

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 706 – 185 <sup>th</sup> Light Rail Station Development Regulations and Zoning Map
<b>DEPARTMENT:</b>	Planning & Community Development
<b>PRESENTED BY:</b>	Miranda Redinger, Senior Planner Steven Szafran, AICP, Senior Planner Rachael Markle, AICP, Director
<b>ACTION:</b>	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**INTRODUCTION:**

On February 23 Council considered and provided staff direction to prepare the three ordinances under consideration for adoption to comprise the 185<sup>th</sup> Street Station Subarea Plan package:

- Proposed Ordinance No. 702, which includes the Subarea Plan itself and the Comprehensive Plan Future Land Use Map;
- Proposed Ordinance No. 706 (Attachment A\*), which includes Development Code regulations (Attachment A, Exhibit A\*) and the proposed Zoning Map (Attachment A, Exhibit B\*); and
- Proposed Ordinance No. 707, which includes the Mitigation Measures, Development Code Regulations, and Planned Action Boundary Map.

*\*Exhibits HAVE been amended since February 23.*

Proposed Ordinance No. 706 would adopt the Development Code and Zoning Map for the 185<sup>th</sup> Light Rail Station Area. The Development Code regulations and Zoning Map implement the Subarea Plan and Comprehensive Plan Land Use designations. Adoption of these through proposed Ordinance No. 706 will change zoning and rules that govern dimensional, use, design, and transition standards within the subarea.

**RESOURCE/FINANCIAL IMPACT:**

The proposed Development Code regulations implement an affordable housing program and potentially a Transfer of Development Rights program. These two programs will have an effect on future staff work plans, resources and coordination with other regional partners.

**RECOMMENDATION**

Staff recommends adoption of Ordinance No. 706.

Approved By:            City Manager \_\_\_\_    City Attorney \_\_\_\_

## **INTRODUCTION**

The purpose of this action is to adopt the Development Code and Zoning Map for the 185<sup>th</sup> Light Rail Station Area. Attached to this report are the following documents:

- Attachment A - Proposed Ordinance No. 706
- Attachment A, Exhibit A - Development Code Regulations
- Attachment A, Exhibit B - Zoning Map, including Phasing
- Attachment B - Proposed Amendment Matrix

## **BACKGROUND**

During meetings on August 7, September 4 and 18, October 2 and 16, November 6, and December 18, the Planning Commission discussed potential Development Code regulations for the 185<sup>th</sup> Street Station Subarea Plan (185SSSP). On November 20, the Commission discussed the Final Environmental Impact Statement (EIS), and draft policies for the Subarea Plan. On December 4, the Commission discussed the draft Subarea Plan and Planned Action Ordinance. The Planning Commission held the public hearing on the 185<sup>th</sup> Street Station Subarea Plan and the Planned Action Ordinance, including the Zoning Map and Development Code regulations on January 15, 2015. The Final EIS is a decision-making tool and likely referenced as the basis for many comments, but it is not adopted as a policy or regulatory tool, and therefore was not a direct subject of the public hearing.

Materials from all Commission meetings are available at the following webpage by date: <http://www.cityofshoreline.com/government/departments/planning-community-development/planning-commission/meeting-agendas-and-minutes>.

Council discussed proposed Ordinance No. 706, along with proposed Ordinance Nos. 702 and 707, on February 9 and February 23. Materials and videos of those meetings are available at: [http://shoreline.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=585](http://shoreline.granicus.com/MediaPlayer.php?view_id=4&clip_id=585) (Part I) [http://shoreline.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=586](http://shoreline.granicus.com/MediaPlayer.php?view_id=4&clip_id=586) (Part II) and [http://shoreline.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=588](http://shoreline.granicus.com/MediaPlayer.php?view_id=4&clip_id=588).

## **DISCUSSION**

### **QUESTIONS FROM COUNCIL**

At the February 23 meeting, Council requested more information on the following topics:

#### **Live/work Dwellings and Home Occupations**

Live/work dwellings are a new use in the City, whereas home occupations have been allowed since the City's incorporation. Council asked for clarification on the differences between these two uses.

Home occupations are allowed in any dwelling within the City and must meet the following requirements:

- The total area devoted to the home occupation shall not exceed 25 percent of the floor area;

- All activities of the home occupation shall be conducted indoors;
- No more than two nonresident full-time employees;
- No auto repair, auto painting, parking and storage of heavy equipment, and onsite metals and scrap recycling;
- Parking – one stall for each nonresident employee and one stall for patrons;
- Sales shall be by appointment;
- Services to patrons shall be arranged by appointment;
- The home occupation may use one vehicle for pickup of materials;
- The home occupation shall not use electrical or mechanical equipment that results in the change of the fire rating, visual or audible differences in radio or television receivers, fluctuations in line voltages off-premises, and emissions such as odors, lighting, or noise; and
- One sign not exceeding four square feet is allowed.

Live/work dwellings on the other hand are intended to include a business or businesses that may also include a living unit or units. Any use that is allowed in the zone would be allowed to be in live/work dwelling. The limitations that apply to home occupations such as limitations on the number of employees, and total area devoted to business would not apply to a live/work dwelling.

Staff has proposed the following definition for Live/work dwelling:

*Live-work unit means a structure or portion of a structure: (1) that combines residential space with a commercial space for an activity that is allowed in the zone; and (2) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.*

Staff proposes to not make the definition of a live/work unit overly restrictive by requiring that the commercial activity be allowed only in combination with residential living space for the owner of the commercial or manufacturing business, or the owner's employee or where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed.

The owner of the building or the owner of the unit should not be limited by definition in how the unit can be used. The owner of the live/work unit should be able to purchase the unit as a residence and then be able to lease the commercial space to a separate business or purchasing the unit as an investment and lease the commercial and residential spaces separately.

### **Tree Retention/Replacement**

The Development Code amendments proposed for the implementation of the Subarea Plan exempt MUR-70' development from the tree code (SMC 20.50.310(A)(5)) along with all the other city commercial zones (NB, CB, MB, TC1, 2, and 3). Councilmember Roberts questioned at the February 23 council meeting whether the proposed amendment exempted development in the MUR-70' zone from Clearing and Grading permits.

Under SMC 20.50.310(A), the code states: “Complete Exemptions, the following activities are exempt from the provisions of this subchapter and do not require a permit.” Subsection A.5 refers only to the “Removal of trees” in the Tree Conservation, Land Clearing, and Site Grading Standards of the Development Code. That means that only tree removal in Subchapter 5 is exempt from permit. All other code sections in this subchapter regarding clearing and grading, in addition to the remainder of the Development Code, will apply and require development permits.

## **DEVELOPMENT CODE**

The proposed Development Code regulations (Attachment A, Exhibit A) will implement the goals and policies identified in the Comprehensive Plan and the proposed goals and policies of the Subarea Plan. The proposed regulations are intended to be innovative, flexible, form based, encourage transit oriented communities, provide a transition to existing single family homes, and support the light rail station at 185<sup>th</sup> Street.

The proposed regulations are integrated into the existing Development Code and are not a separate, or stand alone, section of the code. Some tables have been separated for clarity such as the proposed use table for station areas in SMC 20.40.160 and the density and dimension table in SMC 20.50.020.

A number of new concepts are being introduced in the proposed Development Code regulations. These concepts, such as the Mixed Use Residential (MUR) -35', -45' and -70' zoning designations, minimum densities, affordable housing, transfer of development rights, green building and phased zoning, among others, are described in detail in the February 9 Council packet.

## **ZONING MAP**

Attachment A, Exhibit B contains the phased zoning map that Council spent a majority of the evening of February 23 crafting from the Preferred Alternative identified in the Final EIS. There are a number of highlights that staff would like to point out that are described below:

- 185<sup>th</sup> Corridor  
The Planning Commission and staff recommended maps and the map created by the Council through consensus on February 23 include this corridor in Phase 1. Improving this corridor is extremely important to reduce congestion from people accessing the light rail station, including encouraging additional transit service and creating non-motorized improvements that were a priority for the 185<sup>th</sup> Station Citizens Committee (185SCC) and the Commission. Amenity zones along the full length of the corridor would also handle stormwater and provide landscaping for increasing water quality, aesthetic appeal, and habitat.

Council recommended a consistent depth of 300 feet for MUR-45' along the corridor. Transportation planners, traffic engineers, and architects have advised that this depth is sufficient to encourage internal circulation in redevelopment projects, including the potential to create alleys, which could reduce future congestion along 185<sup>th</sup> Street. The proposed Development Code regulations require that lots that can be accessed from side streets do so, rather than

accessing directly from 185<sup>th</sup> Street. This will reduce curb-cuts, which makes it safer for pedestrians and cyclists, and allows for signalization of intersections if increased traffic on 185<sup>th</sup> Street warrants this approach.

Planning Commission and staff recommended and Council's February 23 map includes the full 185<sup>th</sup> Street corridor in Phase 1 to provide areas of MUR-45' that will redevelop in the near-term before the station begins operation. This will provide additional housing choices and neighborhood-serving businesses necessary to create a new sense of place as the neighborhood prepares for light rail and more people. There is a lack of available land in Shoreline that allows attached single-family or multi-family housing or live/work units (approximately 4 percent of land in Shoreline is zoned for multi-family uses). The concept of converting existing single-family homes to business uses such as restaurants, yoga studios, or optometrist or accountant offices came out of the community Design Workshops and advances the concept of creating a vibrant corridor to support the station, Town Center and North City.

Another reason the corridor is important is to provide an opportunity for midlevel townhomes or similar housing products to be built not directly adjacent to the freeway and light rail station. The Subarea Plan and implementing zoning are intended to create these choices in addition to the existing single family homes.

185<sup>th</sup> Street is going to change with the introduction of light rail service. There will be more busses, cars, cyclists and pedestrians using the street to get to and from the station. As we have seen with other capital transportation projects, it can take many years to complete the planning and engineering; to acquire the funding; and finally complete construction. Focusing attention on the 185<sup>th</sup> Street corridor in the first Phase will give the City the opportunity to proactively work toward solutions for 185<sup>th</sup> that can be ready to meet the increased volumes and modes that will be necessary to connect the City to the station. Redevelopment along the corridor will play an important role in accommodating, constructing and funding these necessary improvements.

- Extending Phase 1 boundary to incorporate corridor segments on 10<sup>th</sup> Avenue and 180<sup>th</sup> Street –  
The Council added this segment to the Planning Commission recommended Phase I boundary. This segment creates the full connection to the Station for both Aurora Avenue N (Town Center) and North City. This corridor originated from community discussion and was an organizing principle in all zoning scenarios analyzed in the EIS process. Currently, 10<sup>th</sup> Avenue and 180<sup>th</sup> Street lack sufficient infrastructure for non-motorized transportation. If businesses in North City are to benefit from increased population density proposed to support the light rail stations, it will be important to complete the street network with sidewalks and bicycle facilities. Including these areas and concurrent zoning changes in Phase 1 will make it more likely that the City will include these areas in the proposed 185<sup>th</sup> Corridor Study, be able to attain grant funding to complete the corridor, and require that developers who choose to build here make frontage improvements that contribute to the corridor.

- Extending Phase 1 boundary south to areas that abut Interstate 5 – Council extended the Phase 1 boundary to include basically all of the parcels within ¼ mile surrounding the future light rail station as MUR-70'. This is important because Policy LU26 directs the City to provide zoning in excess of 48 dwelling units per acre within a quarter mile of the light rail station. Also areas north of 185<sup>th</sup> Street are less likely to redevelop in the near term. This includes the Shoreline Center. The Shoreline School District has not expressed interest in selling or redeveloping this site.
- Areas Removed From The Rezone Area  
MUR-35' was proposed in several areas in the 185<sup>th</sup> Station Subarea as a transition from taller buildings down to the same 35' height allowed in existing single family zones. These areas are generally contained within the 185<sup>th</sup> Street Corridor area of the Subarea Plan. In an effort to perhaps to reduce the overall number of parcels being rezoned, Council proposed that some of these areas be removed from the rezone. Several of these areas were proposed to be zoned MUR-35'. This zoning is intended to serve a dual purpose: 1) allowing for more housing choice, whereby creating the opportunity for more people and possibly small businesses to locate near the station; and 2) to transition from taller 45 foot structures in MUR-45' down to the maximum of 35 foot structures in the MUR-35' zone mirroring the height of the existing Residential 6 unit per acre (R-6) zoning. Therefore, by removing some of these MUR-35' zoned parcels from the rezone a level of transition has also been eliminated.

Other areas removed from the rezone include North City Elementary school, North City Park and the "hook" on Perkins Way

- MUR-85' to MUR-70'  
Council recommended that the most intense Mixed Use Residential zone, MUR-85', be reduced from 85 feet to 70 feet. This change will lower the maximum height of buildings from 7-stories to 6-stories.

Shoreline has had zoning that allows up to 70 feet since 2011. The Town Center (TC)1 Zone allows buildings up to 70 feet while the rest of the Aurora Corridor north and south of Town Center allows building heights of up to 65 feet. Recent building projects in the TC1 and Mixed Business (MB) zones are generally one-story of concrete with 5-stories of wood-framed construction above.

- Phase 1, 2, and 3 of the Zoning Map  
Council has indicated that there may be three zoning phases of the 185<sup>th</sup> Street Subarea Plan. The rezone area in Phase 1 will change the zoning map immediately to either MUR-35', MUR-45', or MUR-70'. Phase 2 will be shown as an overlay (hatching) and Phase 3 will be shown with a differentiating overlay (crosshatch). The map legend will indicate the date certain that Phases 2 and 3 will become effective. Until that time, the underlying zoning will remain in effect.

- Implementation of Phase 2 and Phase 3 Zoning

The Council recommended adding a mitigation measure to the Planned Action Ordinance on February 23. The amendment would require that implementation of any second or third zoning phases are required to be reviewed by Council and, if necessary, certify that necessary progress on required mitigation on transportation, parks, utilities, and other public services has been achieved.

Legal staff has determined the best location for this condition lies in proposed Ordinance No. 706, since the amendment speaks to unlocking future zoning phases based on a progress report approved by Council. The following language has been added to proposed Ordinance No. 706:

*Prior to the effective date of either Phase 2 zoning or Phase 3 zoning, the Director of Planning and Community Development shall prepare a report reviewing and evaluating development within the 185<sup>th</sup> Street Station Subarea. The report should compare growth and development assumptions and objectives contained in the Comprehensive Plan relevant to the Subarea with the actual growth and development that has occurred since the effective date of the last phased zoning. The report should also detail the progress of mitigation measures set forth in the 185<sup>th</sup> Street Station Subarea Planned Action Final Environmental Impact Statement (FEIS).*

- MUR Acreages

Adoption of the 185<sup>th</sup> Street Subarea Plan and implementing zoning will rezone property generally within a ½ mile of the future light rail station while also creating opportunity for multiple housing types along the 185<sup>th</sup> Street, 10<sup>th</sup> Avenue NE, and NE 180<sup>th</sup> Street corridors. The Zoning Map that the Council assembled on February 23 creates the following acreages of rezoned area:

**Phase 1 –**

MUR-35' = 33 acres

MUR-45' = 47 acres

MUR-70' = 85 acres

**Phase 2 –**

MUR-35' = 16 acres

MUR-45' = 8 acres

MUR-70' = 23 acres

**Phase 3 –**

MUR-35' = 49 acres

MUR-45' = 21 acres

MUR-70' = 11 acres

**Total Acres –**

Phase 1 = 165 acres

Phase 2 = 48 acres

Phase 3 = 81 acres

**Total = 294 acres**

## **AMENDMENT MATRIX**

The Proposed Amendment Matrix (Attachment B) identifies regulatory changes to the Development Code that have been proposed by Councilmembers. The amendments in the Development Code section of the Matrix (those associated with proposed Ordinance No. 706) are generally organized in chronological order by SMC number. Those amendments noted in green text are amendments that have been placed in proposed Ordinance No. 706 presented to Council for adoption. The amendments in red text denote that the amendments have not been placed in proposed Ordinance No. 706. If a Councilmember wishes to have one of the “red text” amendments considered for adoption, the Councilmember needs to make a motion for it to be considered.

Based on discussion at the February 23 Council meeting and questions to staff from Council in the weeks that followed, it seems likely that a Councilmember may propose a version of “red” amendments #24, #26 and #38 (Attachment B). Staff added amendment #39 as a non-substantive, clerical amendment.

There are also amendments that have been stricken from the Matrix. These amendments were either voted on and failed or did not receive a second on the dais on February 23 and therefore are presumed to not being going forward.

### **Amendment #24 Discussion**

Amendment #24 addresses whether or not single family detached dwellings should be permitted in the MUR-35', MUR-45' or MUR-70' zones. Amendment #26 contemplated minimum densities in MUR-35', MUR-45' and MUR 70'. Therefore, to aid in the discussion, staff is offering the following information.

Detached Single Family considerations:

- There may be consensus to make single family detached homes a permitted use in the MUR-35' and MUR-45' if it is subject to the R-6 dimensional standards. This may address some concerns from residents feeling uncertain about their ability to continue live and maintain single family homes in the Station Area.
- The City's Comprehensive Plan Land Use policies specific to the Station Areas direct the City to locate higher density within the ¼ mile of the station. The MUR-70' zone is intended to be that area. Allowing new single family homes to be built in MUR-70' could jeopardize the City's ability to create transit oriented development where it is needed most – within walking and biking distance of the station. Therefore, there seemed to be consensus building to have new single family detached homes not be a permitted use in the MUR-70' zone. This would make existing single family detached homes in the MUR-70' zone nonconforming uses. The Council also seemed interested in making it easier for these existing homes to be maintained and expanded than what is allowed under the current Code for nonconforming uses. An amendment is proposed in the matrix that would allow existing single family homes in the MUR-70' zone to expand up to an additional 50% above the existing use without a Conditional Use Permit. (Note: the current Nonconforming regulations limit expansion of a nonconforming use to an additional 10% and require a Conditional Use Permit.)



## Amendment #26 Discussion

Minimum Density considerations:

- Minimum densities would be used as a tool to ensure the City's Comprehensive Plan Land Use policies for the Station Area that call for a minimum of 18 dwelling units per acre within a ½ mile and 48 dwelling units within a ¼ mile of the station are achieved.
- The Council seemed to be reaching a consensus on establishing a minimum density for the MUR-70' zone of 48 dwelling units per acre.
- The Council seemed concerned with establishing minimum densities in the MUR-35' and MUR-45' zones if it impeded an existing single family resident from maintaining, expanding or possibly building a new single family home.
- Further thought on this concept has potentially yielded a solution that would allow for one single family detached unit including even an accessory dwelling unit (ADU) to be a permitted use subject to R-6 standards in the MUR-35' and/or MUR-45' and not subject to minimum densities. More than one single family detached unit and all other types of units could be required to meet a minimum density.
- If the Council chooses to establish minimum densities, staff recommends the following: MUR-35' with a minimum density of 12 units per acre; MUR-45' with a minimum density of 18 units per acre; MUR-70' with a minimum density of 48 units per acre.

