
Council Meeting Date: March 5, 2012

Agenda Item: 7(b)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Proposed Development Code Amendments		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Rachael Markle, AICP, Director Steven Szafran, AICP, Associate Planner		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

The purpose of tonight's discussion is for:

- Council to review the proposed development code amendments;
- Staff to present the Planning Commission's recommendations and respond to questions regarding the proposed amendments;
- Gather additional public comment; and,
- Council to deliberate and, if necessary, provide further direction to staff prior to the scheduled adoption of the proposed development code amendments on March 26th.

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 proposed Development Code amendments and making a recommendation to the City Council on each amendment. The Planning Commission held the required public hearing on February 2, 2012 and has recommended that the City Council adopt the proposed amendments as detailed in Attachment A.

RESOURCE/FINANCIAL IMPACT:

The proposed amendments have no direct financial impact to the City.

RECOMMENDATION

No Council action is required for this evening. This meeting is intended to gather Council comment on the proposed development code amendments which are scheduled to be adopted on March 26, 2012.

Approved By: City Manager *JU* City Attorney *IS*

BACKGROUND

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

Some development code amendments, such as the ones being proposed, are aimed at “cleaning up” the code and are more administrative in nature. Generally, staff will bring these types of changes to Council for approval on a bi-annual basis. The last time Council adopted a batch of administrative development code amendments was December 13, 2010.

INTRODUCTION

The City’s Development Code is codified in Chapter 20 of the Shoreline Municipal Code (SMC). Amendments to the Development Code, SMC Chapter 20, are used to bring the City’s development regulations into conformity with the City’s Comprehensive Plan, State of Washington rules and regulations, or to respond to changing conditions or needs of the City. The proposed Development Code amendments currently under consideration include four areas:

- Code Enforcement - Modify SMC Chapter 20.30 including:
 1. Allowing Planning &Community Development (P&CD) staff to partially waive penalties in conjunction with code enforcement actions (Note: The City Code already allows the City to fully waive penalties); and
 2. Codify a method for reducing civil penalties once compliance with applicable City codes is achieved.
- Home Occupations - Modify SMC Chapter 20.30 and 20.40 regarding home occupations, including;
 1. Delete home occupation as an administrative permit type and allow regulation and enforcement solely through business licensing; and
 2. Add additional conditions such as activities prohibited, sales by appointment, and adding advertising sign standards.
- Development - Modify miscellaneous development regulations in SMC Chapters 20.20, 20.40, and 20.70, including;
 1. Clarifying the multi-family dwelling definition;
 2. Amending regulations for attached accessory dwelling units;
 3. Simplifying wireless telecommunication facilities regulations;
 4. The display of building addresses;
 5. Allowing A-board signs in the North City Business District; and

6. Amending frontage improvements requirements.

- Procedure - General administrative changes throughout the development code, including;
 1. Clarifying master development plan standards;
 2. Changing the title “Engineering Guide” to “Engineering Development Manual” throughout the development code;
 3. Deleting Group Homes as a use in SMC 20.40; and
 4. Changing authority for development and administration of the Engineering Development Manual from P&CD Director to Public Works Director.

The actual proposed amendments can be found in Attachment A.

ANALYSIS

The proposed development code amendments are further explained below:

20.20.016 Dwelling, Multifamily – This amendment is based on an Administrative Order that defines two or more duplexes (or four units or more) on a single lot as multifamily development. The intent of the multifamily development standards is to provide amenities that benefit a larger number of people-specifically common open space and tot lots. Requiring common open spaces on small projects like duplexes would limit full development potential when the duplexes often offer private open space such as patios and decks.

20.30.040 – Summary of Type A actions – Now that the City has a business license program, the City has the means of tracking home occupations without requiring a separate permit. The review from P&CD has become redundant to the business license process.

20.30.353 Master Development Plan – This proposed amendment will fix confusing language in the code. The use of the word “existing” is confusing. The current language seems to indicate that existing uses may develop or redevelop without a master plan permit in place. A master plan permit is required if the uses exist or not.

