

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussing Ordinance No. 863: Minor Amendments to the Aurora Square Community Renewal Area Planned Action Ordinance
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Rachael Markle, AICP, Director of Planning & Community
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On August 10, 2015, the City Council adopted Ordinance No. 705 (Attachment A) designating a Planned Action for the Aurora Square Community Renewal Area (CRA). The Planned Action for the CRA is based on the Environmental Impact Statement (EIS) that was finalized on July 25, 2015.

On March 8, 2019, the City issued a State Environmental Policy Act (SEPA) Addendum for the Planned Action EIS. The Addendum was necessary to correct information reported incorrectly in the Planned Action EIS related to PM Peak Hour Trip Generation by Alternative.

Ordinance No. 705 includes a table that references the same data that was corrected with the March 8, 2019 Addendum. For consistency, this table needs to be amended to correct these same data errors.

Proposed Ordinance No. 863 provides for this amendment. Tonight, Council is scheduled to discuss proposed Ordinance No. 863. This Ordinance is currently scheduled to be brought back to Council for adoption on July 22, 2019.

RESOURCE/FINANCIAL IMPACT:

Adoption of Ordinance No. 863 will not create any resource or financial impacts.

RECOMMENDATION

No action is required. The Planning Commission recommends approval of Ordinance No. 863 which corrects a transcription error in Ordinance No. 705 the Planned Action for the Aurora Square Community Renewal Area (CRA).

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

On August 10, 2015, the City Council adopted Ordinance No. 705 (Attachment A) designating a Planned Action for the Aurora Square Community Renewal Area (CRA). A Planned Action involves the upfront analysis of environmental impacts and mitigation measures to spur private development by facilitating environmental review of subsequent individual development projects to streamline the development process. The Planned Action for the CRA is based on the Environmental Impact Statement (EIS) that was finalized on July 25, 2015. Documents related to the Planned Action, including the Draft and Final EIS, can be reviewed at the following link:
<http://www.shorelinewa.gov/business/aurora-square-community-renewal-area>.

On March 8, 2019, the City issued a State Environmental Policy Act (SEPA) Addendum for the Planned Action EIS. The purpose of an Addendum is to provide additional information or analysis that does not substantially change the analysis of the significant impacts and alternatives studied. The Addendum was necessary to correct information reported incorrectly in the Planned Action EIS related to PM Peak Hour Trip Generation by Alternative. Notice of this Addendum was circulated to those receiving the Final EIS. A copy of the Addendum is attached as Attachment B.

Ordinance No. 705 includes a table that references the data that was corrected with the March 8, 2019 Addendum. For consistency, this table needs to be amended to correct these same data errors.

DISCUSSION

Chapter 3.3 of the Planned Action Draft EIS addresses transportation. The City recently determined that trip generation numbers were incorrectly reported in the EIS. The Shoreline Place Development Agreement application submitted on December 21, 2018 was the first project requesting to qualify as a Planned Action under the Planned Action Ordinance. In addition to the Development Agreement application, the applicant submitted a Planned Action Determination of Consistency Review Checklist. It was during the review of this Checklist that staff discovered the error in the inbound, outbound and total trip data reported in the Planned Action EIS.

The Planned Action Draft EIS identified the PM peak hour trips generated for each of the three alternatives analyzed at Table 3-13 on page 3-51.

Table 0-1. PM Peak Hour Trip Generation by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Planned Growth Alternative 3
Inbound Trips	553	933	1,313
Outbound Trips	737	1,159	1,581
Total Trips	1,289	2,092	2,894

Source: KPG 2014

However, these trip generation numbers fail to reflect a reduction for trips occurring within a site that has multiple land uses. The *National Cooperative Highway Research Program (NCHRP) Report 684* methodology estimates the number of trips between land uses within the site (internal capture), which decreases the total vehicle trips external to the site. The Planned Action Draft EIS in the Table 3-13 incorrectly reports the trip generation numbers without the internal capture reduction resulting in more trip generation levels. There is no change to the analysis of alternatives, significant impacts, or mitigation measures as the City’s consultant, KPG, utilized the correct trip generation numbers when performing the transportation analysis.

EIS Corrections

The following changes were made using the Addendum process to the Draft EIS and the Final EIS.

1. In the Draft EIS, Table 3-13 on page 3-51 as was corrected as shown below:

Table 0-1. PM Peak Hour Trip Generation by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Planned Growth Alternative 3
Inbound Trips	553 453	933 633	4,313 817
Outbound Trips	737 594	1,159 812	1,581 1,038
Total Trips	1,289 1,047	2,092 1,445	2,894 1,855

Source: KPG 2014/2019

2. In the Draft EIS, Appendix D: Draft Planned Action Ordinance, Section III D (3) (a) Trip Ranges & Thresholds on page 4 was corrected as shown below:

Peak Hour Inbound and Outbound trips during the PM Peak Hour by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Alternative 2 Net Trips	Planned Growth Alternative 3	Alternative 3 Net Trips
Inbound Trips	553 453	933 633	380 180	1,313 817	760 364
Outbound	737 594	1,159 812	422 218	1,581 1,038	844 444
Total Trips	1,289 1,047	2,092 1,445	803 398	2,894 1,855	1,605 808

Source: KPG 2014/2019

3. In the Final EIS, Appendix B: Proposed Planned Action Ordinance, Section 3 C (3) Transportation Thresholds was amended as shown below:

- (a) Trip Ranges and Thresholds. The number of new PM Peak hour ~~and daily~~ trips anticipated within the Planned Action Area and reviewed in the FEIS for 2035 are as follows:

	No Action Alternative 1	Phased Growth Alternative 2	Net Trips Alternative 2	Phased Planned Growth Alternative 3	Net Trips Alternative 3
Inbound Trips	553 453	933 633	380 180	1,313 817	760 364
Outbound Trips	737 594	1,159 812	422 218	1,581 1,038	844 444
Total Trips	1,289 1,047	2,092 1,445	803 398	2,894 1,855	1,605 808

Amending the Planned Action Ordinance

Ordinance No. 705 includes a table that establishes thresholds for the number of trips inbound, outbound and total trips including net trips for the CRA Planned Action. Projects that wish to comply with the thresholds, standards and mitigation adopted in Planned Action Ordinance No. 705 do not require additional environmental review under SEPA. For consistency with the SEPA Addendum, Section C Planned Action Qualifications of the Ordinance needs to be amended to the correct the same data error previously corrected by the Addendum. Proposed Ordinance No. 863 would effectuate these amendments (Attachment C):

(3) Transportation and Thresholds:

(a) The number of new PM Peak hour and daily trips anticipated within the Planned Action Area and reviewed in the FEIS for 2035 are as follows:

	Phased Alternative 3	Net Trips Alternative 3
Inbound Trips	1,313 817	760 364
Outbound Trips	1,581 1,038	844 444
Total Trips	2,894 1,855	1,605 808

Planning Commission Public Hearing

The Planning Commission conducted a Public Hearing on proposed Ordinance No. 863 on June 6, 2019. The staff report and other materials from the public hearing can be found at the following link:

<http://www.shorelinewa.gov/Home/Components/Calendar/Event/14002/182>.

Public comment was received orally and in writing from Mr. Jeremy Eckert, legal counsel for ROIC. ROIC is a property owner within the CRA (Shoreline Place). ROIC hired Heffron Transportation Inc. to review the City's amendment to Planned Action Ordinance No. 705. ROIC's written and oral comments are available at the link provided above.

The main concern raised by Mr. Eckert was that the Merlone Geier Partners (MGP) Shoreline Place project will exceed the trips analyzed in the CRA Planned Action Ordinance No. 705 by 2,039, leaving no opportunity for other projects to take advantage of the Planned Action Ordinance. There are currently trips still available to be used after accounting for the MGP projects. However, as other projects in the CRA such as

moving the Department of Ecology offices to the current Washington State Department of Transportation building in the CRA adds trips to the area and the background traffic levels in the area increase between now and 2039, the trip capacity analyzed and identified CRA Planned Action transportation analysis performed for the CRA will be exceeded. The Council may choose to fund an update to the analysis and adopt a second Planned Action Ordinance for the CRA in the future. However, proposed Ordinance No. 863 is correcting a data transcription error and not altering any analysis.

Tonight's Council Discussion and Next Steps

Following the June 6 Public Hearing, the Planning Commission recommended approval of proposed Ordinance No. 863 as recommended by staff. Tonight, Council is scheduled to discuss proposed Ordinance No. 863. This proposed Ordinance is currently scheduled to be brought back to Council for adoption on July 22, 2019.

RESOURCE/FINANCIAL IMPACT

Adoption of Ordinance No. 863 will not create any resource or financial impacts.