## “Bold Red” Amendments

The Amendment Matrix also has amendments that are “bolded red” which are new or revised amendments proposed since the February 23 meeting. The new or revised amendments are:

- **Updated Amendment #26: Allow detached & attached housing types if meeting minimum density (including single-family detached).**

The purpose of the MUR zones is to encourage multiple housing types in order to give residents a choice. The MUR zones are by policy intended to accommodate a minimum density for 48 dwelling units per acre within a ¼ mile of the station and 18 dwelling units per acre within a ½ mile of the station. The Council is discussing where and whether or not new single family detached dwellings should be allowed. If the Council chooses to adopt minimum densities for the MUR-35' and/or MUR-45' zones then the Council may want to consider allowing new single family detached dwellings. This allows for another type of housing such as small lot development, clustered housing or patio homes that may not share a common wall, yet still meet the minimum density desired. *This type of development is not recommended if a minimum density is not set for a particular zone.*

If the Council is interested in allowing detached units that meet or exceed the established minimum density in any of the MUR zones, it could be accomplished by an amendment to the indexed criteria for Single-family detached. The proposed Indexed Criteria could be amended to:

20.40.506 Single-family detached dwellings.

A. One single family detached unit including an ADU may be permitted in the MUR-35' and MUR-45' zones subject to the Residential 6 units per acre (R-6) standards in SMC Table 20.50.020(1) and not subject to minimum densities.

B. More than one single family detached unit shall meet the minimum density requirement of the MUR zone and may be permitted subject to the development standards in SMC Table 20.50.020(2).

C. Single family detached dwellings that do not meet the required minimum density are a nonconforming use in the MUR-70' zone subject to the provisions in SMC 20.30.280.

Please see Attachment B (Amendment Matrix) for specific wording for a draft amendment.

**Amendment #38 Discussion – Transition from MUR-45' to R-6**

By removing some areas of MUR-35' from the rezone, a level of transition between MUR-45' and R-6 zoned property may have been reduced. If having a transition from MUR-45' to R-6 is still a desired, the Council may wish to address this circumstance. A few options include:

- o Add some of the MUR -35' zoning between the R-6 and MUR-45' zones back into any of the Phases; or
- o Change all of the MUR-45' now adjacent to R-6 to MUR-35, whereby alleviating the height differential; or
- o Rely of the existing setback and landscaping regulations for MUR-45' adjacent to R-6 zoned property.

Please see Attachment B, Amendment Matrix for more analysis.

**Amendment #39: “Clean Up”**

Please see Attachment B (Amendment Matrix) amendment #39 for proposed Ordinance No. 706. This amendment seeks to clarify the total number of units eligible to participate in the Catalyst Program. As proposed, it was unclear if 300 units total for the 185<sup>th</sup> Street Station Area or 300 units per MUR zone (900 units) were allowed to participate in the Catalyst Program. This amendment makes it clear that 300 units total in the 185<sup>th</sup> Street Station Area are eligible to participate.

**STAKEHOLDER OUTREACH**

The public participation process for light rail station subarea planning has been extensive. The Public and Stakeholder Involvement Plan, published in September 2013, identified stakeholders and a process for engaging them in decision-making. The Plan is available at the following link:

<http://www.shorelinewa.gov/home/showdocument?id=15884>. Additional background information is available on the City's light rail webpage at [www.shorelinewa.gov/lightrail](http://www.shorelinewa.gov/lightrail), but a few highlights are included below.

In August and September of 2013, five visioning events were held by the City and Senior Services. In November 2013 and February 2014, the City hosted a series of Design Workshops, which generated several concepts based on the Light Rail Station specific Land Use policies in the Comprehensive Plan. These were incorporated into zoning scenarios and development regulations. These included the connecting corridor, intended to create a main street feel between Aurora Avenue N (Town Center) and North City, via 185<sup>th</sup> Street, 10<sup>th</sup> Avenue, and 180<sup>th</sup> Street. The Mixed-Use Residential zoning designations also evolved from the Design Workshops, specifically with regard to height limits of 35 and 45 feet, and the ability to convert single-family into businesses along 185<sup>th</sup> and other arterials.

The City hosted another community meeting about the Draft EIS in June 2014, and discussed components of the 185<sup>th</sup> Street Station Subarea Plan at dozens of Planning Commission and Council meetings. Staff also led “walk-shops”, attended monthly meetings of the 185<sup>th</sup> Station Citizens Committee and numerous Neighborhood Association meetings, and had booths with light rail information at community events, including Celebrate Shoreline. Information was shared with the public through the City's light rail webpage, Currents newsletter, Shoreline Area News articles, Alert Shoreline and email distribution lists, signage, walking tour maps, postcard mailings, and other means.

The City noticed the Planning Commission public hearing on November 26, 2014. The notice was posted in the Seattle Times, on the City's website and Shoreline Area News, and mailed to parties requesting information on this topic. Emails and Alert Shoreline notifications were sent to distribution lists on November 26, December 5, and December 29 letting people know that the Final EIS, Subarea Plan, and Planned Action Ordinance, including proposed Development Code amendments were available on the project page of the City's website ([www.shorelinewa.gov/185FEIS](http://www.shorelinewa.gov/185FEIS)), and about the public hearing, subsequent Council discussion, and potential adoption. Minutes from the public hearing were included as Attachment E of the February 9 Council packet, including all comments received during testimony.

### **PUBLIC COMMENT**

All public comments are organized by meeting date and can be found at <http://www.cityofshoreline.com/government/document-library/-folder-645>.

### **COUNCIL GOALS ADDRESSED**

Adoption of proposed Ordinance No. 706, and, which would adopt a piece of the 185<sup>th</sup> Street Station Subarea Plan package, is the first half of Council Goal #3, “Prepare for two light rail stations.” By adopting this proposed ordinance, the Council is preparing the area around the proposed station at 185<sup>th</sup> Street for increased development potential to support the station and create the vibrant neighborhood envisioned through local and regional plans and the community Design Workshops, and articulated in the Subarea Plan.

## **RESOURCE/FINANCIAL IMPACT**

The proposed Development Code regulations implement an affordable housing program and potentially a Transfer of Development Rights program. These two programs will have an effect on future staff work plans, resources and coordination with other regional partners.

## **RECOMMENDATION**

Staff recommends adoption of Ordinance No. 706.

## **ATTACHMENTS**

Attachment A - Proposed Ordinance No. 706 – Development Code Regulations and Zoning Map

Exhibit A - Development Code Regulations

Exhibit B - Zoning Map

Attachment B - Amendment Tracking Matrix

**ORDINANCE NO. 706**

**AN ORDINANCE OF THE CITY OF SHORELINE AMENDING THE UNIFIED DEVELOPMENT CODE, SHORELINE MUNICIPAL CODE TITLE 20, AND THE OFFICIAL ZONING MAP TO IMPLEMENT THE 185<sup>th</sup> STREET STATION SUBAREA PLAN.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the State of Washington, and planning pursuant to the Growth Management Act (GMA), Chapter 36.70A RCW; and

WHEREAS, the City has adopted a Comprehensive Plan and a Unified Development Code, Shoreline Municipal Code (SMC), Title 20, to implement the Comprehensive Plan; and

WHEREAS, pursuant to RCW 36.70A.040, the City is required to adopt development regulations to implement the Comprehensive Plan; and

WHEREAS, the City prepared the 185<sup>th</sup> Street Station Subarea Plan after an extensive public participation and review process for the Subarea Plan and its implementing development regulations including open houses, community meetings, study sessions, and public meetings before the Planning Commission and City Council; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, on November 26, 2014, the City issued the 185<sup>th</sup> Street Station Subarea Planned Action Final Environmental Impact Statement (FEIS) which identifies the impacts and mitigation measures associated with the adoption of the Subarea Plan and its implementing regulations; and

WHEREAS, the Planning Commission, after required public notice, held a public hearing on January 15, 2015, on the 185<sup>th</sup> Street Station Subarea Plan's implementing regulations, including changes to the City's Official Zoning Map, reviewed the public record, and made a recommendation to the City Council which included a three (3) phase approach to zoning; and

WHEREAS, the intent of the phased zoning approach for the City's Official Zoning Map is to encourage redevelopment of the 185<sup>th</sup> Street Station Subarea consistent with the vision established in the City's Comprehensive Plan for this Subarea; and

WHEREAS, a phased zoning approach provides for a more predictable pattern of development insuring a cohesive, connected community that is support of transit while providing an opportunity to monitor development prior to allowing redevelopment of the entire area in a manner that could be inconsistent with the vision for the Subarea; and

WHEREAS, a phased zoning approach also clearly identifies that the type of full-build out development envisioned by the 185<sup>th</sup> Street Station Subarea Plan is not warranted at this time

while providing for a clear stipulation of the intended future rezoning so as to provided predictability for property owners; and

WHEREAS, the City Council, after required public notice, held study sessions on the 185th Street Station Subarea Plan's implementing regulations, including changes to the City's Official Zoning Map, on February 9, 2015 and on February 23, 2013, reviewed the Planning Commission's recommendation and the entire public record before determining to modify the Planning Commission's recommendation; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendments to SMC Title 20;

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

**Section 1. Amendment of the Unified Development Code, SMC Title 20.** The amendments to the Unified Development Code, SMC Title 20, attached hereto as **Exhibit A** are adopted. Amendments are to Chapters 20.10, 20.20, 20.30, 20.40, and 20.50.

**Section 2. Phased Zoning Amendments of the Official Zoning Map.** The City's Official Zoning Map is amended to reflect three (3) phases of zoning as shown on **Exhibit B** attached hereto. Phase 1 shall be effective immediately. The other two phases shall be denoted on the Zoning Map as overlay districts and shall be implemented as follows: Phase 2 shall be effective six (6) years from the date of adoption of Ordinance No. 706 and Phase 3 shall be effective eighteen (18) years from the date of adoption of Ordinance No. 706, provided that Ordinance No. 706 has not been repealed or otherwise amended by the City Council.

**Section 3. Report of Director of Planning and Community Development.** Prior to the effective date of either Phase 2 zoning or Phase 3 zoning, the Director of Planning and Community Development shall prepare a report reviewing and evaluating development within the 185<sup>th</sup> Street Station Subarea. The report should compare growth and development assumptions and objectives contained in the Comprehensive Plan relevant to the Subarea with the actual growth and development that has occurred since the effective date of the last phased zoning. The report should also detail the progress of mitigation measures set forth in the 185<sup>th</sup> Street Station Subarea Planned Action Final Environmental Impact Statement (FEIS).

**Section 4. Vesting of Phase 2 and Phase 3 Phased Zoning Amendments.** Until such time as either Phase 2 or Phase 3 becomes effective, the zoning districts in effect at the time of adoption of Ordinance No. 706 remain in full force and effect unless amended by the City Council. And, as such, any land use permit application submitted for parcels located within

these future phased zoning areas shall vest to the land use regulations applicable to the zoning district and not the future phased zoning.

**Section 5. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

**Section 6. Effective Date.** 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 PROVIDED THAT the provisions of this Ordinance shall only become effective if Ordinance No. 702 amending the Comprehensive Plan to include the 185<sup>th</sup> Street Station Subarea Plan has been adopted. If Ordinance No. 702 has not been adopted, this Ordinance shall be considered null and void.

**PASSED BY THE CITY COUNCIL ON MARCH 16, 2015.**

\_\_\_\_\_  
Shari Winstead  
Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jessica Simulcik Smith  
City Clerk

\_\_\_\_\_  
Margaret King  
City Attorney

Date of Publication: \_\_\_\_\_

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

## 185<sup>th</sup> Street Light Rail Station Development Regulations

### Chapter 20.10 General Provisions

#### 20.10.020 Purpose.

It is the purpose of this Code to:

- Promote the public health, safety, and general welfare;
- Guide the development of the City consistent with the Comprehensive Plan;
- Carry out the goals and policies of the Comprehensive Plan by the provisions specified in the Code;
- Provide regulations and standards that lessen congestion on the streets;
- Encourage high standards of development;
- Prevent the overcrowding of land;
- Provide adequate light and air;
- Provide for planned areas of Transit Oriented Communities around light rail stations and along other high-capacity transit corridors. ~~Avoid excessive concentration of population;~~
- Facilitate adequate provisions for transportation, utilities, schools, parks, and other public needs;
- Encourage productive and enjoyable harmony between man and his environment;
- Promote efforts which will prevent or eliminate damage to the environment and biosphere;
- Protect the functions and values of ecological systems and natural resources important to the public; and
- Encourage attractive, quality construction to enhance City beautification. (Ord. 324 § 1, 2003; Ord. 238 Ch. I § 2, 2000).

### Chapter 20.20 Definitions

#### 20.20.010 A definitions.

##### **Affordable Housing**

Housing reserved for occupancy to households whose annual income does not exceed a given percent of the King County median income, adjusted for household size, and has housing expenses no greater than thirty percent (30%) of the same percentage of median income. For the purposes of Title 20, the percent of King County median income that is affordable is specified in SMC 20.40.235.



**20.20.012 B definitions**

**Built Green™**

Built Green™ is a residential building program of the Master Builders Association developed in partnership with King and Snohomish Counties. The program provides builders, developers and consumers with easy-to-understand rating systems that quantify environmentally preferable building practices for the remodeling or construction of homes, multi-family units, and community developments. Based on the green building scores received, a home is classified as a three-, four- or five-star Built Green™ project.

**20.20.016 D definitions.**

**Development Agreement**

Development Agreement means a contract between the City and an applicant having ownership or control of property, or a public agency which provides an essential public facility. The purpose of the Development Agreement is to set forth the development standards and other provisions that shall apply to, govern and vest the development, use, and mitigation of real property within the City for the duration specified in the agreement and consistent with the applicable goals and policies in the Comprehensive Plan.

**Dwelling, Live/Work**

Live-work dwelling means a structure or portion of a structure: (1) that combines a residential dwelling with a commercial use in a space for an activity that is allowed in the zone; and (2) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

**20.20.024 H definitions.**

**Housing Expenses, Ownership Housing**

Includes mortgage, mortgage insurance, property taxes, property insurances, and homeowner's dues.

**Housing Expenses, Rental Housing**

Includes rent, parking and appropriate utility allowance.

**Household Income**

Includes all income that would be included as income for federal income tax purposes (e.g. wages, interest income) from all household members over the age of eighteen (18) that reside in the dwelling unit for more than three (3) months of the year.

**20.20.032 L definitions**

**Leadership in Energy and Environmental Design (LEED):**

The LEED Green Building Rating System™ is a consensus-based national standard for developing high-performance, sustainable buildings. The U.S. Green Building Council (USGBC) offers this rating system, which certifies projects as LEED Certified, Silver, Gold, or Platinum based on the number of points achieved. LEED rating systems are available for new construction, existing buildings, homes, schools, healthcare facilities, tenant improvements, and neighborhood developments.

**Light Rail Transit Facility:** means a structure, rail track, equipment, maintenance base or other improvement of a light rail transit system, including but not limited to ventilation structures, traction power substations, light rail transit stations parking garages, park-and-ride lots, and transit station access facilities.

**Light Rail Transit System:** means a public rail transit line that provides high-capacity, regional transit service owned or operated by a regional transit authority authorized under Chapter 81.112 RCW.

**20.20.034 M definitions.**

**Median Income:** The median income for King County determined by the Secretary of Housing and Urban Development (HUD) under Section 8(f)(3) of the United States Housing Act of 1937, as amended.

**Microhousing:** Microhousing is defined as a structure that contains single room living spaces with a maximum floor area of 350 square feet. These spaces contain a private bedroom and may have private bathrooms and kitchenettes (microwaves, sink, and small refrigerator). Full scale kitchens are not included in the single room living spaces. These single room living spaces share a common full scale kitchen (stove, oven, full-sized or multiple refrigeration/freezers); and may share other common areas such as bathroom and shower/bath facilities and; recreation/eating space.

**20.20.048 T definitions****Transfer of Development Rights**

The transfer of development rights program is to provide a voluntary, incentive-based process for permanently preserving rural resource and Urban Separator lands that provide a public benefit. The TDR provisions are intended to supplement land use regulations, resource protection efforts and open space acquisition programs and to encourage increased residential development density, especially inside cities, where it can best be accommodated with the least impacts on the natural environment and public services.

**Chapter 20.30**  
**Procedures and Administration**

**20.30.070 Legislative decisions.**

These decisions are legislative, nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands.

**Table 20.30.070 – Summary of Legislative Decisions**

Decision	Review Authority, Public Hearing	Decision Making Authority (in accordance with State law)	Section
1. Amendments and Review of the Comprehensive Plan	PC <sup>(1)</sup>	City Council	20.30.340
2. Amendments to the Development Code	PC <sup>(1)</sup>	City Council	20.30.350
<u>3. Development Agreements</u>	<u>PC<sup>(1)</sup></u>	<u>City Council</u>	<u>20.30.355</u>

<sup>(1)</sup>PC = Planning Commission

Legislative decisions include a hearing and recommendation by the Planning Commission and action by the City Council.

The City Council shall take legislative action on the proposal in accordance with State law.

There is no administrative appeal of legislative actions of the City Council but such actions may be appealed together with any SEPA threshold determination according to State law. (Ord. 581 § 1 (Exh. 1), 2010; Ord. 406 § 1, 2006; Ord. 339 § 5, 2003; Ord. 238 Ch. III § 3(d), 2000).

**20.30.355 Development Agreement (Type L).**

A. Purpose: To define the development of property in order to implement framework goals to achieve the City's adopted vision as stated in the Comprehensive Plan. A Development Agreement is permitted in all zones and may modify development standards contained in SMC 20.50. A Development Agreement in the MUR-70' zone may be approved to allow increase development potential above the zoning requirements in SMC 20.50.

B. Development Agreement Contents (General): A Development Agreement shall set forth the development standards and other provisions that shall apply to govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170). Each Development Agreement approved by the City Council shall contain the development standards applicable to the subject real property. For the purposes of this section, "development standards" includes, but is not limited to:

1. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;
2. The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;
3. Mitigation measures, development conditions, and other requirements under Chapter 43.21C RCW;
4. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features;
5. Affordable Housing Units.
6. Parks and open space preservation;
7. Phasing of development;
8. Review procedures and standards for implementing decisions;
9. A build-out or vesting period for applicable standards;
10. Any other appropriate development requirement or procedure;
11. Preservation of significant trees; and

12. Connecting, establishing, and improving non-motorized access.

C. Decision Criteria. A Development Agreement (General Development Agreement and Development Agreements in order to increase height above 70 feet) may be granted by the City only if the applicant demonstrates that:

1. The project is consistent with goals and policies of the Comprehensive Plan. If the project is located within a Subarea Plan, then the project shall be consistent with the goals and policies of the Subarea Plan.

