

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

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 896 - Amending Certain Sections of Shoreline Municipal Code Title 20 to Permit Professional Offices in the R-8 and R-12 Zoning Districts		
<b>DEPARTMENT:</b>	Planning & Community Development		
<b>PRESENTED BY:</b>	Steven Szafran, AICP, Senior Planner Nora Gierloff, AICP, Planning Manager		
<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	

**PROBLEM/ISSUE STATEMENT:**

On December 9, 2019, the City Council adopted Ordinance No. 881 which adopted two Comprehensive Plan Amendments. The amendment in question, amendment #3, added “professional offices” to Land Use Element Policy LU2 (LU2) which now states:

*LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

To implement the policy adopted by Council, staff is proposing amendments to the Shoreline Municipal Code (SMC) Chapters 20.20 – Definitions, 20.30 – Procedures and Administration, and 20.40 – Uses. Staff prepared revised definitions for Professional Offices and Outdoor Storage to more narrowly define what uses qualify as a professional office. Staff is recommending that the newly defined uses be added to SMC Chapter 20.40 - Uses.

Staff is also proposing that the Conditional Use Permit (CUP) process in SMC 20.30.300 be used to determine if a professional office should be permitted, permitted with conditions or denied in the R-8 and R-12 zones on a case by case basis. While reviewing the CUP process to implement LU2, staff noted that the CUP process is silent on such provisions as permit expiration, transferability of permit, and permit revocation. The amendments in this staff report also address those issues.

The Council discussed proposed Ordinance No. 896 (Attachment A) which would amend the Development Code as mentioned above, on August 3, 2020. At that meeting, Council directed staff to amend certain sections of the Planning Commission recommended Development Code amendments. The specific amendments relate to the indexed criteria for Professional Office in proposed section SMC 20.40.475.

Tonight, Council is scheduled to adopt proposed Ordinance No. 986. The Planning Commission recommend approval of the proposed Development Code amendments is shown in Attachment A, Exhibit A of this staff report.

**RESOURCE/FINANCIAL IMPACT:**

The amendments related to professional offices in the R-8 and R-12 zoning districts will be a minor impact to staff workload since the Department of Planning & Community Development averages eight CUP's a year. The financial impact will be borne by those seeking a CUP for a professional office. The fee for a CUP is currently \$7,617.

**RECOMMENDATION**

Staff recommends that the City Council adopt the Development Code amendments in Exhibit A to proposed Ordinance No. 896. Staff further recommends that if Council wishes to amend the Planning Commission's recommended Development Code amendments, that Council use the proposed amendatory language in this staff report to make the amendments Council directed staff to prepare during the August 3, 2020 Council discussion of this item.

Approved By:            City Manager **DT**    City Attorney **JA-T**

## **BACKGROUND**

On December 9, 2019, the City Council adopted Ordinance No. 881 which adopted two Comprehensive Plan Amendments. The amendment in question, amendment #3, added “professional offices” to Land Use Element Policy LU2 (LU2) which now states:

*LU2: The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

To implement the policy adopted by Council, staff is proposing amendments to the Shoreline Municipal Code (SMC) Chapters 20.20 – Definitions, 20.30 – Procedures and Administration, and 20.40 – Uses. Staff prepared revised definitions for Professional Offices and Outdoor Storage to more narrowly define what uses qualify as a professional office. Staff is recommending that the newly defined uses be added to SMC Chapter 20.40 - Uses.

Staff is also proposing that the Conditional Use Permit (CUP) process in SMC 20.30.300 be used to determine if a professional office should be permitted, permitted with conditions or denied in the R-8 and R-12 zones on a case by case basis. While reviewing the CUP process to implement LU2, staff noted that the CUP process is silent on such provisions as permit expiration, transferability of permit, and permit revocation.