20.30.770 Enforcement provisions.

Planning and Community Development and the City Attorney’s Office had additional discussions on this amendment. The changes in 20.30.770(D)(7)(a) more clearly reflect how the City would handle this situation should it arise. The City has never needed to waive or reimburse civil penalties due to issuance of a notice and order in error; or the assessment of civil penalties in error; or for the failure of notice to reach a property owner. If this were to occur, the City would waive the civil penalties.

The addition of 20.30.770(D)(7)(b) adds a statement that the City will reduce civil penalties if compliance is achieved and sets a standard limit for the reduction. Penalties could be reduced to 20% of the civil penalties accrued.

20.40.390 and 20.40.120 Group Homes – The City repealed the definition of Community Residential Facilities I and II in 2002, and the group home definition just

references Community Residential Facilities. Group homes were never listed as a use in the residential use table. This amendment will add group homes to the table.

20.40.210 Accessory dwelling units – Currently a resident in Shoreline is allowed an attached or detached ADU that is no more than 50% of the living area of the primary dwelling unit. This amendment will allow an attached ADU to be more than 50% of the primary living space. Many of the ADU permits the City reviews are for split level homes where one level is converted to an ADU. In most of the examples, the levels are approximately the same size. In the case of attached ADU's, impacts are not increased and the homeowner benefits from not making costly modifications.

20.40.400 Home Occupation – This amendment will prohibit on-site metal and scrap recycling and allow on-site sales by appointment only. Since the code already allows on-site services by appointment, there will be no additional impacts if the code allows sales by appointment also. Section J will allow a small sign for a home based business without a permit.

20.40.495, 20.50.260, 20.50.330, 20.50.420, 20.70, 20.70.020 – The Engineering Development Guide is now called the Engineering Development Manual. This amendment will change the term in the above sections of the code.

20.40.600 Wireless telecommunication facilities/satellite dish and antennas – This proposed amendment to “G” does a couple things: cleans up objective language in the code (encourages, believes, etc...), requires stealth installations or antennas that are hidden. Provision “H” better spells out regulations for in-kind replacements, modifications, and the addition of new antennas.

20.50.550 Prohibited signs – This amendment will allow A-board type signs in the North City Business District. A-board signs are allowed in every other commercial zone in the City.

20.70.250 Street naming and numbering – The proposed amendment in #3 requires that building addresses comply with adopted building and fire codes.

20.70.320 Frontage Improvements – This amendment applies to properties that are being developed, redeveloped, or modified in some way that triggers frontage improvements and currently have substandard frontage improvements in the right-of-way. The proposed amendment will require a property owner to bring existing improvements up to current standards. This amendment also adds language to alert applicants to the availability of the Engineering Deviation process for those cases where keeping the existing frontage improvements is appropriate. The proposed amendment also adds a number “4” which requires a property owner to install frontage improvements when development consists of more than one dwelling on a single parcel.

DISCUSSION

The Planning Commission reviewed the proposed development code amendments on January 5, 2012 and held a public hearing on the proposed amendments on February 2, 2012. A majority of the proposed development code amendments are procedural and

did not generate much discussion at the Planning Commission. One amendment, 20.40.210 – Accessory Dwelling Units, did generate discussion.

Currently, accessory dwelling units (ADUs) may be either attached or detached from the primary dwelling and are limited to 50% of the square footage of the prime dwelling unit.

Many of the ADU permits the City reviews are for split-level or two-story homes where the top floor and bottom floors are approximately the same size. Since the Development Code only allows an ADU to be 50% of the square footage of the primary dwelling, a homeowner must lockout rooms or block hallways in order to reduce the square footage of a proposed ADU to meet code requirements. Staff believes these locks or “artificial barriers” are impediments to the creation of ADUs that lead to the creation of awkward internal configurations of both the primary and accessory units. Staff does not believe this is an intended consequence and proposes this amendment to address this situation. Staff is also concerned that homeowners may later remove the locks or barriers once the permit is inspected and completed, which creates a code compliance issue.

The proposed amendment would allow attached ADUs to be of any size as long as the overall existing structure does not increase in size by more than 10% of the gross square footage. For example, a homeowner wanting to convert the lower level of a split-level home into an ADU would be allowed as long as the homeowner does not apply for a concurrent building addition of more than 10% of the home square footage.

