1 or 3 or 5	If using wood flooring, use locally salvaged wood flooring on 25%, 50% or 90%+ of total flooring		
5-72	5	Use flooring that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-73	3	Use flooring that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-74	1	Use spot repairable floor finish		
		Subtotal	**0**	
Interior Walls				
5-75	4	Use drywall with a minimum of 90% recycled content gypsum or flue gas substitute for recycled gypsum		
5-76	2 or 3	**Use recycled or "reworked" paint and finishes on main surfaces or all surfaces**		
5-77	1	Use recycled newspaper or cork expansion joint filler		
5-78	2	Use natural wall finishes, like lime paint and clay		
5-79	2	Reduce interior walls through open plan for kitchen, dining and living areas		
5-80	2	Install toilet/shower partitions with recycled content		
		Subtotal	**0**	
Ceilings				
5-81	1	If installing acoustical ceiling, select a recycled content product		
		Subtotal	**0**	
Exterior Walls				
5-82	2	Use recycled content sheathing (OSB does not apply)		
5-83	3	Use exterior cladding with reclaimed or recycled material on at least 20% of solid wall surface		

5-84	4	No vinyl siding or exterior trim		
5-85	3	Use salvaged masonry brick or block, 50% minimum		
5-86	2	Use regionally produced stone or brick		
5-87	2	Use 50-year siding product		
5-88	5	Use wood siding that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook on at least 20% of solid wall surface		
5-89	3	Use wood siding that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook on at least 20% of solid wall surface		
		Subtotal	**0**	
Windows				
5-90	3	Use wood, composite, or fiberglass windows		
5-91	4	No vinyl windows		
5-92	1	Use finger-jointed wood windows		
5-93	2	Use regionally produced windows		
		Subtotal	**0**	
Trim				
		If using wood trim:		
5-94a	1	Use regional products, 50% minimum		
5-94b	3	Use domestic hardwood trim that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-94c	2	Use domestic hardwood trim that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-94d	3	Use third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-94e	2	Use third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-95	3	Use finger-jointed or MDF trim with no added urea formaldehyde, 90% minimum		
5-96	1	Use wood veneers that are third-party certified sustainably harvested woods that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-97	1	Use wood veneers that are third-party certified sustainably harvested woods that meets the Tier 2 requirements outlined in the Handbook, 75% minimum		
		Subtotal	**0**	
Cabinetry				
5-98		For cabinets:		
5-98a	2	Use regional products, 90% minimum		
5-98b	2	Use domestic hardwood that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-98c	1	Use domestic hardwood that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-98d	2	Use third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook, 50% minimum		
5-98e	1	Use third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook, 50% minimum		
5-98f	2 or 3	Use cabinet casework and shelving constructed of agricultural fiber ("strawboard" or "wheatboard") with no added urea formaldehyde for 50% or 90% of all casework		
5-99	1	Use resource efficient countertop material in lobby/reception areas		
5-100	4	Use countertops that are salvaged, recycled, or third-party certified sustainably harvested wood with a chain of custody in all units		
		Subtotal	**0**	
Roof				
5-101	2	Use recycled content roofing material		
5-102	3	Upgrade material quality and durability (metal is better than torch down)		
5-103	2	Use 30-year warranted roofing material		
5-104	4	Use 40-year warranted roofing material		
5-105	6	Use 50-year warranted roofing material		
5-106	7	Use solar shingles		
5-107	3	Install a metal roof		
		Subtotal	**0**	
Insulation				
5-108	2	All insulation to have a minimum of 40% recycled content		
5-109	3	Use environmentally friendly foam building products (formaldehyde-free, CFC-free, HCFC-free)		
5-110	3	Use backer rod around windows for infiltration sealing		
		Subtotal	**0**	
Other Exterior				
5-111	2	Use reclaimed or salvaged material for landscaping walls		
5-112	3	Use 100% recycled content HDPE, salvaged lumber, or lumber that is third-party certified sustainably harvested wood that meets the Tier 1 requirements outlined in the Handbook for decking and porches		
5-113	2	Use 100% recycled content HDPE, salvaged lumber, or lumber that is third-party certified sustainably harvested wood that meets the Tier 2 requirements outlined in the Handbook for decking and porches		
5-114	2	Use recycled content lumber for decking (e.g., Trex)		
5-115	4	If lumber is used, use no pressure treated lumber		
5-116	1	If using pressure-treated lumber, use CAB		
		Subtotal	**0**	
EXTRA CREDIT / INNOVATION for Materials Efficiency				
5-117	1-10	Extra credit / innovation for Materials Efficiency		
		Subtotal	**0**	
		MATERIALS EFFICIENCY SECTION TOTALS	**0**	
		PROJECT SCORING TOTAL	**0**	