The Planning Commission held two study sessions on this topic on February 6 and March 5, 2020, and a Public Hearing was conducted on July 2, 2020. Staff reports for these Planning Commission agenda items, along with the meeting minutes and public comments, can be found at the following links:

- February 6:  
<https://www.shorelinewa.gov/Home/Components/Calendar/Event/15478/182?toggle=allpast>.
- March 5:  
<https://www.shorelinewa.gov/Home/Components/Calendar/Event/15482/182?toggle=allpast>.
- July 2:  
<https://www.shorelinewa.gov/Home/Components/Calendar/Event/15498/182?toggle=allpast>.

On July 2, 2020, following the Public Hearing, the Planning Commission voted 7-0 to recommend the proposed Development Code amendments related to professional offices in the R-8 and R-12 zones as proposed in Attachment A, Exhibit A. A letter from the Planning Commission to the City Council regarding this recommendation is included with this staff report as Attachment B.

The Council discussed proposed Ordinance No. 896 (Attachment A) on August 3, 2020. At that meeting, Council directed staff to amend certain sections of the Planning Commission recommended Development Code amendments. The specific amendments relate to the indexed criteria for Professional Office in proposed section SMC 20.40.475.

The staff report for the August 3, 2020 Council meeting can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport080320-8a.pdf>.

## **DISCUSSION**

At the August 3<sup>rd</sup> meeting where Council discussed the proposed Development Code amendments related to professional office in the R-8 and R-12 zones, the Council generally agreed with the proposed regulations but directed staff to amend three regulations related to the indexed criteria for professional offices. Based on this discussion, staff has included amendatory language for three of the indexed criteria in SMC 20.40.475. These amendments would:

- Allow professional offices in all R-8 and R-12 zones without additional criteria.
- Allow the professional office to use and store two (2) commercial vehicles to match the requirement stated in the Home Occupation section of the Development Code.
- Allow the professional office to have internally lit signs subject to the sign dimensions in SMC Table 20.50.540G.

Staff has provided Council the amendatory language for these amendments in the following section. The amendments are organized as follows:

- Development Code section;
- Justification;
- Potential amendment; and
- Amendatory language.

---

### **Development Code Section: 20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

1. *Located on an arterial street or abutting a R-18 through R-48 zone or abutting a Neighborhood Business, Community Business, Mixed Business, or TC 1,2, or 3 zone.*

### **Justification**

Council discussed the option of allowing more professional offices throughout the City to encourage walkability, access to more convenient office spaces for Shoreline residents and, more recently, more people staying home to work instead of commuting to adjacent jurisdictions. The amendment would delete the requirements for professional



offices to be located abutting an arterial street and being located adjacent to a parcel zoned for multifamily or commercial. This change would impact 303 parcels zoned R-8 and R-12 by potentially allowing professional offices with an approved Conditional Use Permit.

### **Proposed Code Amendment**

The proposed Code amendment is as follows:

#### **20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

~~1. Located on an arterial street or abutting a R-18 through R-48 zone or abutting a Neighborhood Business, Community Business, Mixed Business, or TC 1,2, or 3 zone.~~

### **Amendatory Motion to Exclude Indexed Criteria #1**

If Council would like to remove indexed criteria #1 from the proposed Development Code amendments, a Council member would need to move to modify the Planning Commission's recommendation as follows:

***I move to modify the Planning Commission's recommendation to remove indexed criteria #1 from the proposed Development Code amendments.***

---

### **Development Code Section: 20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

*5. The office may use or store a vehicle for pickup of materials used by the office or the distribution of products from the site, provided such vehicles shall not exceed a gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.*

### **Justification**

Council was concerned that the number of commercial vehicles allowed for a professional office should not be more restrictive than the number of commercial vehicles allowed for a home occupation. This proposed amendment will make the number of commercial vehicles allowed for a professional office and home occupation consistent.

### **Proposed Code Amendment**

The proposed Code amendment is as follows:

#### **20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

5. The office may use or store two a vehicles for pickup of materials used by the office or the distribution of products from the site, provided such vehicles shall not exceed a gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.

