

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Discussion of the Planning Commission's Recommendation to Adopt Proposed Development Code Amendments
DEPARTMENT: Planning and Development Services
PRESENTED BY: Tim Stewart, Director of Planning and Development Services 

PROBLEM/ISSUE STATEMENT:

The Development Code was adopted in June 2000. During the first year of implementation of the new development regulations, it was expected that some amendments to the Code would be necessary to clarify concepts, fill gaps that are identified through the application of the regulations, and make technical corrections. Some amendments also seek to create new regulations. This year the City received three complete applications from the public to amend the Code and staff has proposed thirty-six amendments for consideration. The Council is the decision-making authority on any amendments to the Development Code.

FINANCIAL IMPACT:

The adoption of the proposed amendments poses no direct financial impacts to the City. However, as a result of increasing regulations there is the potential for increasing the need for Code Enforcement services. In addition, as part of this report, Council will be reviewing issues the Planning Commission has suggested as work items for 2002. Responding to some of the identified issues could result in a significant amount of staff resources.

RECOMMENDATION

No action is required by the City Council. This presentation is for informational purposes and to provide an opportunity for Council to ask questions regarding the proposed amendments and the Planning Commission recommendations. With Council agreement, staff would schedule the proposed amendments for adoption at the February 25 regular meeting.

Approved By:

City Manager 

City Attorney 

INTRODUCTION

The revised Development Code has now been in use for more than a year. Through the application of the Code, staff and members of the public identified specific regulations that should be considered for amendment. These proposed amendments clarify existing regulations, create new regulations, and changes to regulations to better meet the intent of the Comprehensive Plan and/or Development Code.

The purpose of this meeting is to:

- Briefly explain the Development Code Amendment process.
- Introduce Council to the proposed amendments by highlighting the "hot topics" and those amendments that have generated discussion at the Planning Commission.
- Respond to questions regarding the proposed amendments.
- Determine if Council needs any additional information to make decisions on the proposed amendments.
- Discuss the issues recommended for work in 2002.

BACKGROUND

An amendment to the Development Code is a Legislative process that may be used to bring the City's land use and development regulations into conformity with the Comprehensive Plan, or to respond to changing conditions or needs of the City. The Development Code section 20.30.100 states that "any person may request that the City Council, Planning Commission, or Director initiate amendments to the Development Code." Development Code amendments are accepted from the public at any time and there is no charge for the submittal. The City received three complete applications to amend the Development Code from the public. These applications can be found under Tabs 8, 16, and 24. Staff also submitted amendments to the Development Code. The amendments proposed by staff include all other Tabs. The amendment applications from the public and staff can all be found in Attachment A: Proposed Development Code Amendments for 2001.

The tally of amendments originally exceeded 100 proposals. Staff presented all of the amendments as proposed to the Planning Commission. The Commission requested that staff consolidate the proposals that amended same sections or amended the same regulation throughout the Code. By the end of the Commission's review, the amendments were consolidated into 39 proposals for consideration this year and five proposals for consideration following analysis in 2002. These amendments have been consolidated into a single amendment refined by topic called a "tab". Therefore, the amendments are organized in the notebook by tab and in order of the page number of the Code being amended.

Attachment A: Proposed Development Code Amendments for 2001, contains the following information in each tab:

- Copies of all the amendments proposed (the amendment application);
- Amending language shown in legislative (i.e. strikethroughs for deletions and underlines for new text) format;
- Written Comments and Summary of Public Testimony (when submitted);
- Hot Topic Briefings (see "hot pink" pages); and
- Illustrations depicting the proposed amendment (if appropriate).

In the front of Attachment A, there is a matrix that lists the amendments by tab. The matrix also provides a brief description of each tab, denotes the Planning Commission recommendation and vote on each tab, and may have explanatory notes.

SCHEDULE

The Planning Commission and staff have been working on the proposed amendments since July 2001. The following table is a chronology of the Development Code Amendment process to date and shows a the proposed schedule for completion by Council.

DATE	DESCRIPTION
Planning Commission Meeting July 9, 2001	Planning Commission received copies of the proposed amendments for review in August (Planning Commission took the month of August off)
Planning Commission Meetings September 6, 2001 September 19, 2001	Planning Commission received a brief introduction by staff to each amendment, identified additional information that may be needed to formulate a recommendation on each amendments, and confirmed all amendments presented for the public hearing docket
Public Comment Period Advertised September 27, 2001	Written comments deadline October 11, 2001 (7) written comments were received
Planning Commission Open House October 4, 2001	The proposed amendments and public comment forms were available to solicit comments.
10/18/2001 Planning Commission Public Hearing October 18, 2001	(9) people testified at the public hearing
11/01/01, 11/15/01, 12/6/01, and 12/20/01 Planning Commission meetings	The Planning Commission formulated its recommendation on the proposed amendments.
City Council Workshop January 22, 2001	Staff will present the proposed Development Code amendments to the Council, explain the process, & introduce the Planning Commission recommendation
Public Hearing at City Council: Potential date: 2/25/02	City Council may choose to conduct a second public hearing on the proposed Development Code amendments before making the final decision on the amendments.

PUBLIC COMMENT

The City advertised the availability of the docketed amendments for review and comment. The written comment period began on September 27, 2001 and ended on October 11, 2001. Copies of the written comment letters and forms received to date can be found in Attachment A: Proposed Development Code Amendments for 2001 Notebook (*Note: Written comments were only received on Tab 32 regarding proposed changes to the Sign Subchapter*). The Planning Commission conducted the Public Hearing on the proposed amendments on October 18, 2001. Nine comments were received regarding the amendments currently under consideration. A summary of each comment can be found in Attachment A behind Tabs 8, 15, 23, 24, and 32.

DISCUSSION

"HOT TOPICS"/DISCUSSION ITEMS

The proposed approach is to introduce and discuss with the Council those amendments that proved to be "hot topics" or garnered discussion during the Planning Commission's review. If Council has questions about any other amendments, staff will expound on those amendments as requested. The following amendments listed by the Tab # are considered by staff to be the "hot topics" and items for discussion:

Refer to Attachment A. Look for the "hot pink" pages for discussion on "hot topics".

Tab 8: (Proposed by: Mr. Steve Ulmer) Add RV to use table as Permitted with Index criteria (P-I) in every zone. Index criteria to allow RVs in any zone with the owner's permission for up to two weeks.

The Planning Commission and staff do not recommend the adoption of this amendment. This is the only amendment that is not recommended.

Tab 10: (Proposed by: Staff) Amend sub-section to include small livestock and further detail exceptions to requiring unaltered animals kept outdoors to be leashed or located in a confined area.

This amendment was not a hot issue and garnered no debate. Staff is highlighting the amendment because it is an example staff "checking in" with the public regarding a Director's Interpretation of the Code made in absence of clear direction in the Code. The issue is small livestock are defined in the Code, but are not regulated. The Interpretation was made that small livestock should be regulated in the same manner as small animals.