Placing a 10% building addition restriction will assist in assuring that adjacent neighbors are not unduly impacted by the creation of a new ADU and will also allow a homeowner in an existing structure to have an ADU without going through unnecessary requirements to meet the 50% rule.

The Planning Commission recommends that the ADU rules be modified to reflect current trends in the community as well as promoting ADUs as a housing choice throughout the City.

In addition to the ADU amendment, the Planning Commission recommended approval of all of the proposed Development Code amendments listed in **Attachment A**.

RESOURCE/FINANCIAL IMPACT

The proposed development code amendments do not have a direct financial impact on the City.

RECOMMENDATION

No Council action is required for this evening. This meeting is intended to gather Council comment on the proposed development code amendments which are scheduled to be adopted on March 26, 2012.

ATTACHMENTS

Attachment A – Proposed Development Code Amendments

20.20.016

Dwelling, Multifamily

Multifamily dwellings include: townhouses, apartments, mixed use buildings, single-family attached, and ~~two or more~~ than two duplexes located on a single parcel.

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

Action Type	Target Time Limits for Decision	Section
Type A:		
1. Accessory Dwelling Unit	30 days	20.40.120, 20.40.210
2. Lot Line Adjustment including Lot Merger	30 days	20.30.400
3. Building Permit	120 days	All applicable standards
4. Final Short Plat	30 days	20.30.450
5. Home Occupations, Bed and Breakfast, Boarding House	120 days	20.40.120, 20.40.250, 20.40.260,
6. Interpretation of Development Code	15 days	20.10.050, 20.10.060, 20.30.020
7. Right-of-Way Use	30 days	12.15.010 – 12.15.180
8. Shoreline Exemption Permit	15 days	Shoreline Master Program
9. Sign Permit	30 days	20.50.530 – 20.50.610
10. Site Development Permit	60 days	20.20.046, 20.30.315, 20.30.430
11. Deviation from Engineering Standards	30 days	20.30.290
12. Temporary Use Permit	15 days	20.40.100, 20.40.540
13. Clearing and Grading Permit	60 days	20.50.290 – 20.50.370
14. Planned Action Determination	28 days	20.90.025

20.30.353 Master Development Plan.

D. Development Standards. ~~Existing uses shall be subject to the following 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. ~~New~~ 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, ~~existing and new~~ 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.

20.30.770 Enforcement provisions.

D. Civil Penalties.

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

1. The notice and order was issued in error; or
2. The civil penalties were assessed in error; or
3. Notice failed to reach the property owner due to unusual circumstances;

b. Civil penalties will be reduced by the Director to 20% of accrued penalties if compliance is achieved and the city is reimbursed its reasonable attorney fees incurred in enforcing the notice and order.

Chapter 20.40 Zoning and Use Provisions

Sections:

Subchapter 1. Zones and Zoning Maps

- 20.40.010 Purpose.
- 20.40.020 Zones and map designations.
- 20.40.030 Residential zones.
- 20.40.040 Nonresidential zones.
- 20.40.045 Campus zones.
- 20.40.050 Special districts.
- 20.40.060 Zoning map and zone boundaries.

Subchapter 2. Permitted Uses

- 20.40.100 Purpose.
- 20.40.110 Use tables.
- 20.40.120 Residential type uses.
- 20.40.130 Nonresidential uses.
- 20.40.140 Other uses.
- 20.40.150 Campus uses.

Subchapter 3. Index of Supplemental Use Criteria

- 20.40.200 Purpose.
- 20.40.210 Accessory dwelling units.
- 20.40.220 Adult use facilities.
- 20.40.230 Affordable housing.
- 20.40.240 Animals.
- 20.40.250 Bed and breakfasts.