RECOMMENDATION

No action is required. The Planning Commission recommends approval of Ordinance No. 863 which corrects a transcription error in Ordinance No. 705 the Planned Action for the Aurora Square Community Renewal Area (CRA).

ATTACHMENTS

- Attachment A: Ordinance No. 705 - Planned Action for the Aurora Square Community Renewal Area
- Attachment B: March 8, 2019 Community Renewal Area EIS SEPA Addendum
- Attachment C: Ordinance No. 863

ORDINANCE NO. 705

AN ORDINANCE OF THE CITY OF SHORELINE DESIGNATING A PLANNED ACTION FOR THE AURORA SQUARE COMMUNITY RENEWAL AREA PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT.

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 35.81, on September 4, 2012, the City enacted Resolution No. 333 designating the Aurora Square area as a Community Renewal Area and, on July 13, 2013, the City enacted Resolution No. 345 adopting the Aurora Square Community Renewal Area Plan; and

WHEREAS, under the State Environmental Policy Act (SEPA), RCW 43.21C and its implementing regulations, WAC 197-11, the City may provide for the integration of environmental review with land use planning and project review so as to streamline the development process through the designation of a Planned Action in conjunction with the adoption of a subarea plan; and

WHEREAS, designation of a Planned Action may be for a geographic area that is less extensive than the City's jurisdictional boundaries and serves to expedite the permitting process for subsequent, implementing projects whose impacts have been previously addressed in an Environmental Impact Statement (EIS), and thereby encourages desired growth and economic development; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, the City conducted a thorough environmental review of the development anticipated within the Aurora Square Community Renewal Area (Aurora Square CRA), and on December 12, 2014, issued a Draft Environmental Impact Statement (DEIS), that considered the impacts of the anticipated development within the Aurora Square CRA, provided for mitigations measures and other conditions to ensure that future development will not create adverse environmental impacts associated with the Planned Action; and

WHEREAS, the Planning Commission, after required public notice, on January 29, 2015 and on March 19, 2015, held a public hearing on the Aurora Square CRA Planned Action, reviewed the public record, and made a recommendation to the City Council; and

WHEREAS, the City Council, after required public notice, held a study session on the designation of a Planned Action area and modifications to the City's development regulations,

including changes to the City's Sign Code, SMC 20.50, and considered the Planning Commission's recommendations on June 8, 2015; and

WHEREAS, after allowing for public comment on the DEIS, on July 24, 2015, the City issued the Aurora Square Planned Action Final Environmental Impact Statement (FEIS) which responded to public comment and identifies the impacts and mitigation measures associated with the Aurora Square CRA Planned Action; and

WHEREAS, the City Council has determined that the Aurora Square CRA is appropriate for designation as a Planned Action and designating the Aurora Square CRA as a Planned Action will achieve efficiency in the permitting process thereby encouraging economic growth and development while promoting environmental quality;

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

Section 1. Findings. The Aurora Square Community Renewal Area Planned Action meets the criteria for a planned action as set forth in WAC 197-11-164 for the following reasons:

- A. The City of Shoreline is planning under the Growth Management Act (GMA), RCW 36.70A, and has adopted a Comprehensive Plan and development regulations to implement its Comprehensive Plan.
- B. The City has adopted the Aurora Square Community Renewal Plan consistent with RCW 35.81. The Aurora Square CRA is located within the City of Shoreline's Urban Growth Area but is limited to a specific geographical area that is less extensive than the City's boundaries.
- C. Concurrent with this Ordinance, with the adoption of Ordinance 712, the City is amending the Unified Development Code, SMC Chapter 20.50 Subchapter 8 Signs, to implement development regulations.
- D. The designation of the Aurora Square CRA Planned Action is consistent with the goals and policies of the City's Comprehensive Plan and the Aurora Square Community Renewal Plan.
- E. The City of Shoreline has prepared the Aurora Square Planned Action Draft Environmental Impact Statement (DEIS) and the Aurora Square Final Environmental Impact Statement (FEIS), collectively the Planned Action EIS, which identifies and adequately addresses the environmental impacts of development in the Planned Action area.

- F. The mitigation measures identified in the Planned Action EIS, attached hereto as Exhibit A, together with the City's existing development regulations and concurrently enacted development regulations set forth in Ordinance No. 712, specifically those regulations set forth in SMC 20.50 Signs, attached hereto as Exhibit B, will adequately mitigate significant impacts from development within the Planned Action area.
- G. The Aurora Square CRA Plan and the Planned Action EIS identify the location, type, and amount of development that is contemplated by the Planned Action and emphasize a mix of residential, retail/commercial, office, and public uses.
- H. Future development projects that are determined to be consistent with the Planned Action will protect the environment while benefiting the public and enhancing economic development within the City.
- I. The City has provided for meaningful opportunities for public involvement and review during the Aurora Square CRA Plan and the Planned Action EIS process, has considered all comments received, and, as appropriate, has modified the proposed action or mitigation measures in response to comments.
- J. The Planned Action does not include Essential Public Facilities, as defined in RCW 36.70A.200. These types of facilities are excluded from the Planned Action as designated herein and are not eligible for review or permitting as a Planned Action.
- K. The City, with adoption of this Planned Action, intends to update the Capital Facilities Element of its Comprehensive Plan.

Section 2. Planned Action Area Designation. The Planned Action Area is hereby defined as that area set forth in the Aurora Square Community Renewal Area Plan, as shown on Exhibit C attached hereto.

Section 3. Procedures and Criteria for Evaluating and Determining Projects as Planned Actions.

- A. **Environmental Document.** A Planned Action project determination for a site-specific project application shall be based on the environmental analysis contained in the Planned Action EIS. The mitigation measures contained in Exhibit A of this Ordinance are based upon the findings of the Planned Action EIS and shall, along with the City's Unified Development Code, SMC Title 20, provide the framework the City will use to apply appropriate conditions on qualifying Planned Action projects within the Planned Action Area.

- B. Planned Action Project Designation.** Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Section 3(C) of this Ordinance and the mitigation measures contained in Exhibit A of this Ordinance, are designated “Planned Action Projects” pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Section 3(C) of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.
- C. Planned Action Qualifications.** The Aurora Square Planned Action EIS analyzed the impacts associated with development in the Planned Action Area designated in Section 2 of this Ordinance. The EIS contains mitigation measures to adequately address impacts associated with this development up to the thresholds identified below. An individual development proposals or combination of Planned Action Projects that would exceed any of these thresholds and/or would alter the assumptions and analysis in the Planned Action EIS would not qualify as a Planned Action and may be subject to additional environmental review as provided in WAC 197-11-172. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: A land use can qualify as a Planned Action Project land use when:

- i. it is within the Planned Action Area as shown in Exhibit C of this Ordinance;
- ii. it is within one or more of the land use categories studied in the EIS: residential (multi-family), retail, office, entertainment, and open space; and
- iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

(b) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: roads designed for the Planned Action, stormwater, utilities, parks, trails, and similar facilities developed consistent with the Planned Action EIS mitigation measures, City and special district design standards, critical area regulations, and the Shoreline Municipal Code.

(2) Development Thresholds:

(a) Land Use: The following thresholds of new land uses are contemplated by the Planned Action:

Feature	Alternative 3
Residential Units	1,000
Retail – Square Feet	250,000
Office – Square Feet	250,000

(b) Shifting development amounts between land uses in identified in Subsection 3(C)(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Planned Action EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS are mitigated consistent with Exhibit A of this Ordinance.

(c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

(a) Trip Ranges and Thresholds. The number of new PM Peak hour and daily trips anticipated within the Planned Action Area and reviewed in the FEIS for 2035 are as follows:

	Phased Alternative 3	Net Trips Alternative 3
Inbound Trips	1,313	760
Outbound Trips	1,581	844
Total Trips	2,894	1,605

(b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in SMC 20.60.140 Adequate Streets and 20.60.150 Adequate Access. Applicants shall be required to provide documentation that the project meets concurrency standards.

(c) Access and Circulation. All Planned Action Projects shall meet access and circulation standards established in SMC 20.60.150 Adequate Access. All Planned

Action Projects shall provide frontage improvements for public roadways and shall provide for a coordinated onsite circulation system per Exhibit A.

(d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection 3(C)(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection 3(C)(3)(b), and that the project has mitigated impacts consistent with Subsection 3(C)(3)(c).

(e) Discretion.

i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City's Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action.

ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Shoreline Municipal Code.

iii. The responsible City official shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.

(4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS would not qualify as a Planned Action Project.

(5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

D. Planned Action Project Review Criteria.

(1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets ALL of the following conditions:

(a) the project is located within the Planned Action Area identified in Exhibit C of this Ordinance;

(b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection 3(C) of this Ordinance;

(c) the project is within the Planned Action thresholds and other criteria of Subsection 3(C) of this Ordinance;

(d) the project is consistent with the Shoreline Comprehensive Plan, the Aurora Square CRA Plan, and the Shoreline Municipal Code;

(e) the project's significant adverse environmental impacts have been identified in the Planned Action EIS;

(f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit A of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;

(g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and

(h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.

