

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance 631 Amending the Development Code Regarding Accessory Dwelling Units and Administrative Changes		
DEPARTMENT:	Planning & Community Development		
PRESENTED BY:	Rachael Markle, AICP, Director Steven Szafran, AICP, Associate Planner		
ACTION:	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

At the March 5 Study Session the Council reviewed proposed development code amendments. The purpose of that meeting was to have:

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

Of the 18 amendments introduced at the March 5 Study Session, 17 amendments did not change. Council directed staff to craft language to clarify the proposed Accessory Dwelling Unit (ADU) amendment to make it easier to understand the intent of the regulation.

Staff is recommending the following modified development code amendment regarding ADUs:

"Accessory dwelling units interior to the residence may be larger than 50 percent of the primary residence where the unit is located on a separate floor and shares a common roof with the primary residence."

RESOURCE/FINANCIAL IMPACT:

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

RECOMMENDATION

Staff recommends that Council adopt the proposed development code amendments as presented in Ordinance No. 631, which includes the modified ADU language.

Approved By:

City Manager - *JU*

City Attorney - *IS*

INTRODUCTION

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 are mostly administrative in nature but one amendment is responding to changing needs of the City.

BACKGROUND

Of the 18 amendments introduced at the March 5 Study Session, 17 amendments did not change. Council did direct staff to craft language to clarify the Accessory Dwelling Unit (ADU) amendment to make it easier to understand the intent of the regulation.

ANALYSIS

The intent of the ADU development code change before Council is to allow home owners with an existing home to more logically convert a portion of their home to an ADU. It is not staffs' or Planning Commission's intent to be insensitive to Shoreline's neighborhoods by allowing large structures to be built and then divided to essentially create duplexes or other types of multifamily structures.

The Planning Commission recommended allowing "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". It was through this language that the Commission believed they were giving the homeowners flexibility in creating ADUs and protecting adjacent neighbors from out of character additions.

In order to fully realize the intent of the proposed development code language and Planning Commission's recommendation, staff is proposing five options for Council to consider:

1. Adopt the Planning Commission's recommendation.

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.

2. Amend the Code for existing residences only.

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 if the primary residence was legally established before March 26, 2012.

Only those primary residences legally in existence prior to the date this amendment is adopted may utilize this provision to allow an ADU to exceed 50% of the primary residence. The sole purpose of this amendment is to allow more flexibility to property owners trying to create an ADU within an existing structure.

3. The intent of the proposed development code amendment is to allow existing homes to easily convert a portion of the residence to an ADU. Council may adopt language that further restricts ADU's that are interior to a home. This alternative seeks to eliminate the unintended consequence of a property owner expanding through a remodel an existing structure or constructing a new structure to the maximum allowable dimensional standards for the purpose of later applying for an Accessory Dwelling Unit permit to create two large units (instead of a larger unit and a 50% smaller unit).

Another way to restrict the unintended consequences of a property owner expanding through a remodel or addition of an existing structure is to use language such as:

Accessory dwelling units interior to the residence may be larger than 50 percent of the primary residence where the unit is located on a separate floor and shares a common roof with the primary residence.

The above language also guards against a property owner making an addition of a large, structure that may not fit in with the character of the existing neighborhood.

4. Council may choose to pull this amendment from the other 17 proposed development code amendments and bring it back at a later date. Council discussed other areas of the ADU code that may need further review, including proof of ownership, design, and parking standards. Council may choose to consider the entire section at one time.
5. Council may choose to deny the proposed ADU amendment and leave the code as is.

Proposed Ordinance No. 631 includes option 3 from above.

Based on both Planning Commission and City Council direction, staff will include analysis of all the regulations pertaining to Accessory Dwelling Units in SMC 20.40.210 in the next batch of general amendments to the Development Code. At that time, staff will include consideration of the public comment submitted that pertained to other sections of the ADU regulations that did not directly related to the current Development Code amendments. The timing for the next batch of Development Code amendments has not yet been determined.

RESOURCE/FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council adopt the proposed development code amendments as presented in Ordinance 631, which includes the modified ADU language.

ATTACHMENTS

Attachment A – Ordinance No. 631 Adopting Development Code Amendments

ORDINANCE NO. 631

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE MUNICIPAL CODE TITLE 20, INCLUDING CHAPTERS 20.30 PROCEDURES AND ADMINISTRATION; 20.40 ZONING AND USE PROVISIONS; 20.50 GENERAL DEVELOPMENT STANDARDS; AND 20.70 ENGINEERING AND UTILITIES DEVELOPMENT STANDARDS

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000; and

WHEREAS, the Shoreline Municipal Code Chapter 20.30.100 states “Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code”; and

WHEREAS, City staff drafted amendments to the Development Code; and

WHEREAS, the Planning Commission held a Public Hearing and formulated its recommendation to Council on the proposed amendments on February 2, 2012; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on December 13, 2011, in reference to the proposed amendments to the Development Code; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development on November 22, 2011, for comment pursuant WAC 365-195-820; and

WHEREAS, no comments were received from the State Department of Community Development; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

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

Section 1. Amendment. Shoreline Municipal Code Chapters 20.30, 20.40, 20.50, and 20.70 are amended as set forth in Exhibit 1, which is attached hereto and incorporated herein.