Tab 15: (Proposed by: Staff) Increase the height in Residential – 48 units per acre (R-48) from 35 ft. to 60 ft.

The increase in height in the R-48 zone from 35 ft. to 60 ft. is proposed because it allows property owners in the R-48 zone to achieve that density on their parcels. This amendment was extensively debated. Discussion on this amendment focused on the following issues:

- Identifying the minimum height to achieve R-48 density
- Determining the appropriate height of structures in the R-48 zone when abutting low density property (R-4 and R-6)
- Determining the appropriate height of structures in the R-48 zone when they would not abut low density property

Determining if R-48 property abutting R-8 and R-12 property should be protected from increased height

Tab 16: (Proposed by: Ms. Kathleen Williamson) Reduce height of structures in Industrial zones adjacent to Residential 4 units per acre (R-4) and Residential six units per acre (R-6) zoned property to 50 feet unless a subarea or master plan has been adopted.

To apply a height restriction in addition to the provisions already in the Code may have the effect of reducing the building envelope to such a degree that projects are no longer viable. The Planning Commission unanimously recommended to reduce the height of structures at the yard setback line in Industrial zones that are adjacent to R-4 or R-6 zoned lots to a maximum of 35 feet adding exceptions for increasing the height with additional setbacks at transition lines.

Tab 23: (Proposed by: Staff) Increase the maximum allowable height of fences located in the front yard from 3 ½ feet to 6 feet subject to site distance clearance.

This amendment increases the maximum height of fences allowed in the front yard setback of single-family detached structures from three and one half (3 ½) feet to six (6) feet subject to standard site distance clearance regulations. The Planning Commission and staff recommend an increase in the height limit of a fence in the front yard setback to six (6) feet subject to the standard site distance clearance provisions. The current limit of 3 ½ feet for fences in the front yard was adopted with the intention of creating pedestrian oriented neighborhoods by prohibiting the creation of long walls of fencing adjacent to the sidewalk. The proposed amendment represents a dramatic change in philosophy. The rationale behind this amendment is as follows:

- A fence 6 feet in height or under does not require a building permit. Therefore, many residents were purchasing and installing 6-foot fences around their property only to be informed by the City that 2.5 feet of the new fence must be removed from the front yard. Solution: Increase the height of fences in the front yard to 6 ft. or require residents to obtain a "fence permit" (currently the City does not have a "fence permit").
- Residents are finding creative ways to achieve the same effect as a 6 foot fence by planting thick fast growing bushes along the property line or placing a combination of 3 ½ foot fences with arbors and bushes on the property line.
- The Planning Commission heard testimony from a resident who wants to build a 6 foot fence in his front yard to block the view of his neighbors property that is unsightly.

Staff has proposed this change due to the ease that the intent of the regulation can be circumvented and the financial inconvenience this requirement can have on those homeowners that are not aware of the 3 ½ feet height limit for fences in the front yard since fences under 6 feet in height do not require any permit from the City of Shoreline.

Tab 24: (Proposed by: Deb Moore-Marchant) Proposed Good Neighbor Lighting Standards

This amendment was not a "hot topic" or widely debated. It is included in the report to update you on an issue that has previously been before the Council and to discuss with you the possible implications of adopting this change in policy. The author of the amendment, Deb Moore-Marchant, has previously written and provided testimony to the Council regarding the need for regulations to reduce glare and light trespass caused by outdoor lighting.

Staff supports the concept of requiring non-glare and shielded lighting, however staff has concerns about the City's ability to enforce such a regulation. These regulations would realistically have to apply to existing and new outdoor lighting because it would be very difficult over time to verify the date the light was installed. This regulation would be enforced on a complaint basis. We would be hopeful to gain voluntary compliance, but anticipate that a percentage of those persons asked to comply would refuse and necessitate further enforcement action. Therefore, Staff recommends amending the Planning Commission's recommendation by changing the "Any/all lighting shall be non-glare and shielded..." to "Any/all lighting should be non-glare and shielded..." This change would allow staff to encourage residents to install this type of lighting, but in turn would not create 1000's of Code violations. It is important to note, that the Development Code chapter on Mixed Use, Commercial and Other Nonresidential Development Design Standards already states that, "It [lighting] shall be designed to minimize glare on abutting properties and adjacent streets.

Tab 26: (Proposed by: Staff) Add garages covered carports either detached from or attached to the main structure shall not protrude beyond the front façade.

This amendment is to the Parking and Access standards for single family attached and multifamily design standards. The amendment adds specificity and states that garages or covered carports attached or detached shall not protrude beyond the front building façade.

Tab 29: (Proposed by: Staff) Change clearing and grading from a Type B to a Type A process; and Increase the SEPA threshold from "100" cubic yards and replace with "500" cubic yards.

This amendment was not a hot issue. Staff is highlighting the amendment because it represents a change in process. In addition, the current threshold for clearing and grading activities for SEPA review is 100 cubic yards. This is a low threshold for clearing/and grading. The Planning Commission recommends that the threshold be increased to 500 cubic yards.

Tab 32: (Proposed by: Staff) Rewrite "Signs" sub-chapter

Staff proposed many amendments to the sub chapter on signs. One of the amendments proposed to prohibit banners and inflatable signs. The Planning Commission considered the public's comments regarding the proposed amendments to the Signs Subchapter and in response amended the proposed amendment by removing banners and inflatable signs from the list of prohibited signs and recommend adopting the proposal as amended.

The current Code and the proposal as amended by the Planning Commission would regulate banners and inflatable signs on the basis of whether or not the sign could meet the Development Code's standards for signs found in Table 20.50.540 (B) and 20.50.540(C). Table 20.50.540 (B) specifies the maximum area per sign face, maximum height, maximum number permitted, and illumination of signs; and 20.50.540 (C) states that all signs must be constructed of durable and maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted. The debate at the Planning Commission ended with a recommendation to adopt the less controversial changes to this section of the Code at this time and work on refining some sections of the regulations for signs, including inflatable signs and banners, in 2002.

2002 Work Program Topics

There were several amendments and related topics that arose from the Planning Commission's discussion that were beyond the scope of consideration. The Planning Commission recommended that these items be brought forward to the Council to consider placing on a work program for the staff and Commission to research and analyze in 2002. The following is a list of these topics:

Planning Commission Recommended Topics for Consideration on the 2002 Planning Work Program

Request	Notes
Permit "mixed uses" in high-density residential zoning districts.	Work to create a list of uses that may be appropriate in high-density residential zoning districts.
Add text on how to implement zero lot line provision.	Work to create the provisions necessary to effectively implement the City's zero lot line provisions.
Add incentive for construction of duplex/SF attached dwellings in R-8 & R-12 zones	Work to determine appropriate incentives for construction of duplexes and single family attached dwelling in the R-8 & R-12 zones.
Continue to work on the Sign Subchapter of the Development Code addressing such issues as how to regulate banners and inflatable signs; conditions for temporary signs; and enforcement of regulations pertaining to signs.	The Commission was also interested in the Council's opinion on amortization of nonconforming signs. Both the Planning Commission and Staff understand that this would require major research, public involvement, and analysis and would therefore like direction from Council before undertaking this task. Staff will return to Council later this year with a discussion on these issues.
Further define and regulate outdoor storage in all zones.	Through the Commission's review of the proposed amendment to define and regulate shipping containers several questions arose concerning other storage containers and how to regulate. Work to define and regulate outdoor storage.