2. The proposed development uses innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design.

3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

5. The Development Agreement proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation improvements and other features that minimize conflicts and create transitions between the proposal site and property zoned R-4, R-6, R-8 or MUR-35'.

D. Development Agreement Contents for Property Zoned MUR-70' in order to increase height above 70 feet: Each Development Agreement approved by the City Council for property zoned MUR-70' for increased development potential above the provision of the MUR-70' Zone shall contain the following:

1. Twenty percent (20%) of the housing units constructed onsite shall be affordable to those earning less than sixty percent (60%) of the median income for King County adjusted for household size. The units shall remain affordable for a period of no less than 50 years. The number of affordable housing units may be decreased to ten percent (10%) if the level of affordability is increased to fifty percent (50%) of the median income for King County adjusted for household size. A fee in lieu of constructing the units may be paid upon authorization of the City's affordable housing program instead of constructing affordable housing units onsite. The fee will be specified in SMC Title 3.

2. Entire development is built to LEED Gold standards.

3. Structured parking for at least ninety percent (90%) of the required parking spaces for a development. Structured parking includes underground parking, under-building parking and above-ground parking garage. Unstructured parking shall be located interior to the site.

4. An agreement to purchase Transfer of Development Rights (TDR) credits at a rate of \$5,000 per unit up to a maximum of 50 TDRs per development agreement as authorized by the City Council and not to exceed Shoreline's allocation of TDR credits.

5. Applicant shall dedicate park space sufficient to accommodate each projected resident of the development, to be determined by a formula to be established by rule in consultation with the Parks Board. Dedicated space must be open and accessible to the public from a public street.

6. Development Agreements in MUR-70' shall include at least two (2) of the following components and may not be combined:

a. Entire site uses combined heat and power infrastructure or district energy.

b. Commercial space of at least 40,000 square feet.

c. Thirty percent (30%) of the ground floor area for neighborhood amenities that may include: areas open and accessible for the community, office space for non-profit organizations, an eating or drinking establishment, or other space that may be used for community functions.

d. Two percent (2%) of the building construction valuation shall be paid by the property owner/developer to the City to fund public parks, open space, art, or other recreational

opportunities open and accessible to the public within the station subarea as defined in the City's Parks, Recreation, and Open Space Plan.

e. Provide additional off-site frontage improvements (as required by the Engineering Development Manual) that connect a proposed development to amenities near the subject project. Amenities may include transit stops, light rail station, commercial uses, etc.

f. Providing street-to-street dedicated public access. Examples include an alley, pedestrian/bicycle path, or other nonmotorized vehicle trail.

E. Development Agreement Approval Procedures: The City Council may approve Development Agreements through the following procedure:

1. A Development Agreement application incorporating the elements stated in subsection B of this section may be submitted by a property owner with any additional related information as determined by the Director. After staff review and SEPA compliance, the Planning Commission shall conduct a public hearing on the application. The Planning Commission shall then make a recommendation to the City Council ~~review the application~~ pursuant to the criteria set forth in SMC 20.30.355(D) and the applicable goals and policies of the Comprehensive Plan. The City Council shall approve, approve with additional conditions, or deny the Development Agreement. The City Council shall approve the Development Agreement by ordinance or resolution:

2. Recorded Development Agreement: Upon City Council approval of a Development Agreement under the procedure set forth in subsection E of this section, the property owner shall execute and record the Development Agreement with the King County Recorder's Office to run with the land and bind and govern development of the property.

## **Chapter 20.40**

### **Zoning and Use Provisions**

#### **20.40.010 Purpose.**

The City is divided into zones established in this Code for the following purpose:

A. To provide for the geographic distribution of land uses into zones those reflect the goals and policies of the Comprehensive Plan.

B. To maintain a stability in land use designation with similar characteristics and level of activity through the provisions of harmonious groupings of zones together.

C. To provide and efficient and compatible relationship of land uses and zones. (Ord. 238 Ch. IV § 1(A), 2000).

D. To facilitate the redevelopment of the light rail station subareas in a manner that encourages a mix of housing, employment and other uses that support the light rail stations.

**20.40.020 Zones and map designations.**

B. The following zoning and map symbols are established as shown in the following table:

ZONING	MAP SYMBOL
RESIDENTIAL	
(Low, Medium, and High Density)	R-4 through 48, (Numerical designator relating to base density in dwelling units per acre) <u>Mixed-Use Residential 35', 45', and 70' (Numerical designator relating to height in feet)</u>
NONRESIDENTIAL	
Neighborhood Business	NB
Community Business	CB
Mixed Business	MB
Campus	CCZ, FCZ, PHZ, SCZ <sup>1</sup>
Town Center District	TC-1, TC-2, TC-3, TC-4
Planned Area	PA

**20.40.046 Mixed-use residential (MUR) zones.**



A. The purpose of the mixed-use residential (MUR) zones (MUR-35', MUR-45', and MUR-70') is to provide for a mix of predominantly multi-family development ranging in height from 35 feet to 70 feet in appropriate locations with other non-residential uses that are compatible and complementary.

B. Specific mixed-use residential zones have been established to provide for attached single-family residential, low-rise, mid-rise and high-rise multi-family residential. The mixed use residential zones also provide for commercial uses, retail, and other compatible uses within the light-rail station subareas.

C. Affordable housing is required in the MUR-45' and MUR-70' zone and voluntarily in the MUR-35' Zone. Refer to SMC 20.40.235 for Affordable Housing Light Rail Station Subarea requirements.

D. 4-Star Built Green construction is required all MUR Zones.

E. All development within the MUR-70' zone that seeks additional height and alternative development standards shall be governed by a Development Agreement as provided in SMC 20.30.355.

#### **20.40.050 Special districts.**

A. **Planned Area (PA).** The purpose of the PA is to allow unique zones with regulations tailored to the specific circumstances, public priorities, or opportunities of a particular area that may not be appropriate in a City-wide land use district.

1. **Planned Area 3: Aldercrest (PA 3).** Any development in PA 3 must comply with the standards specified in Chapter 20.93 SMC. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 609 § 8, 2011; Ord. 598 § 5, 2011; Ord. 507 § 4, 2008; Ord. 492 § 4, 2008; Ord. 338 § 3, 2003; Ord. 281 § 5, 2001; Ord. 238 Ch. IV § 1(E), 2000).

B. 185<sup>th</sup> Street Light Rail Station Subarea Plan. The 185<sup>th</sup> Street Light Rail Station Subarea Plan establishes three zoning phases. Phase 1 zoning is delineated and shown on the City's official zoning map. Phase 2 and 3 zoning is shown by an overlay. Property within the Phase 2 overlay will be automatically rezoned on March 1, 2021. Phase 3 will be automatically rezoned on March 1, 2033.

#### **Table 20.40.160 Station Area Uses**

<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR-35'</u>	<u>MUR-45'</u>	<u>MUR-70'</u>
<b><u>Residential</u></b>				
	<u>Accessory Dwelling Unit</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Affordable Housing</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Apartment</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Bed and Breakfasts</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Boarding House</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Duplex, Townhouse, Rowhouse</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Home Occupation</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Hotel/Motel</u>			<u>P</u>
	<u>Live/Work</u>	<u>P (Adjacent to Arterial Street)</u>	<u>P</u>	<u>P</u>
	<u>Microhousing</u>			
	<u>Single-Family Attached</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Single-Family Detached</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>

	<u>Tent City</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
<b><u>Commercial</u></b>				
<u>NAICS #</u>	<u>SPECIFIC LAND USE</u>	<u>MUR-35'</u>	<u>MUR-45'</u>	<u>MUR-70'</u>
	<u>Book and Video Stores/Rental (excludes Adult Use Facilities)</u>	<u>P (Adjacent to Arterial Street)</u>	<u>P (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Collective Garden</u>			
	<u>Houses of Worship</u>	<u>C</u>	<u>C</u>	<u>P</u>
	<u>Daycare I Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Daycare II Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Eating and Drinking Establishments (Excluding Gambling Uses)</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P-i</u>
	<u>General Retail Trade/Services</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P-i</u>

	<u>Individual Transportation and Taxi</u>			<u>P -A</u>
	<u>Kennel or Cattery</u>			<u>C -A</u>
	<u>Mini-Storage</u>		<u>C -A</u>	<u>C -A</u>
	<u>Professional Office</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Research, Development and Testing</u>			
	<u>Veterinary Clinics and Hospitals</u>			<u>P-i</u>
	<u>Wireless Telecommunication Facility</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
<b><u>Education, Entertainment, Culture, and Recreation</u></b>				
	<u>Amusement Arcade</u>		<u>P -A</u>	<u>P -A</u>
	<u>Bowling Center</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>College and University</u>			<u>P</u>

	<u>Conference Center</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Elementary School, Middle/Junior High School</u>	<u>C</u>	<u>C</u>	<u>P</u>
	<u>Library</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Museum</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Outdoor Performance Center</u>		<u>P -A</u>	<u>P -A</u>
	<u>Parks and Trails</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Performing Arts Companies/Theater (excludes Adult Use Facilities)</u>		<u>P -A</u>	<u>P -A</u>
	<u>School District Support Facility</u>		<u>C</u>	<u>C</u>
	<u>Secondary or High School</u>	<u>C</u>	<u>C</u>	<u>P</u>
	<u>Specialized Instruction School</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>

	<u>Sports/Social Club</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
	<u>Vocational School</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
<b><u>Government</u></b>				
	<u>Fire Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Police Facility</u>		<u>C-i</u>	<u>C-i</u>
	<u>Public Agency Office/Yard or Public Utility Office/Yard</u>	<u>S</u>	<u>S</u>	<u>S</u>
	<u>Utility Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Health</u></b>				
	<u>Hospital</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Lab</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Office/Outpatient Clinic</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>

	<u>Nursing and Personal Care Facilities</u>		<u>P-i (Adjacent to Arterial Street)</u>	<u>P</u>
<b><u>Other</u></b>				
	<u>Animals, Small, Keeping and Raising</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Light Rail Transit System/Facility</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>
	<u>Transit Park and Ride Lot</u>		<u>S</u>	<u>P</u>
	<u>Unlisted Uses</u>	<u>P-i</u>	<u>P-i</u>	<u>P-i</u>

<b><u>P = Permitted Use</u></b>	<b><u>C = Conditional Use</u></b>
<b><u>S = Special Use</u></b>	<b><u>-i = Indexed Supplemental Criteria</u></b>
<b><u>A= Accessory = Thirty percent (30%) of the gross floor area of a building or the first level of a multi-level building.</u></b>	

**20.40.235 Affordable housing, Light Rail Station Subareas.**

A. The purpose of this index criterion is to implement the goals and policies adopted in the Comprehensive Plan to provide housing opportunities for all economic groups in the City's Light Rail Station Subareas. It is also the purpose of this criterion to:

1. Ensure a portion of the housing provided in the City is affordable housing;

2. Create an affordable housing program that may be used with other local housing incentives authorized by the City Council, such as a Multifamily Tax Exemption program, and other public and private resources to promote affordable housing;

3. Use increased development capacity created by the Mixed Use Residential zones to develop voluntary and mandatory programs for affordable housing.

B. Affordable housing is voluntary in MUR-35' and mandatory in the MUR-45' and MUR-70' Zone. The following provisions shall apply to all affordable housing units required by, or allowed through, any provisions of the Shoreline Municipal Code:

1. The City provides various incentives and other public resources to promote affordable housing. Specific regulations providing for affordable housing are described below:

	<u>MUR- 70'+</u>	<u>MUR -70'</u>	<u>MUR- 45'</u>	<u>MUR -35'</u>
<b><u>Mandatory Participation</u></b>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<b><u>Incentives</u></b>	<u>Height may be increased above 70 ft.; may be eligible for 12 year Property Tax Exemption (PTE) upon authorization by City Council &amp; no density limits.</u>	<u>May be eligible for 12 year Property Tax Exemption (PTE) upon authorization by City Council; &amp; entitlement of 70 ft. height &amp; no density limits.</u>	<u>May be eligible for 12 year Property Tax Exemption (PTE) &amp; permit fee reduction upon authorization by City Council; entitlement of 45 ft. height &amp; no density limits.</u>	<u>May be eligible for 12 year Property Tax Exemption (PTE) &amp; permit fee reduction upon authorization by City Council &amp; no density limits.</u>
<b><u>Studio, 1 bedroom</u></b>	<u>20% of rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size; or</u>  <u>10% of rental units shall be affordable to households making 50% or less of the median income for King County adjusted for household size.</u>	<u>20% of rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size; or</u>  <u>10% of rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size.</u>		
<b><u>2+ bedrooms</u></b>	<u>20% of the rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size; or</u>	<u>20% of the rental units shall be affordable to households making 80% or less of the median income for King County adjusted for household size; or</u>  <u>10% of the rental units shall be affordable to households making 70% or less of the median income for King County adjusted for household size.</u>		



	<u>10% of the rental units shall be affordable to households making 60% or less of the median income for King County adjusted for household size.</u>	
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2. Payment in lieu of constructing mandatory units is available. See SMC 20.40.235(E)(1)

3. **Catalyst Program:** The first 300 multi-family units constructed for rent or sale in any MUR zone may be eligible for an eight (8) year Property Tax Exemption with no affordability requirement in exchange for the purchase of Transfer of Development Right (TDR) credits at a rate of one TDR credit for every four (4) units constructed upon authorization of this program by City Council.

**C. Mixed Use Residential Zone Affordable housing requirements.** The following provisions shall apply to all affordable housing units required by, or created through any incentive, established in the Shoreline Municipal Code unless otherwise specifically exempted or addressed by the applicable code section for specific affordable housing programs or by the provisions of an approved development agreement:

1. Duration: Affordable housing units shall remain affordable for a minimum of ninety-nine (99) years from the date of initial occupancy. At the discretion of the Director a shorter affordability time period, not to be less than thirty (30) years, may be approved for ownership affordable housing units in order to meet federal financial underwriting guidelines at such time as the City creates an affordable ownership program.

2. Designation of Affordable Housing Units: The Director shall review and approve the location and unit mix of the affordable housing units, consistent with the following standards, prior to the issuance of any building permit:

a. Location: The location of the affordable housing units shall be approved by the City, with the intent that the units are generally mixed with all other market rate housing in the development.

b. Size (Bedroom): The affordable housing units shall consist of a range of the number of bedrooms that are comparable to the market rate housing units in the overall development.

c. Size (Square Footage): Affordable housing units shall be the same size as market rate housing units with the same number of bedrooms unless approved by the Director. The Director may approve smaller units when: (a) the size of the affordable housing is at least ninety (90) percent of the size of the market rate housing in the project with the same number of bedrooms;

and (b) the affordable units are not less than five hundred (500) square feet for a studio unit, six hundred (600) square feet for a one (1) bedroom unit, eight hundred (800) square feet for a two (2) bedroom unit and one thousand (1,000) square feet for a two (2+) bedroom plus unit.

d. All units in the development must have equal access to the development's amenities or facilities, such as parking, fitness centers, community rooms, and swimming pools. If a fee is charged for the use of an amenity/facility, then all units in the development must be charged equally for such use.

3. Timing/Phasing: The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the market rate housing units in the development unless a phasing plan is developed pursuant to SMC 20.40.235(D) or the requirements of this section are met through SMC 20.40.235(E).

4. Development Standards:

a. Off-Street Parking: Off-street parking shall be provided for the affordable housing units consistent with SMC 20.50.390.

b. Recreation Space: The recreation/open space requirements for housing units affordable to families making 60% or less of Adjusted Median Income for King County shall be calculated at fifty (50) percent of the rate required for market housing in SMC 20.50.240(G).

5. Depending on the level of affordability, units provided by a not for profit entity may be eligible for transportation impact fee waivers as provided in SMC 12.40.070(G).

6. In the event of a fractional affordable housing unit, payment in lieu in accordance with SMC 20.40.235(E)(1) is allowed for the fractional unit.

**D. Affordable housing agreement.** An affordable housing agreement shall be recorded with the King County Recorder's Office prior to the issuance of a building permit for any development providing affordable housing pursuant to the requirements or incentives of the Shoreline Municipal Code.

1. The recorded agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant.

2. The agreement shall be in a form approved by the Director and the City Attorney and shall address price restrictions, tenant qualifications, affordability duration, phasing of construction, monitoring of affordability and any other topics related to the provision of the affordable housing units.

3. The agreement may, at the sole discretion of the City, establish a monitoring fee for the affordable units. The fee shall cover the costs incurred by the City to review and process documents to maintain compliance with income and affordability restrictions of the agreement.

4. The City may, at its sole discretion, agrees to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.

**E. Alternative compliance.** The City's priority is for residential and mixed use developments to provide the affordable housing on site. The Director, at his/her discretion, may approve a request for satisfying all or part of a project's on-site affordable housing with alternative compliance methods proposed by the applicant. Any request for alternative compliance shall be submitted at the time of building permit application and must be approved prior to issuance of any building permit. Any alternative compliance must achieve a result equal to or better than providing affordable housing on site.

1. Payment in Lieu of constructing mandatory affordable units – Payments in lieu of constructing mandatory affordable housing units is subject to the following requirements:

a. The in lieu fee is set forth in SMC 3.01 Fee Schedule. Fees shall be determined at the time the complete application for a building permit is submitted using the fee then in effect.

b. The fee shall be due and payable prior to issuance of any certificate of occupancy for the project.

c. The City shall establish a Housing Program Trust Fund and all collected payments shall be deposited in that fund.

2. Any request for alternative compliance shall demonstrate all of the following:

a. Include a written application specifying:

i. The location, type and amount of affordable housing; and

ii. The schedule for construction and occupancy.

b. If an off-site location is proposed, the application shall document that the proposed location:

i. Is within a 1 mile radius of the project or the proposed location is equal to or better than providing the housing on site or in the same neighborhood;

ii. Is in close proximity to commercial uses, transit and/or employment opportunities.

c. Document that the off-site units will be the same type and tenure as if the units were provided on site.

d. Include a written agreement, signed by the applicant, to record a covenant on the housing sending and housing receiving sites prior to the issuance of any construction permit for the housing sending site. The covenant shall describe the construction schedule for the off-site affordable housing and provide sufficient security from the applicant to compensate the City in the event the applicant fails to provide the affordable housing per the covenant and the Shoreline Municipal Code. The applicant may request release of the covenant on the housing sending site once a Certificate of Occupancy has been issued for the affordable housing on the housing receiving site.

**20.40.350 Eating and drinking establishments.**

Eating and drinking establishments are permitted in residential zones R-4 through R-48 and TC-4 by approval of a Conditional Use Permit. These establishments are permitted in NB, CB, MB and TC-1, 2 and 3 zones and the MUR zones, provided gambling uses as defined in this Code are not permitted. Outside entertainment that creates a noise disturbance for neighbors is not permitted after 10:00 p.m. in the MUR Zones. If inside entertainment is provided in the MUR Zones, the establishment must provide sound attenuation to buffer sound to adjacent residential uses.