#### **Amendatory Motion to Amend Indexed Criteria #5**

If Council would like to amend proposed indexed criteria #5, a Council member would need to move to modify the Planning Commission's recommendation as follows:

***I move to modify the Planning Commission's recommendation to amend indexed criteria #5 to read, "The office may use or store two vehicles for pickup of materials used by the office or the distribution of products from the site, provided such vehicles shall not exceed a gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet."***

---

#### **Development Code Section: 20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

9. *One sign complying with Table 20.50.540(G) is allowed but may not be internally illuminated.*

#### **Justification**

Council was concerned that the sign regulations for a professional office should not be more restrictive than the sign regulations for a home occupation. This proposed amendment will allow signs to be internally lit for professional offices.

#### **Proposed Code Amendment**

The proposed Code amendment is as follows:

#### **20.40.475 – Professional Offices**

*A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:*

9. *One sign complying with Table 20.50.540(G) is allowed ~~but may not be~~ internally illuminated.*

#### **Amendatory Motion to Amend Indexed Criteria #9**

If Council would like to amend proposed indexed criteria #9, a Council member would need to move to modify the Planning Commission's recommendation as follows:

***I move to modify the Planning Commission's recommendation to amend indexed criteria #9 to read, "One sign complying with Table 20.50.540(G) is allowed."***

## **Development Code Amendment Decision Criteria**

In accordance with SMC 20.30.350.A, an amendment to the Development Code is a mechanism by which the City may bring its land use and development regulations into conformity with the Comprehensive Plan or respond to changing conditions or needs of the City.

The Planning Commission makes a recommendation to the City Council, which is the final decision-maker on whether to approve or deny an amendment to the Development Code. The following are the Decision Criteria used to analyze a proposed amendment:

### **1. *The amendment is in accordance with the Comprehensive Plan***

Staff has determined that the proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

*Goal Land Use (LU)1 - Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.*

*Policy LU 2 - The Medium Density Residential land use designation allows single-family dwelling units, duplexes, triplexes, zero lot line houses, townhouses, and cottage housing. Apartments and professional offices may be allowed under certain conditions. The permitted base density for this designation may not exceed 12 dwelling units per acre.*

*Policy LU 7 - promote small-scale commercial activity areas within neighborhoods that encourage walkability, provide opportunities for employment and "third places";*

**Staff Analysis:** The proposed amendments will encourage a variety of lower-intensity commercial uses in medium-density neighborhoods. In addition, offices in the R-8 and R-12 zoning districts promote small-scale commercial activity that provide for opportunities for employment.

*Goal Economic Development (ED) VI: Support employers and new businesses that create more and better jobs.*

*Goal ED VIII: Promote and support vibrant activities and businesses that grow the local economy.*

*Policy ED13: Support and retain small businesses and create an environment where new businesses can flourish.*

**Staff Analysis:** The proposed amendments will support existing and future employers by allowing businesses to grow in place and by allowing new businesses to locate within more neighborhoods throughout the City of Shoreline.

*Policy Community Development Policy (CD) 4 – Buffer the visual impact on residential areas of commercial, office, industrial, and institutional development.*

**Staff Analysis:** The proposed amendments will allow office uses throughout residential neighborhoods potentially increasing conflicts between single-family homes and commercial uses. The Development Code addresses transitional setbacks and landscape buffers when commercial development locates adjacent to single-family uses. These requirements will lessen the impact of new offices adjacent to single-family uses.

*Policy LU 15: Reduce impacts to single-family neighborhoods adjacent to mixed-use and commercial land uses regarding traffic, noise, and glare through design standards and other development criteria.*

**Staff Analysis:** Allowing offices in the R-8 and R-12 zones will increase commercial traffic, parking, noise, lighting, and general activity in single-family neighborhoods. Proposed indexed criteria for Professional Offices will reduce impacts to single-family neighborhoods by limiting hours of operation; requiring specific proximity to other commercial zones and arterial streets; prohibiting outdoor storage; regulating outdoor lighting; and regulating signage.