(2) The City shall base its decision to qualify a project as a Planned Action Project on review of a standard SEPA Environmental Checklist form, unless the City later elects to develop a specialized form for this Planned Action, and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

E. Effect of Planned Action Designation.

(1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.

(2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection 3(C) and 3(D) and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action Projects shall still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

F. Planned Action Project Permit Process. Applications submitted for qualification as a Planned Action Project shall be reviewed pursuant to the following process:

(1) Development applications shall meet all applicable requirements of this Ordinance and the Shoreline Municipal Code in place at the time of the Planned Action Project application. Planned Action Projects shall not vest to regulations required to protect public health and safety.

(2) Applications for Planned Action Projects shall:

(a) be made on forms provided by the City;

(b) include a SEPA Environmental Checklist;

(c) include a conceptual site plan pursuant to SMC 20.30.315 Site Development Permit; and

(d) meet all applicable requirements of the Shoreline Municipal Code and this Ordinance.

(3) The City's SEPA Responsible Official shall determine whether the application is complete and shall review the application to determine if it is consistent with and meets all of the criteria for qualification as a Planned Action Project as set forth in this Ordinance.

(4) (a) If the City's SEPA Responsible Official determines that a proposed project qualifies as a Planned Action Project, he/she shall issue a "Determination of Consistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to RCW 43.21C.440.

(b) Upon issuance of the Determination of Consistency, the review of the underlying project permit(s) shall proceed in accordance with the applicable permit review procedures specified in SMC Chapter 20.30 Procedures and Administration, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.

(c) The Determination of Consistency shall remain valid and in effect as long as the underlying project application approval is also in effect.

(d) Public notice and review for qualified Planned Action Projects shall be tied to the underlying project permit(s). If notice is otherwise required for the underlying permit(s), the notice shall state that the project qualifies as a Planned Action Project. If notice is not otherwise required for the underlying project permit(s), no special notice is required by this Ordinance.

(5) (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of

the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to RCW 43.21C.440.

(b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.

(c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.

(d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project's SEPA requirements. The City's SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

(6) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq.

(7) A Determination of Consistency or Inconsistency is a Type A land use decision and may be appealed pursuant to the procedures established in Chapter 20.30 SMC. An appeal of a Determination of Consistency shall be consolidation with any pre-decision or appeal hearing on the underlying project application.

Section 4. Mitigation Measures for the Aurora Square CRA Planned Action. Any proposed project within the Planned Action Area must be consistent with the City's Unified Development Code, Title 20 and the mitigation measures set forth in Exhibit A, attached hereto.

Section 5. Monitoring and Review of Planned Action.

- A. The City shall monitor the progress of development in the Aurora Square CRA Planned Action area to ensure that it is consistent with the assumptions of this Ordinance, the Aurora Square CRA Plan, and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Aurora Square CRA.
- B. The Planned Action shall be reviewed by the SEPA Responsible Official no later than six (6) years from the effective date of this ordinance and every six (6) years thereafter. The reviews shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the

impacts of development, and the effectiveness of required mitigation measures. Based upon this review, the City may propose amendments to this Planned Action or may supplement of review the Planned Action EIS.

Section 6. Conflict. In the event of a conflict between this Ordinance and any mitigation measures imposed thereto, any ordinance or regulation of the City, the provisions of this Ordinance shall control.

Section 7. 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 8. Effective Date of Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five (5) days after publication.

Section 9. Expiration Date. This Ordinance shall expire twenty (20) years from the date of adoption unless otherwise repealed or readopted by the City Council following a report from the Director of Planning and Community Development and a public hearing.

PASSED BY THE CITY COUNCIL ON AUGUST 10, 2015.


Shari Winstead
Mayor

ATTEST:


Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:


Margaret King
City Attorney

Date of Publication: August 13, 2015

Effective Date: August 18, 2015

EXHIBIT A

Planned Action Ordinance Mitigation Document Mitigation Required for Development Applications

1.0 MITIGATION MEASURES

The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts. Please see Final EIS Chapter 1 Summary for a description of impacts, mitigation measures, and significant unavoidable adverse impacts.

A Mitigation Document is provided in this **Exhibit A** to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this **Exhibit A** shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see **Exhibit C**).

Where a mitigation measure includes the words “shall” or “will,” inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where “should” or “would” appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

Any and all references to decisions to be made or actions to be taken by the City’s SEPA Responsible Official may also be performed by the City’s SEPA Responsible Official’s authorized designee.

1.1 Land Use/Light and Glare

As part of land use permit review, the City shall evaluate site development permits to consider the siting, design, and orientation of new uses relative to existing surrounding land uses in R-4, R-6 or R-8 zones, and may condition proposals to direct uses with the potential for producing noise away from sensitive receptors in those zones. The Planning and Community Development Director or designee may consider the maximum environment noise levels found in WAC 173-60-040 and application of the City’s General Development Standards in Chapter 20.50 to condition proposals.

1.2 Transportation

Frontage Improvements

When a property redevelops and applies for permits, frontage improvements (or in-lieu contributions) and right-of-way dedications if needed are required by the City of Shoreline Municipal Code (SMC 20.70). If right-of-way (or an easement) is needed, it also would be required/dedicated by the development to the City. The City has developed specific cross sections for City streets describing the travel lanes, sidewalk widths, bicycle facilities, and on-street parking. As part of the Aurora Square Planned Action EIS, customized designs were developed for 160th Street, Westminster Way N, N 155th Street, and Aurora Avenue N (see Draft EIS Appendix B and staff reports to City Council regarding Westminster Way). The Aurora Square CRA frontage improvements are described in detail under Draft EIS Section 3.3. Other frontage improvements would follow the City’s standard designs (e.g. west and south borders with Dayton, Fremont, and 155th along WSDOT area). The projects are identified in Table A-1 and Figure A-1.

Planned Action applicants may request and the City may consider a fee-in-lieu for some or all of the frontage improvements that are the responsibility of the property owner through the execution of a voluntary agreement (pursuant to RCW 82.02.020) or other instrument deemed acceptable to the City and applicant. The City may approve the fee-in-lieu agreement if the City finds the fee in lieu approach to be in the public interest, such as having the frontage completed in a more consistent or complete manner in combination with other properties at a later date.

As part of a voluntary agreement (pursuant to RCW 82.02.020) or other instrument deemed acceptable to the planned action applicant or City, the City may reduce the share of cost of the frontage improvements otherwise due to a Planned Action property, such as if Planned Action applicants implement high priority street improvements in place of lower priority improvements, either along their frontage, or offsite, as described in Table A-1 and illustrated in Figure A-1, or implement a greater length of a lower priority project, or meet other objectives that advance the CRA.