	PROJECT SUMMARIES	
One	PROGRAM REQUIREMENTS AND CODES / REGULATIONS	X
Two	SITE & WATER SECTION TOTALS	0
Three	ENERGY EFFICIENCY SECTION TOTALS	0
Four	HEALTH & INDOOR AIR QUALITY SECTION TOTALS	0
Five	MATERIAL EFFICIENCY SECTION TOTALS	0

_____**Total Points for Project**

Program Level Obtained

☐ 2-Star ★★ ☐ 3-Star ★★★

☐ 4-Star ★★★★ ☐ 5-Star ★★★★★

By my signature, I certify that I have performed all Action Items checked above.

X_____

(Home Builder Signature and Date)

Answers to Questions Posed at March 23, 2009 Meeting
(Reprinted from the April 13 Council Packet)

At the March 23 meeting, Council members asked the staff to answer several questions. Below, please find the staffs' response.

Q1: ***Can we give a developer a choice between Built Green and LEED?***
A1: The language of Ordinance 546, at Section 2.B(b), says "at a minimum, meet 'three star' construction standards under King County Built Green Standards, as amended, or equivalent standard approved by the Director." Because LEED is considered to be an equivalent standard, any future developer will have the choice of either Built Green or LEED.

Q2: ***Can we require more than the "three star" standard under Built Green? Some had an interest in the third party certification requirement that begins at "four star."***
A2: Yes, the Council has that option. See Attachment #3 to see what the additional requirements are to reach the "four star option."

Q3: ***What drainage regulations will apply?***
A3: The Low Impact Development surface water rules adopted earlier this year by Council will apply to any development in the MDA or anywhere else in Shoreline.

Q4: ***How many electric plug-in vehicles do we have in Shoreline now?***
A4: The staff does not have a count of electric plug-in vehicles. The recommended text in Ordinance 546 calling for an electric plug-in vehicle facility in parking lots in the MDA was offered as a sustainability feature, anticipating greater numbers of electric vehicles in the future. The parking garage in our new City Hall garage will have at least four plug-ins for electric vehicle recharging.

Q5: ***What are the likely traffic impacts of development in the MDA and what options are there to improve or modify the configuration of Midvale Ave. N. and side streets?***
A5: The City is about to begin an update of the Transportation Master Plan, which will use a computer model to analyze the effect of different land use alternatives and roadway intersection improvements. The first area we will be looking at closely is the Town Center Area in order to complement the land use options under consideration. That work will take place parallel with the Town Center process, roughly from late summer through early 2010. In addition, if any permit applications are made in the MDA, a project specific traffic analysis will be done and mitigating measures identified.

Q6: ***What analysis can be done of shadow and other building mass impacts?***

A6: As with transportation impacts area-wide, the City staff is working on an update of the SketchUp model of the entire Aurora corridor. Our focus will be on the Town Center Area first to examine different building envelope options for different parts of the corridor. That will include shadow and other aesthetic issues. In addition, if any project application is made in the MDA, we will use the SEPA process to require that a detailed model of the project be "pasted" into our SketchUp model of the area in order to evaluate shadows and other building mass impacts.

ORDINANCE NO. 546

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, MODIFYING INTERIM REGULATIONS ON THE FILING OR ACCEPTANCE OF CERTAIN APPLICATIONS FOR RESIDENTIAL DEVELOPMENT OF LAND WITHIN THE REGIONAL BUSINESS LAND USE DISTRICT

WHEREAS, under the provisions of the Growth Management Act the City has adopted development regulations implementing the City of Shoreline Comprehensive Plan; and

WHEREAS, the Regional Business (RB) land use district allows residential development, but does not place an absolute limit on the permitted number of dwelling units per acre; and

WHEREAS, the Shoreline City Council found that, pursuant to Ordinance 505, the continued acceptance of development applications proposing new residential development utilizing existing Regional Business (RB) zone density provisions may allow development that is incompatible with nearby existing land uses and circulation systems, leading to problematic traffic conditions and an erosion of community character and harmony established a moratorium and interim regulation for development in the RB zoning district; and

WHEREAS, the City Council held public hearings on October 13, 2008 and April 6, and extended the moratorium until until November 12, 2009 by Ordinance 535; and

WHEREAS, the public hearing on April 6 also took testimony for an amendment of the RB interim regulation for a target area along Midvale Ave. N between N. 175th and N. 185th and the Council deferred action on the amended interim regulation for further study and the amended interim regulation for the Midvale target area are resubmitted with this ordinance; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as findings of the City Council.