***2. The amendment will not adversely affect the public health, safety or general welfare***

The proposed amendment will not adversely affect the public health, safety, or general welfare of the residents of Shoreline. The proposed amendments will allow Professional Offices in a very limited area of the city. When considering the condition that Professional Offices must be on an Arterial Street and adjacent to high-density and commercial zones, the total number of parcels that may allow a Professional Office is 92 (Attachment C). In addition, staff has recommended indexed criteria, or conditions, that will further limit the impact of Professional Offices in the R-8 and R-12 zones.

The amendments to the CUP procedures and administration in SMC 20.30.300 will give the Director greater discretion and authority in approving, revoking, and transferring conditional uses. If a permittee has not met the conditions of approval or indexed criteria associated with a Professional Office, the Director may revoke an issued Conditional Use Permit and start code enforcement procedures outlined in SMC 20.30.760.

***3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.***

The proposed amendments are not contrary to the best interest of the residents and property owners of the City of Shoreline. Currently, the City allows home-based businesses in all residential zones and allowing Professional Offices in the R-8 and R-12 zones may add a negligible impact over a home-based business. Allowing Professional Offices may cause additional traffic, parking, and general activity throughout a neighborhood, but those factors can be mitigated through the proposed indexed criteria for Professional Offices.

---

### **RESOURCE/FINANCIAL IMPACT**

The amendments related to professional offices in the R-8 and R-12 zoning districts will be a minor impact to staff workload since the Department of Planning & Community Development averages eight CUP's a year. The financial impact will be borne by those seeking a CUP for a professional office. The fee for a CUP is currently \$7,617.

### **RECOMMENDATION**

Staff recommends that the City Council adopt the Development Code amendments in Exhibit A to proposed Ordinance No. 896. Staff further recommends that if Council wishes to amend the Planning Commission's recommended Development Code amendments, that Council use the proposed amendatory language in this staff report to make the amendments Council directed staff to prepare during the August 3, 2020 Council discussion of this item.

### **ATTACHMENTS**

Attachment A – Ordinance No. 896

Attachment A, Exhibit A - Development Code Amendments

Attachment B – July 8, 2020 Planning Commission Recommendation Letter

Attachment C – Map of R-8 and R-12 Zoned Parcels Adjacent to Arterial Streets and Commercial Zones

**ORDINANCE NO. 896**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
AMENDING CERTAIN SECTIONS OF THE SHORELINE MUNICIPAL  
CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, TO PERMIT  
PROFESSIONAL OFFICES IN THE R-8 AND R-12 ZONING DISTRICTS.**

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, Title 36.70A RCW; and

WHEREAS, on December 9, 2019, the City Council adopted the 2019 Comprehensive Plan Docket via Ordinance 881, amending Comprehensive Plan Land Use Policy LU2 so as to allow professional offices within the Medium Density Residential land use designation; the R-8 and R-12 zoning districts implement the Medium Density Residential designation; and

WHEREAS, amendments are needed for SMC Chapters 20.20, 20.30, and 20.40 to implement Policy LU2 so as to ensure consistency between the City's Comprehensive Plan and development regulations as required by RCW 36.70A.040; and

WHEREAS, on February 6, 2020 and March 5, 2020, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on July 2, 2020, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments virtually via Zoom so as to receive public testimony; and

WHEREAS, at the conclusion of the public hearing, the City of Shoreline Planning Commission voted that the proposed Development Code amendments be approved by the City Council; and

WHEREAS, on August 3, 2020, the City Council held a study session on the proposed Development Code amendments virtually via Zoom; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the proposed Development Code amendments and the public hearing as provided in SMC 20.30.070; 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 proposed Development Code amendments; and

WHEREAS, the environmental impacts of the proposed Development Code amendments resulted in the issuance of a Determination of Non-Significance (DNS) on March 17, 2020; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serve the purpose of the Unified Development Code as set forth in SMC 20.10.020;

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

**Section 1. Amendment.** Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended as set forth in Exhibit A to this Ordinance.