**20.40.374 General Retail Trade/Services**

These general retail trade/services are prohibited in the MUR Zones:

- A. Adult use facilities
- B. Smoke Shop (A businesses that sells drug paraphernalia and smoking products)
- C. Cannabis sales
- D. Firearm sales
- E. Pawnshops

**20.40.436 Live/Work**

Live/work units may be located in the MUR-35' zone however, only if the project site is located on an Arterial Street.

**20.40.440 Light Rail Transit System/Facility**

A Light Rail Transit System/Facility shall be approved through a Development Agreement as specified in SMC 20.30.355.

**20.40.506 Single-family detached dwellings.**

A. Single-family detached dwellings are permitted in the MUR-35', MUR-45', and MUR-70' zones subject to the R-6 development standards in SMC 20.50.020

B. Single-family detached dwellings are permitted in the MUR-70' Zone until 2023 or when the light rail station begins operation, whichever is later. After 2023 or when the light rail station begins operation, single-family detached dwellings will become a non-permitted use and will be classified as a nonconforming use subject to the provisions of SMC 20.30.280.

**20.40.570 Unlisted use.**

A. Recognizing that there may be uses not specifically listed in this title, either because of advancing technology or any other reason, the Director may permit or condition such use upon review of an application for Code interpretation for an unlisted use (SMC [20.30.040](#), Type A Action) and by considering the following factors:

1. The physical characteristics of the unlisted use and its supporting structures, including but not limited to scale, traffic, hours of operation, and other impacts, and
2. Whether the unlisted use complements or is compatible in intensity and appearance with the other uses permitted in the zone in which it is to be located.

B. A record shall be kept of all unlisted use interpretations made by the Director; such decisions shall be used for future administration purposes. (Ord. 238 Ch. IV § 3(B), 2000).

## Chapter 20.50

### General Development Standards

#### 20.50.010 Purpose.

The purpose of this subchapter is to establish basic dimensional standards for development at a range of densities consistent with public health and safety and the adopted Comprehensive Plan.

The basic standards for development shall be implemented in conjunction with all applicable Code provisions. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 1(A), 2000).

#### 20.50.020 Dimensional requirements.

Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones.

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

<u>STANDARDS</u>	<u>MUR-35'</u>	<u>MUR-45'</u>	<u>MUR-70'(10)</u>
<u>Base Density:</u> <u>Dwelling</u> <u>Units/Acre</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Density</u>			<u>48 du/ac</u>
<u>Min. Lot Width</u> <u>(2)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Lot Area</u> <u>(2)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Min. Front Yard</u> <u>Setback (2) (3)</u> <u>See 20.50.021</u>	<u>0ft if located on</u> <u>an Arterial</u> <u>Street</u> <u>10ft on non-</u> <u>arterial street</u>	<u>15ft if located on</u> <u>185<sup>th</sup> Street</u> <u>0ft if located on</u> <u>an Arterial Street</u> <u>10ft on non-</u>	<u>15ft if located on</u> <u>185<sup>th</sup> Street</u> <u>0ft if located on</u> <u>an Arterial Street</u> <u>10ft on non-</u>

		<u>arterial street</u>	<u>arterial street</u>
<u>Min. Rear Yard Setback (2) (4) (5)</u> <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Min. Side Yard Setback (2) (4) (5)</u> <u>See 20.50.021</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Base Height (9)</u>	<u>35ft</u>	<u>45ft</u>	<u>70ft(11)(12)</u>
<u>Max. Building Coverage (2) (6)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Max. Hardscape (2) (6)</u>	<u>85%</u>	<u>90%</u>	<u>90%</u>

Exceptions to Table 20.50.020(1) and Table 20.50.020(2):

(1) Repealed by Ord. 462.

(2) These standards may be modified to allow zero lot line developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and hardscape limitations; limitations for individual lots may be modified.

- (3) For single-family detached development exceptions to front yard setback requirements, please see SMC [20.50.070](#).
- (4) For single-family detached development exceptions to rear and side yard setbacks, please see SMC [20.50.080](#).
- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC [20.50.130](#).
- (6) The maximum building coverage shall be 35 percent and the maximum hardscape area shall be 50 percent for single-family detached development located in the R-12 zone.
- (7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.
- (8) For development on R-48 lots abutting R-12, R-24, R-48, NB, CB, MB, CZ and TC-1, 2 and 3 zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.
- (9) Base height for high schools in all zoning districts except R-4 is 50 feet. Base height may be exceeded by gymnasiums to 55 feet and by theater fly spaces to 72 feet.
- (10) Dimensional standards in the MUR-70' zone may be modified with an approved Development Agreement.
- (11) The maximum allowable height in the MUR-70' zone is 140 ft. with an approved Development Agreement.
- (12) All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45 feet in height. Alternatively, a building in the MUR-70' Zone may be setback 10 feet at ground level instead of providing a 10-foot step-back at 45 feet in height. MUR-70' fronting on 185<sup>th</sup> Street shall be setback an additional 10 feet to use this alternative because the current 15-foot setback is planned for street dedication and widening of 185<sup>th</sup> Street.

**20.50.021 Transition areas.**

Development in commercial zones: NB, CB, MB and TC-1, 2 and 3, and MUR-70' abutting or directly across street rights-of-way from R-4, R-6, or R-8 zones shall minimally meet the following transition area requirements:



A. From abutting property, a 35-foot maximum building height for 25 feet horizontally from the required setback, then an additional 10 feet in height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet up to the maximum height of the zone. From across street rights-of-way, a 35-foot maximum building height for 10 feet horizontally from the required building setback, then an additional 10 feet of height for the next 10 feet horizontally, and an additional 10 feet in height for each additional 10 horizontal feet, up to the maximum height allowed in the zone.

B. Type I landscaping (SMC [20.50.460](#)), significant tree preservation, and a solid, eight-foot, property line fence shall be required for transition area setbacks abutting R-4, R-6, or R-8 zones. Twenty percent of significant trees that are healthy without increasing the building setback shall be protected per SMC [20.50.370](#). The landscape area shall be a recorded easement that requires plant replacement as needed to meet Type I landscaping and required significant trees. Utility easements parallel to the required landscape area shall not encroach into the landscape area. Type II landscaping shall be required for transition area setbacks abutting rights-of-way directly across from R-4, R-6 or R-8 zones. Required tree species shall be selected to grow a minimum height of 50 feet.

C. All vehicular access to proposed development in nonresidential zones shall be from arterial classified streets, unless determined by the Director to be technically not feasible or in conflict with state law addressing access to state highways. All developments in commercial zones shall conduct a transportation impact analysis per the Engineering Development Manual. Developments that create additional traffic that is projected to use non-arterial streets may be required to install appropriate traffic-calming measures. These additional measures will be identified and approved by the City's Traffic Engineer. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 609 § 10, 2011; Ord. 560 § 1 (Exh. A), 2009).

### Subchapter 3.

#### Multifamily and Single-Family Attached Residential Design

##### 20.50.120 Purpose.

The purpose of this subchapter is to establish standards for multifamily and single-family attached residential development in TC-4, PA3, and R-8 through R-48 and the MUR-35' zone when located on a non-arterial street as follows:

- A. To encourage development of attractive residential areas that is compatible when considered within the context of the surrounding area.
- B. To enhance the aesthetic appeal of new multifamily residential buildings by encouraging high quality, creative and innovative site and building design.
- C. To meet the recreation needs of project residents by providing open spaces within the project site.
- D. To establish a well-defined streetscape by setting back structures for a depth that allows landscaped front yards, thus creating more privacy (separation from the street) for residents.
- E. To minimize the visual and surface water runoff impacts by encouraging parking to be located under the building.
- F. To promote pedestrian accessibility within and to the buildings. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 3(A), 2000).

20.50.125 Thresholds – Required site improvements.

The purpose of this section is to determine how and when the provisions for full site improvement standards apply to a development application in TC-4, PA3, and R-8 through R-48 zones and the MUR-35' zone when located on a non-arterial street. Site improvement standards of signs, parking, lighting and landscaping shall be required:

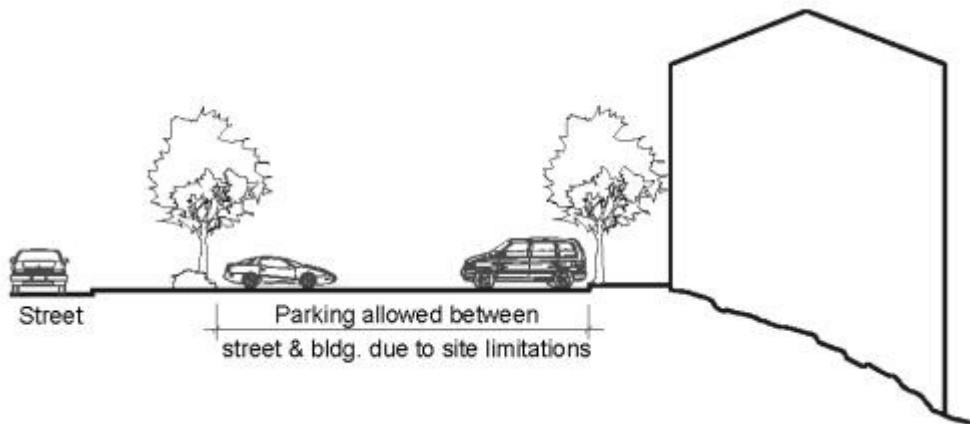
- A. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing land and structure(s) on the parcel. This shall include all structures on other parcels if the building under permit review extends into other parcels; or
- B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 581 § 1 (Exh. 1), 2010; Ord. 515 § 1, 2008; Ord. 299 § 1, 2002).

**20.50.140 Parking – Access and location – Standards.**

- A. Provide access to parking areas from alleys where possible.

B. For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

C. Above ground parking shall be located behind or to the side of buildings. Parking between the street property line and the building shall be allowed only when authorized by the Director due to physical limitations



of the site.

**Figure 20.50.140(C): Example of parking location between the building and the street, which is necessary due to the steep slope.**

D. Avoid parking layouts that dominate a development. Coordinate siting of parking areas, pedestrian connections and open space to promote easily accessible, centrally located open space. Parking lots and access drives shall be lined on both sides with 5-foot wide walks and/or landscaping in addition to frontage and landscaping standards.

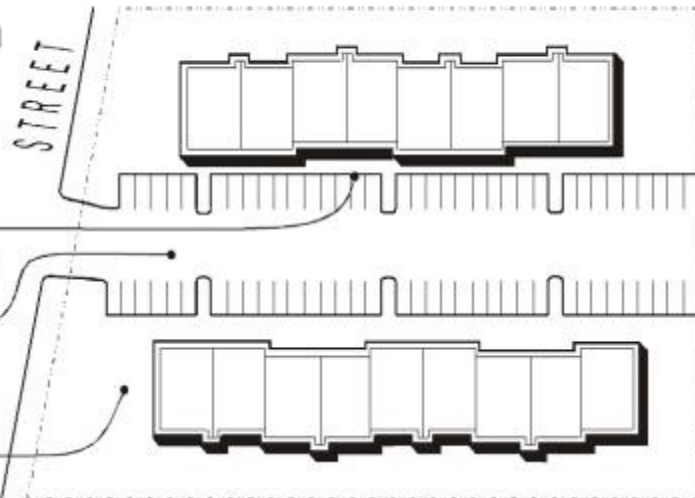
## DON'T DO THIS

Building is disconnected from parking, public sidewalk and adjacent sites.

No buffer zone for pedestrians between front doors and parking.

Parking is the dominant feature.

No pedestrian entrance to the building.

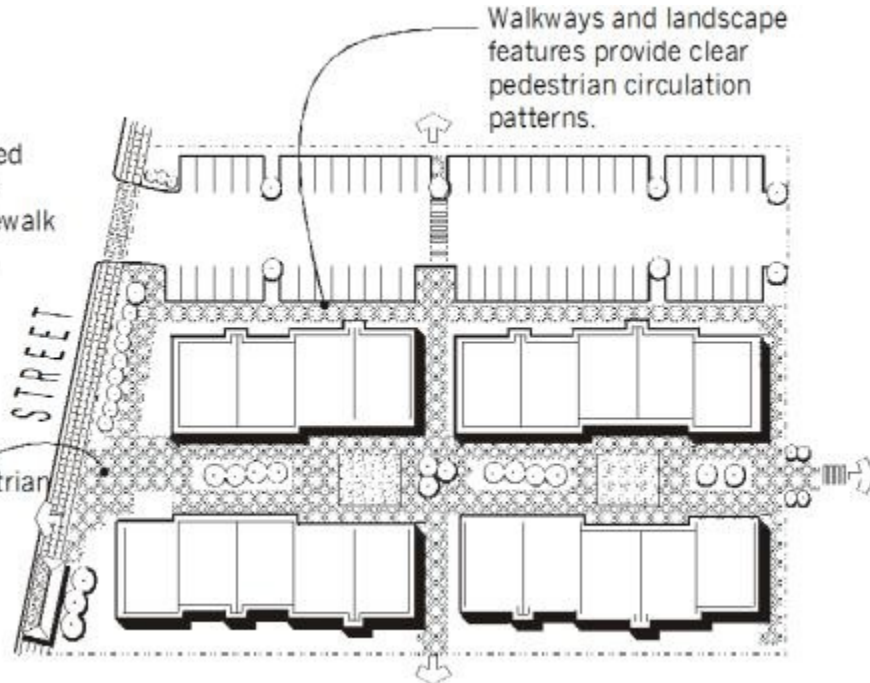


Pedestrian circulation patterns are unclear.

## DO THIS

Building is integrated and connected with parking, public sidewalk and adjacent sites.

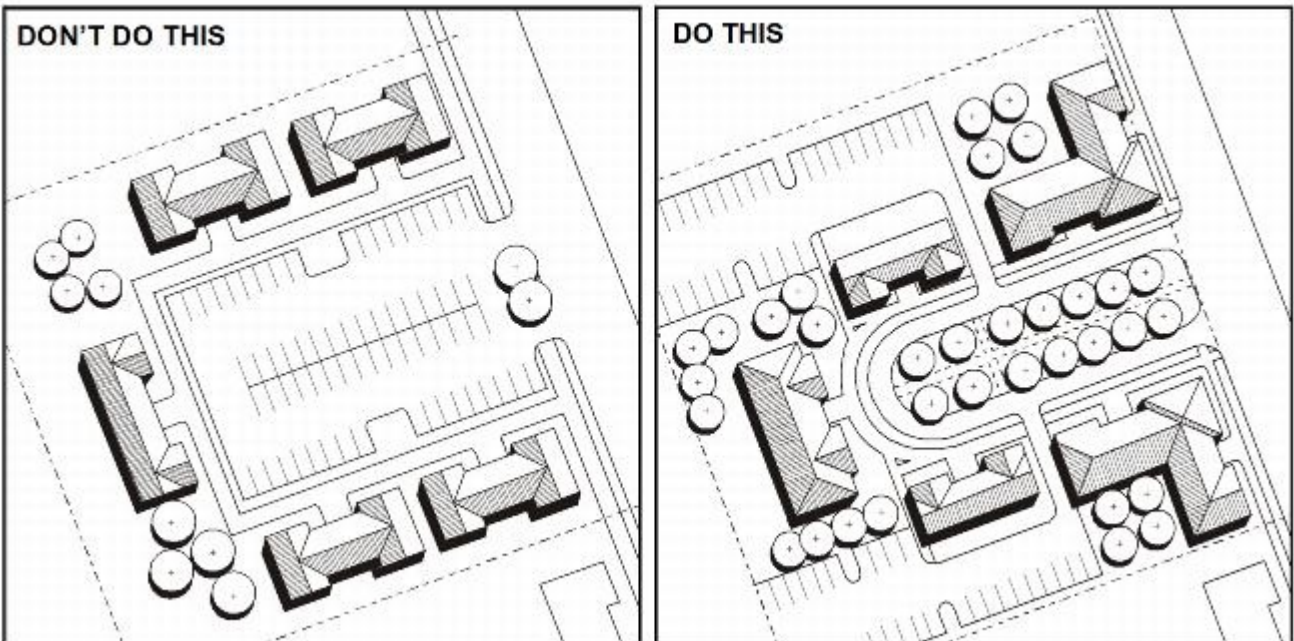
An attractive pedestrian courtyard is the dominant feature.



Walkways and landscape features provide clear pedestrian circulation patterns.

Figure 20.50.140(D): Avoid parking that dominates the site. Encourage parking located behind or on the side of buildings and common open space between buildings.

E. Break large parking areas into smaller ones to reduce their visual impact and provide easier access for pedestrians. Limit individual parking areas to no more than 30 parking spaces.



**Figure 20.50.140(E): Examples of breaking up parking and siting it behind buildings. Such development creates an attractive open space and avoids the impact of a large central parking lot.**

Exception to 20.50.140(E): Surface parking areas larger than 30 parking stalls may be allowed if they are separated from the street by a minimum 30 foot wide landscaped buffer, and the applicant can demonstrate

that a consolidated parking area produces a superior site plan.