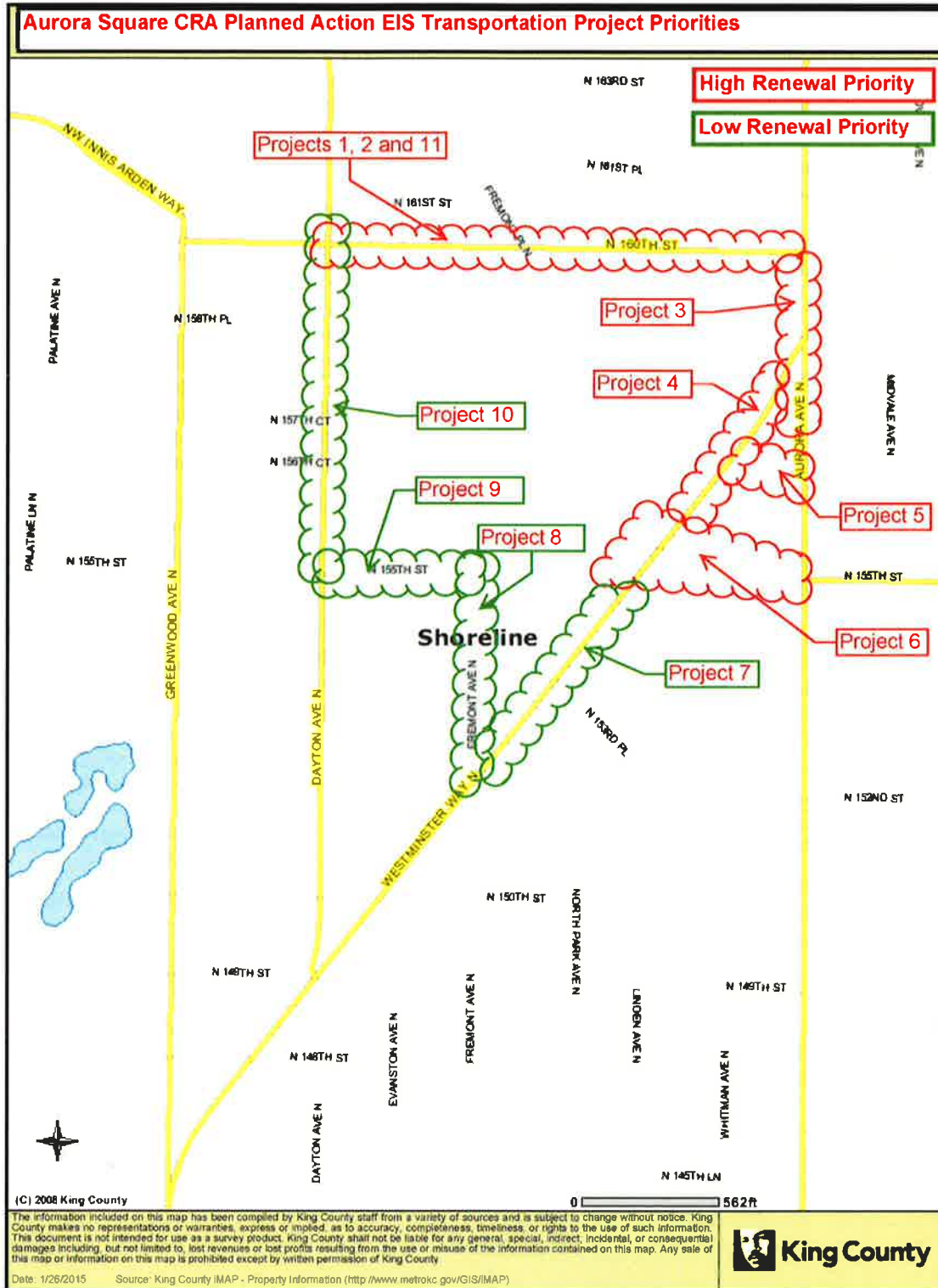
Table A-1. Renewal Priority of Aurora Square CRA Transportation Improvements

The Shoreline City Council designated the 70+ acre Aurora Square area as a Community Renewal Area (CRA) where economic renewal would clearly deliver multifaceted public benefits. Now that the CRA and Renewal Plan is established, the City is empowered to partner with private enterprise to encourage 21st century renewal. Master planning identified a number of projects that the City of Shoreline can accomplish on its own or in partnership with developers. The transportation improvements identified through the Planned Action EIS process are prioritized below to reflect the value of these improvements for economic renewal of the Aurora Square CRA.

No.	Project	Limits	Renewal Priority	Description
1	Rechannelization of N 160th St bordering CRA	Dayton Ave N to Aurora Ave N	High	Planned restriping to a 3-lane section with bicycle lanes in 2015 is high priority and will create better access to Aurora Square by vehicles, pedestrians, and cyclists.
2	N 160th St Intersection	Midblock on N 160th St	High	Improvements would provide a gateway entrance on N 160th St for Aurora Square and a midblock pedestrian crossing. Most effectively done when the Sears property redevelops and only if traffic volumes warrant. Note requirement for traffic study.

No.	Project	Limits	Renewal Priority	Description
3	Aurora Avenue N	Aurora Interurban Bridge to N 160th St	High	Provide a cycle connection from the Interurban Trail to the new N 160th St bike lane along the section of Westminster Way N vacated after the N 157th St road connection is constructed.
4	Westminster Way N (North)	N 155th St to N 160th St	High	Envisioned as a project in the Aurora Square CRA Renewal Plan, reworking Westminster Way N in this section provides a more pedestrian and bicycle friendly section with street parking that can help unite the small triangle property to the rest of Aurora Square. Most effectively completed with the redevelopment of the triangle property.
5	Construct N 157th St	Westminster Way N to Aurora Ave N	High	New street connection makes Westminster between 155th and 157th pedestrian and cycle-friendly, creates a better entrance to Aurora Square, connects the triangle property to the rest of Aurora Square, and provides on street parking for future retail. Most effectively completed with the redevelopment of the triangle property.
6	Intersection at N 155th St and Westminster Way N	Westminster Way N to Aurora Ave N	High	Improves the main vehicle intersection and increases safety for pedestrians. Includes improvements to the section of N 155th St between Westminster Way N and Aurora Ave N. Most effectively done at one time and in conjunction with the redevelopment of the Sears property.
7	Westminster Way N (South)	N 155th St to Fremont Ave N	Low	Frontage improvements provide little support of renewal efforts in this location.
8	Fremont Ave N	Westminster Way N to N 155th St	Low	Frontage improvements provide little support of renewal efforts in this location.
9	N 155th St (West)	Fremont Ave N to Dayton Ave N	Low	Frontage improvements provide little support of renewal efforts in this location.
10	Dayton Ave N	N 155th St to N 160th St	Low	Frontage improvements provide little support of renewal efforts in this location.
11	Cycle Track along N 160th St bordering CRA	Dayton Ave N to Aurora Ave N	Low	The cycle track proposed for improved connectivity between the Interurban Trail and Shoreline Community College ideally will be completed in conjunction with improvements to the West N 160th St project. The cycle track will likely require the City to secure matching grants and the property owners to dedicate ROW.

Figure A-1. CRA Transportation Project Priorities Map



N 160th St Intersection Access Improvements

Preliminary CRA plans include a new north/south internal street that will form the primary connection between Westminster Way N and N 160th Street. This north/south internal street would add a new intersection at N 160th Street. Planned Action applicants shall analyze the traffic operations of the new intersection and may be required by the City to construct a signal at the new intersection if signal warrants are met. The methods and approach to the analysis shall be consistent with SMC 20.60.140 Adequate Streets.

Parking Management

Planned Action applicants shall prepare and submit a parking management plan to the city for review and approval prior to approval of necessary land use and building permits.

Said parking management plan shall be in place prior to the occupancy of the development.

The plan shall:

1. Describe relationship of the parking management plan to the overall center plan, including how the proposed parking fits into the overall access and mobility plans for the center.
2. Address parking comprehensively for the range of users and times of day:
 - A. Encourage shared parking among neighboring businesses and document shared parking agreements and conditions consistent with the Shoreline Municipal Code.
 - B. Demonstrate the requested supply of parking for the mix and range of uses will meet the demand for parking at different times and for different events consistent with the Shoreline Municipal Code.
 - C. Take into account the parking patterns for different user groups in the center —employees, customers, and residents — throughout the course of the day.
 - D. Address freight and truck access and parking.
 - E. Be attentive to workers, customers and visitors traveling to the center by modes other than automobile, such as bicycle and transit.
 - F. Design parking facilities to accommodate pedestrian movement, including safety and security.
 - G. Take into account any traffic control management programs, such as parking restrictions during peak commuting periods.
 - H. Develop parking strategies for special events or for infrequent peak demands.
3. Establish goals and objectives for parking — to support short-term and long-term development plans for the center, during construction and post-construction.
4. Include measures to ensure parking is shared, reduce drive alone commute trips, and prevent parking from being used by commuters to other adjacent sites or as an unsanctioned park and ride lot. Such measures could include:
 - A. Establishing a parking manager to manage site parking
 - B. Charging for daytime parking

- C. Validating parking
 - D. Providing a segmented parking garage or facility so that some parking is reserved for certain uses at certain times of day
 - E. Reserve areas for short-term parking by customers and visitors
 - F. Allow non-peak shared parking (e.g. office parking used for retail parking on nights and weekends)
5. Identify wayfinding measures, such as signage directing visitors and customers to parking facilities, electronic signage with parking availability information, mobile phone applications, or other measures.
6. Provide contingency measures such as monitoring, enforcement, and other adaptive management techniques to promote access to parking onsite and avoid parking encroachment into adjacent neighborhoods.

1.3 Stormwater

The City shall apply the stormwater management manual in effect at the time of proposal application. As of 2015, the City of Shoreline is evaluating options for regional flow control facilities in the vicinity of the study area. Creating a downstream regional flow control facility to serve the study area, if pursued by the City, would require additional study and analysis to verify feasibility, preparation of regional facility basin plan for review by Ecology, environmental analysis and permitting, and final design and construction. If a regional flow control facility is approved by the City, an applicant may request or the City may condition development to pay a fee based on the area of new and replaced impervious surface subject to Minimum Requirement 7 in the 2012 stormwater management manual for Western Washington published by the Washington Department of Ecology or equivalent requirement in place at the time of application.

1.4 Sewer and Water

Sewer

The sewer service provider agency may assume control of private sewer mains larger than 6 inches that are proposed or required to be replaced, upgraded, or relocated within the Aurora Square CRA.