Section 2. Interim Regulation Amended. The interim regulation for the Regional Business Zone (RB) and Section 2 of Ordinance No. 505 are amended to read as follows:

Moratorium and Interim Regulation Adopted.

A. Except for properties included under subsection B, ~~A~~ a moratorium is adopted upon the filing of any application for residential development within the

Regional Business (RB) zoning district of the City, ~~which~~ exceeds 110 dwelling units per acre, unless a neighborhood plan, subarea plan or special district overlay plan authorizing a higher density has been approved. ~~No land use development proposal or application may be filed or accepted which proposes a development described in this section.~~

B. For property zoned Regional Business (RB) that abuts Midvale Ave. N. between N. 175th and N.185th, a moratorium is adopted upon the filing of any application for residential development which does not a) limit building height to 50 feet within 200 feet of any R-4, R-6 or R-8 zone; b) at a minimum, meet "three star" construction standards under King County Built Green standards, as amended, or equivalent standard approved by the director; c) include electric vehicle plug-in facilities in parking lots; and d) demonstrate compliance with design standards of SMC 20.91.050 unless a design departure is approved obtained under SMC 20.91.040.

C. No land use development proposal or application may be filed or accepted which proposes a development that does not comply with this section.

Section 3. Publication, Effective Date. This ordinance shall take effect five days after publication of a summary consisting of the title in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON May 11, 2009.

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: , 2009
Effective Date: , 2009

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NEW 8(b)

Council Meeting Date: May 11, 2009 **Agenda Item:**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance 546 adopting interim regulations for the portions of the RB zone that front Midvale Avenue between N. 175th St. and N. 185th St.
DEPARTMENT:	Planning and Development Services Department and Public Works Department
PRESENTED BY:	Joseph W. Tovar, FAICP, PADS Director Mark Relph, Public Works Director

PROBLEM/ ISSUE STATEMENT:

At its meetings on March 23 and April 6, 2009, the City Council conducted public hearings on this subject as part of the extension of a moratorium on Regional Business (RB) zones throughout the City. On April 6, the issues of the Midvale Demonstration Area (MDA) and RB moratorium were separated when the Council extended the moratorium (Ordinance 535).

Ordinance 546 would establish interim regulations for a 16-acre demonstration area where a form-based code is applicable. In exchange for potentially permitting higher residential densities, the ordinance would adopt new requirements for RB-zoned sites that front Midvale Avenue North between N. 175th Street and N. 185th Street.

Staff gathered ideas from Council members about possible changes to the proposed ordinance and developed a revised proposal. The changes are summarized in the section entitled "Current Staff Proposal" below.

FINANCIAL IMPACT:

None.

RECOMMENDATION

Staff recommends that Council accept additional public comment at the public hearing and then adopt Ordinance No. 546 as recommended.

Approved By: City Manager City Attorney

INTRODUCTION

The adoption of regulations for the Midvale Demonstration Area is a legislative action. The City informed the public of the May 11 public hearing by published notice in the Seattle Times, the Enterprise, on the City's website, at the libraries, and City Hall posting sites.

The City Council heard public testimony on this proposal on March 23 and April 6, 2009

BACKGROUND

This ordinance proposes to modify the current RB zoning regulations (as amended by the moratorium) and add additional requirements for the Midvale Demonstration Area, situated along Midvale Avenue N. between N. 175th Street and N. 185th Street. This area constitutes about 6% of all the RB zoned land in the City. Not counting the new City Hall and relatively recent Gateway project, there are six parcels in the area that collectively constitute about 7.5 acres.

The staff proposes new regulations in the MDA for two reasons:
First, this area remains highly attractive to developers of mixed retail, office and residential uses despite the current economic downturn. The area is anchored by recent improvements at the north end (the Gateway retail center) and the south end (the new City Hall) and is located directly across the street from the Interurban Trail improvements and green space. The "Mile Two" improvements to Aurora will begin construction this year with BRT (bus rapid transit) service due by 2013. With frequent transit service just a three minute walk away and two grocery stores (Fred Meyer and Top Foods) only five minutes away, this area will be very attractive for mixed use development.