**Section 2. Transmittal of Amendment to Washington State Department of Commerce.** As required by RCW 36.70A.106, the Director of Planning and Community Development or designee shall transmit a complete and accurate copy of this Ordinance and Exhibit A to the Washington State Department of Commerce within ten (10) calendar days of the date of passage.

**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 SEPTEMBER 21, 2020.**

\_\_\_\_\_  
Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

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

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

Date of Publication: , 2020  
Effective Date: , 2020

**Ordinance No. 896, Exhibit A**

**20.20. – Definitions**

Outdoor Storage    The storage of any products, materials, equipment, machinery, or scrap outside the confines of a fully enclosed building. Outdoor storage does not include items used for household maintenance such as hoses, ladders, wheelbarrows, and gardening equipment.

~~Professional Office    An office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodity.~~

An office used as a place of business by licensed professionals, such as attorneys, accountants, architects, and engineers, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills. Professional offices shall not involve outside storage, fabrication, or on-site transfer of commodity.

**20.30 – Procedures and Administration**

20.30.300 Conditional use permit-CUP (Type B action).

A. Purpose. The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.

B. Decision Criteria. A conditional use permit may ~~shall~~ be granted by the City, only if the applicant demonstrates that:

1. The conditional use is compatible with the Comprehensive Plan and designed in a manner which is compatible with the character and appearance with the existing or proposed development in the vicinity of the subject property;
2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;



3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
5. The conditional use is not in conflict with the health and safety of the community;
6. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
7. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
8. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

C. Suspension or Revocation of Permit.

1. The Director may suspend or revoke any conditional use permit whenever:
  - a. The permit holder has failed to substantially comply with any terms or conditions of the permit's approval;
  - b. The permit holder has committed a violation of any applicable state or local law in the course of performing activities subject to the permit;
  - c. The use for which the permit was granted is being exercised as to be detrimental to the public health, safety, or general welfare, or so as to constitute a public nuisance;
  - d. The permit was issued in error or on the basis of materially incorrect information supplied to the City; or
  - e. Permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled.
2. The Director shall issue a notice and order in the same manner as provided in SMC 20.30.760.
  - a. The notice and order shall clearly set forth the date that the conditional use permit shall be suspended or revoked.
  - b. The permit holder may appeal the notice and order to the Hearing Examiner as provided in SMC 20.30.790. The filing of such appeal shall stay the suspension or revocation date during the pendency of the appeal.

c. The Hearing Examiner shall issue a written decision to affirm, modify, or overrule the suspension or revocation, with or without additional conditions, such as allowing the permit holder a reasonable period to cure the violation(s).

3. Notwithstanding any other provision of this subchapter, the Director may immediately suspend operations under any permit by issuing a stop work order.

4. If a conditional use permit has been suspended or revoked, continuation of the use shall be considered an illegal occupancy and subject to every legal remedy available to the City, including civil penalties as provided for in SMC 20.30.770(D).

#### D. Transferability

Unless otherwise restricted by the terms and conditions at issuance of the conditional use permit, the conditional use permit shall be assigned to the applicant and to a specific parcel. A new CUP shall be required if a permit holder desires to relocate the use permitted under a CUP to a new parcel. If a CUP is determined to run with the land and the Director finds it in the public interest, the Director may require that it be recorded in the form of a covenant with the King County Recorder's Office. Compliance with the terms and conditions of the conditional use permit are the responsibility of the current property owner, whether the applicant or a successor.

#### E. Expiration

1. Any conditional use permit which is issued and not utilized within the time specified in the permit or, if no time is specified, within two (2) years from the date of the City's final decision shall expire and become null and void.