Water

The current water system infrastructure and supply are able to meet the additional residential and employment need. The water mains inside the study area are owned privately, and there would need to be coordination if the privately owned water mains need to be extended, replaced, or altered. The water service provider or the City of Shoreline may require extension, replacement, upgrade, or relocation of water mains to serve proposals to meet adopted standards of service.

1.5 Schools and Parks

Parks

The City’s commercial site design standards at SMC 20.50.240 Site Design, Subsection F, require public places within commercial portions of development. Applicants may propose or the City may require

consolidation or reconfiguration of required public space to advance the adopted Aurora Square CRA Renewal Plan or in order to optimize the provisions of SMC 20.50.240 Site design where mixed commercial and residential uses are proposed.

To redirect a portion of the onsite open space towards a more centrally located public space within or adjacent to the Aurora Square property, the City may allow up to fifty percent (50%) of the private recreation space required in SMC 20.50.240 to be: 1) accomplished offsite as approved by the Planning and Community Development Director; or 2) a fee-in-lieu (proportionate to the cost of the space if it were built onsite) through a negotiated voluntary agreement.

Schools

As of 2015, the City of Shoreline does not charge school impact fees. The Shoreline School District is preparing a Capital Facilities Plan as of 2015, which may be the basis for charging impact fees in the future. The City shall apply regulations in place at the time of application, including subsequently adopted impact fees, where applicable.

2.0 CODE REQUIREMENTS – ADVISORY NOTES

The EIS identifies specific regulations that act as mitigation measures. These are summarized below by EIS topic. All applicable federal, state, and local regulations shall apply to Planned Actions. Planned Action applicants shall comply with all adopted regulations where applicable including those listed in the EIS and those not included in the EIS.

2.1 Land Use

- All new development of specific parcels will be subject to SMC Chapter 20.40 which sets forth the permitted uses and activities for the zoning district in which the CRA is located.
- SMC 20.50.020: Contains design guidelines, development dimensions, standards, and conditions for development within areas covered by the MB zoning designation. These design guidelines and development standards include site coverage and height as well as setback requirements.
- SMC 20.50.021: Addresses transition standards where development within MB zones abuts single family districts. Development standards include additional setbacks, building offsets, and heights.
- SMC 20.50.180: Addresses building orientation and scale.
- SMC 20.50.205: Addresses light standards including avoiding light trespass.
- SMC 20.50.240: Contains commercial site design guidelines including site frontage, rights-of-way lighting, corner sites, site walkways, public places, multifamily open space, outdoor lighting, service areas, and mechanical equipment.

2.2 Light and Glare

- SMC 20.50.021: Addresses transition standards where development within MB zones abuts single family districts. Development standards include additional setbacks, building offsets, and heights.
- SMC 20.50.180: Addresses building orientation and scale.

- SMC 20.50.205: Addresses light standards including avoiding light trespass. For example, a lamp or bulb light source installed on commercial property and visible from any residential property must be shielded such that the light source is no longer directly visible. This provision also excludes certain types of lighting (e.g. search lights, laser lights, strobe lights, etc.).
- SMC 20.50.240(H): Contains commercial guidelines for outdoor lighting including pole heights for parking and pedestrian lights and shielding of fixtures to prevent direct light from entering neighboring property.
- SMC 20.50.250: Addresses commercial building design including building articulation, materials, modulation, and facade treatments.
- SMC 20.50.540(G): Addresses sign area, heights, types, illumination, and number of maximum allowable signs.

Development in the analysis area would be subject to the City's existing design review process and would be required to comply with all applicable urban design principles.

In addition to design review and the application of design guidelines, development in the MB zone would be required to comply with all applicable development regulations contained in the Shoreline Zoning Code.

2.3 Transportation

Frontage Improvements

When a property redevelops and applies for permits, frontage improvements (or in-lieu contributions) and right-of-way dedications if needed are required by the City of Shoreline Municipal Code (SMC 20.70). If right-of-way (or an easement) is needed, it also would be required/dedicated by the development to the City. See Section 2.0 for mitigation measure requirements on how the City's specific frontage proposals are to be implemented in the Aurora Square CRA.

Concurrency

Future proposals would meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in SMC 20.60.140 Adequate Streets.

Impact Fees

The City of Shoreline adopted Transportation Impact Fees effective January 1, 2015 per Shoreline Municipal Code (SMC) Chapter 12.40. Payment of the Transportation Impact Fees is designed to mitigate city-wide transportation impacts that will result from residential and non-residential growth within Shoreline. As new development occurs within the CRA, each development would be assessed a per trip fee based on the number of new trips added to the street network.

Commute Trip Reduction

The City has adopted a Commute Trips Reduction Program (SMC 14.10) consistent with State Requirements under RCW 70.94.527.

Internal Pedestrian Access

Chapter 20.60.150 of the SMC requires new development to provide pedestrian facilities that connect street right-of-way to building entrances, safe access to parking areas, and connections connecting commercial developments. As part of its development review process, the City will ensure the implementation of these requirements to encourage walking and transit use.

2.4 Stormwater

- Stormwater management is regulated by federal, state, and local laws and ordinances. This section provides an overview of the key regulations and policies that relate to stormwater management and stormwater impacts.
- The Federal Clean Water Act governs the discharge of pollutants into the waters of the United States and regulates water quality standards for surface water. The discharge of any pollutant from a point source into navigable waters without a proper permit is unlawful, under the act; therefore, the NPDES permit program controls these discharges. Ecology, under RCW 90.48 is the permitting agency for NPDES permits in the state of Washington.
- Under Federal Law, Section 401, any activity requiring a Section 404 permit (placement of fill or dredging within waters of the United States) or a Section 10 permit (placing a structure within the waters of the United States) which may result in any discharge into the navigable waters of the United States must obtain a certification from the state certifying that such discharge will comply with the applicable provisions of the Clean Water Act. Ecology, under chapter RCW 90.48, is the certifying agency for Section 401 permits.
- Ecology is responsible for implementing and enforcing surface water quality regulations in Washington State. The current water quality standards are established in state regulations (WAC 173-201A). General requirements for stormwater management are contained in the *NPDES Phase II Western Washington Municipal Stormwater Permit*. Specific guidance for achieving stormwater management standards for development and redevelopment projects is provided by Ecology in the *Stormwater Management Manual for Western Washington (SMMWW)*. The SMMWW identifies minimum requirements for development and redevelopment projects of all sizes and provides guidance on implementation of BMPs to achieve these requirements. As part of compliance with the *NPDES Phase II Western Washington Municipal Stormwater Permit*, Ecology's regulations require local agencies to adopt stormwater treatment regulations. Many local agencies, including the City of Shoreline, have chosen to adopt the SMMWW rather than develop a similar but unique set of regulations.
- The SMMWW includes requirements and recommended BMPs for managing stormwater runoff during the construction phase. However, if project construction would disturb more than 1 acre of ground and would discharge stormwater to surface waters, redevelopment projects within the study area would require coverage under the *NPDES Construction Stormwater General Permit*. Coverage under this general permit requires submitting an application to Ecology. The permit requires implementing BMPs and performing monitoring activities to minimize construction-related impacts to water quality.
- Local laws require stormwater discharges to meet water quality and flow control standards. Through Shoreline Municipal Code (SMC) 13.10, the City has adopted the most recent version of the

SMMWW published by the Washington State Department of Ecology. The most recent version of the SMMWW was published in August 2012.

2.5 Water and Sewer

- SPU design standards indicate that fire flow is determined based on the City’s Fire Code and considered when issuing Water Availability Certificates. SPU will determine availability of services at the time of development (i.e. Certificates of Availability).
- Shoreline implements Chapter 20.60 SMC, Adequacy of Public Facilities, and requires adequate sewer systems, water supply and fire protection. Shoreline also implements Chapter 13.05 SMC, Water and Sewer Systems Code, and applies King County codes and standards.
- Currently, new development is required to pay a general facilities fee by the wastewater facility provider. Fees in place at the time of application will apply.

2.6 Parks

- In SMC 20.50.240 Site Design, Subsection G, the City requires multifamily open space at a rate of 50 square feet per dwelling unit and a minimum of 800 square feet.
- The City’s commercial site design standards at SMC 20.50.240 Site Design, Subsection F, require public places within commercial portions of development at a rate of four square feet of public place per 20 square feet of net commercial floor area up to a public place maximum of 5,000 square feet.

2.7 Hazardous Materials

- New development will be subject to City codes for handling hazardous materials, including but not limited to applicable provisions of SMC 13.14 and SMC 15.05. New development will also be subject to State and Federal hazardous materials regulations. Based on applicable laws, applicants shall provide the City with an Environmental Assessment in regards to hazardous soils, substances, and materials on site.

3.0 PUBLIC AGENCY ACTIONS AND COMMITMENTS

Under some elements of the Planned Action EIS, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for implementing regulations and infrastructure investments in order to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions that the City may take to reduce impacts. These actions are listed below in Table A-2.