In conclusion, the Planning Commission has thoroughly studied each amendment and responded to the public comments with its recommendation. With the exception of the proposed changes to Tab 24: outdoor lighting standards, staff supports the list of recommended amendments by the Planning Commission (Staff proposes amending Tab 24: please see Attachment A: Notebook of Proposed Development Code Amendments for 2001). These amendments seek to clarify Code language that has been confusing or misleading, change regulations that have not been practical to implement, and to create new regulations to further implement the intent of the Comprehensive Plan and Development Code.

RECOMMENDATION

No action is required by the City Council. This presentation is for informational purposes and to provide an opportunity for Council to ask questions regarding the proposed amendments and the Planning Commission recommendations. With Council agreement, staff would schedule the proposed amendments for adoption at the February 25 regular meeting.

ATTACHMENTS

- Attachment A Notebook: Proposed Development Code Amendments for 2001
- Attachment B Planning Commission Minutes: October 18, 2001;
November 1, 2001; November 15, 2001; December 6, 2001;
and December 20, 2001

Attachment A

**Notebook: Proposed Development Code
Amendments for 2001**

Attachment B

Planning Commission Minutes

October 18, 2001

November 1, 2001

November 15, 2001

December 6, 2001

December 20, 2001

These Minutes Approved
November 1, 2001

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

October 18, 2001
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Gabbert
Vice Chair Doennebrink
Commissioner Maloney
Commissioner Marx
Commissioner Doering
Commissioner Harris
Commissioner Monroe
Commissioner McAuliffe
Commissioner McClelland

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Kirk McKinley, Planning Manager, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Rachael Markle, Senior Planner, Planning & Development Services
Gabe Snedeker, SEPA Responsible Official, Planning & Development Services
Brian Krueger, Planner, Planning & Development Services
Lanie Curry, Planning Commission Clerk

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Gabbert.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Gabbert, Vice Chair Doennebrink, Commissioners Doering, Monroe, Marx, Maloney, McAuliffe, McClelland and Harris.

3. APPROVAL OF AGENDA

COMMISSIONER MONROE MOVED TO ACCEPT THE AGENDA AS PROPOSED
COMMISSIONER McAULIFFE SECONDED THE MOTION - MOTION CARRIED
UNANIMOUSLY

4. APPROVAL OF MINUTES

Commissioner McClelland referred to the discussion regarding the traffic study on Page 7 of the September 20, 2001 minutes. It states that at R-12 zoning, the maximum number of units allowed on the property would be 15. If each of the units houses at least two people, the trips per day would be more than the threshold of 20. She questioned why a traffic study would not be required for the proposal. Commissioner Marx said a traffic study would be required for more than 20 peak evening trips per day. She said that according to the statistics and guidelines that were provided by the staff, the project would not meet the threshold that would require a traffic study.

COMMISSIONER HARRIS MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 20, 2001 AS SUBMITTED. COMMISSIONER MONROE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

5. PUBLIC COMMENT

Laura Cody, 1822 NW 166th, informed the Commission that the property owner behind her (1817 NW 167th) was allowed to demolish an existing structure and rebuild on his property. She noted that a portion of her water line runs through this property, and the property owner had knowledge of this situation when he submitted his applications for building and demolition permits. However, the waterlines were not identified as part of the application. She said she notified the City of Shoreline about this situation, but they have not taken steps to resolve the problem. Therefore, she said she has retained the services of an attorney.

David Cody, 1822 NW 166th, added that the subject property owner has also been aware of the sewer easement that runs over his property, as well. He concluded that he is against any code changes that would allow a property owner to build over the sewer and water lines.

Paul Cohen said that he has talked with the Cody's about the issue of property lines between two private property owners. The City had issued a building permit for a garage or out building. However, the Cody's have expressed concern that the new buildings would not meet the setback requirements because of a certain utility easement across the back of the property. They may have a legitimate concern, but staff has indicated that as far as they know, the legal description of the outbuilding was accurate. The Cody's are contesting the descriptions accuracy. Staff has advised the Cody's that the dispute is an issue that must be resolved between the two property owners and not by the City staff.

Chair Gabbert said that the issue appears to be one that should be reviewed by an attorney. Commissioner Harris explained that builders are required to obtain a certificate of sewer availability from the sewer purveyor, and the City uses this information as a basis for their decision. If the Cody's think that this information is wrong, they should bring the issue to the attention of the sewer purveyor. Again, Chair Gabbert encouraged the Cody's to work with their attorney. He concluded that the issue is not within the purview of the Planning Commission or the Planning Department.

6. REPORTS OF COMMISSIONERS

There were no reports from the Commissioners.

7. STAFF REPORTS

a. Type L Public Hearing on Proposed Development Code Amendments

Ms. Markle explained that the main purpose of the meeting is to take public comment on the proposed amendments to the Development Code. She briefly reviewed the process to date and particularly noted some of the "hot topic" issues. She explained that Development Code amendments can be submitted at any time, but must ultimately be sponsored by the Director of Planning and Development Services, the Planning Commission or the City Council. The City received three complete applications from the public and many from staff. The amendments on the docket at this time were all reviewed by the Planning Commission during the month of September. Ms. Markle explained that amending the Development Code is a legislative decision, which will ultimately be made by the City Council. The Planning Commission is charged with conducting the public hearing and making a recommendation to the Council. The City Council will hold a second public hearing before they take final action.

Ms. Markle recalled that when the Commission reviewed each of the amendments, they requested additional information that would help in the review process. They also requested that the organization of the amendments be changed to streamline the process. She referred to the reformatted notebook which groups the amendments into about 50 categories by concept. She noted that if the Commission agrees with any particular category, they would be agreeing to each of the logs within that category. She briefly explained how the information for each category was organized.

The Commission agreed that because they have already discussed each of the amendments, perhaps it would be better to only talk about those that were identified in the staff report as receiving public comment rather than reviewing each individual amendment separately.

Ms. Markle advised that this **Tab 4** includes ~~Log 90a and 90b~~, and would add a definition and regulations for shipping containers. She explained that shipping containers are not directly regulated right now, and the amendment proposes to add them as a type of use and prohibit them in all zones except in the commercial zones as a conditional use. At the September 6 meeting the Commission asked that shipping containers be clearly defined, but when staff tried to respond it became apparent that the issue is much larger. She suggested that the issue includes outdoor storage in all zones, and it would take more work than just creating a definition. She suggested that the Commission could recommend the adoption of an amendment related to shipping containers alone and allow staff to continue to work on the issue of outdoor storage throughout the next year. Or they could delay adoption of any amendment regarding outdoor storage until more work can be done.