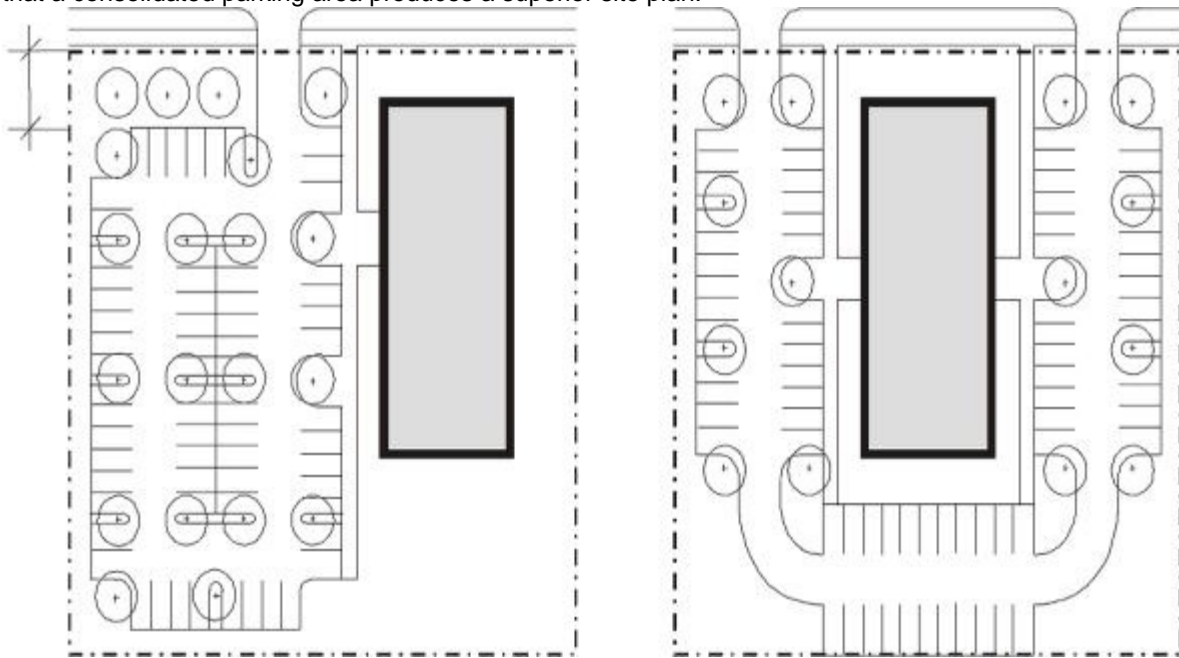
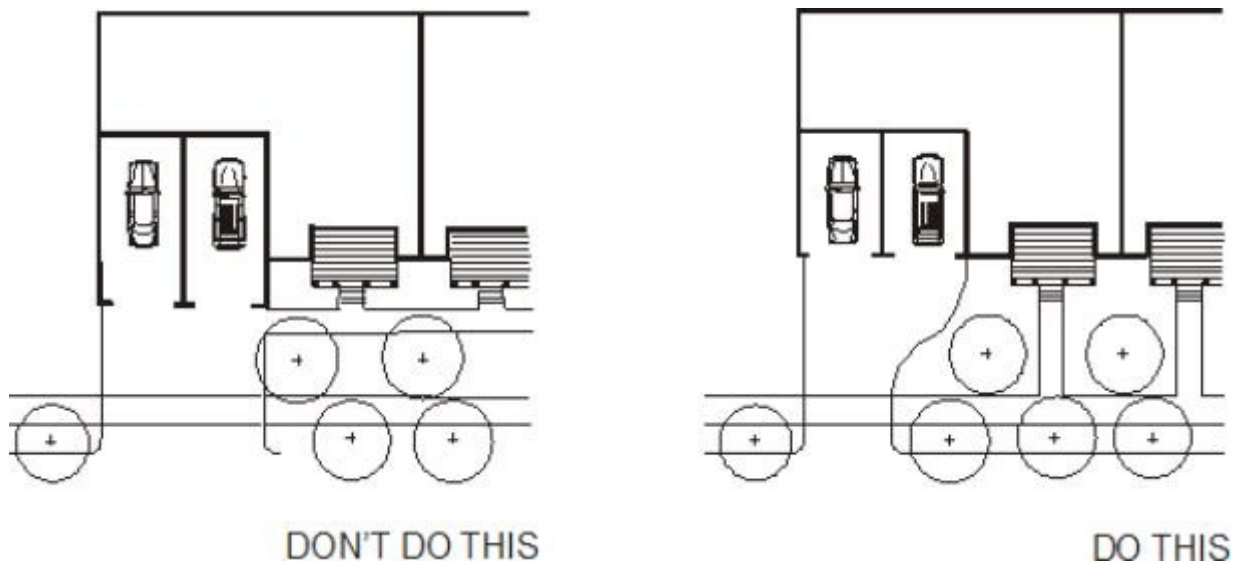


Figure Exception to 20.50.140(E): A consolidated parking scheme (left) with more than 30 spaces may be permitted if it is buffered from the street and produces improvements from a separated parking scheme (right), such as a better open space layout, fewer curb cuts, etc.

F. Minimize the impact of individual garage entrances where they face the street by limiting the curb cut width and visually separating the garage entrance from the street with landscaped areas. Emphasize pedestrian entrances in order to minimize the garage entrances.



**Figure 20.50.140(F), (G): Example of limiting the impact of garage entrances by building them flush with the facade, reducing their width, providing landscaping, and pedestrian access.**

G. Garages or carports either detached from or attached to the main structure shall not protrude beyond the front building facade. (Ord. 299 § 1, 2002; Ord. 238 Ch. V § 3(B-2), 2000).

Subchapter 4.

Commercial Zone Design

**20.50.220 Purpose.**

The purpose of this subchapter is to establish design standards for the MUR-35' zone when not on a non-arterial street, MUR-45', and MUR-70' and all commercial zones – Neighborhood Business (NB), Community Business (CB), Mixed Business (MB) and Town Center (TC-1, 2 and 3). Some standards within this subchapter apply only to specific types of development and zones as noted. Standards that are not addressed in this subchapter will be supplemented by the standards in the remainder of Chapter [20.50](#) SMC. In the event of a conflict, the standards of this subchapter will prevail. (Ord. 654 § 1 (Exh. 1), 2013).

**20.50.230 Threshold – Required site improvements.**

The purpose of this section is to determine how and when the provisions for site improvements cited in the General Development Standards apply to development proposals. Full site improvement standards apply to a development application in commercial zones NB, CB, MB, TC-1, 2 and 3 and the MUR-35' zone when not located on a non-arterial street, MUR-45', and MUR-70'. Site improvements standards of signs, parking, lighting, and landscaping shall be required:

A. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing land and structure(s) on the parcel. This shall include all structures on other parcels if the building under permit review extends into other parcels; or

B. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing land and structure(s) at the time of the first issued permit. (Ord. 654 § 1 (Exh. 1), 2013).

**20.50.240 Site design.**

**A. Purpose.**

1. Promote and enhance public walking and gathering with attractive and connected development.
2. Promote distinctive design features at high visibility street corners.
3. Provide safe routes for pedestrians and people with disabilities across parking lots, to building entries, and between buildings.
4. Promote economic development that is consistent with the function and purpose of permitted uses and reflects the vision for the town center subarea as expressed in the Comprehensive Plan.

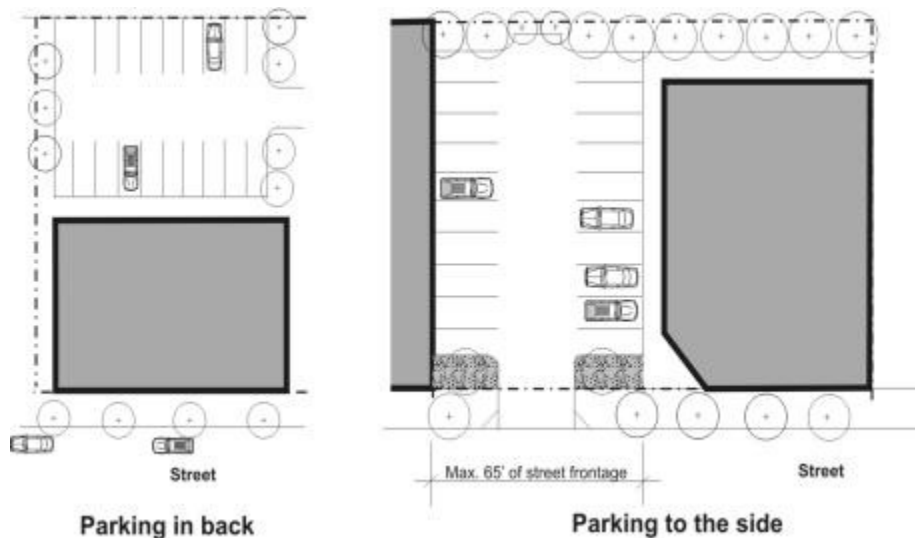
**B. Overlapping Standards.** Site design standards for on-site landscaping, sidewalks, walkways, public access easements, public places, and open space may be overlapped if their separate, minimum dimensions and functions are not diminished.

**C. Site Frontage.**

1. Development abutting NB, CB, MB, TC-1, 2 and 3 and the MUR-35' zone when not located on a non-arterial street, MUR-45', and MUR-70' shall meet the following standards:
  - a. Buildings and parking structures shall be placed at the property line or abutting public sidewalks if on private property. However, buildings may be set back farther if public places, landscaping, vehicle display areas are included or future right-of-way widening or a utility easement is required between the right-of-way and the building;
  - b. All building facades in the MUR-70' zone fronting on any street shall be stepped back a minimum of 10 feet for that portion of the building above 45' feet in height. Reference dimensional Table 20.50.020(2) and exceptions.
  - c. Minimum space dimension for building interiors that are ground-level and fronting on streets shall be 12-foot height and 20-foot depth and built to commercial building code. These spaces may be used for any permitted land use. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones;
  - d. Minimum window area shall be 50 percent of the ground floor façade for each front façade which can include glass entry doors. This requirement does not apply when developing a residential only building in the MUR-35' and MUR-45' zones;



- e. A building's primary entry shall be located on a street frontage and recessed to prevent door swings over sidewalks, or an entry to an interior plaza or courtyard from which building entries are accessible;
- f. Minimum weather protection shall be provided at least five feet in depth, nine-foot height clearance, and along 80 percent of the building or parking structure facades where over pedestrian facilities. Awnings may project into public rights-of-way, subject to City approval;
- g. Streets with on-street parking shall have sidewalks to back of the curb and street trees in pits under grates or at least a two-foot wide walkway between the back of curb and an amenity strip if space is available. Streets without on-street parking shall have landscaped amenity strips with street trees; and
- h. Surface parking along street frontages in commercial zones shall not occupy more than 65 lineal feet of the site frontage. Parking lots shall not be located at street corners. No parking or vehicle circulation is allowed between the rights-of-way and the building front facade. See SMC [20.50.470](#) for parking lot landscape standards.



### Parking Lot Locations Along Streets

- i. New development on 185th Street shall provide all vehicular access from a side street or alley. If new development is unable to gain access from a side street or alley, an applicant may provide alternative access through the Administrative Design Review process.

j. Garages and/or parking areas for new development on 185<sup>th</sup> Street shall be rear-loaded.

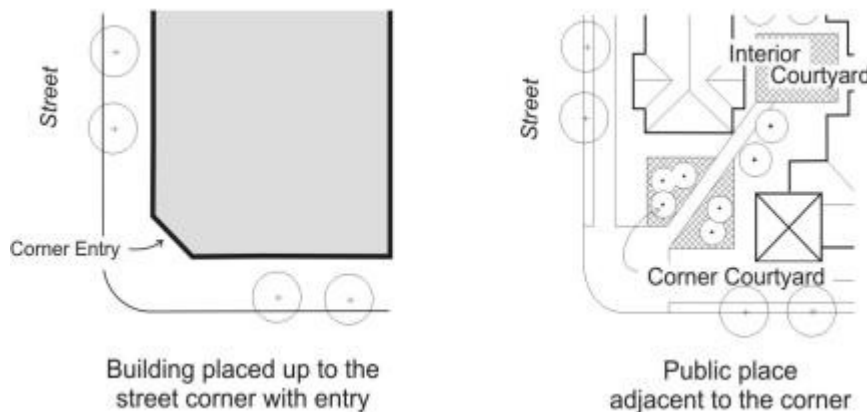
## 2. Rights-of-Way Lighting.

- a. Pedestrian lighting standards shall meet the standards for Aurora Avenue pedestrian lighting standards and must be positioned 15 feet above sidewalks.
- b. Street light standards shall be a maximum 25-foot height and spaced to meet City illumination requirements.

## D. Corner Sites.

1. All building and parking structures located on street corners (except in MUR-35') shall include at least one of the following design treatments on both sides of the corner:

- a. Locate a building within 15 feet of the street corner. All such buildings shall comply with building corner standards in subsection (D)(2) of this section;
- b. Provide a public place at the corner leading directly to building entries;
- c. Install 20 feet of depth of Type II landscaping for the entire length of the required building frontage;
- d. Include a separate, pedestrian structure on the corner that provides weather protection or site entry. The structure may be used for signage.



**Street Corner Sites**

2. Corner buildings and parking structures using the option in subsection (D)(1)(a) of this section shall provide at least one of the elements listed below to 40 lineal feet of both sides from the corner:

- a. Twenty-foot beveled building corner with entry and 60 percent of the first floor in non-reflective glass (included within the 80 lineal feet of corner treatment).
- b. Distinctive facade (i.e., awnings, materials, offsets) and roofline designs beyond the minimum standards identified in SMC [20.50.250](#).
- c. Balconies for residential units on all floors above the ground floor.



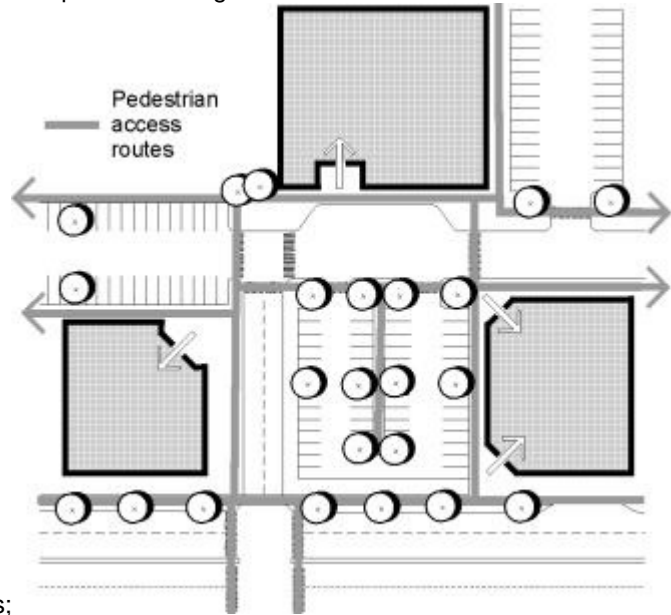
**Building Corners**

**E. Internal Site Walkways.**

1. Developments shall include internal walkways or pathways that connect building entries, public places, and parking areas with other nonmotorized facilities including adjacent sidewalks and Interurban Trail where adjacent; (except in the MUR-35' zone).

- a. All development shall provide clear and illuminated pathways between the main building entrance and a public sidewalk. Pathways shall be separated from motor vehicles or raised six-inches and be at least eight feet wide;

b. Continuous pedestrian walkways shall be provided along the front of all businesses and the



entries of multiple commercial buildings;

**Well-connected Walkways**

c. Raised walkways at least eight feet wide shall be provided for every three, double-loaded aisles or every 200 feet of parking area width. Walkway crossings shall be raised a minimum three inches above drive surfaces;

d. Walkways shall conform to the Americans with Disabilities Act (ADA);



**Parking Lot Walkway**

e. Deciduous, street-rated trees, as required by the Shoreline Engineering Development Manual, shall be provided every 30 feet on average in grated tree pits if the walkway is eight feet wide or in planting beds if walkway is greater than eight feet wide. Pedestrian-scaled lighting shall be provided per subsection (H)(1)(b) of this section.

**F. Public Places.**

1. Public places are required for the commercial portions of development at a rate of 4 square feet of public space per 20 square feet of net commercial floor area up to a maximum of 5,000 square feet. This requirement may be divided into public places with a minimum 400 square feet each.
2. Public places may be covered but not enclosed unless by subsection (F)(3) of this section.
3. Buildings shall border at least one side of the public place.
4. Eighty percent of the area shall provide surfaces for people to stand or sit.
5. No lineal dimension is less than six feet.
6. The following design elements are also required for public places:
  - a. Physically accessible and visible from the public sidewalks, walkways, or through-connections;
  - b. Pedestrian access to abutting buildings;
  - c. Pedestrian-scaled lighting (subsection (H) of this section);
  - d. Seating and landscaping with solar access at least a portion of the day; and
  - e. Not located adjacent to dumpsters or loading areas.
  - f. Amenities such as public art, planters, fountains, interactive public amenities, hanging baskets, irrigation, decorative light fixtures, decorative paving and walkway treatments, and other items that provide a pleasant pedestrian experience along Arterial Streets.



### Public Places

#### G. Multifamily Open Space.

1. All multifamily development shall provide open space;
  - a. Provide 800 square feet per development or 50 square feet of open space per dwelling unit, whichever is greater;
  - b. Other than private balconies or patios, open space shall be accessible to all residents and include a minimum lineal dimension of six feet. This standard applies to all open spaces including parks, playgrounds, rooftop decks and ground-floor courtyards; and may also be used to meet walkway standards as long as the function and minimum dimensions of the open space are met;
  - c. Required landscaping can be used for open space if it does not obstruct access or reduce the overall landscape standard. Open spaces shall not be placed adjacent to service areas without full screening; and

- d. Open space shall provide seating that has solar access at least a portion of the day.



### Multifamily Open Spaces

#### H. Outdoor Lighting.

1. All publicly accessible areas on private property shall be illuminated as follows:
  - a. Minimum of one-half footcandle and maximum 25-foot pole height for vehicle areas;
  - b. One to two footcandles and maximum 15-foot pole height for pedestrian areas; and
  - c. Maximum of four footcandles for building entries with the fixtures placed below second floor.
2. All private fixtures shall be shielded to prevent direct light from entering neighboring property.
3. **Prohibited Lighting.** The following types of lighting are prohibited:
  - a. Mercury vapor luminaries.
  - b. Outdoor floodlighting by floodlight projection above the horizontal plane.
  - c. Search lights, laser source lights, or any similar high intensity light.
  - d. Any flashing, blinking, rotating or strobe light illumination device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel.

Exemptions:

1. Lighting required for emergency response by police, fire, or medical personnel (vehicle lights and accident/crime scene lighting).
2. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
3. Signs and sign lighting regulated by Chapter [20.50](#) SMC, Subchapter 8.
4. Holiday and event lighting (except for outdoor searchlights or strobes).
5. Sports and field lighting.
6. Lighting triggered by an automatic emergency or security alarm system.

**DO THIS**

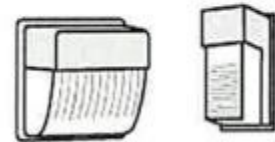


**External Shield**

**DON'T DO THIS**



**Unshielded  
PAR Floodlights**



**Unshielded Wallpacks  
& Unshielded or  
Poorly-shielded Wall  
Mount Fixtures**

**I. Service Areas.**

1. All developments shall provide a designated location for trash, composting, recycling storage and collection, and shipping containers. Such elements shall meet the following standards:

- a. Located to minimize visual, noise, odor, and physical impacts to pedestrians and residents;
- b. Paved with concrete and screened with materials or colors that match the building; and
- c. Located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, nor require a hauling truck to project into public rights-of-way.



d. Refuse bins shall not be visible from the street;



**Trash/Recycling Closure with Consistent Use of Materials and Landscape Screening**

**J. Utility and Mechanical Equipment.**

1. Equipment shall be located and designed to minimize its visibility to the public. Preferred locations are off alleys; service drives; within, atop, or under buildings; or other locations away from the street. Equipment shall not intrude into required pedestrian areas.



**Utilities Consolidated and Separated by Landscaping Elements**

2. All exterior mechanical equipment, with the exception of solar collectors or wind power generating equipment shall be screened from view by integration with the building's architecture through such elements as parapet walls, false roofs, roof wells, clerestories, equipment rooms, materials and colors.

Painting mechanical equipment strictly as a means of screening is not permitted. (Ord. 663 § 1 (Exh. 1), 2013; Ord. 654 § 1 (Exh. 1), 2013).