20.40.260	Boarding houses.
20.40.270	Cemeteries and columbariums.
20.40.280	<i>Repealed.</i>
20.40.290	Conference center.
20.40.300	<i>Repealed.</i>
20.40.310	Court.
20.40.320	Daycare facilities.
20.40.330	Dormitory.
20.40.340	Duplex.
20.40.350	Eating and drinking establishments.
20.40.360	Fire facility.
20.40.370	Funeral home/crematory.
20.40.372	Gambling.
20.40.380	Golf facility.
20.40.390	Group homes.
20.40.400	Home occupation.
20.40.410	Hospital.
20.40.420	Interim recycling facility.
20.40.430	Kennels and catteries.
20.40.435	Library adaptive reuse.
20.40.440	Manufactured homes.
20.40.450	Medical office/outpatient clinic.
20.40.460	Mobile home parks.
20.40.470	Performing arts companies/theaters.
20.40.480	Public agency or utility office.

20.40.490	Public agency or utility yard.
20.40.495	Recreational vehicle.
20.40.500	School bus base.
20.40.505	Secure community transitional facility.
20.40.510	Single-family attached dwellings.
20.40.520	Specialized instruction school.
20.40.530	<i>Repealed.</i>
20.40.535	Tent city.
20.40.540	<i>Repealed.</i>
20.40.550	Transit park and ride lot.
20.40.560	Trucking and courier service.
20.40.570	Unlisted use.
20.40.580	<i>Repealed.</i>
20.40.590	Veterinary clinics and hospitals.
20.40.600	Wireless telecommunication facilities/satellite dish and antennas.
20.40.610	Work release facility.

20.40.210 Accessory dwelling units.

- A. Only one accessory dwelling unit per lot, not subject to base density calculations.
- B. Accessory dwelling unit may be located in the principal residence, or in a detached structure.
- C. Either the primary residence or the accessory dwelling unit shall be occupied by an owner of the property or an immediate family member of the property owner. Immediate family includes parents, grandparents, brothers and sisters, children, and grandchildren.

Accessory dwelling unit shall be converted to another permitted use or shall be removed, if one of the dwelling units ceases to be occupied by the owner as specified above.

- D. Accessory dwelling units shall not be larger than 50 percent of the living area of the primary residence.

Attached accessory dwelling units where building square footage will not be increased by more than 10% may be larger than 50 percent of the primary residence.

- E. One additional off-street parking space shall be provided for the accessory dwelling unit.
- F. Accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the primary residence.
- G. Accessory dwelling unit shall comply with all applicable codes and standards.
- H. Approval of the accessory dwelling unit shall be subject to the applicant recording a document with the King County Department of Records and Elections prior to approval which runs with the land and identifies the address of the property, states that the owner(s) resides in either the principle dwelling unit or the accessory dwelling unit, includes a statement that the owner(s) will notify any prospective purchasers of the limitations of this Code, and provides for the removal of the accessory dwelling unit if any of the requirements of this Code are violated. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 238 Ch. IV § 3(B), 2000).

~~20.40.390 Group homes.~~

~~See Community Residential Facilities I and II. (Ord. 238 Ch. IV § 3(B), 2000).~~

20.40.400 Home occupation.

Intent/Purpose: The City of Shoreline recognizes the desire and/or need of some citizens to use their residence for business activities. The City also recognizes the need to protect the surrounding areas from adverse impacts generated by these business activities.

Residents of a dwelling unit may conduct one or more home occupations as an accessory use(s), provided:

A. The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit. Areas with garages and storage buildings shall not be considered in these calculations, but may be used for storage of goods associated with the home occupation.

B. In residential zones, all the activities of the home occupation(s) (including storage of goods associated with the home occupation) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s).

C. No more than two nonresident FTEs working on site shall be employed by the home occupation(s).

D. The following activities shall be prohibited in residential zones:

1. Automobile, truck and heavy equipment repair;
2. Auto body work or painting; ~~and~~
3. Parking and storage of heavy equipment; and
4. On-site metals and scrap recycling.

E. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:

1. One stall for each nonresident FTE employed by the home occupation(s);
and
2. One stall for patrons when services are rendered on site.

F. Sales shall be by appointment or limited to:

1. Mail order sales; and
2. Telephone or electronic sales with off-site delivery.

G. Services to patrons shall be arranged by appointment or provided off site.

H. The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:

1. No more than two such vehicles shall be allowed;
2. Such vehicles shall not exceed gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.