Ms. Markle advised that **Tab 5** includes **Log 58a and 58b**. Log 58a is staff's original proposal to add some clarity to the neighborhood meeting process. She recalled a previous discussion regarding a handout staff provides to applicants explaining the details of neighborhood meetings. The information in the handout is referred to in the Development Code, but staff is suggesting that it be specifically codified. In addition, the Commission had additional ideas they wanted to consider such as broadening the notice requirements to include all residents instead of just property owners. They also suggested that neighborhood meeting summary notes be mailed to participants and that participants at the neighborhood meetings be added to the official parties of record list.

Ms. Markle said staff does not recommend adoption of the Commission's recommendations because of legal problems that could arise. She explained that "parties of record" is narrowly defined by the City as those persons that testify under oath at a public hearing. This is the same record that is used for the ability to appeal land use actions. Management of the list is important and because staff does not attend the neighborhood meetings, they would have no control over the accuracy of the list. This would also make it difficult to send meeting summaries to all participants.

Regarding the Commission's recommendation that notices be sent to the occupants of the properties, as well as property owners, Ms. Markle advised that there are accurate records for taxpayers, but not for occupants. Therefore, it would be difficult for the staff to guarantee that all the occupants would be noticed. The City does have an address base, but they are not equipped to offer this service to every land use action or permit that requires noticing at this time.

Ms. Markle advised that **Tab 10** contains **Log 137**, which was proposed by a citizen. The amendment would allow recreational vehicles in any zone with the owner's permission for up to two weeks. Anything beyond that would require a temporary use permit. Ms. Markle advised that staff is not recommending the adoption of this amendment because it is inconsistent with the Comprehensive Plan Land Use Policy 25 which establishes as a goal "the need for infill standards for single-family homes that address screening of on-site storage of recreational vehicles." She said the bigger issue would be the enforcement of the two-week rule. Since no permit would be issued, it would be difficult to keep track of when the two weeks is up. There is not enough staff available to take on that task at this time.

Ms. Markle advised that **Tab 15** includes **Log 123**, which was an amendment to increase the height in R-48 zones from 35 feet to 60 feet.

Mr. Krueger explained that the increase of height is being proposed because it would allow developers in R-48 zones to actually achieve the density allowed on the property. The R-48 zone plays a large role in Shoreline's ability to meet the growth targets of the Growth Management Act. He said that they often find on these parcels that parking, site requirements, fire turn around, open space, etc. often limit the actual amount of buildable footprint. The ability to construct a taller building allows developers to accommodate a smaller footprint while increasing the amount of open space and decreasing the amount of impervious surface. The increased height would allow the potential for parking to be included in the ground floor. It would also allow for more creative site design and the ability to shift the building around on the property.

As requested by the Planning Commission, Mr. Krueger reviewed a planning map to identify where the R-48 zones are currently located. He said he did a quick study based on about 20, R-48 parcels that surround Echo Lake and found the average parcel size to be 16,000 square feet. Using the R-48 density calculations, an average of 19 units would be allowed. However, when he deducted the space needed to meet the site and building code requirements, he found that there would only be space for about two, 2-bedroom and two, 1-bedroom units on each floor. He concluded that in order to achieve the maximum density allowed in an R-48 zone, the building would need to be at least five stories, or 50 feet. A proposed 60-foot height limit would allow for some parking to be located on the ground floor of the building.

Mr. Krueger advised that ¹⁶Tab ~~20~~ includes ~~Log 128~~, which also relates to height. The proposed amendment would reduce the height of structures in industrial zones adjacent to R-4 and R-6 zoned properties to 50 feet unless a sub-area or master plan has been adopted. Mr. Krueger said the Development Code provides protection for single-family zones adjacent to industrial property. Any industrial uses adjacent to R-4 and R-6 are required to have an increased rear and side yard setback of 20 feet. There are also standards regarding screening of outside storage, lighting, frontage improvements, etc. that are designed to protect residential developments. The tree standards provide for the retention of 20 percent of the site trees to provide a buffer. In addition, the landscaping standards require that the 20-foot buffer be planted with Type I Landscaping, which provides a complete screen made up of evergreen trees and shrubs to ten feet in height.

As requested by the Commission, Mr. Krueger provided two maps showing where the residential and industrial zones are located and where the problems might exist. He said there are two areas in the City where problems exist, and both are along the Aurora Corridor (near the intersection of 175th and Aurora Ave and just a little north of the intersection of 192nd and Aurora Ave). He briefly reviewed both of these areas.

Ms. Markle advised that ³²Tab ~~38~~ includes ~~Log 104~~ which relates to the sign sub-chapter. She noted that there are a few new concepts that garnered numerous written comments from the public. The amendment would add "banners and inflatable signs" to the list of prohibited signs. Paul Cohen is present to answer the Commission's questions regarding the sign chapter.

PC REMOVED

Ms. Markle said that ~~Tab 7~~ contains ~~Log 117~~ which proposes to include "intensification of a non-conforming use" as a trigger for the conditional use/special use permit requirements. At the last meeting the Planning Commission asked for a definition for the term "intensification." Staff is now changing their position on this amendment. After speaking with the City Attorney they found that there are several cases that "muddied the water" on regulating and determining what intensification is. Staff recommends that intensification not be included as a trigger at this time.

ADOPTED

Ms. Markle advised that ~~Tab 46~~ is a new amendment that was added to the list. It is identified as ~~Log 146~~ and would add an exception in the R-6 zone regarding density calculation. She said that, currently, the code allows for at least two dwellings units in the R-6 zone on lots that are greater than 10,889 square feet. When the density calculations are used, the number of dwelling units allowed on that size of parcel would be 1.5. The code says that this can be rounded up to allow two dwelling units. She explained that the intent of this provision was to accommodate density by allowing two dwelling units.

The City has received comments on this issue and some people don't think it fits in with neighborhood character. Therefore, staff has proposed an amendment stating that lots that are less than 14,000 square feet in an R-6 zone would not be allowed to round up in density and would be restricted to one dwelling unit.

Ms. Markle recalled that the Commission agreed to consider the more difficult amendments first. Chair Gabbert provided a list of the amendments, which identify the more difficult ones first.

Chair Gabbert reviewed the rules and procedures for the public hearing and then opened the public comment portion of the hearing.

THE PUBLIC HEARING WAS OPENED.

Warren Heggen, 15859 - 14th Ave NE, spoke in reference to ²³Tab 9 regarding fence height. He voiced his support for the amendment that would change the maximum height for fences in front yards from 3½ feet to 6 feet. The current regulation is overly restrictive and not enforceable. He pointed out that higher fences provide greater security and more privacy for homeowners. It will also assist in blocking unsightly nuisance properties.

Rob Hill, 17104 - 13th Ave NW, referenced ¹⁵Tab 19, Log 123, which recommends an increase in height from 35 to 60 feet in R-48 zones. He said his family owns a piece of property that is on the north end of Echo Lake, and in the early 90's they designed an apartment building to 60 feet. It cost them about \$160,000 and took three years to get the permit back from the County. During that time, the City of Shoreline was formed, and it annexed the property from King County. In doing so, King County failed to notify the Shoreline Planning Department of the existing permit that should have been transferred. Their permit, therefore, became invalid and the plans were useless.