**20.50.250 Building design.**

**A. Purpose.**

1. Emphasize quality building articulation, detailing, and durable materials.
2. Reduce the apparent scale of buildings and add visual interest for the pedestrian experience.
3. Facilitate design that is responsive to the commercial and retail attributes of existing and permitted uses.

**B. Building Articulation.**

1. Commercial buildings fronting streets other than state routes shall include one of the two articulation features set forth in subsections (B)(2)(a) and (b) of this section ~~no more than every 40 lineal feet~~ facing a street, parking lot, or public place. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations. Building facades less than 60 feet wide are exempt from this standard.



**Building Facade Articulation**

2. Commercial buildings fronting streets that are state routes shall include one of the two articulation features below no more than every 80 lineal feet facing a street, parking lot, or public place. Building

facades less than 100 feet wide are exempt from this standard. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations.

a. For the height of the building, each facade shall be offset at least two feet in depth and four feet in width, if combined with a change in siding materials. Otherwise, the facade offset shall be at least 10 feet deep and 15 feet wide.

b. Vertical piers at the ends of each facade section that project at least two inches from the facade and extend from the ground to the roofline.

3. Multifamily buildings or residential portions of a commercial building shall provide the following articulation features at least every 35 feet of facade facing a street, park, public place, or open space. Parking structure facades fronting public streets shall apply to this subsection only as material, color, texture, or opening modulations and not as offset modulations:

a. Vertical building modulation 18 inches deep and four feet wide, if combined with a change in color or building material. Otherwise, the minimum depth of modulation is 10 feet and the minimum width for each modulation is 15 feet. Balconies may be used to meet modulation; and

b. Distinctive ground or first floor facade, consistent articulation of middle floors, and a distinctive roofline or articulate on 35-foot intervals.



**Multifamily Building Articulation**



**Multifamily Building Articulation**

4. Rooflines shall be modulated at least every 120 feet by emphasizing dormers, chimneys, stepped roofs, gables, or prominent cornices or walls. Rooftop appurtenances may be considered a modulation. Modulation shall consist of a roofline elevation change of at least four feet every 50 feet of roofline.

5. Every 150 feet in building length along the street front shall have a minimum 30-foot-wide section that is offset by at least 20 feet through all floors.



**Facade Widths Using a Combination of Facade Modulation, Articulation, and Window Design**

6. Buildings shall recess or project individual windows above the ground floor at least two inches from the facade or use window trim at least four inches in width.



**Window Trim Design**

7. Weather protection of at least three feet deep by four feet wide is required over each secondary entry.



**Covered Secondary Public Access**

8. Materials.

a. Metal siding shall have visible corner moldings or trim and shall not extend lower than four feet above grade. Masonry, concrete, or other durable material shall be incorporated between the siding and the grade. Metal siding shall be factory finished with a matte, nonreflective surface.



**Masonry or Concrete Near the Ground and Proper Trimming Around Windows and Corners**

b. Concrete blocks of a singular style, texture, or color shall not comprise more than 50 percent of a facade facing a street or public space.



c. Stucco must be trimmed and sheltered from weather by roof overhangs or other methods and shall be limited to no more than 50 percent of facades containing an entry. Stucco shall not extend below two feet above the grade.



d. The following exterior materials are prohibited:

- i. Chain-link fencing that is not screened from public view. No razor or barbed material shall be allowed;
- ii. Corrugated, fiberglass sheet products; and
- iii. Plywood siding. (Ord. 654 § 1 (Exh. 1), 2013).

### **Subchapter 5.**

### **Tree Conservation, Land Clearing and Site Grading Standards**

#### **20.50.310 Exemptions from permit.**

A. **Complete Exemptions.** The following activities are exempt from the provisions of this subchapter and do not require a permit:

1. Emergency situation on private property involving danger to life or property or substantial fire hazards.

- a. Statement of Purpose. Retention of significant trees and vegetation is necessary in order to utilize natural systems to control surface water runoff, reduce erosion and associated water quality impacts, reduce the risk of floods and landslides, maintain fish and wildlife habitat and preserve the City's natural, wooded character. Nevertheless, when certain trees become unstable or damaged, they may constitute a hazard requiring cutting in whole or part. Therefore, it is the purpose of this section to provide a reasonable and effective mechanism to minimize the risk to human health and property while preventing needless loss of healthy, significant trees and vegetation, especially in critical areas and their buffers.
- b. For purposes of this section, "Director" means the Director of the Department and his or her designee.
- c. In addition to other exemptions of SMC 20.50.290 through 20.50.370, a request for the cutting of any tree that is an active and imminent hazard such as tree limbs or trunks that are demonstrably cracked, leaning toward overhead utility lines or structures, or are uprooted by flooding, heavy winds or storm events. After the tree removal, the City will need photographic proof or other documentation and the appropriate application approval, if any. The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation.
2. Removal of trees and/or ground cover by the City and/or utility provider in situations involving immediate danger to life or property, substantial fire hazards, or interruption of services provided by a utility. The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation.
3. Installation and regular maintenance of public utilities, under direction of the Director, except substation construction and installation or construction of utilities in parks or environmentally sensitive areas.
4. Cemetery graves involving less than 50 cubic yards of excavation, and related fill per each cemetery plot.
5. Removal of trees from property zoned NB, CB, MB and TC-1, 2 and 3, and MUR-70' unless within a critical area of critical area buffer.



6. Within City-owned property, removal of noxious weeds or invasive vegetation as identified by the King County Noxious Weed Control Board in a wetland buffer, stream buffer or the area within a three-foot radius of a tree on a steep slope is allowed when:

- a. Undertaken with hand labor, including hand-held mechanical tools, unless the King County Noxious Weed Control Board otherwise prescribes the use of riding mowers, light mechanical cultivating equipment, herbicides or biological control methods; and
- b. Performed in accordance with SMC 20.80.085, Pesticides, herbicides and fertilizers on City-owned property, and King County best management practices for noxious weed and invasive vegetation; and
- c. The cleared area is revegetated with native vegetation and stabilized against erosion in accordance with the Department of Ecology 2005 Stormwater Management Manual for Western Washington; and
- d. All work is performed above the ordinary high water mark and above the top of a stream bank; and
- e. No more than 3,000 square feet of soil may be exposed at any one time.

**B. Partial Exemptions.** With the exception of the general requirements listed in SMC 20.50.300, the following are exempt from the provisions of this subchapter, provided the development activity does not occur in a critical area or critical area buffer. For those exemptions that refer to size or number, the thresholds are cumulative during a 36-month period for any given parcel:

1. The removal of up to a maximum of six significant trees (excluding trees greater than 30 inches DBH per tree) in accordance with Table 20.50.310(B)(1) (see Chapter 20.20 SMC, Definitions).

**Table 20.50.310(B)(1) – Exempt Trees**

<b>Lot size in square feet</b>	<b>Number of trees</b>
Up to 7,200	3
7,201 to 14,400	4
14,401 to 21,780	5

**Table 20.50.310(B)(1) – Exempt Trees**

Lot size in square feet	Number of trees
21,781 and above	6

2. The removal of any tree greater than 30 inches DBH, or exceeding the numbers of trees specified in the table above, shall require a clearing and grading permit (SMC 20.50.320 through 20.50.370).

3. Landscape maintenance and alterations on any property that involves the clearing of less than 3,000 square feet, or less than 1,500 square feet if located in a special drainage area, provided the tree removal threshold listed above is not exceeded. (Ord. 695 § 1 (Exh. A), 2014; Ord. 640 § 1 (Exh. A), 2012; Ord. 581 § 1 (Exh. 1), 2010; Ord. 560 § 4 (Exh. A), 2009; Ord. 531 § 1 (Exh. 1), 2009; Ord. 434 § 1, 2006; Ord. 398 § 1, 2006; Ord. 238 Ch. V § 5(C), 2000).

**Subchapter 6.  
Parking, Access and Circulation**

**20.50.390 Minimum off-street parking requirements – Standards.**

A. Off-street parking areas shall contain at a minimum the number of parking spaces stipulated in Tables 20.50.390A through 20.50.390D.

Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
Single detached/townhouse:	2.0 per dwelling unit. <u>1.0 per dwelling unit in the MUR Zones for single-family attached/townhouse dwellings.</u>
Apartment:	Ten percent of required spaces in multifamily and residential portions of mixed use development must be equipped with electric vehicle infrastructure for units where an individual garage is not provided. <sup>1</sup>

Table 20.50.390A – General Residential Parking Standards

RESIDENTIAL USE	MINIMUM SPACES REQUIRED
Studio units:	.75 per dwelling unit
One-bedroom units:	.75 per dwelling unit
Two-bedroom plus units:	1.5 per dwelling unit
Accessory dwelling units:	1.0 per dwelling unit
Mobile home park:	2.0 per dwelling unit

**20.50.400 Reductions to minimum parking requirements.**

A. Reductions of up to 25 percent may be approved by the Director using a combination of the following criteria:

1. On-street parking along the parcel's street frontage.
2. Shared parking agreement with adjoining parcels and land uses that do not have conflicting parking demands.
3. High-occupancy vehicle (HOV) and hybrid or electric vehicle (EV) parking.
4. Conduit for future electric vehicle charging spaces, per National Electrical Code, equivalent to the number of required disabled parking spaces.
5. High-capacity transit service available within a one-half mile radius.

6. A pedestrian public access easement that is eight feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.

7. Concurrence with King County Right Size Parking data, census tract data, and other parking demand study results.

8. The applicant uses permeable pavement on at least 20 percent of the area of the parking lot.

B. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing.

C. The Director may impose performance standards and conditions of approval on a project including a financial guarantee.

D. Reductions of up to 50 percent may be approved by Director for the portion of housing providing low-income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development. (Ord. 669 § 1 (Exh. A), 2013; Ord. 654 § 1 (Exh. 1), 2013; Ord. 238 Ch. V § 6(B-2), 2000).

E. A parking reduction of 25 percent will be approved by the Director for multi-family development within ¼ mile of the light rail station. These parking reductions may not be combined with parking reductions identified in Subsection A and D above.

F. Parking reductions for affordable housing may not be combined with parking reductions identified in Subsection A above.

#### **20.50.410 Parking design standards.**

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

B. All vehicle parking and storage for multifamily and commercial uses must be on a paved surface, pervious concrete or pavers. All vehicle parking in the MUZ zone shall be located on the same parcel or same development area that parking is required to serve. Parking for residential units shall be assigned a specific stall until a parking management plan is submitted and approved by the Director.

C. Parking for residential units must be included in the rental or sale price of the unit. Parking spaces cannot be rented, leased, sold, or otherwise be separate from the rental or sales price of a residential unit.

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

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

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

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

**20.50.540 Sign design.**

A. Sight Distance. No sign shall be located or designed to interfere with visibility required by the City of Shoreline for the safe movement of pedestrians, bicycles, and vehicles.

B. Private Signs on City Right-of-Way. No private signs shall be located partially or completely in a public right-of-way unless a right-of-way permit has been approved consistent with Chapter 12.15 SMC and is allowed under SMC 20.50.540 through 20.50.610.

C. Sign Copy Area. Calculation of sign area shall use rectangular areas that enclose each portion of the signage such as words, logos, graphics, and symbols other than nonilluminated background. Sign areas for signs that project out from a building or are perpendicular to street frontage are measured on one side even though both sides can have copy.

D. Building Addresses. Building addresses should be installed on all buildings consistent with SMC [20.70.250\(C\)](#) and will not be counted as sign copy area.

E. Materials and Design. All signs, except temporary signs, must be constructed of durable, maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted for permanent signage. For example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted for permanent signage.

F. Illumination. Where illumination is permitted per Table 20.50.540(G) the following standards must be met:

1. Channel lettering or individual backlit letters mounted on a wall, or individual letters placed on a raceway, where light only shines through the copy.
2. Opaque cabinet signs where light only shines through copy openings.
3. Shadow lighting, where letters are backlit, but light only shines through the edges of the copy.
4. Neon signs.
5. All external light sources illuminating signs shall be less than six feet from the sign and shielded to prevent direct lighting from entering adjacent property.



**Individual backlit letters (left image), opaque signs where only the light shines through the copy (center image), and neon signs (right image).**

## G. Table 20.50.540(G) – Sign Dimensions.

A property may use a combination of the four types of signs listed below.

	All Residential (R) Zones, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-70'</u> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
MONUMENT Signs:			
Maximum Area Per Sign Face	4 sq. ft. (home occupation, day care, adult family home, bed and breakfast)  25 sq. ft. (nonresidential use, residential subdivision or multifamily development)  32 sq. ft. (schools and parks)	50 sq. ft.	100 sq. ft.
Maximum Height	42 inches	6 feet	12 feet
Maximum Number Permitted	1 per street frontage	1 per street frontage	1 per street frontage
		Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs on same property.	
Illumination	Permitted	Permitted	
BUILDING-MOUNTED SIGNS:			

	All Residential (R) Zones, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-70'</u> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Maximum Sign Area	Same as for monument signs	25 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25 sq. ft.	50 sq. ft. (each tenant)  Building Directory 10 sq. ft.  Building Name Sign 25 sq. ft.
Maximum Height	Not to extend above the building parapet, soffit, or eave line of the roof. If perpendicular to building then 9-foot clearance above walkway.		
Number Permitted	1 per street frontage	1 per business per facade facing street frontage or parking lot.	
Illumination	Permitted	Permitted	Permitted
UNDER-AWNING SIGNS			
Maximum Sign Area	6 sq. ft.  (Nonresidential uses, schools, residential subdivision or multifamily development)	12 sq. ft.	
Minimum Clearance from Grade	9 feet		
Maximum Height (ft.)	Not to extend above or beyond awning, canopy, or other overhanging feature of a building under which the sign is suspended		



	All Residential (R) Zones, <u>MUR-35'</u> , Campus, PA3 and TC-4	<u>MUR-45'</u> , <u>MUR-70'</u> , NB, CB and TC-3 (1)	MB, TC-1 and TC-2
Number Permitted	1 per business	1 per business per facade facing street frontage or parking lot.	
Illumination	Prohibited	Permitted	
DRIVEWAY ENTRANCE/EXIT:			
Maximum Sign Area	4 sq. ft.  (Nonresidential uses, schools, residential subdivision or multifamily development)	8 sq. ft.	
Maximum Height	42 inches	48 inches	
Number Permitted	1 per driveway		
Illumination	Permitted	Permitted	

Exceptions to Table 20.50.540(G):

(1) The monument sign standards for MB, TC-1, and TC-2 apply on properties zoned NB, CB, and TC-3 where the parcel has frontage on a State Route, including SR 99, 104, 522, and 523.

(2) Sign mounted on fence or retaining wall may be substituted for building-mounted or monument signs so long as it meets the standards for that sign type and does not increase the total amount of allowable signage for the property.

H. Window Signs. Window signs are permitted to occupy maximum 25 percent of the total window area in zones MUR-45', MUR-70', NB, CB, MB, TC-1, TC-2, and TC-3. Window signs are exempt from permit if non-illuminated and do not require a permit under the building code.

I. A-Frame Signs. A-frame, or sandwich board, signs are exempt from permit but allowed only in the MUR-45', MUR-70', NB, CB, MB, and TC-1, TC-2, and TC-3 zones subject to the following standards:

1. Maximum one sign per business;
2. Must be directly in front of the business with the business' name and may be located on the City right-of-way where the property on which the business is located has street frontage;
3. Cannot be located within the required clearance for sidewalks and internal walkways as defined for the specific street classification or internal circulation requirements;
4. Shall not be placed in landscaping, within two feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps;
5. Maximum two feet wide and three feet tall, not to exceed six square feet in area;
6. No lighting of signs is permitted;
7. All signs shall be removed from display when the business closes each day; and
8. A-frame/sandwich board signs are not considered structures.

J. Other Residential Signs. One sign maximum for home occupations, day cares, adult family homes and bed and breakfasts which are located in residential (R) zones, MUR-35' or TC-4 not exceeding four square feet in area is exempt from permit. It may be mounted on the residence, fence or freestanding on the property, but must be located on the subject property and not on the City right-of-way or adjacent parcels. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 4 (Exh. A), 2009; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(B), 2000).

**20.50.550 Prohibited signs.**

A. Spinning devices; flashing lights; searchlights, electronic changing messages or reader board signs.

Exception 20.50.550(A)(1): Traditional barber pole signs allowed only in MUR-45', MUR-70', NB, CB, MB and TC-1 and 3 zones.

Exception 20.50.550(A)(2): Electronic changing message or reader boards are permitted in CB and MB zones if they do not have moving messages or messages that change or animate at intervals less than 20 seconds, which will be considered blinking or flashing and are not allowed.

B. Portable signs, except A-frame signs as allowed by SMC [20.50.540\(l\)](#).

C. Outdoor off-premises advertising signs (billboards).

D. Signs mounted on the roof.

E. Pole signs.

F. Backlit awnings used as signs.

G. Pennants; swooper flags; feather flags; pole banners; inflatables; and signs mounted on vehicles. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 631 § 1 (Exh. 1), 2012; Ord. 560 § 4 (Exh. A), 2009; Ord. 369 § 1, 2005; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(C), 2000).

**20.50.560 Monument signs.**

A. A solid-appearing base is required under at least 75 percent of sign width from the ground to the base of the sign or the sign itself may start at grade.

B. Monument signs must be double-sided if the back is visible from the street.

C. Use materials and architectural design elements that are consistent with the architecture of the buildings. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 352 § 1, 2004; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-1), 2000).

**20.50.570 Building-mounted signs.**

A. Building signs shall not cover building trim or ornamentation.

B. Projecting, awning, canopy, and marquee signs (above awnings) shall clear sidewalk by nine feet and not project beyond the awning extension or eight feet, whichever is less. These signs may project into public rights-of-way, subject to City approval. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 560 § 4 (Exh. A), 2009; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-2), 2000).

**20.50.580 Under-awning signs.**

These signs may project into public rights-of-way, subject to City approval. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(D-3), 2000).

**20.50.590 Nonconforming signs.**

A. Nonconforming signs shall not be altered in size, shape, height, location, or structural components without being brought to compliance with the requirements of this Code. Repair and maintenance are allowable, but may require a sign permit if structural components require repair or replacement.

B. Outdoor advertising signs (billboards) now in existence are declared nonconforming and may remain subject to the following restrictions:

1. Shall not be increased in size or elevation, nor shall be relocated to another location.
2. Shall be kept in good repair and maintained.
3. Any outdoor advertising sign not meeting these restrictions shall be removed within 30 days of the date when an order by the City to remove such sign is given. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(E), 2000).

**20.50.600 Temporary signs.**

A. General Requirements. Certain temporary signs not exempted by SMC [20.50.610](#) shall be allowable under the conditions listed below. All signs shall be nonilluminated. Any of the signs or objects included in this section is illegal if they are not securely attached, create a traffic hazard, or are not maintained in good condition. No temporary signs shall be posted or placed upon public property unless explicitly allowed or approved by the City through the applicable right-of-way permit. Except as otherwise described under this section, no permit is necessary for allowed temporary signs.