Actions identified as “Proposed Concurrent Actions” refer to legislative actions proposed for adoption together with the Preferred Alternative. Longer term and other agency actions will occur in the future, depending on need. The projected timeframe and responsible departments are identified and will be used in monitoring the implementation of this Ordinance.

Table A-2 will be used in the monitoring process established in Section 5 of this Ordinance.

**Table A-2
Public Agency Mitigation Measures**

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle or within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
Municipal Code Amendments; Sign Code and Noise Standards (time of day).	X			City	2015
Evaluation of Other Potential Mitigation for Transportation: Consultation and coordination with CRA property owners on additional left-turn capacity for northbound traffic on Aurora Avenue N (see DEIS page 2-65) and integration into Comprehensive Plan and/or CRA Planned Action.		X		City	Monitor. Consider implementation strategies with next Comprehensive Plan Update (approximately 2037) or within 5 years (2020).
Integration of Roadway and Stormwater Capital Projects into City Capital Facility Plan and Capital Improvement Program		X		City	2015 concurrent with budget; or next annual amendment process.
School District Capital Facility Plan		X		Shoreline School District	Process is underway in 2015. City may address in future Comprehensive Plan amendment cycle. District and City to consider impact fees as appropriate.

ORDINANCE NO. 712 - Exhibit A

Sign Code Development Regulations – Aurora Square CRA

SMC 20.50.532 Permit required.

E. Applications for property located within the Aurora Square Community Renewal Area, as defined by Resolution 333, shall be subject to SMC 20.50.620.

SMC 20.50.620 Aurora Square Community Renewal Area Sign Standards.

A. Purpose. The purposes of this subsection are:

1. To provide standards for the effective use of signs as a means of business identification that enhances the aesthetics of business properties and economic viability.

2. To provide a cohesive and attractive public image of the Aurora Square Community Renewal Area lifestyle center.

3. To protect the public interest and safety by minimizing the possible adverse effects of signs.

4. To establish regulations for the type, number, location, size, and lighting of signs that are complementary with the building use and compatible with their surroundings.

B. Location Where Applicable. Map 20.50.620.B illustrates the Aurora Square CRA where the Sign Standards defined in this subsection apply.

Map 20.50.620.B—Aurora Square CRA



C. Definitions. The following definitions apply to this subsection:

<p><u>CRA</u></p>	<p><u>Aurora Square Community Renewal Area, as defined by Resolution 333, the Aurora Square Community Renewal Area Plan, and SMC 20.50.620.B Map.</u></p>
<p><u>CRA Building-Mounted Sign</u></p>	<p><u>A sign permanently attached to a building, including flush-mounted, projecting, awning, canopy, or marquee signs. Under-awning or blade signs are regulated separately.</u></p>
<p><u>CRA Monument Sign</u></p>	<p><u>A freestanding sign with a solid-appearing base 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. Monument signs may also consist of cabinet or channel letters mounted</u></p>

	<u>on a fence, freestanding wall, or retaining wall where the total height of the structure meets the limitations of this code.</u>
<u>CRA Pylon Sign</u>	<u>A freestanding sign with a visible support structure or with the support structure enclosed with a pole cover.</u>
<u>CRA Lifestyle Center</u>	<u>That portion of the Aurora Square CRA envisioned in the CRA Renewal Plan as inter-related retail, service, and residential use.</u>
<u>CRA Lifestyle Frontage</u>	<u>That sections of the streets that directly serves and abuts the CRA Lifestyle Center. The three CRA Lifestyle Frontages are on portions of N 160th St, Westminster Way N, and Aurora Ave N.</u>
<u>CRA Signage Design Guidelines</u>	<u>The set of design standards adopted by the City that specifies the common name, logo, taglines, fonts, colors, and sign standards used throughout the CRA Lifestyle Center.</u>
<u>CRA Under-Awning Sign</u>	<u>A sign suspended below a canopy, awning or other overhanging feature of a building.</u>
<u>CRA Way-finding Sign Post</u>	<u>A sign with multiple individual panels acting as directional pointers that are suspended from a freestanding post.</u>
<u>Electronic Message Center (EMC)</u>	<u>A sign with a programmable, changeable digital message.</u>
<u>Portable Sign</u>	<u>A sign that is readily capable of being moved or removed, whether attached or affixed to the ground or any structure that is typically intended for temporary display.</u>
<u>Temporary Sign</u>	<u>A sign that is only permitted to be displayed for a limited period of time, after which it must be removed.</u>
<u>Window Sign</u>	<u>A sign applied to a window or mounted or suspended directly behind a window.</u>

D. Permit Required.

1. Except as provided in this subsection, no permanent sign may be constructed, installed, posted, displayed or modified without first obtaining a sign permit approving the proposed sign's size, design, location, display, and, where applicable, adherence to the CRA Signage Design Guidelines.

2. No permit is required for normal and ordinary maintenance and repair, and changes to the graphics, symbols, or copy of a sign, without affecting the size, structural design or height. Exempt changes to the graphics, symbols or copy of a sign must meet the standards defined herein.

3. All CRA pylon, CRA monument, and CRA wayfinding signs shall conform to the CRA Signage Design Guidelines. For all other types of signs, if an applicant seeks to depart from the standards of this subsection, the applicant must receive an administrative design review approval under SMC 20.30.297.

4. The City reserves the right to withhold sign permits and to assess the property owner up to one hundred dollars per day for failure to install the signs indicated herein by September 1, 2017.

E. Sign Design.

1. 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.

2. 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.

3. 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 non-illuminated background. Sign area 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.

4. 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.

5. 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.

6. CRA Signage Design Guidelines. Design and content of the CRA Pylon, CRA Monument, and CRA Wayfinding Sign Posts shall conform to the CRA Signage Design Guidelines. In addition, all other permanent or temporary signage or advertising displaying the common name, logo, colors, taglines, or fonts of the CRA Lifestyle Center shall comply with the CRA Signage Design Guidelines.

7. Illumination. Where illumination is permitted per Table 20.50.620.E7 the following standards must be met:

a. Channel lettering or individual backlit letters mounted on a wall, or individual letters placed on a raceway, where light only shines through the copy.

b. Opaque cabinet signs where light only shines through copy openings.

c. Shadow lighting, where letters are backlit, but light only shines through the edges of the copy.

d. Neon signs.

e. 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.

f. EMC messages shall be monochromatic. EMCs shall be equipped with technology that automatically dims the EMC according to light conditions, ensuring that EMCs do not exceed 0.3 foot-candles over ambient lighting conditions when measured at the International Sign Association's recommended distance, based on the EMC size. EMC message hold time shall be ten (10) seconds with dissolve transitions. 10% of each hour shall advertise civic, community, educational, or cultural events.

g. Building perimeter/outline lighting is allowed for theaters only.



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

8. Sign Specifications.

Table 20.50.620.E.8 Sign Dimensions	
CRA MONUMENT SIGNS	
<u>Maximum Sign Copy Area</u>	<u>100 square feet. The Monument Sign must be double-sided if the back of the sign is visible from the street.</u>
<u>Maximum Structure Height</u>	<u>Eight (8) feet.</u>
<u>Maximum Number Permitted</u>	<u>Two (2) per driveway.</u>
<u>Sign Content</u>	<u>At least 50% of the Sign Copy Area shall be used to identify the CRA Lifestyle Center. Individual business names, if shown, shall not include logos and shall be a single common color conforming to the CRA Signage Design Guidelines.</u>
<u>Location</u>	<u>At any driveway to a CRA Lifestyle Frontage.</u>
<u>Illumination</u>	<u>Permitted.</u>
<u>Mandatory Installation</u>	<u>At least one (1) monument sign shall be installed at each of three (3) vehicle entries to the CRA Lifestyle Center by September 1, 2017. An extension of up to one (1) year can be granted by the City Manager to accommodate active or planned construction at or near the vehicle entrance.</u>