Second, a walkable precinct with open space, bicycle, pedestrian and transit amenities is exactly what the City has envisioned for this area for many years. As early as 2002, this area was identified in a "Main Street Vision for Midvale" as part of the Central Shoreline Subarea Study (see Attachment 1) and the current draft of the City's Vision Statement explicitly describes a "compact, mixed-use, pedestrian-friendly" area "focused between N. 175th Street and N. 185th Street." If there is anywhere in Shoreline to demonstrate what a walkable, mixed-use, mid-rise neighborhood can look like, the MDA is it.

The items reflect a revised staff proposal developed after discussions with Council members. The major differences between this proposal and the previous one are: a density limit of 150 dwellings per acre, a 45-foot height limit near most multifamily zoned properties, and a requirement to hold a neighborhood meeting after the buildings are occupied to discuss traffic impacts on the immediate neighborhood. The reason for the holding a

meeting after the buildings are occupied is to ensure that real identifiable impacts are being discussed, not projected impacts.

CURRENT STAFF PROPOSAL

The proposed regulations for this area retain the setback and stepback "transition" requirements for the RB zone that were included in the interim RB regulations. In addition, the following regulations would apply to the RB zoned properties within the MDA:

- Limit building height at least 20 feet from property lines to 45' abutting all residential districts except R-48
- At a minimum, meet "3-star" construction standards plus independent verification under King County Built Green standards as amended, or equivalent standard approved by the Director
- Include electric vehicle plug-in facilities in parking areas
- Make a provision for the developer holding a neighborhood meeting with city staff in attendance to identify traffic impacts coming from building occupants and discuss appropriate mitigation measures. Meetings will be advertised by mailings to property owners and occupants within 500 feet of the property
- Demonstrate compliance with design standards of SMC 20.91.050 with the following modification, unless a design departure approval is obtained under SMC 20.91.040. The modification is: development will provide contiguous retail space covering at least 2/3 of street frontage (not including openings into buildings) at 30 ft depth or an equivalent contiguous space on the 1st floor with an entrance onto Midvale
- Limit housing unit density to a maximum 150 dwellings/acre

ALTERNATIVES

After concluding the May 11 public hearing, the City Council has the following options:

Option #l: No action. If Ordinance 546 is not adopted, the moratorium and interim regulations adopted on April 6 will apply to this area until November 12, 2009 unless modified by permanent regulations.

Option #2: Adopt Ordinance No. 546, including the staff recommended modifications. The special regulations for the Midvale Demonstration Area are interim regulations and will expire November 12, 2009, unless modified by the

permanent RB regulations or regulations that implement the Town Center Subarea Plan.

Option #3. Council may choose to modify Ordinance 546 and adopt the ordinance with additional amendments.

RECOMMENDATION

Staff recommends that Council accept additional public comment at the public hearing and adopt Ordinance No. 546.

Attachments

1. Main Street Vision for Midvale
2. Midvale Demonstration Area RB zoning
3. 2008 Built Green Multifamily Checklist
4. Answers to Questions Posed at March 23 Council meeting
5. Ordinance 546

Answers to Questions Posed at March 23, 2009 Meeting
(Reprinted from the April 13 Council Packet)

At the March 23 meeting, Council members asked the staff to answer several questions. Below, please find the staffs' response.

Q1: ***Can we give a developer a choice between Built Green and LEED?***
A1: The language of Ordinance 546, at Section 2.B(b), says "at a minimum, meet 'three star' construction standards under King County Built Green Standards, as amended, or equivalent standard approved by the Director." Because LEED is considered to be an equivalent standard, any future developer will have the choice of either Built Green or LEED.

Q2: ***Can we require more than the "three star" standard under Built Green? Some had an interest in the third party certification requirement that begins at "four star."***
A2: Yes, the Council has that option. See Attachment #3 to see what the additional requirements are to reach the "four star option." (The referenced Attachment 3 from the April 13 packet is not included in the May 8 packet materials>)

Q3: ***What drainage regulations will apply?***
A3: The Low Impact Development surface water rules adopted earlier this year by Council will apply to any development in the MDA or anywhere else in Shoreline.

Q4: ***How many electric plug-in vehicles do we have in Shoreline now?***
A4: The staff does not have a count of electric plug-in vehicles. The recommended text in Ordinance 546 calling for an electric plug-in vehicle facility in parking lots in the MDA was offered as a sustainability feature, anticipating greater numbers of electric vehicles in the future. The parking garage in our new City Hall garage will have at least four plug-ins for electric vehicle recharging.