2. A conditional use permit shall be considered utilized for the purpose of this section upon submittal of:

a. a complete application for all building permits required in the case of a conditional use permit for a use which would require new construction;

b. an application for a certificate of occupancy and business license in the case of a conditional use permit which does not involve new construction;  
or

c. in the case of an outdoor use, evidence that the subject parcel has been and is being utilized in accordance with the terms and conditions of the conditional use permit.

3. If after a conditional use has been established and maintained in accordance with the terms of the conditional use permit, the conditional use is discontinued for a period of 12 consecutive months, the permit shall expire and become null and void.

**F. Extension**

Upon written request by a property owner or their authorized representative prior to the date of conditional use permit expiration, the Director may grant an extension of time up to but not exceeding 180 days. Such extension of time shall be based upon findings that the proposed project is in substantial conformance, as to use, size, and site layout, to the issued permit; and there has been no material change of circumstances applicable to the property since the granting of said permit which would be injurious to the neighborhood or otherwise detrimental to the public health, safety and general welfare.

**20.40 – Uses**

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC- 4	NB	CB	MB	TC- 1, 2 & 3
RETAIL/SERVICE									
	Professional Office		<u>C-i</u>	C	C	P	P	P	P

**20.40.475 – Professional Offices**

A Professional Office is allowed in the R-8 and R-12 zones with the approval of a Conditional Use Permit and subject to the following conditions:

1. Located on an arterial street or abutting a R-18 through R-48 zone or abutting a Neighborhood Business, Community Business, Mixed Business, or TC 1,2, or 3 zone.
2. Hours of operation are limited to 7 a.m. to 10 p.m. Monday through Friday and 9 a.m. to 10 p.m. Saturday and Sunday.
3. Services provided shall be scheduled by appointment only.
4. No outdoor storage.
5. The office may use or store a vehicle for pickup of materials used by the office or the distribution of products from the site, provided such vehicles shall not exceed a gross weight of 14,000 pounds, a height of nine feet and a length of 22 feet.
6. Parking shall be on a paved surface, pervious concrete, or pavers. No customer/client parking is allowed in required side or rear setbacks.
7. No on-site transfer of merchandise.

8. Compliance with all dimensional requirements set forth in Table SMC 20.50.020(1), except density.

9. One sign complying with Table 20.50.540(G) is allowed but may not be internally illuminated.

10. Outdoor lighting shall comply with SMC 20.50.240(H).

11. Parking areas shall be screened from adjacent single-family residential uses by either a 6-foot opaque fence or Type-1 landscape buffer.



TO: Honorable Members of the Shoreline City Council

FROM: Laura Mork, Chair  
Shoreline Planning Commission

DATE: July 8, 2020

RE: Professional Offices in R-8 and R-12 Zoning Districts

The Shoreline Planning Commission has completed its review of the proposed amendments to the Shoreline Municipal Code to allow for professional offices within two (2) of the City's medium residential zoning districts.

The proposed amendments are due to the City Council's adoption of a policy amendment to the Comprehensive Plan in 2019. The 2019 amendment was based on a privately-initiated amendment to concurrently change the land use designation and zoning for two (2) parcels of land on NE 170<sup>th</sup> Street so as to allow a nonconforming office and showroom for a remodeling and construction business. During the course of review in 2019, this privately-initiated amendment was modified with, ultimately, the Council amending Land Use Element Policy LU2 to include professional offices as a use that may be allowed in the medium residential land use designation under certain conditions.

To ensure compliance with the Growth Management Act, in 2020 Planning Staff began work on implementing development regulations to permit professional offices subject to a conditional use permit. The Planning Commission held two (2) study session on the proposed amendments and a public hearing on July 2, 2020.

In consideration of the Planning Staff's recommendations and written and oral public testimony, the Planning Commission, with a vote of 7-0, respectfully recommends that the City Council adopt the proposed amendments, as recommended by the Planning Staff and as set forth in the attachment to this recommendation.