Section 2. Repeal. Shoreline Municipal Code Chapters 20.40.300, 20.40.390, 20.40.530, and 20.40.580 are repealed.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON March 26, 2012

Keith A. McGlashan, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: , 2012
Effective Date: , 2012

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~~ e-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 *Repealed.*
- 20.40.290 Conference center.
- 20.40.300 *Repealed.*
- 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.

Exception: An accessory dwelling unit interior to the residence may be larger than 50 percent of the primary residence where the unit is located on a separate floor and shares a common roof with 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.

K. 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.

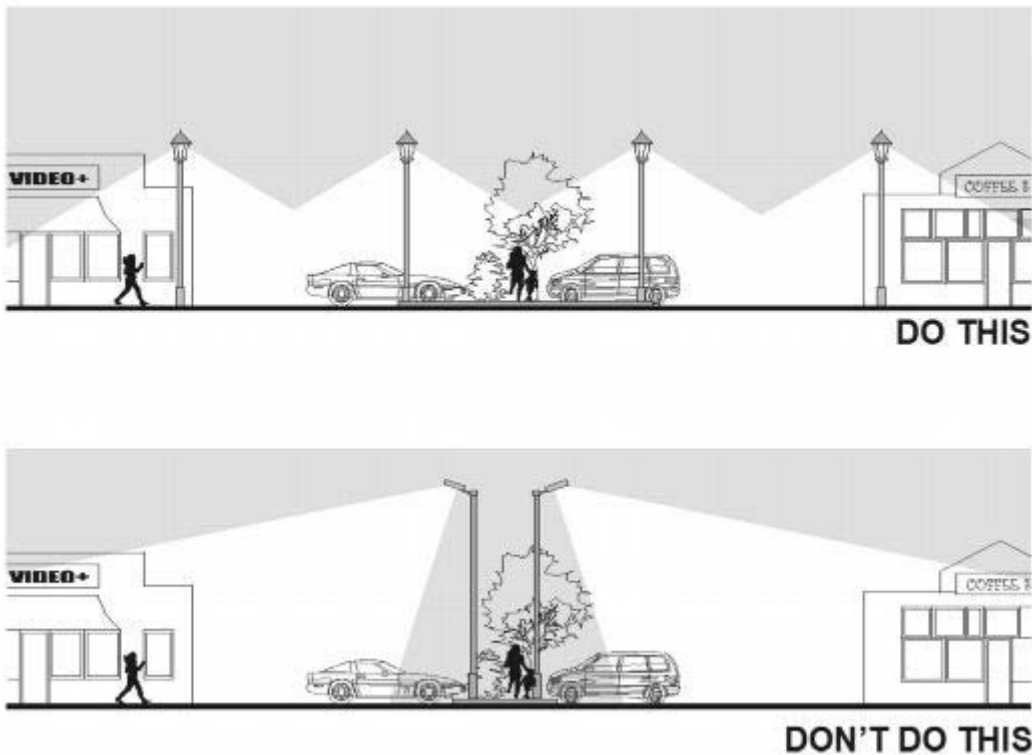


Figure 20.50.260: Locate lighting so it does not have a negative effect on adjacent properties.

- 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 ~~T~~the Engineering 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 ~~T~~the Engineering 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, ~~T~~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:

Subchapter 1. General Engineering Provisions

- 20.70.010 Purpose.
- 20.70.020 Engineering Development Manual ~~Guide~~.

Subchapter 2. Dedications

- 20.70.110 Purpose.
- 20.70.120 General.
- 20.70.130 Dedication of right-of-way.
- 20.70.140 Dedication of stormwater facilities.
- 20.70.150 Dedication of open space.
- 20.70.160 Easements and tracts.

Subchapter 3. Streets

- 20.70.210 Purpose.
- 20.70.220 Street classification.
- 20.70.230 Street plan.
- 20.70.240 Private streets.
- 20.70.250 Street naming and numbering.

Subchapter 4. Required Improvements

- 20.70.310 Purpose.
- 20.70.320 Frontage improvements.
- 20.70.330 Surface water facilities.
- 20.70.340 Sidewalks, walkways, paths and trails.

Subchapter 5. Utility Standards

- 20.70.410 Purpose.
- 20.70.420 Utility installation.
- 20.70.430 Undergrounding of electric and communication service connections.

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).