I. The home occupation(s) shall not use electrical or mechanical equipment that results in:

1. A change to the fire rating of the structure(s) used for the home occupation(s), unless appropriate changes are made under a valid building permit; or
2. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or
3. Fluctuations in line voltage off premises; or
4. Emissions such as dust, odor, fumes, bright lighting or noises greater than what is typically found in a neighborhood setting.

~~J. Home occupations that are entirely internal to the home; have no employees in addition to the resident(s); have no deliveries associated with the occupation; have no on-site clients; create no noise or odors; do not have a sign; and meet all other requirements as outlined in this section may not require a home occupation permit. One sign not exceeding four square feet may be installed without a sign permit per 20.50.610(O). It may be mounted on the house, fence or freestanding on the property (monument style). Any additional signage is subject to permit under SMC 20.50.~~

~~H. All home occupations must comply obtain a with business license requirements, subject to consistent with Chapter 5.05 of the Shoreline Municipal Code Title 5.~~

Note: Daycares, community residential facilities ~~such as group homes~~, animal keeping, bed and breakfasts, and boarding houses are regulated elsewhere in the Code. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

20.40.495 Recreational vehicle.

Recreational vehicles (RVs) as defined in SMC 20.20.044 may be occupied for temporary lodging for up to two weeks (two weeks equals one occupancy) on a lot with the permission of the property owner subject to the following conditions:

- A. Limited to one recreational vehicle per lot plus additional recreational vehicles for every additional 10,000 square feet of lot, above the minimum lot size for a particular zone;
- B. No more than two occupancies per calendar year per lot;
- C. Such occupancy does not create a public health hazard or nuisance;
- D. RV must be parked on approved surface that meets the off-street parking construction standards in The Engineering guide Development Manual;
- E. RV may not be parked in yard setbacks;
- F. RV may be occupied for temporary lodging for up to 30 days if connected to approved utilities including water and wastewater disposal;
- G. No business occupation shall be conducted in said recreational vehicle;
- H. Recreational vehicles shall not use generators;
- I. Any deviation from time limits, number of occupancies per year, and number of recreational vehicles allowed may be proposed through a temporary use permit, SMC 20.40.540. (Ord. 301 § 1, 2002).

20.40.600**(G) General Siting Criteria.**

~~1. The City of Shoreline encourages wireless telecommunication providers to plan more frequent, less conspicuous sites instead of attempting to stretch desirable range through use of taller than necessary towers.~~

~~2. The City of Shoreline believes that specific types of wireless telecommunication facilities are better placed in some locations of the City than in others. The City of Shoreline is committed to preserving those locations for existing and future carriers, and to avoid over development (saturation) of any prime location with WTFs. The City may request feasibility studies associated with applications for ground mounted WTF which demonstrate that locations on existing structures have been explored as the preferred alternative.~~

~~3. The development of single-user WTFs tends to use up those few prime locations more quickly than if all these facilities were co-located. Generally, co-location on existing towers and attachment of antenna to existing structures and buildings are encouraged by less complex permit procedures.~~

~~4. Co-location shall be encouraged for all personal wireless service facility applications.~~

~~a. To the greatest extent that is technically feasible, new applicants shall be required to build mounts capable of accommodating at least one other carrier.~~

~~b. Co-locations shall be reviewed by the City on the basis of the site being built out (all available mounting capacity in use).~~

~~c. Any WTF that requires an SUP under the provisions of this chapter shall be separated by a minimum of 1,000 feet from any other facility requiring an SUP, unless located within an area designated as a prime wireless location by the City of Shoreline.~~

~~5-~~ 1. The following shall be considered by the applicants as preferred locations for WTF:

a. Existing site or tower where a legal WTF is currently located.

b. Publicly used structures such as water towers, utility poles, and other structure and/or buildings.

2. Wherever possible stealth installations such as antennas either hidden within existing structures (e.g. church steeples or cupolas) or mounted in new structures

designed to look like non-purpose-built towers (e.g. flag poles, fire towers, light standards) are required.

3. If not using stealth installation, structure-mounted antennas shall be camouflaged, either boxed or painted, to blend in with the surrounding structure.