Mr. Hill said they decided to start a new plan, but were later notified that the height limit was reduced from 60 to 35 feet. They worked with the staff to propose an amendment that would change the height limit back to 60 feet. He said he was pleased that the staff has recommended approval of this amendment, and he supports the reasons that were stated. He asked that the Commission recommend approval, as well. Upon Chair Gabbert's request, Mr. Hill provided a brief history of his project proposal.

Bruce Weertman, 6749 - 18th Ave NW, said he represents the International Dark Sky Association and is present to voice his approval of the amendments proposed as part of ²⁴Tab 20. However, he is concerned that the terms "glare" and "shielded" are not defined in the code. He said light pollution is becoming quite significant. He provided a map of satellite observations showing how significant light pollution has become. He said the proposed amendment would promote good lighting that produces very little glare. Mr. Weertman suggested that education is more important than legislation. Mr. Weertman pointed out that if the lights are pointed down instead of up into the sky, you can save energy, prevent glare and prevent sky glow. He noted that the City of Tucson has code language and a good education program to promote good lighting. As a result, Tucson, with a population of almost one million people, produces the light pollution of a typical city with 80,000 people.

Commissioner McClelland inquired if Mr. Weertman could provide a definition for the terms "glare" and "shielded." Mr. Weertman said he is not sure that there is a definition for "glare," but the term "shielded" is clearly defined in codes from other jurisdictions. He briefly described the difference between a shielded and an unshielded light.

Commissioner Harris inquired as to exactly what Mr. Weertman's organization is concerned with in relation to lighting. Mr. Weertman replied the core group started out with people interested astronomy, but it has grown to include advocates for the elderly who are more sensitive to light, the Audubon Society, energy conservation groups, etc. Commissioner Harris inquired if the organization has a problem with streetlights. Mr. Weertman said that would depend upon the type of streetlight that is used and the wattage. The old style streetlights tend to shine light all over the place with no control. The newer street lights tend to shine the light right down on the street. He noted that the City of Calgary is redoing their streetlights over the next seven years, and the savings associated with electrical costs will pay for the project in six years.

Deb Moore-Marchant, 16261 - 12th Ave NE, said she is a highly sensitive person and is present to speak to the Commission regarding Tab 30²⁴. Among the things that she is allergic to is bright lights. While she is not an astronomer, she is adverse to her neighbor's lights. She said that glare, to her, is when she can see the light source. To illustrate her point, she provided a slide show depicting both good and bad lighting and described some of the impacts associated with the different types.

Commissioner McClelland said that she sees a lot of lights placed above garage doors that are left on all night. She questioned the purpose of these lights. Ms. Moore-Marchant said that a lot of people believe that these lights will ward off intruders, but that is not the case. The motion sensor lights are recommended for this purpose, and the police have a public safety program related to them.

Marty Johnston, 111 NE 174th Street, said he is a chief engineer for a major property management company in Seattle called Fisher Properties. He takes care of a high rise building, marinas and small office buildings along the shores of Lake Union. He said he is directly accountable for the operational efficiency as well as cost and maintenance of large commercial real estate businesses. He referred to the lighting efficiency codes found in Tab 30²⁴, which he applauds the Commission for considering. He said that several months ago he retrofitted all of his lighting in his home with compact fluorescent lamps. He personal energy consumption went down 35 to 40 percent per month since last February. He reviewed some of the other methods he has used in his buildings to reduce the amount of energy consumed such as removing some of the tubes in the common area lighting, changing the lamps in the exit lights, replacing incandescent lamps with fluorescent lamps of a lower wattage, etc. He concluded that the things citizens do individually can have an impact.

Chair Gabbert reminded Mr. Johnston that indoor lighting is a building code issue and not within the purview of the Commission. The amendment identified in Tab 30²⁴ are related to outdoor lighting situations.

ADOPTED

Sarah Balmforte, 1865 NE 171st Street, said she is present to speak on ~~Tab 46~~ regarding the base density calculation that would allow two homes to be placed on lots that are over 10,889 square feet in an R-6 zone. She said this loophole has impacted her neighborhood severely. She read a letter she wrote to candidates of the City Council regarding a situation where an adjacent single-family property is being redeveloped with two homes instead of one, both of which will be rental units. This stable, single-family neighborhood is now faced with two, transient households next door. The entire neighborhood invites the Commissioners to drive by 171st Street between 18th and 22nd to view the effects of this loophole and ask whether they would want this to happen next to their home. The neighborhood residents feel that they live next to a mini mobile home park. The exception to Table 20.50.020 allowed this to happen and their quality of life has been degraded. She said she is very much in favor of the proposed amendment known as ~~Tab 46~~.

ADOPTED

Felicia Schwindt, 2209 NE 177th Street, said that she is also present to voice her support for the proposed amendment known as ~~Log 175~~ in ~~Tab 46~~. She said that she was amazed to learn that two homes could be placed on larger lots without using the accessory dwelling unit provisions. She said she hopes the Commission will support the amendment.

8

Steve Ulmer, 20028 - 3rd Ave NW, said he is present to speak on ~~Tab 10~~ related to recreational vehicle uses. He said he would like the City to approve the amendment to allow recreational vehicles to be occupied as a temporary dwelling for up to two weeks. He said this use is already occurring within the City, even though it is against the code. He explained that he has had relatives and volunteers at his church who stay in recreational vehicles for a short period of time. He noted that two nearby communities take a proactive stance and allow this use (Lynnwood and Mountlake Terrace). The others take a reactive stance in that they know they do not require a permit for the use, but they will do something if someone complains. He said he does not foresee any enforcement issues in allowing the use. If it becomes a problem, people will complain and the City can take care of the situation.

Commissioner Marx recalled that when this issue was previously discussed by the Commission, they were told that this use would be allowed with a special use permit.

In response to the Commissions request for clarification of the conditional use permit requirements, Ms. Markle advised that there is a question as to whether the temporary use of a recreational vehicle would meet all of the five conditional use criteria. She briefly reviewed all of the criteria that must be met in order for a temporary use permit to be approved. Mr. Stewart said that the only way to find out if a temporary use would be allowed is to make application. He explained that the purpose of a temporary use permit is to provide a mechanism by which the City may permit a use on an interim basis without requiring full compliance with the Development Code standards. He suggested that the conditional use option could be applied to recreational vehicle uses. However, there are criteria that must be met which would depend upon the individual circumstances surrounding the use. He added that there is a 60-day time limit on these uses, with an opportunity to extend for up to one year.

Mr. Stewart explained that the purpose of the proposed amendment is to prohibit transient recreational vehicles from locating throughout the City. Commissioner McClelland inquired if there is a way to distinguish between the transient uses and the legitimate uses. Mr. Stewart advised that as the amendment is written, if there is a complaint made regarding a recreational vehicle, the owner could apply for a temporary use permit so that the use could continue to occur for up to 60 days.