<u>CRA WAY-FINDING SIGN POSTS</u>	
<u>Maximum Sign Copy Area</u>	<u>Two (2) square feet per business name; no limit on number of businesses displayed.</u>
<u>Maximum Structure Height</u>	<u>Ten (10) feet.</u>
<u>Maximum Number Permitted</u>	<u>No limit.</u>
<u>Sign Content</u>	<u>Individual business names shall not include logos and shall be in a single common color conforming to the CRA Signage Design Guidelines.</u>
<u>Location</u>	<u>Anywhere in the CRA Lifestyle Center.</u>
<u>Illumination</u>	<u>Not permitted.</u>
<u>Mandatory Installation</u>	<u>At least twelve (12) CRA Way-finding Sign Posts shall be installed in the CRA Lifestyle Center by September 1, 2017. An extension of up to one (1) year can be granted by the City Manager to accommodate active or planned construction within the center.</u>
<u>CRA PYLON SIGN</u>	
<u>Maximum Sign Copy Area</u>	<u>300 square feet.</u>
<u>Maximum Structure Height</u>	<u>25 feet.</u>
<u>Maximum Number Permitted</u>	<u>Three (3) pylon signs are allowed.</u>
<u>Sign Content</u>	<u>At least 25% of the Sign Copy Area shall be used for identification of the CRA Lifestyle Center. Up to 50% of the Sign Copy Area may be used for a monochromatic Electronic Message Center (EMC). Individual business names, if shown, shall not include logos but may include any color.</u>
<u>Location</u>	<u>One sign can be located on each of the CRA Lifestyle Frontages that are directly across from properties with Mixed Business (MB) zoning.</u>

<u>Illumination</u>	<u>Permitted.</u>
<u>Mandatory Installation</u>	<u>Three (3) CRA Pylon Signs shall be installed by July 1, 2017. An extension of up to one (1) year can be granted by the City Manager to accommodate active or planned construction at or near the pylon locations.</u>
<u>CRA BUILDING-MOUNTED SIGN</u>	
<u>Maximum Sign Copy Area</u>	<u>Maximum sign area shall not exceed 15% of the tenant fascia or a maximum of 500 square feet, whichever is less.</u>
<u>Maximum Structure Height</u>	<u>Not limited. 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.</u>
<u>Number Permitted</u>	<u>The sign area per business may be distributed into multiple signs provided that the aggregate sign area is equal to or less than the maximum allowed sign area.</u> <u>Maximum of one projecting sign per tenant, per fascia. Maximum sign area of projecting shall not exceed 10 percent of tenant’s allotted wall sign area.</u>
<u>Illumination</u>	<u>Permitted.</u>
<u>CRA UNDER-AWNING SIGNS</u>	
<u>Maximum Sign Copy Area</u>	<u>12 square feet.</u>
<u>Minimum Clearance from Grade</u>	<u>Eight (8) feet.</u>
<u>Maximum Structure Height</u>	<u>Not to extend above or beyond awning, canopy, or other overhanging feature of a building under which the sign is suspended. Signs may project into the public right-of-way subject to City approval.</u>
<u>Number Permitted</u>	<u>One (1) per business entrance.</u>
<u>Illumination</u>	<u>External only.</u>

9. Window Signs. Window signs are permitted to occupy maximum 25 percent of the total window area. Window signs are exempt from permit if non-illuminated and do not require a permit under the building code.

10. A-Frame Signs. A-frame, or sandwich board, signs are exempt from permit but subject to the following standards:

a. Maximum two signs per business;

b. Must contain the business' name and may be located on the City right-of-way in any of the CRA Lifestyle Frontages;

c. Cannot be located within the required clearance for sidewalks and internal walkways as defined for the specific street classification or internal circulation requirements;

d. Shall not be placed in landscaping, within two feet of the street curb where there is on-street parking, public walkways, or crosswalk ramps;

e. Maximum two feet wide and three feet tall, not to exceed six square feet in area;

f. No lighting of signs is permitted;

g. All signs shall be removed from display when the business closes each day; and

h. A-frame/sandwich board signs are not considered structures.

F. Prohibited Signs.

1. Spinning devices; flashing lights; searchlights, or reader board signs. Traditional barber pole signs allowed.

2. Portable signs, except A-frame signs as allowed by SMC 20.50.660(I).

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

4. Signs mounted on the roof.

5. Inflatables.

6. Signs mounted on vehicles.

G. Nonconforming Signs.

1. All pylon signs in the CRA Lifestyle Center existing at the time of adoption of this subsection are considered nonconforming and shall be removed by September 1, 2017. The City reserves the right to assess the property owner up to one hundred dollars per day for failure to remove nonconforming signs as indicated.

2. 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.

3. Electronic changing message (EMC) or reader boards may not be installed in existing, nonconforming signs without bringing the sign into compliance with the requirements of this code.

H. Temporary Signs.

1. 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 are 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.

2. Temporary On-Premises Business Signs. Temporary banners are permitted to announce sales or special events such as grand openings, or prior to the installation of permanent business signs. Such temporary business signs shall:

a. Be limited to one sign for businesses under 10,000sf, two signs for businesses larger than 10,000sf but smaller than 40,000sf, and three signs for businesses larger than 40,000sf;

b. Be limited to 100 square feet in area;

c. 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

d. Be removed immediately upon conclusion of the sale, event or installation of the permanent business signage.

3. 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.

4. Feather flags and pennants when used to advertise city-sponsored or CRA Lifestyle Center community events.

5. Pole banner signs that identify the CRA Lifestyle Center.

6. Temporary signs 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.

I. Exempt Signs. The following are exempt from the provisions of this chapter, except that all exempt signs must comply with SMC 20.50.540(A), Sight Distance, and SMC 20.50.540(B), Private Signs on City Right-of-Way:

1. Historic site markers or plaques and gravestones.

2. Signs required by law, including but not limited to:

a. Official or legal notices issued and posted by any public agency or court; or

b. Traffic directional or warning signs.

3. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, not illuminated, and do not exceed four square feet in surface area.

4. Incidental signs, which shall not exceed two square feet in surface area; provided, that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency.

5. State or Federal flags.

6. Religious symbols.

7. The flag of a commercial institution, provided no more than one flag is permitted per business; and further provided, the flag does not exceed 20 square feet in surface area.

8. Neighborhood identification signs with approved placement and design by the City.

9. Neighborhood and business block watch signs with approved placement of standardized signs acquired through the City of Shoreline Police Department.

10. Plaques, signs or markers for landmark tree designation with approved placement and design by the City.

11. Real estate signs not exceeding 24 square feet and seven feet in height, not on City right-of-way. A single fixed sign may be located on the property to be sold, rented or leased, and shall be removed within seven days from the completion of the sale, lease or rental transaction.

12. City-sponsored or community-wide event signs.

13. Parks signs constructed in compliance with the Parks Sign Design Guidelines and Installation Details as approved by the Parks Board and the Director. Departures from these approved guidelines may be reviewed as departures through the administrative design review process and may require a sign permit for installation.

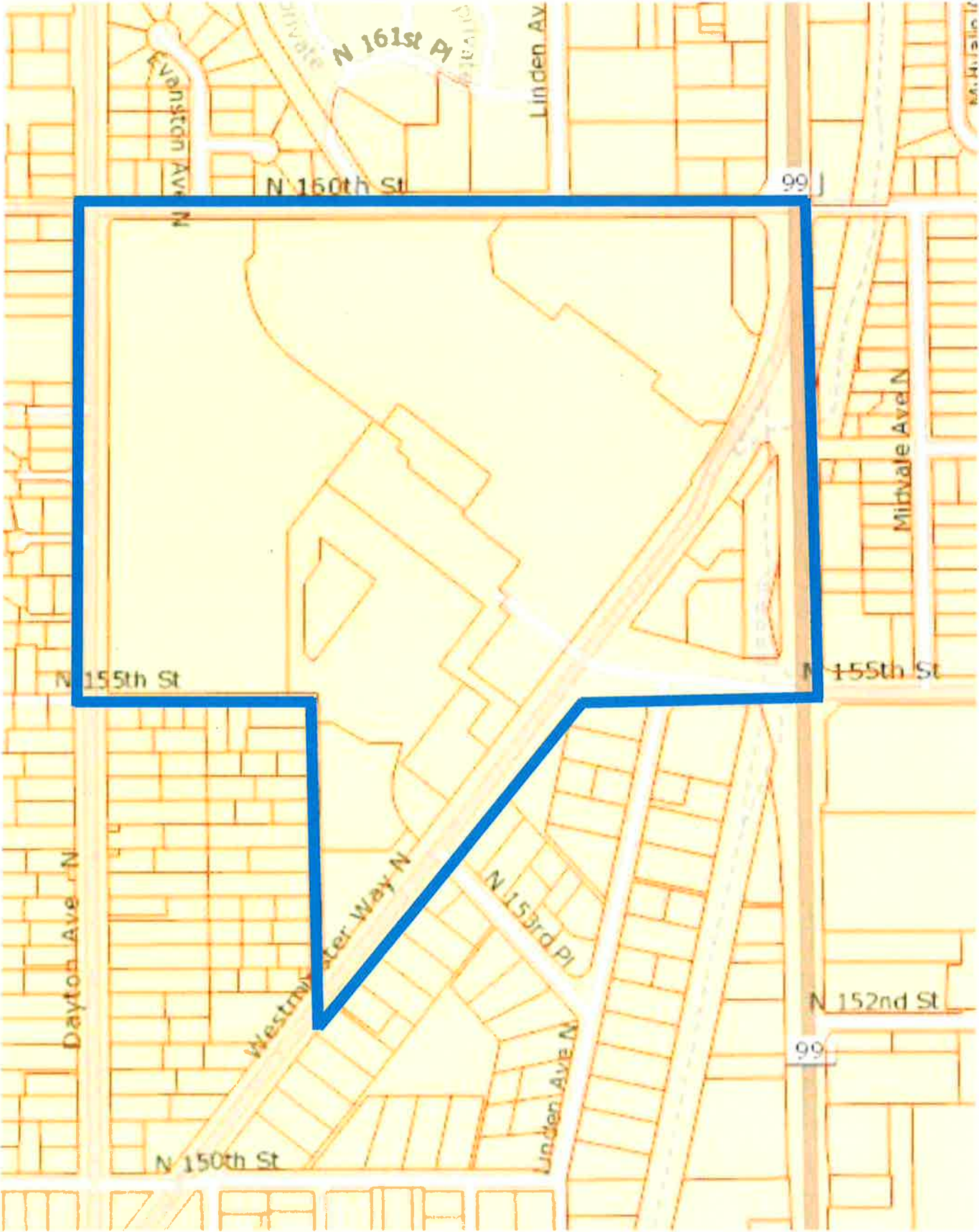
14. Garage sale signs not exceeding four square feet per sign face and not advertising for a period longer than 48 hours.