B. Temporary On-Premises Business Signs. Temporary banners are permitted in zones MUR-45', MUR-70', NB, CB, MB, TC-1, TC-2, and TC-3 to announce sales or special events such as grand openings, or prior to the installation of permanent business signs. Such temporary business signs shall:

1. Be limited to not more than one sign per business;
2. Be limited to 32 square feet in area;
3. Not be displayed for a period to exceed a total of 60 calendar days effective from the date of installation and not more than four such 60-day periods are allowed in any 12-month period; and
4. Be removed immediately upon conclusion of the sale, event or installation of the permanent business signage.

C. Construction Signs. Banner or rigid signs (such as plywood or plastic) identifying the architects, engineers, contractors or other individuals or firms involved with the construction of a building or announcing purpose for which the building is intended. Total signage area for both new construction and remodeling shall be a maximum of 32 square feet. Signs shall be installed only upon City approval of the development permit, new construction or tenant improvement permit and shall be removed within seven days of final inspection or expiration of the building permit.

D. Temporary signs in commercial zones not allowed under this section and which are not explicitly prohibited may be considered for approval under a temporary use permit under SMC [20.30.295](#) or as part of administrative design review for a comprehensive signage plan for the site. (Ord. 654 § 1 (Exh. 1), 2013; Ord. 299 § 1, 2002; Ord. 238 Ch. V § 8(F), 2000).

## Chapter 20.70 Engineering and Utilities Development Standards

### 20.70.320 Frontage improvements.

C. Frontage improvements are required:

1. When building construction valuation for a permit exceeds 50 percent of the current County assessed or an appraised valuation of all existing structure(s) on the parcel. This shall include all structures on other parcels if the building under permit review extends into other parcels; or
2. When aggregate building construction valuations for issued permits, within any five-year period after March 30, 2013, exceed 50 percent of the County assessed or an appraised value of the existing structure(s) at the time of the first issued permit.
3. For subdivisions; ~~or~~
4. For development consisting of more than one dwelling unit on a single parcel; or
5. One detached single family dwelling in the MUR zones.

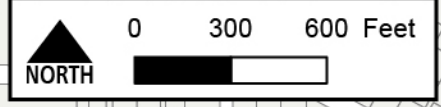
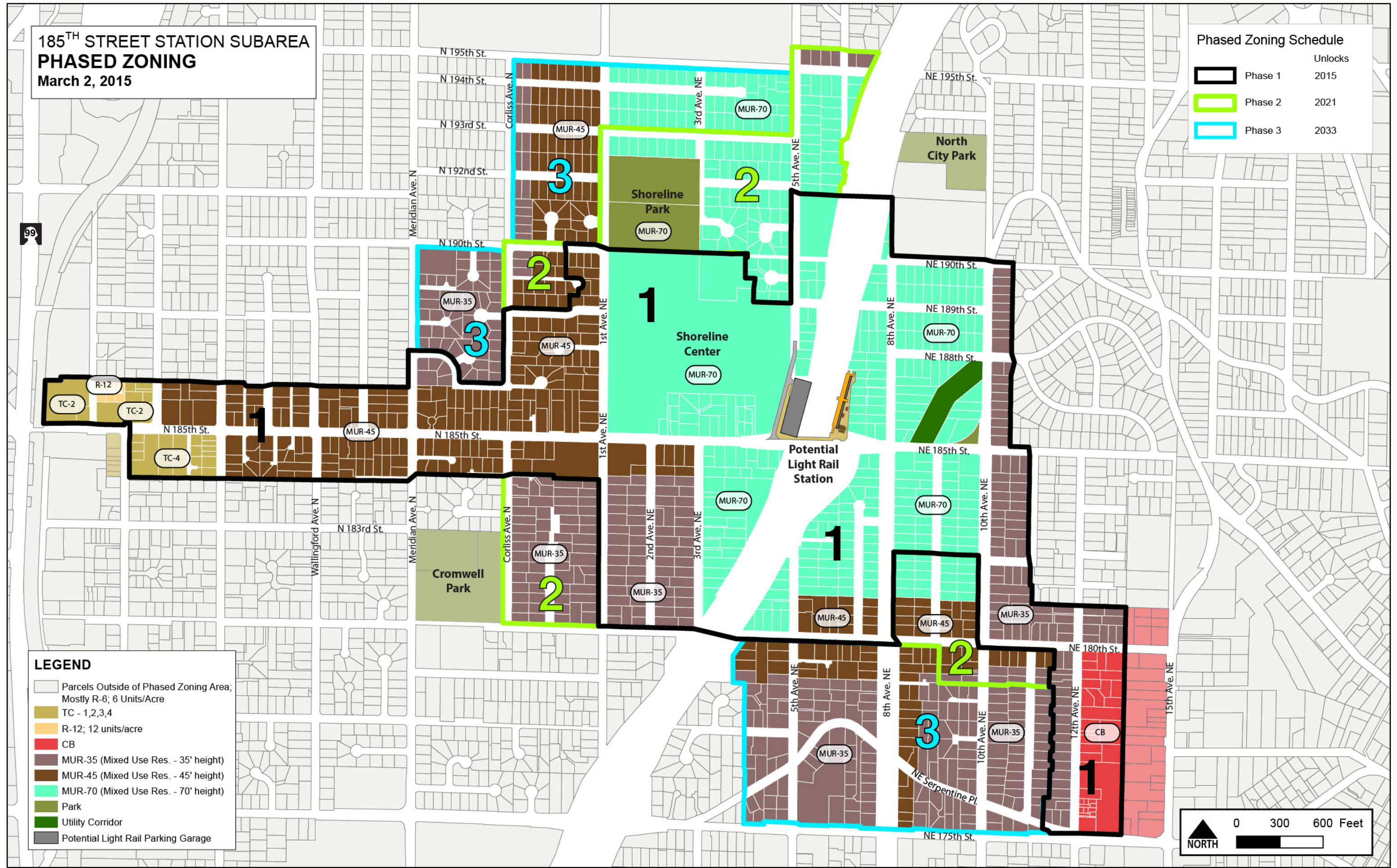
**185<sup>TH</sup> STREET STATION SUBAREA  
PHASED ZONING  
March 2, 2015**

**Phased Zoning Schedule**

Phase	Unlocks
Phase 1	2015
Phase 2	2021
Phase 3	2033

**LEGEND**

- Parcels Outside of Phased Zoning Area; Mostly R-6; 6 Units/Acre
- TC - 1,2,3,4
- R-12; 12 units/acre
- CB
- MUR-35 (Mixed Use Res. - 35' height)
- MUR-45 (Mixed Use Res. - 45' height)
- MUR-70 (Mixed Use Res. - 70' height)
- Park
- Utility Corridor
- Potential Light Rail Parking Garage



## Station Area Planning Council Amendment Tracking Matrix

- **Green Text** denotes that the amendment has been placed in the base ordinance that will be presented to Council for adoption on March 16, 2015.
- **Red Text** denotes that the amendment has not been placed in the base ordinance. The proposing Councilmember must propose his/her amendment on the dais when the ordinance is up for adoption on March 16, 2015.
- **Bold Text** denotes new amendments that have been provided since the matrix was last discussed by Council on February 23, 2015.
- ~~Strike Through Text~~ denotes amendments that were previously voted on at the February 23, 2015 meeting and were not adopted

### Station Area Adoption Process

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
1.	2/17	I move to delay the vote for adoption of the 185th Light Rail Station Sub-area Plan, Development Regulations and Planned Action to a date in the future at least two weeks after the final Sound Transit Environmental Impact Statement (FEIS) is issued by Sound Transit. (MCCONNELL)	<p><del>Staff does not believe that the Sound Transit FEIS will provide any significant new information to inform Council's adoption of the 185th Light Rail Station Sub-area Plan, Development Regulations, Planned Action and related mitigation. As such, strictly from a technical perspective, staff does not anticipate that Council would make different decisions on the proposed documents based on the Sound Transit FEIS. This is of course a policy choice of the City Council, and staff will implement the adoption schedule set by the Council.</del></p> <p>If Council believes it is important to delay the adoption after the issuance of the Sound Transit FEIS, the latest information staff has is that the FEIS would likely be released in late February/early March, although the Sound Transit website now says 'early spring'. There is always a possibility that this will change. Thus, if Council is interested in delaying adoption until two weeks after issuance of the Sound Transit FEIS, it is possible that the current March 16 agenda date will still work. However, this would be a very tight timeline.</p>

**Proposed Ordinance No. 702 - 185th Street Station Subarea Plan, Comprehensive Plan Amendment and Land Use Map**

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
1.	1/29	Subarea Policies: I do not see the additions of the policies adopted by the planning commission this month. (ROBERTS)	Please see February 2, 2015 Staff Report. The new and old policies are all in that report and will be added to the final version of the sub-area plan.
2.	1/29	Housing - Add "evaluate a fee in lieu program for affordable housing including methods for alternative compliance" or alternative staff language. (ROBERTS)	If the fee in lieu and alternative methods sections are removed from the Development Code, then this policy should be proposed for addition as amendment to the Housing Section of the Subarea Plan.
3.	1/29	Housing - Add "evaluate the use and applicability of Transfer of Development Rights" or alternative staff language. (ROBERTS)	If the TDR is removed from the Development Code, then this policy should be proposed for addition as an amendment to the Housing Section of the Subarea Plan.
4.	1/29	Transportation - Add "evaluate opportunities to incorporate best practices for complete street design concepts, including grid patterns of short blocks, smaller lane widths, and street design that includes road access in at least two directions and ped/bike access in at least three directions where this is not precluded by wholly incompatible adjacent land uses," or alternative staff language. (ROBERTS)	Staff has added the following two new polices into the Subarea Plan to provide for Councilmember Roberts' proposed policy language that was supported by the Council: <ul style="list-style-type: none"> <li>• Evaluate opportunities to incorporate best practices for complete street design concepts, including grid patterns of short blocks and narrower lane widths.</li> <li>• Residential streets should allow for vehicular connectivity to the street grid in at least two directions and should provide pedestrian/bike connectivity in at least three directions in order to facilitate convenient and efficient travel by all modes.</li> </ul>
5.	1/29	Utilities - "Consider requiring the installation of photovoltaic systems in all new government facilities," or alternative staff language. (ROBERTS)	Staff recommends: "Consider the use of alternative energy in all new government facilities." Using 'alternative energy' broadens the choices beyond just photovoltaic systems, and using the word 'consider' does not obligate the government entity, but serves as policy direction from (and for) the City to use alternative energy. This policy could be useful as the City moves into the design phase of the station and garage.



	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
6.	2/8	In the subarea plan, pages 5-4 (8a-112 in the Council packet) and following, I would prefer to drop the reference to R-48 and R-18. While historically accurate, they are potentially confusing and misleading in this document. (HALL)	Staff has made this change.
7.	2/8	Since we haven't adopted the 145th plan yet, I do not understand the proposal to include recommendations from that into the 185th station subarea plan (page 5-34). I would like to remove any policy language that suggests incorporating anything that has not yet been adopted. Utilities and energy systems are the places I noticed this issue, but I would like it addressed anywhere it comes up. (HALL)	Staff has made this change.
8.	2/13	Staff noticed the following incorrect citation and omission in the Subarea Plan: (Page 5-34) For the full text of proposed amendments to the Code, refer to the proposed Planned Action Ordinance (Exhibit C). The following provisions are important to subarea redevelopment. Affordable housing, provision of park space, and _____ will be required as part of development agreements. Other provisions summarized are supported by adopted City policies.	This Subarea Plan section now reads: (Page 5-34) For the full text of proposed amendments to the Code, refer to the proposed Planned Action Ordinance (Exhibit <del>C</del> <u>B</u> ). The following provisions are important to subarea redevelopment. Affordable housing, provision of park space, <u>structured parking and LEED construction</u> will be required as part of development agreements. Other provisions summarized are supported by adopted City policies.

**Proposed Ordinance No. 706 - 185th Street Station Area Development Code Amendment and Zoning Map**

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
1.	1/29	20.20.032 - Add definition of live/work unit. (ROBERTS)	See 20.20.016 D definitions – already defined.
2.	1/29	20.20.034 - Rename definition to “Microhousing” for consistency with Table 20.40.160 (or amend Table 20.40.160) or amend other sections that reference microapartment. (ROBERTS)	Staff has made this change - sections that did reference "microapartment" now reference "microhousing".
3.	2/10	20.30.355(A), (C), (D); 20.50.020(10) and (11) – Postpone consideration of Development Agreements until 2021. Specifically, this amendment is to postpone <i>consideration</i> of passing a Development Agreement until 2021, rather than authorizing a Development Agreement to begin in 2021. (SALOMON)	<p>While staff is supportive of amendment language that would 'activate', or 'authorize' a Development Agreement to begin in 2021, staff is not supportive of 'considering' Development Agreements in 2021, which is more of a policy statement than a regulatory statement.</p> <p>In order to implement this proposed amendment, Council would need to make a motion strip out all references to the Development Agreement (MUR-70' +) in the proposed Development Code and edit the Subarea Plan so that the policy statement that the Council will consider Development Agreements in 2021 is included in the Plan. Some of the language in the proposed code regarding Developer Agreements could be placed in the Subarea Plan to describe the Planning Commission's current concept of how a Developer Agreement is structured.</p> <p>As the proposed code currently has "General Development Agreements", staff recommends that these be left in place. For instance, to support the General Development Agreement that would remain, 20.30.355(C) would need to remain, but be amended to delete “and Development Agreements in order to increase height about 85 feet”). Thus, the Code would still have some reference to General Development Agreements</p>
4.	2/8	20.30.355(B)(2) - Underline markup error. (HALL)	Staff has made this change.

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
5.	1/29	20.30.355(D)(1) - Delete reference to fee in lieu program. (ROBERTS)	Staff recommends having a fee in lieu option. Without this option, how would the Council like to handle situations where a partial unit is required (ex. 20% of 112 units is 22.4 units – can’t round up, so you’d most likely only require 22 units). Council could consider fee in lieu for partial units only? Also, it may be beneficial to allow private property owners to have the option to not provide the affordable housing themselves, but pay equitably for an experienced not for profit to provide the required housing. The fee in lieu is also a way for the City to provide in partnership with not for profits housing to for people with low and very low household incomes, which meets a Council goal that can’t be met with incentive zoning. Having said this, this option could be developed and incorporated into the regulations at a later date, but not much later (which is the same case if the Council adopts fee in lieu in the regulations, then the fee will need to be established soon thereafter).
6.	2/8	20.30.355(D)(2) - Prefer LEED gold over LEED platinum. (HALL)	Staff has made this change.
7.	1/29	20.30.355(D)(4) - Delete and renumber section. (ROBERTS & HALL)	Staff does not recommend this amendment. The introduction of regulations related to TDR implements the City’s adopted policy LU58: Support regional and state Transfer of Development Rights (TDR) programs throughout the city where infrastructure improvements are needed, and where additional density, height and bulk standards can be accommodated. The rezoning of the Station Areas represents the City’s strongest opportunity to start a TDR program. In addition to the original policy which pointed to supporting a TDR program, the City can now obtain funds from King County through the LCLIP program to fund infrastructure. The draft feasibility study was presented to staff. The consulting team, which includes King County, was very positive about Shoreline’s proposed regulations and potential for the LCLIP funds. Advice from the consulting team that is working on the City’s Feasibility Study for use of LCLIP funds was to adopt the TDR provisions with the rezone with the idea that it will be difficult to put them in later. Staff can always delete the TDR program from the Code with a 2015 batch of Development Code amendments if the Council chooses later to not authorize the program based on the results of the Feasibility Study or other information.

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
8.	2/8	20.30.355(D)(5) - I would like an amendment to delete this section and address park impacts through a park impact fee program to be developed, as suggested by staff. Parks of useful size and purpose can be more efficiently planned, acquired, and developed by the City rather than having a large number of very small pocket parks developed by each individual project. (HALL)	Staff does not support this amendment. The City Attorney has advised that adding a park impact fee to SMC 20.30.355(D)(5) is the wrong place and the appropriate place for this language is in Title 12 where other impact fees are located, such as traffic impact fees. The City Attorney has also advised that any policy in the Subarea Plan that speaks to a park impact fee be removed from the Plan and added to the 2015 Comprehensive Plan Docket. Staff will add a park impact fee to the 2015 Docket that Council will see in March or April.
9.	1/9	20.30.355(D)(6) - Development Agreement – Shrink or modify the menu of alternative components to make sure the result is likely to deliver some mix of what we consider priorities – especially if some options are cheaper than others. Specifically, delete 20.30.355(D)(6)(c) and 20.30.355(D)(6)(d). (HALL)	In 20.30.355(D), since this a Council approved permit; the aspect of the developer picking the cheapest two items could be addressed with the application of the criteria. While staff does not have cost information on the alternatives, these can be monitored over time.
10.	2/17	20.40.050(B) – 185th Street Light Rail Station Subarea Plan. Delete Phase 3 in its entirety. (MCCONNELL)	Staff is neutral on this recommendation.  <del>In order to implement this proposed amendment, Council would need to make a motion to amend 20.40.050 (B) to delete references to Phase 3 and amend references to three zoning phases.</del>  <del>If Phase 3 is deleted, the Zoning Map and Comprehensive Plan Land Use Map will also need to be amended to reflect the deletion of this phase. Staff would need further direction from Council about what the Zoning Map and Comprehensive Plan Land Use Map designations should be in the area of Phase 3 if this phase is deleted.</del>
11.	2/17	20.40.050(B) Phase zoning at 10 year intervals, i.e. any second phase no earlier than 2025 and any third phase no earlier than 2035. (EGGEN)	If Council would like to change these phasing intervals, Section 20.40.050.B could be amended to SMC 20.40.050 Special districts: “B. 185 <sup>th</sup> Street Light Rail Station Subarea Plan. The 185 <sup>th</sup> Street Light Rail Station Subarea Plan establishes three zoning phases. Phase 1 zoning is delineated and shown on the City’s official zoning map at the date of adoption. Phase 2 and 3 zoning is shown by an overlay. From the date of adoption,

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
			property within the Phase 2 overlay will be automatically rezoned in 10 years and Phase 3 will be automatically rezoned in 20 years.”
12.	1/29	Table 20.40.160 Live/Work MUR 35 - Delete “P-i” insert “(Adjacent to Arterial)”. (ROBERTS)	Staff has made this change.
13.	1/29	Table 20.40.160 Apartment - Delete “P-i” and insert “P” in all zones. (ROBERTS)	Staff has made this change.
14.	1/9	Table 20.40.160 – Make Research, Development and Testing an allowed use in MUR-70. (HALL)	Staff supports this recommendation.
15.	2/9	Table 20.40.160 - MUR 85 Outdoor Performance Center - Delete "P-A", Insert "P"; MUR 85 Performing Arts Companies/Theater (excluding Adult Use Facilities) - Delete "P-A", Insert "P". (ROBERTS)	The intent behind making outdoor performance centers an accessory use in the MUR-70’ zone was to limit a potentially land intense use to a portion of a building site. The MUR-70’ zone is the closest zone to the future light rail station and should be reserved for high density housing and bigger employment centers.
16.	1/29	20.40.235 - Delete all references to fee in lieu program. (ROBERTS)	Please see answer to #5.
17.	1/29	20.40.235(B)(3) - Delete and renumber section. (ROBERTS and HALL)	Please see answer to #7. If the Council does decide to keep the TDR program placeholders, then staff recommends requiring the purchase of a few more credits to place the City’s quota faster, while still providing a financial incentive for choosing the Catalyst program. Perhaps a 1 TDR credit for every 3 unit ratio.
18.	1/29	20.40.235(C)(2) - Add code language along the lines of “Amenities: Affordable housing units shall have access to all amenities or facilities provided to a market rate unit,” or alternative staff language. (ROBERTS)	Staff has made this change. 20.40.235(C)(2)(d) reads, "All units in the development must have equal access to the development’s amenities or facilities, such as parking, fitness centers, community rooms, swimming pools. If a fee is charged for the use of an amenity/facility, then all units in the development must be charged equally for such use."
19.	1/29	20.40.235(E) - Delete and add language to the subarea policies. (ROBERTS)	Staff prefers to keep this flexible and does not recommend that this language be removed and placed in the Subarea Plan. Having the alternative compliance provisions are important to address truly equivalent provisions for affordable housing that can’t be captured and keep the requirement straightforward and easy to understand.