Both Chair Gabbert and Commissioner Harris expressed their opinion that the rules should be clear and consistent. Mr. Stewart explained that there is a fee and process associated with a temporary use permit.

Felicia Schwindt, 2209 NE 177th Street, specifically referred to Tabs ¹⁵~~15~~ and ¹⁶~~20~~, which recommend an increase in height for industrial zones. She said that it was mentioned in Tab ¹⁵~~15~~ that some of the industrial areas were also at North City and Briarcrest, but the map only showed those on Aurora Ave. She inquired if the industrial uses adjacent to single-family zones would be allowed the increased height. If so, the values of the single-family properties could be significantly impacted. Chair Gabbert clarified that Tab 19 relates to a proposal to increase the height in R-48 zones and not in industrial zones. The amendment related to the height limit for industrial zones is found in Tab ¹⁶~~20~~. He noted that there are no industrial zones in either the North City or Briarcrest areas. Ms. Schwindt said her same concerns apply to the proposal to increase the height allowed in R-48 zones to 60 feet.

Deb Moore-Marchant, 16261 - 12th Ave NE, referenced a booklet she put together for the City's use regarding outdoor lighting and how to reduce night pollution.

Commissioner Maloney referred to Tab ¹⁵~~15~~ which proposes an increase in height in the R-48 zones to 60 feet. He reviewed that in the early days of the Commission, this issue was probably the second most popular topic of public testimony next to the 7,200 square foot minimum lot size limit. There were many citizens who spoke against the increased height limit. He suggested that if the height were increased in these various neighborhoods, the impact would be tremendously adverse. He said he does not support the proposal and explained that when the zoning designation was given to the Echo Lake area, the assumption was that there would be assemblage of land. Therefore, the concern of small parcels being adversely impacted by the formula was considered a non-issue.

Mr. Stewart responded that staff does not feel it is possible to develop a parcel to the maximum R-48 density using the current code provisions and height limits. He suggested that if the Commission does not want to consider an increased height limit, they should seriously consider removing the R-48 zoning designation from the books. However, the implications of doing that could significantly affect the growth targets. He suggested that the City might be able to recapture the density in another location, but the Commission should recognize that the growth targets will likely increase in the near future. Staff recommends that the increased height be approved.

Chair Gabbert inquired if Ms. Schwindt would be adverse to taller buildings if they were buffered by some smaller buildings. Ms. Schwindt said that this issue was discussed as part of the design standards process. It was discussed that a gradual height increase, keeping the height limit lower in zones adjacent to single-family zones, would be more appropriate. Ms. Schwindt said they also talked about design standards that would better accommodate the uses adjacent to single-family residential zones. She concluded that she is concerned about allowing buildings up to 60 feet in height directly next to single-family residential zones.

THE PUBLIC HEARING WAS CLOSED.

Mr. Cohen referred the Commission to Tab ³²~~38~~, Log 104. He briefly reviewed the proposed amendments related to signs. He noted that there were three particular issues that needed to be clarified, and some contradictory language was corrected. Also, some of the sign code intent got lost during the staff's interpretation process. He emphasized that staff did not attempt to make any radical changes to the sign code. He reviewed the following staff recommended changes:

- ❑ Because there is currently a significant amount of confusion regarding the size of signs allowed, staff recommends that rather than having varying size requirements, freestanding signs of up to 50 square feet in size should be allowed.
- ❑ The distinction between single tenant and individual tenant is confusing. Staff proposes that there be one size limit that would accommodate a number of combinations for signs.
- ❑ Staff recommends that the maximum size of monument signs should be increased, but the maximum height allowed should be lowered.
- ❑ Section 20.50.560 (Page 122) was very confusing to administer. Staff proposes that this section be deleted and new language be added to the first row of Table 20.50.540B to state that two monument signs are allowed per street frontage if the frontage is greater than 250 feet and if each sign is minimally 150 feet apart from other signs. Staff feels this is a reasonable allowance but would prohibit the proliferation of signs.
- ❑ Building mounted signs are only allowed to be a maximum of ten square feet in size, which is quite restrictive. This concept was originally intended for directory signs for buildings with multiple tenants. However, this situation doesn't really exist in Edmonds. Staff proposes that this be changed to a maximum of 25 square feet. He noted that there is a provision which allows 25 square feet plus an additional 12 percent of the main building if all of the signage of a multi-tenant building is coordinated.
- ❑ Staff has proposed some minor changes to clarify the maximum sign area for non-residential signs such as child care signs, etc.

Commissioner Doennebrink said he recently saw someone placing a sign that hung from the overhang at the top of a building. At night, they take it off. Mr. Cohen said this would be a prohibited sign because all signs, except for temporary signs, must be constructed with durable materials and affixed to the building correctly.

Commissioner Maloney inquired why the City of Shoreline is against inflatable signs. Mr. Cohen said that the sign code (Section 20.50.540.C) prohibits signs made of materials that deteriorate quickly or that are not stable. He noted that inflatable signs are allowed if they can meet the durability criteria and obtain a temporary sign permit. He reminded the Commission that their previous discussion, as well as comments from the community, have been in favor of toning down the signage allowed.

Commissioner McClelland questioned whether all inflatable signs would be outlawed as currently proposed. Again, Mr. Cohen said that if the size and durability criteria can be met, an inflatable sign might be allowed with a temporary sign permit. Chair Gabbert inquired regarding the rationale for not allowing inflatable signs. Mr. Cohen explained that the intent is to reduce the proliferation of a lot of signage, particularly those that are deemed unsafe or unsightly. Commissioner McClelland voiced her understanding that any type of inflatable object put on a building is intended to bring attention to something going on in the building. Therefore, its purpose is a sign.

Chair Gabbert conducted a straw poll and found that Commissioners McAuliffe and Marx were not in favor of allowing inflatable signs. Commissioners Harris, Monroe, Doennebrink and Maloney indicated that they are not opposed. Commissioner McClelland said she is undecided, but added that the basis for prohibiting them has to be more than just visual. Commissioner Doering agreed with Commissioner McClelland. She said she does not necessarily like the appearance of the inflatable signs, but their prohibition cannot be based solely on aesthetics. The Commission concluded that they would like to have more information regarding the safety of inflatable signs before they make a recommendation to the Council.

Regarding monument signs, Commissioner Marx suggested that the language allowing two monument signs on properties that are greater than 250 feet wide should make it clear that the signs must be 150 feet apart from other signs and on the same street.

Commissioner Marx inquired if a mural painted on the side a building would count as a sign. Mr. Cohen said that unless a mural has words or logos advertising a business, it would not be considered a sign.

Commissioner Monroe suggested that there is not enough detail about how signs can be illuminated. He asked that staff review this section again to address the amount of light allowed, whether the light must be reflective, how bright the light can be, etc. Mr. Cohen said that the current code only distinguishes between externally and internally illuminated signs. Commissioner Doennebrink suggested that light shielding also be addressed in the code. Commissioner Monroe suggested that non-glare lighting be required for all new construction.