15. City land-use public notification signs.

16. Menu signs used only in conjunction with drive-through windows, and which contains a price list of items for sale at that drive-through establishment. Menu signs cannot be used to advertise the business to passersby: text and logos must be of a size that can only be read by drive-through customers. A building permit may be required for menu signs based on the size of the structure proposed.

17. Campaign signs that comply with size, location and duration limits provided in Shoreline Administrative Rules.

The Aurora Square Community Renewal Area



Addendum

Addendum to: City of Shoreline, Aurora Square Planned Action Draft Environmental Impact Statement (December 12, 2014) and Final Environmental Impact Statement (July 24, 2015).

Date Issued: March 8, 2019

Introduction

This document addends the City of Shoreline, Aurora Square Planned Action Draft Environmental Impact Statement (EIS) and Final Environmental Impact Statement.

The Draft EIS is available at this website:

<http://www.shorelinewa.gov/Home/ShowDocument?id=19087>

The Final EIS is available at this website:

<http://www.shorelinewa.gov/Home/ShowDocument?id=21489>

Consistent with the State Environmental Policy Act (SEPA), this addendum has been prepared to correct a reporting error in the trip generation numbers of the Draft EIS and the Final EIS. The trip generation numbers were reported incorrectly in the documents and have been corrected to match the trip generation numbers used in the analysis. There is no change to the analysis of alternatives, significant impacts, or mitigation measures. A notice of this Addendum has been circulated to those receiving the Final EIS.

Discussion

The Draft EIS identified the PM peak hour trips generated for each of the three alternatives in Chapter 3.3, Table 3-13 on page 3-51.

Table 0-1. PM Peak Hour Trip Generation by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Planned Growth Alternative 3
Inbound Trips	553	933	1,313
Outbound Trips	737	1,159	1,581
Total Trips	1,289	2,092	2,894

Source: KPG 2014

Table 3-13 (above) shows the trip generation numbers without a reduction for trips occurring within a site that has multiple land uses. The *National Cooperative Highway Research Program (NCHRP) Report 684* methodology estimates the number of trips between land uses within the site

(internal capture), which decreases the total vehicle trips external to the site. The transportation analysis in the EIS used trip generation numbers with a reduction for internal capture to evaluate traffic operations for the alternatives. The data in the Table 3-13 incorrectly reports the trip generation numbers without the internal capture reduction.

EIS Corrections

Based on the above review, make the following changes to the Draft EIS and the Final EIS.

1. In the Draft EIS, amend Table 3-13 on page 3-51 as corrected below:

Table 0-1. PM Peak Hour Trip Generation by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Planned Growth Alternative 3
Inbound Trips	553 <u>453</u>	933 <u>633</u>	1,313 <u>817</u>
Outbound Trips	737 <u>594</u>	1,159 <u>812</u>	1,581 <u>1,038</u>
Total Trips	1,289 <u>1,047</u>	2,092 <u>1,445</u>	2,894 <u>1,855</u>

Source: KPG ~~2014~~2019

2. In the Draft EIS, amend Appendix D: Draft Planned Action Ordinance, Section III D (3) (a) Trip Ranges & Thresholds on page 4 as corrected below:

Peak Hour Inbound and Outbound trips during the PM Peak Hour by Alternative

	No Action Alternative 1	Phased Growth Alternative 2	Alternative 2 Net Trips	Planned Growth Alternative 3	Alternative 3 Net Trips
Inbound Trips	553 <u>453</u>	933 <u>633</u>	380 <u>180</u>	1,313 <u>817</u>	760 <u>364</u>
Outbound Trips	737 <u>594</u>	1,159 <u>812</u>	422 <u>218</u>	1,581 <u>1,038</u>	844 <u>444</u>
Total Trips	1,289 <u>1,047</u>	2,092 <u>1,445</u>	803 <u>398</u>	2,894 <u>1,855</u>	1,605 <u>808</u>

Source: KPG ~~2014~~2019

3. In the Final EIS, amend Appendix B: Proposed Planned Action Ordinance, Section 3 C (3) Transportation Thresholds as corrected below:

(a) Trip Ranges and Thresholds. The number of new PM Peak hour ~~and daily~~ trips anticipated within the Planned Action Area and reviewed in the FEIS for 2035 are as follows:

	No Action Alternative 1	Phased Growth Alternative 2	Net Trips Alternative 2	Phased Planned Growth Alternative 3	Net Trips Alternative 3
Inbound Trips	553 <u>453</u>	933 <u>633</u>	380 <u>180</u>	1,313 <u>817</u>	760 <u>364</u>
Outbound Trips	737 <u>594</u>	1,159 <u>812</u>	422 <u>218</u>	1,581 <u>1,038</u>	844 <u>444</u>
Total Trips	1,289 <u>1,047</u>	2,092 <u>1,445</u>	803 <u>398</u>	2,894 <u>1,855</u>	1,605 <u>808</u>

ORDINANCE NO. 863

AN ORDINANCE OF THE CITY OF SHORELINE AMENDING THE AURORA SQUARE COMMUNITY RENEWAL AREA PLANNED ACTION ORDINANCE AS ADOPTED BY ORDINANCE NO. 705.

WHEREAS, on August 10, 2015, the City Council adopted Ordinance No. 705, designating the Aurora Square Community Renewal Area as a Planned Action; and

WHEREAS, Section 3(C)(3)(a) of Ordinance No. 705 sets forth the new PM Peak hour and daily trips anticipated within the Planned Action Area for the purpose of establishing transportation thresholds; and

WHEREAS, it was recently determined that the trip generation numbers were reported incorrectly in the environmental documents that informed Section 3(C)(3)(a) because the numbers do not reflect a reduction in trips occurring within a site that has multiple land uses; and

WHEREAS, under the State Environmental Policy Act (SEPA), RCW 43.21C and its implementing regulations, WAC 197-11, the City prepared an Addendum to the Aurora Square Planned Action Environmental Impact Statement to correct these numbers; the City issued the SEPA Addendum on March 8, 2019; and

WHEREAS, Section 3(C)(3)(a) needs to be amended to accurately reflect the trip generation numbers as set forth in the SEPA Addendum; and

WHEREAS, the Planning Commission, after required public notice, on June 6, 2019 held a public hearing on the proposed amendment to Section 3(C)(3)(a) and made a recommendation to the City Council; and

WHEREAS, the City Council, after required public notice, held a study session on the proposed amendment and considered the Planning Commission's recommendations on June 17, 2019; and

WHEREAS, the City Council has determined that Section 3(C)(3)(a) should be amended to accurately report the trip generation numbers expected to be generated so that the correct transportation thresholds are being utilized under the Planned Action;

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

Section 1. Amendment. Section 3(C)(3)(a) of Ordinance No. 705 is amended as follows

(3) Transportation Thresholds:

(a) Trip Ranges and Thresholds. The number of new PM Peak hour ~~and daily~~ trips anticipated within the Planned Action Area and reviewed in the FEIS for 2035 are as follows:

	Phased Alternative 3	Net Trips Alternative 3
Inbound Trips	1,313 817	760 364
Outbound Trips	1,581 1,038	844 444
Total Trips	2,894 1,855	1,605 808

Section 2. SEPA Addendum. The Addendum to the Aurora Square Planned Action environmental documents, issued March 8, 2019, and attached hereto is incorporated into this Ordinance.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 4. 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 person or situation.

Section 5. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JULY 22, 2019.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2019

Effective Date: , 2019