4. Pole or tower-mounted antennas shall be low profile and flush-mounted.

~~(H) Modification. From time to time, the applicant and/or co-applicant may want to alter the terms of the CUP or SUP by modifying specific features of the WTF. If any of the following changes are proposed or occur, such modifications must be submitted to the City of Shoreline as a renewal of the CUP or SUP. This provision shall not apply to routine maintenance of WTF, including "in-kind" replacement.~~

- ~~1. Addition to, or replacement of, any equipment specified in the original design submittals.~~
- ~~2. Change of the WTF design as specified in the original permit submittals.~~

Excluding "in-kind" replacements, modifications to existing sites, including the addition of new antennas to existing structure and building mounted facilities, shall meet all requirements of this section.

1. Additions to existing facilities shall incorporate stealth techniques to limit visual impacts.
2. The antennas shall be mounted as close to the pole as possible.
3. The diameter of existing facility may not be increased by adding larger frames or arms.

20.50.260 Lighting – Standards.

- A. Accent structures and provide security and visibility through placement and design of lighting.
- B. Parking area light post height shall not exceed 25 feet.

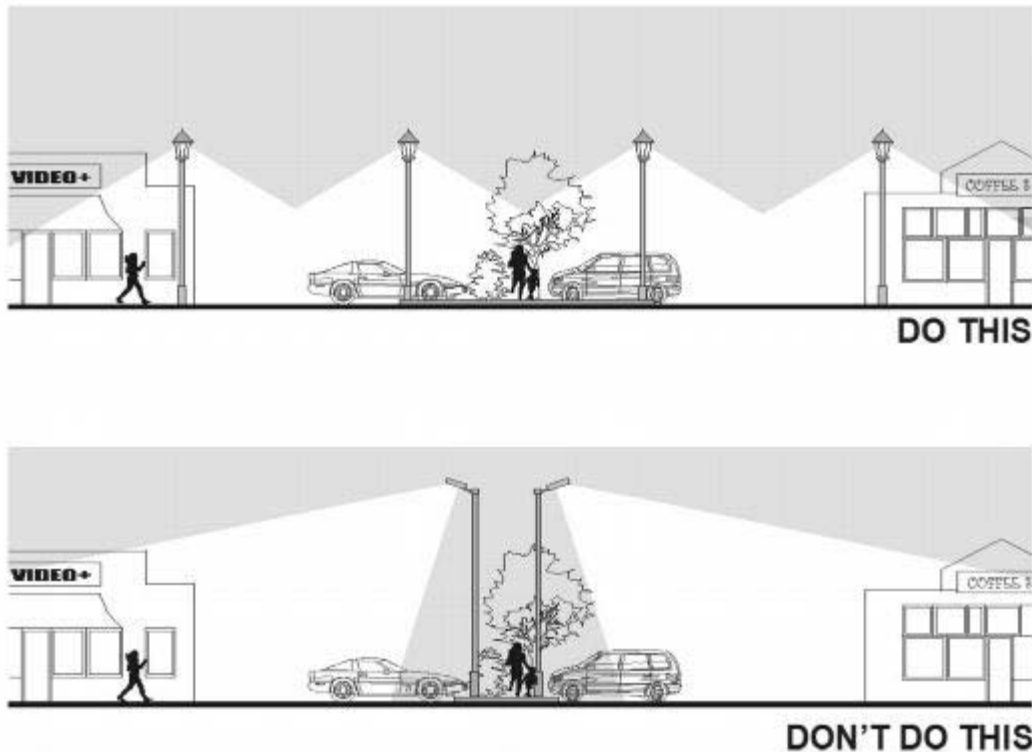


Figure 20.50.260: Locate lighting so it does not have a negative effect on adjacent properties.

- C. All building entrances should be well lit to provide inviting access and safety. Building-mounted lights and display window lights should contribute to lighting of pedestrian walkways.
- D. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by the Engineering Development Manual provisions. It shall be designed to minimize glare on abutting properties and adjacent streets. The Director shall have the authority to waive the requirement to provide lighting.
- E. Outdoor lighting shall be shielded and downlit from residential land uses. (Ord. 469 § 1, 2007; Ord. 238, Ch. V § 4(B-2), 2000).