Given the lateness of the hours, Mr. Cohen indicated that he would be available to work with the Board at another meeting.

COMMISSIONER MONROE MOVED TO TABLE THE COMMISSION DISCUSSION PORTION OF THE PUBLIC HEARING ON THE PROPOSED DEVELOPMENT CODE AMENDMENTS UNTIL THE NOVEMBER 1, 2001 MEETING. COMMISSIONER DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

8. UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

9. NEW BUSINESS

There was no new business scheduled on the agenda.

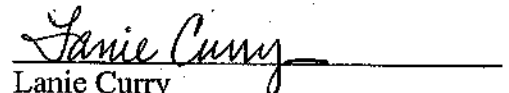
10. AGENDA FOR NEXT MEETING

Ms. Markle advised that the November 1, 2001 meeting agenda also includes a Type C public hearing on a special use permit for a generator building on the Fircrest Campus and a Type L public hearing regarding the adoption of the Official Zoning and Comprehensive Plan Land Use Maps. She suggested that the Commission should be able to handle both of these issues fairly quickly. There should be sufficient time for Commission to discuss the proposed Development Code amendments further.

11. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.


Marlin J. Gabbert
Chair, Planning Commission


Lanie Curry
Clerk, Planning Commission

These Minutes Approved
November 15, 2001

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION

SUMMARY MINUTES OF REGULAR MEETING

November 1, 2001
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Gabbert
Vice Chair Doennebrink
Commissioner Maloney
Commissioner Marx
Commissioner Doering
Commissioner Harris
Commissioner Monroe
Commissioner McClelland

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Kirk McKinley, Planning Manager, Planning & Development Services
Rachael Markle, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Gabe Snedeker, SEPA Responsible Official, Planning & Development Services
Brian Krueger, Planner, Planning & Development Services
Andrea Spencer, Planner, Planning & Development Services
Lanie Curry, Planning Commission Clerk

ABSENT

Commissioner McAuliffe

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Gabbert.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Gabbert, Vice Chair Doennebrink, Commissioners Doering, Monroe, Marx, McClelland and Harris. Commissioner Maloney arrived at 7:05 p.m. and Commissioner McAuliffe was excused.

3. APPROVAL OF AGENDA

COMMISSIONER MONROE MOVED TO APPROVE THE AGENDA AS PROPOSED.
COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF MINUTES

COMMISSIONER MONROE MOVED TO ACCEPT THE MINUTES OF OCTOBER 18, 2001 AS SUBMITTED. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

5. PUBLIC COMMENT

Bill Bettencourt, 1854 NE 171st Street, referred to a development that is going in just across the street from him in which a single-family dwelling was removed and replaced with two manufactured homes that are barrack-like structures. He questioned how these homes would be found to be compatible with the neighborhood character as is required in an R-6 zone.

Chair Gabbert said that the Commission is currently considering an amendment that would disallow this type of use from occurring in the future. However, there is nothing the Commission can do to prevent the development that has already been approved.

Mr. Bettencourt inquired what recourse he has if the new development impacts the value of his property. Chair Gabbert suggested that Mr. Bettencourt consider talking to an attorney regarding the matter. Mr. Bettencourt inquired who made the decision that manufactured homes were in character with single-family neighborhoods. Ms. Markle explained that the City cannot regulate manufactured homes. Mr. Bettencourt said his issue is not with manufactured homes, had it been just one. His concern is related to the crowded lot that only has enough space for the structures and designated parking, which is not in character with the neighborhood. Ms. Markle explained that the original intent for allowing dwelling units on a single parcel was more likely to be duplex style structures. She noted that the Growth Management Act required that the City create a plan to accommodate additional density. The Planning Academy and the Commission considered this opportunity as one way to meet that density. However, the Commission is currently considering an amendment that would prohibit this type of use in the future.

Commissioner Maloney said the driving force behind these situations is the Growth Management Act, which is having a very bad effect on Shoreline. The entity that really needs attention from the citizens is the legislature. Even though the Growth Management Act does not work to the City's benefit, they are constrained to comply with that act. He urged the citizens to protest to the State Legislators.

Dennis Lee, 14547 - 26th Ave NE, provided a history about the 65-foot height limit for R-48 zones. When the zoning in areas of the Briarcrest Neighborhood was changed to R-48, the citizens were told not to worry because the height limit would still be 35 feet. This height limit has been discussed in every amendment process since that time, and is now being considered again. He said he is not necessarily against a 65-foot height limit if there is specific criteria. He suggested that the proposed amendment be tabled until the Commission can create criteria to accompany the change.

Next, Mr. Lee referred the 7,200 square foot minimum lot size in single-family zones, which was overwhelmingly supported by the citizens. He clarified that many citizens are not against small houses on small lots, but specific criteria must accompany the provision. He encouraged the Commission to consider allowing lots that are less than 7,200 square feet if firm criteria is provided.

Lastly, Mr. Lee provided a handout of the framework goals that were used as the foundation for the Comprehensive Plan. He asked that the Commission consider these goals as they review the amendments.

Alan Balmforth, 1865 NE 171st Street, which is right next door to the development noted by Mr. Bettencourt, said that he is also upset about the two manufactured homes that were placed at 1855 NE 171st Street. While it seems that there is not a lot that can be done about this particular situation now, the Commission and the City Council can initiate the necessary changes. He referred to the framework goals for the City and specifically noted the first two. He also noted that Section 20.10.020 of the Development Code states that a high standard of development should be encouraged, and that over crowding of land should be prevented.

Linda Hart, 2123 NE 177th Street, said she has attended a number of Planning Commission meetings in the past, and the overriding theme voiced by the citizens was the protection of the single-family neighborhood character. As the Development Code was created, the citizens were assured that the minimum lot size would be 7,200 square feet. She said she feels betrayed and suspicious that there is an exception to this requirement. She asked that exception be removed from the Development Code and that the 7,200 square foot minimum lot size requirement be enforced.

Dan Mann, 17920 Stone Ave North, thanked the Commission for respecting the comments from the local merchants regarding the proposed changes to the sign ordinance. He urged the Commission to provide the recommended changes to the Chamber of Commerce or other merchant association for review and comment. They should also keep in mind that promotional events have specific sign requirements that are different than the usual.

Mr. Mann also encouraged the Commission to be very careful when considering cottage housing. Given the comments from the public tonight, cottage housing has the potential to disrupt neighborhoods. He encouraged the Commission and staff to be cautious until they can assess how well cottage housing works in neighborhoods.

Chair Gabbert said the Commission is concerned about any regulation or policy that does not work out the way they perceived it would. He suggested that there will be some misuse of the intent of the rules, so the Commission needs to be cautious. Commissioner McClelland added that there should not be any misuse of the intent. If the intent is not clear to the staff who regulates the policies, the Commission and citizens need to make sure that changes are made so that the intent is clear. She said she is appalled at what was allowed to take place in Mr. Bettencourt's neighborhood, and it is the Commission's responsibility to be vigilant in dealing with these issues.