Q5: ***What are the likely traffic impacts of development in the MDA and what options are there to improve or modify the configuration of Midvale Ave. N. and side streets?***
A5: The City is about to begin an update of the Transportation Master Plan, which will use a computer model to analyze the effect of different land use alternatives and roadway intersection improvements. The first area we will be looking at closely is the Town Center Area in order to complement the land use options under consideration. That work will take place parallel with the Town Center process, roughly from late summer through early 2010. In addition, if any permit applications are made in the MDA, a project specific traffic analysis will be done and mitigating measures identified.

Q6: ***What analysis can be done of shadow and other building mass impacts?***

A6: As with transportation impacts area-wide, the City staff is working on an update of the SketchUp model of the entire Aurora corridor. Our focus will be on the Town Center Area first to examine different building envelope options for different parts of the corridor. That will include shadow and other aesthetic issues. In addition, if any project application is made in the MDA, we will use the SEPA process to require that a detailed model of the project be "pasted" into our SketchUp model of the area in order to evaluate shadows and other building mass impacts.

ORDINANCE NO. 546

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, MODIFYING INTERIM REGULATIONS ON THE FILING OR ACCEPTANCE OF CERTAIN APPLICATIONS FOR RESIDENTIAL DEVELOPMENT OF LAND WITHIN THE REGIONAL BUSINESS LAND USE DISTRICT

WHEREAS, under the provisions of the Growth Management Act the City has adopted development regulations implementing the City of Shoreline Comprehensive Plan; and

WHEREAS, the Regional Business (RB) land use district allows residential development, but does not place an absolute limit on the permitted number of dwelling units per acre; and

WHEREAS, the Shoreline City Council found that, pursuant to Ordinance 505, the continued acceptance of development applications proposing new residential development utilizing existing Regional Business (RB) zone density provisions may allow development that is incompatible with nearby existing land uses and circulation systems, leading to problematic traffic conditions and an erosion of community character and harmony established a moratorium and interim regulation for development in the RB zoning district; and

WHEREAS, the City Council held public hearings on October 13, 2008 and April 6, and extended the moratorium until until November 12, 2009 by Ordinance 535; and

WHEREAS, the public hearing on April 6 also took testimony for an amendment of the RB interim regulation for a target area along Midvale Ave. N between N. 175th and N. 185th and the Council deferred action on the amended interim regulation for further study and the amended interim regulation for the Midvale target area are resubmitted with this ordinance; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as findings of the City Council.

Section 2. Interim Regulation Amended. The interim regulation for the Regional Business Zone (RB) and Section 2 of Ordinance No. 505 are amended to read as follows:

Moratorium and Interim Regulation Adopted.

~~A.~~Except for properties included under subsection B, ~~A~~ a moratorium is adopted upon the filing of any application for residential development within the

Regional Business (RB) zoning district of the City, which exceeds 110 dwelling units per acre, unless a neighborhood plan, subarea plan or special district overlay plan authorizing a higher density has been approved. ~~No land use development proposal or application may be filed or accepted which proposes a development described in this section~~

A.

B. For property zoned Regional Business (RB) that abuts Midvale Ave.N. between N 175th and N. 185th Streets, a moratorium is adopted upon the filing of any application for residential development which does not:

1. Limit building height at least 20 feet from property lines to 45' abutting all residential districts except R-48; and

2. At a minimum, meet "3-star" construction standards plus independent verification under King County Built Green standards as amended, or equivalent standard approved by the director; and

3. Include electric vehicle plug-in facilities in parking areas; and

4. Make a provision for the developer holding a neighborhood meeting with city staff in attendance to identify traffic impacts coming from building occupants and discuss appropriate mitigation measures. Meetings will be advertised by mailings to property owners and occupants within 500 feet of the property; and

5. Demonstrate compliance with design standards of SMC 20.91.050 with the following modification, unless a design departure approval is obtained under SMC 20.91.040. The modification is: development will provide contiguous retail space covering at least 2/3 of street frontage (not including openings into buildings) at 30 ft depth or an equivalent contiguous space on the 1st floor with an entrance onto Midvale; and

6. Limit housing unit density to a maximum 150 du/acre.

C. No land use development proposal or application may be filed or accepted which proposes a development that does not comply with this section.

Section 3. Publication, Effective Date. This ordinance shall take effect five days after publication of a summary consisting of the title in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON May 11, 2009.

Mayor Cindy Ryu

ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication: , 2009
Effective Date: , 2009