20.50.330 Project review and approval.

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

1. The proposal complies with SMC 20.50.340 through 20.50.370, or has been granted a deviation from Tthe Eengineering Development Manual standards.
2. The proposal complies with all standards and requirements for the underlying permit.
3. If the project is located in a critical area or buffer, or has the potential to impact a critical area, the project must comply with the critical areas standards.
4. The project complies with all requirements of Tthe Eengineering Development Manual standards and SMC 13.10.200, Surface Water Management Code and adopted standards.
5. All required financial guarantees or other assurance devices are posted with the City.

B. Professional Evaluation. In determining whether a tree removal and/or clearing is to be approved or conditioned, the Director may require the submittal of a professional evaluation and/or a tree protection plan prepared by a certified arborist at the applicant's expense, where the Director deems such services necessary to demonstrate compliance with the standards and guidelines of this subchapter. Third party review of plans, if required, shall also be at the applicant's expense. The Director shall have the sole authority to determine whether the professional evaluation submitted by the applicant is adequate, the evaluator is qualified and acceptable to the City, and whether third party review of plans is necessary. Required professional evaluation(s) and services may include:

1. Providing a written evaluation of the anticipated effects of proposed construction on the viability of trees on a site;
2. Providing a hazardous tree assessment;
3. Developing plans for, supervising, and/or monitoring implementation of any required tree protection or replacement measures; and/or
4. Conducting a post-construction site inspection and evaluation.

C. Conditions of Approval. The Director may specify conditions for work at any stage of the application or project as he/she deems necessary to ensure the proposal's

compliance with requirements of this subchapter, critical area standards, The Engineering Development Manual standards, the adopted stormwater management regulations, and any other section of the Shoreline Development Code, or to protect public or private property. These conditions may include, but are not limited to, hours or seasons within which work may be conducted, or specific work methods.

20.50.420 Vehicle access and circulation – Standards.

- A. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located, and constructed in accordance with the adopted Engineering Development Manual.
- B. Driveways for nonresidential development may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping is displaced by the driveway.
- C. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of Chapter 20.60 SMC, Adequacy of Public Facilities.
- D. No dead-end alley may provide access to more than eight required off-street parking spaces.
- E. Businesses with drive-through windows shall provide stacking space to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.
- F. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility.
- G. Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:
 - 1. For each drive-up window of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided.
 - 2. For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.
- H. Alleys shall be used for loading and vehicle access to parking wherever practicable. (Ord. 469 § 1, 2007; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 6(B-4), 2000).

20.50.550 Prohibited signs.

A. Spinning devices; flashing lights; pennants.

Exception 20.50.550(A)(1): Traditional barber signs allowed only in NB, O, CB, MUZ and I zones.

B. Portable signs.

Exception 20.50.550(B)(1): One sidewalk sandwich board sign per business allowed only in NB, O, CB, NCBD, MUZ and I zones and must be located next to the curb edge of a sidewalk in such manner so as not to interfere with the opening of parking car doors. An unobstructed passage of 48 inches shall be maintained for wheelchair travel on a sidewalk.

C. Off-site identification and signs advertising products not sold on premises.

Exception 20.50.550(C)(1): Off-site signage shall be allowed in commercial zones as part of a joint sign package between the owners of two or more adjoining properties. In determining the total allowable size for all of the signs in the joint sign package, the total area of signs shall not exceed the area that would be allowed for all of the participating properties as if they were one property. The proposed signs must meet all applicable development standards of this code.

D. Outdoor advertising signs (billboards).

E. Signs mounted on the roof. (Ord. 560 § 4 (Exh. A), 2009; Ord. 369 § 1, 2005; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(C), 2000).

Chapter 20.70
Engineering and Utilities Development Standards

Sections:

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20.70.010 Purpose.

20.70.020 Engineering Development Manual ~~Guide~~.

Subchapter 2. Dedications

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20.70.020 Engineering Development Manual Guide.