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
20.	1/29	20.40.245 - Delete. (ROBERTS)	Staff has made this change.
21.	1/29	20.40.374(C) - Delete “Marijuana” Inset “Cannabis”. (ROBERTS)	Staff has made this change.
22.	2/8	20.40.350 - I am still worried about the definition of outside entertainment. I would greatly appreciate some review, analysis, and options from staff. I would be okay with something like "outside entertainment that creates a potential noise disturbance for neighbors is not permitted after 10:00." (HALL)	Staff has made this change.
23.	2/9	20.40.350 - Eating and drinking establishments. Delete all language recommended by the Planning Commission. (ROBERTS)	Staff is neutral on this recommendation.
24.	<b>2/8</b>	<p>20.40.506 - Single-family detached dwellings. Delete. (HALL)</p> <p>If new detached Single Family Residential is not permitted in MUR zones, then allow more flexible non-conforming conditions to allow larger and easier remodeling of existing homes. (SALOMON)</p> <p><b>Please see amendment #26 for further consideration of this question in concert with minimum densities.</b></p>	<p>While this amendment would not allow new detached single family residential (SFR) as a permitted use in any of the MUR zones, on February 9, Council discussed allowing new detached SFR as a permitted use in the MUR-35’ and MUR-45’ zones, and not allowing them in the MUR-70’ zone.</p> <p>Staff is supportive of this compromise (allowed in 35’ and 45’, not allowed in 70’) as long as Council is also supportive of the non-conforming use provision (See below - Councilmember Salomon's Amendment).</p> <p>In order to implement an amendment to not allow new detached SFR in the MUR-70' zone, Council would need to make a motion to amend SMC 20.40.506(A) to delete “and MUR-70’”and would need to delete SMC 20.40.506(B) in its entirety. SMC Table 20.40.160 would also need to be amended to delete “P-i” from the MUR-70’ column for Single-Family Detached.</p> <p>If Council is interested in not allowing new detached SFR in the MUR-70’ zone, staff is supportive of Councilmember Salomon's accompanying amendment to allow more flexible non-conforming conditions for the remodeling of existing single family homes.</p>

	Date of Request	Item	Response or Scheduled Follow-up
			<p>In order to implement this proposed amendment, Council would need to make a motion to amend SMC 20.30.280 - Non Conformance - to add under 20.30.280(C)(4) "Single family additions shall be limited to 50 percent of the use area and not require a conditional use permit in the MUR-70' zone."</p>
25.	1/29	<p>20.50.020(2) Minimum Front Yard Setback MUR 85 - Delete "0 if located on Arterial Street 10ft on non-arterial street." Insert "0" (ROBERTS)</p>	<p>Staff recommended 0 feet on Arterial Streets and 10 feet on non-arterial streets due to the fact that the Arterial Streets typically are wider, have more traffic volume, and are more suited for building placed at the property line. Non-arterial streets are typically narrower with less traffic volume. A setback of 10 feet on a narrower street would lessen the canyon-effect of the street especially if two large buildings were across the street from one another.</p>
26.	1/9	<p>Table 20.50.020(2) – Densities and Dimensions in Mixed-Use Residential Zones – Add to Min. Density: 18 du/ac in MUR-35, 24 du/ac in MUR-45. (HALL)</p> <p>*****</p> <p><b>Staff addition for consideration: Allow detached and attached housing types if meeting minimum density (including single-family detached).</b></p> <p><b>This amendment is written to do the following:</b>  <b>1) Allow an existing single family detached unit to expand; or one new single family detached unit to be built; or the addition of an ADU to</b></p>	<p><b>Staff supports a minimum density in MUR-70' of 48 units per acre (currently included in draft code language). Staff supports a minimum density of 18 units per acre in MUR-45' and 12 units per acre the MUR-35' zone too provided there are provisions to maintain existing single family detached homes in these zones as described in Matrix amendment #24 are also approved.</b></p> <p><b>In order to implement this proposed amendment, Council would need to direct staff to amend the row 'Minimum Density' in SMC Table 20.50.020(2) to add in the proposed number of dwelling units per acre in the corresponding zoning category.</b></p> <p>*****</p> <p><b>With both the ability to maintain existing single-family homes (and not subject these homes to a minimum density requirement) and minimum densities, more housing choice may be possible. Detached units that meet the minimum density for each of the new zones would offer still yet another housing choice (small lot development, cluster housing, a mix of attached, semi attached &amp; detached units, patio homes) while achieving the overall goal of increasing opportunities for more people to live close to the station.</b></p>

	Date of Request	Item	Response or Scheduled Follow-up
		<p>an existing or new single family detached unit in the MUR-35' and MUR-45' zones in accordance with R-6 standards and not subject to minimum densities;</p> <p>2) Make single family detached units a non conforming use in the MUR-70' zone (subject to new more flexible non conforming standards) which would not allow new single family detached units; and</p> <p>3) Allow new single family detached units that meet or exceed the minimum densities in all of the MUR zones.</p>	<p>If the Council would like to pursue this concept, the following amendment would need to be proposed within the Index Criteria for Single family dwelling, detached:</p> <p>20.40.506 Single-family detached dwellings.</p> <p><del>A. Single family detached dwellings are permitted in the MUR-35', MUR-45', and MUR-70' zones subject to the R-6 development standards in SMC 20.50.020</del></p> <p><del>B. Single family detached dwellings are permitted in the MUR-70' Zone until 2023 or when the light rail station begins operation, whichever is later. After 2023 or when the light rail station begins operation, single-family detached dwellings will become a non-permitted use and will be classified as a nonconforming use subject to the provisions of SMC 20.30.280.</del></p> <p><i>Replace with:</i></p> <p><u>A. One single family detached unit including an ADU may be permitted in the MUR-35' and MUR-45' zones subject to the Residential 6 units per acre (R-6) standards in SMC Table 20.50.020(1) and not subject to minimum densities.</u></p> <p><u>B. More than one single family detached unit shall meet the minimum density requirement of the MUR zone and may be permitted subject to the development standards in SMC Table 20.50.020(2).</u></p> <p><u>C. Single family detached dwellings that do not meet the required minimum density are a nonconforming use in the MUR-70' zone subject to the provisions in SMC 20.30.280.</u></p>
27.	1/29	20.50.021 - Delete "and MUR 85'" (ROBERTS)	Staff recommends that some transition standards for MUR-70' until Phase 2 is activated because of the parallel situation with other commercial zones adjacent to single family zones. Staff suggest that MUR-70' be required to



	Date of Request	Item	Response or Scheduled Follow-up
			meet transition standards for landscaping and screening but not the building setback standards.
28.	2/8	20.50.220 – Amend double negative in this section ("the MUR-35' zone when not on a non-arterial street") so that it reads, "the MUR-35' zone when on an arterial street". (HALL)	Staff has made this change.
29.	1/9	20.50.240 (C)(1)(b) – Delete: Not require upper floor setbacks across the street as the right-of-way provide adequate buffer for other MUR zones, and other transition requirements handle sing family detached zones. (HALL)	Staff does not recommend deleting this provision. This is a design preference recommended by the Planning Commission intended to create a more walkable neighborhood. There could be alternative ways to reach the same end, but removing the provision without a replacement regulation would not achieve the desired result. It is understood that requiring this setback does decrease the area that can be used for development, but this trade off is recommended to enhance the overall health of the neighborhood. This design feature, setbacks is a tool recommended to be used to create a sustainable community. Again, this is a design preference and there is no “right” or “only” answer.
30.	2/14	20.50.240 (F)(6)(f) – Add at the beginning of the sentence, "Amenities such as". (HALL)	Staff is supportive of this amendment as it gives the City and the development community more flexibility regarding the designs element amenities that would be required for public places.
31.	2/13	20.50.310(A)(5) – The following activities are exempt from the provisions of this subchapter and do not require a permit – removal of trees from property zoned NB, CB, MB and TC 1, 2 and 3, and MUR 70’ unless within a critical area or critical area buffer. Delete "and MUR 70". (ROBERTS)	<p>Staff does not recommend this amendment because MUR 85 will be the City's most intense zone and the amendment is inconsistent with all the other less intense commercial/mixed use zone exemptions for tree retention. The reason is that it is difficult to preserve significant trees in these zones and preservation can be a big impediment to redevelopment, especially when property owners can have 90% hardscape lot coverage. What if a cluster of trees is in the middle of the site and not conveniently in the corner?</p> <p>In order to implement this proposed amendment, MUR 70' would be removed from the exempt list in the tree code.</p>

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
32.	1/9	<p>Table 20.50.400 Reductions to minimum parking requirements – Replace E and F with “E. The minimum spaces required in Table 20.50.390A shall be reduced by 33% in the MUR-70 zone and by 16% in the MUR-35 and MUR-45 zones.” This would take the basic requirement down to 0.5 spaces per unit for studio and 1 bdr in MUR-70, a bit more in the other MUR zones, and it would continue to allow other reductions to be applied. (HALL)</p>	<p>Staff does not recommend this amendment. The Planning Commission recommended parking ratios are set at a rate that acknowledges future transit and neighborhood retail opportunities. It goes a step further to automatically reduce parking by 25% for those properties within close proximity (1/4 mile) of the station. Shoreline’s transit and parking management infrastructure needs to catch up even to serve the recommendation.</p> <p>Staff comments:</p> <ol style="list-style-type: none"> <li>1) The formula at first glance appears more difficult in comprehend. In practice it is just math &amp; is easily figured out.</li> <li>2) Staff is concerned about further reductions in the minimum parking required which would be the result of this proposal.</li> </ol> <p>If this proposal were to move forward, staff recommends that the “up to 25% reduction” in 20.50.400 (A) not apply. The additive effect would yield .37 parking spaces for studio/one bedroom units. Also, the up to 50% reduction in required parking spaces for affordable units in 20.50.400(D) should also be called out as “not to be combined with other possible reductions in 20.50.400.</p>
33.	1/29	<p>20.50.410(C) - Delete and renumber section. (ROBERTS and HALL)</p>	<p>This is the provision that would require parking to be included in the rental or sale cost of a unit. This regulation is proposed as a proactive step to have on-site parking utilized and reduce off site/on street parking issues. Staff supports this regulation; however it has not been legally tested.</p>
34.	2/11	<p>Requirement for new construction of single family homes in MUR zones to include frontage improvements. (ROBERTS)</p>	<p>Staff does not recommend this amendment because it will add to the City - wide problem that occurred in the past where detached SFR built sidewalks that were frequently unattached to other sidewalks because of the spotty nature of infill detached SFR redevelopment, which created the phenomenon commonly known as “sidewalks to nowhere”.</p> <p>In order to implement this proposed amendment, Council would need to make a motion to amend SMC 20.70.320(C) - Frontage improvements are required- by adding “5. One single family dwelling in all MUR zones.”</p>

	<b>Date of Request</b>	<b>Item</b>	<b>Response or Scheduled Follow-up</b>
35.	2/11	Amend the MUR-85 zone to MUR-70. I think we would need to also amend the affordable housing provisions. I think we should just keep the ratios the same for affordable housing (20 percent at 70 ami for single units/etc). (SALOMON)	<p>The Market Analysis that was conducted supports reduced building height in this most intense station area zone. While 85' provides more alternatives for developers, such as office buildings that need greater ceiling height (85' allows for six floors of office, which is just barely where these expensive buildings start to make economic sense), staff does not have concerns with lowering this height maximum to 70 feet. This is also the maximum height that the Council settled on in the Town Center zones.</p> <p>In order to implement this proposed amendment, Council would need to make a motion to change all references from MUR-85' to MUR-70' throughout the Development Code.</p>
36.	2/22	Raise the affordability requirement for on-site affordable housing from 50 years to 99 years. (SALOMON)	Staff does not have any strong feelings on this. It's likely that a building would require significant reinvestment by 50 years, and if a new building was constructed, it would just have new affordability restrictions. But, we don't know of any problems with a 99 year restriction.
37.	2/23	Amend 20.20.012 B Definitions: Dwelling, Live/Work. (STAFF)	<p>The current proposed definition of "Dwelling, Live/Work" is:</p> <p><i>Live-work unit means a structure or portion of a structure: (1) that combines a commercial activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; (2) where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and (3) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.</i></p> <p>This proposed Live/work definition is too restrictive by requiring that the commercial activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee OR where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed.</p>

	Date of Request	Item	Response or Scheduled Follow-up
			<p>The problem with the proposed definition is in the practical “use” (verb). The consumer (owner) is limited by definition in how the unit can be used. The owner of the live/work unit should be able to purchase the unit as a residence and then be able to lease the commercial space to a separate business, or purchasing the unit as an investment and lease the commercial and residential spaces separately. Staff proposes a more encompassing definition such as:</p> <p><i>Live-work unit means a structure or portion of a structure (1) that combines residential space with a commercial space for an activity that is allowed in the zone; and (2) where the commercial activity conducted takes place subject to a valid business license associated with the premises.</i></p>
38.	3/5	<p><b>By removing the some of the MUR-35’ zoning from the rezone, there is now MUR-45’ proposed next to R-6. Amend the MUR-45’ adjacent to R-6 to MUR-35’. (MCCONNELL)</b></p>	<p><b>If having a transition from MUR-45’ to R-6 is still a desired, the Council may wish to address this circumstance. A few options include:</b></p> <ul style="list-style-type: none"> <li>• <b>(McConnell) – Amend Attachment A, Exhibit B to change all of the MUR-45’ now adjacent to R-6 to MUR-35’. Rationale: this alleviates the height differential. Staff comment: This option reduces the amount of MUR-45’ zoning in the subarea, especially in Phase 1 which may result in more townhomes and row houses – and fewer mixed used buildings, small apartments and opportunities for neighborhood serving buildings;</b></li> <li>• <b>Staff Alternatives:</b> <ul style="list-style-type: none"> <li>○ <b>Amend Attachment A, Exhibit B to add some of the MUR - 35’ zoning between the R-6 and MUR-45’ zones back into any of the Phases. The depth/width of the rezoned area could match the Planning Commission recommendation or be reduced to another logical amount to achieve a more gradual step down in scale including height; or</b></li> <li>○ <b>Rely on the existing Code to create transition. As proposed, side and rear setbacks for development of three (3) or more units in the MUR zones when adjacent to R-6 require a 15 foot building setback. Further, the existing Landscape provisions found in SMC 20.50.490 require the following:</b></li> </ul> </li> </ul>

	Date of Request	Item	Response or Scheduled Follow-up
			<p><b>“Landscaping along interior lot line – Standards.</b></p> <p><b>A. Type I landscaping in a width determined by the setback requirement shall be included in all nonresidential development along any portion adjacent to single-family and multifamily residential zones or development. All other nonresidential development adjacent to other nonresidential development shall use Type II landscaping within the required setback. If the setback is zero feet then no landscaping is required.</b></p> <p><b>B. Multifamily development of more than four units shall use Type I landscaping when adjacent to single-family residential zones and Type II landscaping when adjacent to multifamily residential and commercial zoning within the required yard setback.”</b></p>
39.	<b>3/9</b>	<p><b>20.40.235(B)(3). Staff received a comment that as proposed, the Catalyst Program may be misread to allow 300 units per MUR zone (which would add up to 900 units) to participate. The intent is the first 300 units in the 185<sup>th</sup> Street Station Area are eligible to participate. (STAFF)</b></p>	<p><b>20.40.235(B)(3). Catalyst Program: The first 300 multi-family units constructed for rent or sale <del>in any MUR zone</del> <u>in the 185<sup>th</sup> Street Station Area</u> may be eligible for an eight (8) year Property Tax Exemption with no affordability requirement in exchange for the purchase of Transfer of Development Right (TDR) credits at a rate of one TDR credit for every four (4) units constructed upon authorization of this program by City Council.</b></p>

**Proposed Ordinance No. 707 - 185th Street Station Area Planned Action**

	Date of Request	Item	Response or Scheduled Follow-up
1.	2/17	Implementation of any second or third zoning phase requires 1) a detailed plan to implement required mitigations from the FEIS, and 2) certification by Council that necessary progress on required mitigation on transportation, parks, utilities, and other public services has been achieved. (EGGEN)	<p>Staff is neutral on this recommendation.</p> <p>If Council agrees with this amendment then it should be added to the PAO mitigation measures.</p> <p>2/27/15 – Staff proposes to add this language to Ordinance 706:</p> <p><i><b><u>Implementation of Future Phased Zoning Amendments.</u></b> Prior to the implementation of Phase 2 and/or Phase 3 zoning map amendments, as shown on <b>Exhibit B</b>, the Director of Planning and Community Development shall prepare a progress report detailing the implementation of mitigation measures provided for in the 185<sup>th</sup> Street Subarea Plan Final Environmental Impact Statement (December 2014) and attached hereto as <b>Exhibit C</b>. The progress report should include recommendations and/or a plan for implementation of remaining mitigation measures. The City Council, at a regularly scheduled public meeting, shall certify that, after consideration of the progress report and any other relevant information, satisfactory progress has occurred in regards to the mitigation measures, specifically those measures related to transportation, public services, parks, and utilities. The City Council, by ordinance, may elect to implement Phases 2 and/or 3 if progress on the mitigation measures supports the growth associated with the implementation of an additional zoning phase.</i></p>