ORDINANCE NO. 631

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE MUNICIPAL CODE TITLE 20, INCLUDING CHAPTERS 20.30 PROCEDURES AND ADMINISTRATION; 20.40 ZONING AND USE PROVISIONS; 20.50 GENERAL DEVELOPMENT STANDARDS; AND 20.70 ENGINEERING AND UTILITIES DEVELOPMENT STANDARDS

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000; and

WHEREAS, the Shoreline Municipal Code Chapter 20.30.100 states “Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code”; and

WHEREAS, City staff drafted amendments to the Development Code; and

WHEREAS, the Planning Commission held a Public Hearing and formulated its recommendation to Council on the proposed amendments on February 2, 2012; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on December 13, 2011, in reference to the proposed amendments to the Development Code; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development on November 22, 2011, for comment pursuant WAC 365-195-820; and

WHEREAS, no comments were received from the State Department of Community Development; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

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

Section 1. Amendment. Shoreline Municipal Code Chapters 20.30, 20.40, 20.50, and 20.70 are amended as set forth in Exhibit 1, which is attached hereto and incorporated herein.

Section 2. Repeal. Shoreline Municipal Code Chapters 20.40.300, 20.40.390, 20.40.530, and 20.40.580 are repealed.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON March 26, 2012

Keith A. McGlashan, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: , 2012
Effective Date: , 2012

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~~ eConstruction 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 *Repealed.*
- 20.40.290 Conference center.
- 20.40.300 *Repealed.*
- 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.

~~20.40.390 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.

K. ~~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.

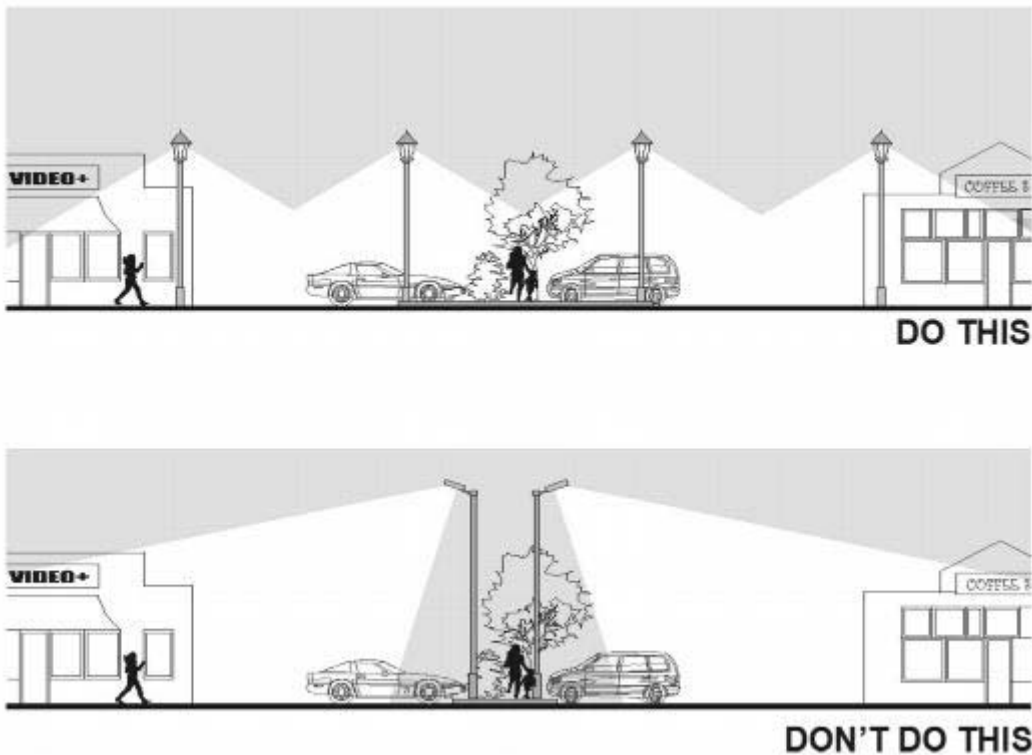


Figure 20.50.260: Locate lighting so it does not have a negative effect on adjacent properties.

- 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 ~~T~~the Engineering 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 ~~T~~the Engineering 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, ~~T~~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:

Subchapter 1. General Engineering Provisions

- 20.70.010 Purpose.
- 20.70.020 Engineering Development Manual ~~Guide~~.

Subchapter 2. Dedications

- 20.70.110 Purpose.
- 20.70.120 General.
- 20.70.130 Dedication of right-of-way.
- 20.70.140 Dedication of stormwater facilities.
- 20.70.150 Dedication of open space.
- 20.70.160 Easements and tracts.

Subchapter 3. Streets

- 20.70.210 Purpose.
- 20.70.220 Street classification.
- 20.70.230 Street plan.
- 20.70.240 Private streets.
- 20.70.250 Street naming and numbering.

Subchapter 4. Required Improvements

- 20.70.310 Purpose.
- 20.70.320 Frontage improvements.
- 20.70.330 Surface water facilities.
- 20.70.340 Sidewalks, walkways, paths and trails.

Subchapter 5. Utility Standards

- 20.70.410 Purpose.
- 20.70.420 Utility installation.
- 20.70.430 Undergrounding of electric and communication service connections.

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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).