Pursuant to SMC ~~20.10.050~~, the Director is authorized to prepare and administer an “Engineering Development Guide.” The Engineering Development Manual adopted ~~in~~ pursuant to SMC 12.10.100 Guide includes processes, design and construction criteria, inspection requirements, standard plans, and technical standards for engineering design related to development. The specifications shall include, but are not limited to:

- A. Street widths, curve radii, alignments, street layout, street grades;
- B. Intersection design, sight distance and clearance, driveway location;
- C. Block size, sidewalk placement and standards, length of cul-de-sacs, usage of hammerhead turnarounds;
- D. Streetscape specifications (trees, landscaping, benches, other amenities);
- E. Surface water and stormwater specifications;
- F. Traffic control and safety markings, signs, signals, street lights, turn lanes and other devices be installed or funded; and
- G. Other improvements within rights-of-way. (Ord. 591 § 2 (Exh. B), 2010).

SMC 20.70.150.D. All buildings must display addresses as follows:

1. The owner, occupant, or renter of any addressed building or other structure shall maintain the address numbers in a conspicuous place over or near the principal entrance or entrances. If said entrance(s) cannot be easily seen from the nearest adjoining street, the address numbers shall be placed in such other conspicuous place on said building or structure as is necessary for visually locating such address numbers from the nearest adjoining street.
2. If the addressed building or structure cannot be easily seen or is greater than 50 feet from the nearest adjoining street, the address numbers shall be placed on a portion of the site that is clearly visible and no greater than 20 feet from the street.
3. The address numbers figures shall comply with currently adopted building and fire codes. ~~be easily legible figures, not less than three four inches high if a residential use or individual multifamily unit, nor less than five inches high if a commercial use. Numbers shall contrast with the color of the structure upon which they are placed, and shall either be illuminated during periods of darkness, or be reflective, so they are easily seen at night.~~ (Ord. 238 Ch. VII § 3(C), 2000).

SMC 20.70.320 Frontage improvements

Frontage improvements shall be ~~provided and~~ upgraded or installed pursuant to standards set forth in the Transportation Master Plan Street Classification Map ~~(Fig. A)~~, and the Master Street Plan ~~contained in Appendix D of the Transportation Master Plan adopted in chapter 12.10. SMC,~~ and the Engineering Development Guide Manual for the specific street which is substandard to satisfy adequate public roadways required for subdivisions by Chapter 58.17 RCW and Chapter 20.30 SMC, Subchapter 7 and to mitigate direct impacts of land use approvals. Deviations from the Engineering Development Manual may be considered through a Deviation from the Engineering Standards as set forth in SMC 20.30.290.

A. Standard frontage improvements consist of curb, gutter, sidewalk, amenity zone and landscaping, drainage improvements, and pavement overlay to one-half of each right-of-way abutting a property as defined for the specific street classification. Additional improvements may be required to ensure safe movement of traffic, including pedestrians, bicycles, transit, and nonmotorized vehicles. The improvements can include transit bus shelters, bus pullouts, utility undergrounding, street lighting, signage, and channelization.

B. Frontage improvements are required for:

1. All new multifamily, nonresidential, and mixed-use construction;
2. Remodeling or additions to multifamily, nonresidential, and mixed-use buildings or conversions to these uses that increase floor area by 20 percent or greater, as long as the original building footprint is a minimum of 4,000 square feet, or any alterations or repairs which exceed 50 percent of the value of the previously existing structure;
3. Subdivisions; or-
4. Development consisting of more than one dwelling unit on a single parcel.

Exception:

i. Subdivisions, short plats, and binding site plans where all of the lots are fully developed.

C. Exemptions to some or all of these requirements may be allowed if the street will be improved as a whole through a Local Improvement District (LID) or Capital Improvement Project scheduled to be completed within five years of permit issuance. In such a case, a contribution may be made and calculated based on the improvements that would be required of the development. Contributed funds shall be directed to the City's capital project fund and shall be used for the capital project and offset future assessments on the property resulting from an LID. An LID "no-protest" commitment shall also be recorded. Adequate interim levels of improvements for public safety shall be required.

D. Required improvements shall be installed by the applicant prior to final approval or occupancy.

E. For subdivisions the improvements shall be completed prior to final plat approval or post a bond or other surety as provided for in SMC 20.30.440. (Ord. 591 § 2 (Exh. B), 2010).