Chair Gabbert inquired how staff could keep the Commission informed of these situations. Ms. Markle answered that the fact that staff has proposed over 150 code amendments for the Commission's consideration is one indication that the staff is continually trying to improve the Code. Staff listened to the citizens' concerns and recommended Code amendments where appropriate.

Commissioner Monroe suggested that there has not been a definitive discussion as to what constitutes neighborhood character. He said he is familiar with codes from other jurisdictions, which discuss character in a very precise manner. He suggested that this type of discussion would help to address the concern appropriately. Commissioner Marx recalled that the Commission discussed this issue previously and determined that they did not want to have individual standards related to neighborhood character.

Mr. Balmforth inquired how long it would take the City Council to consider and approve the Commission's recommendation. Ms. Markle said staff anticipates that the proposed code amendment would come before the Council in January, and there would be a workshop and another public hearing before the City Council.

Mr. Balmforth noted that while all of this review is taking place, development of two units on a single-family lot can continue to occur. Chair Gabbert suggested that this amendment could be separated and forwarded to the Council for consideration as an emergency item. Commissioner Maloney suggested that perhaps the Commission should recommend a moratorium on this type of development until the issue has been decided.

6. REPORTS OF COMMISSIONERS

None of the Commissioners provided comment during this portion of the meeting.

7. STAFF REPORTS

a. Type C Public Hearing on a Special Use Permit for a Generator Building on the Fircrest Campus

Ms. Spencer reviewed the staff report for the special use permit application for the Fircrest Campus. The permit would allow construction of an approximately 1,700 square foot emergency generator building on the campus, which is owned by the State of Washington and run by the Department of Social and Health Services. The Comprehensive Plan designation for the site is single-family institution and the use is considered an essential regional facility. The property is currently zoned R-6. Because the campus use of the site is considered a legal, non-conforming use, a special use permit is required anytime the development is expanded. She described the public notification that was provided for the application, and noted that no public comment was received. A neighborhood meeting was held, and Page 25 of the packet provides a summary of that meeting. Once the applicant explained the proposal, there were no concerns voiced regarding the construction of the emergency generator building as proposed.

Ms. Spencer provided an aerial photograph of the site, to clearly illustrate the location of the proposed building, which is more than 230 feet from the nearest property line. She reviewed each of the nine criteria found in the Comprehensive Plan and described how each would be met (see staff report) by the proposal. She concluded that staff recommends approval of the proposal as presented because it meets all of the criteria outlined in the Development Code.

Chair Gabbert reviewed the rules and procedures for the public hearing. He referred to the Appearance of Fairness rules, and inquired if any Commissioners had received ex-parte communications regarding the subject of the hearing. Chair Gabbert advised that his wife works on the Fircrest Campus, and inquired if

anyone would have any objection to his participation. No opposition was voiced. None of the other Commissioners indicated any ex-parte communications.

Edwin Valbert, 1949 South State Street, Tacoma, said that he is a project manager for the Department of Social and Health Services overseeing capital improvements to Fircrest School. He explained that the facility is aging, and they are trying to make improvements. He advised that the proposed generator is designed to be compatible with the residents of special needs who live at the school 24 hours a day. By meeting their needs, they have clearly met the needs of the surrounding neighborhoods. A fully-insulated, block building will be constructed on the inside of the structure, with noise baffling. This was all geared towards being a good caregiver and a good neighbor. He concluded that noise should not be an issue of concern.

Randy Goodrich, 19125 North Creek Parkway #210, the engineer for the project, explained that his expertise is electrical, and he is very experienced with placing generators in residential housing. He said that he recently designed a building on the campus to house a small generator for the swimming pool. While the proposed facility would be larger, it would have more sound insulation. An expert has identified that the noise generated from facility would be 50 to 60 decibels. That would mean that the perceptible noise generation for the nearest off-site residential property would be equivalent to a telephone dial tone. He also noted that the intent is that the generator would only operate during emergencies and periodic testing.

Mr. Valbert used an overhead map to discuss the proposed location of the generator building and the surrounding properties.

Commissioner McClelland inquired why Fircrest is zoned R-6. Ms. Markle answered that the property is identified in the Comprehensive Plan as single-family/institution, and the underlying zoning remained. Fircrest has already started the master plan process, and that area will become an institutional zone in the near future.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

COMMISSIONER MALONEY MOVED TO RECOMMEND THE CITY COUNCIL APPROVE THE SPECIAL USE PERMIT FOR A GENERATOR BUILDING ON THE FIRCREST CAMPUS AS RECOMMENDED BY STAFF. VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

b. Type L Public Hearing on Adoption of Official Zoning and Comprehensive Plan Land Use Maps

Chair Gabbert reviewed the rules and procedures for the public hearing and then opened the hearing.

Ms. Spencer briefly presented the staff report. She explained that staff is proposing some changes to the Official Zoning and Comprehensive Plan Land Use Maps that were previously adopted. The new, larger maps are user friendly to clearly indicate the zoning and land use designation of each parcel of property. She noted that all of the information provided on the map encompasses the reconciliation process that was adopted in July and the adoption of the North City Business District. In addition, this is the first time that

the public rights-of-way have been identified on an official map. Staff recommends that the Commission forward the maps to the City Council for adoption as proposed.

THERE WAS NO ONE IN THE AUDIENCE TO PARTICIPATE IN THE PUBLIC HEARING. THEREFORE, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Commissioner Marx inquired why Point Wells was not included on the maps as a possible annexation area. Ms. Spencer said that this area would be added before the maps are forwarded to the City Council

Commissioner McClelland inquired if the zoning and planning titles correspond. Ms. Spencer answered affirmatively. Commissioner McClelland said that the colored maps provide a sense of gradation, which is not available with black and white maps. She inquired if the City would discontinue the use of colored maps. Ms. Spencer said the black and white map is for the official map for the archives, but the City will still provide colored display maps.

COMMISSIONER MONROE MOVED TO RECOMMEND THE CITY COUNCIL ADOPT THE OFFICIAL ZONING AND COMPREHENSIVE PLAN LAND USE MAPS AS PROPOSED BY STAFF, WITH THE ADDITION OF POINT WELLS. COMMISSIONER MALONEY SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

8. PUBLIC COMMENT

There was no one in the audience to address the Commission during this portion of the meeting.

9. UNFINISHED BUSINESS

a. Continued deliberation on Proposed Development Code Amendments

Ms. Markle introduced Paul Cohen, the staff person who specializes in the sign code, who was present to continue deliberations on the sign code amendment (Tab 38).

Mr. Cohen reminded the Commission that at the last meeting he explained the overall reasons for the proposed amendments to the sign code. Most are refinements and clarification of the sign code. The Commission last discussed the topic of prohibited signs such as banners and inflatable signs. The Commission asked staff to research other ways to view these types of signs. He referred to photographs providing examples of some of the types of temporary signs that were discussed at the last meeting. He said the proposed amendment would prohibit temporary signs all together because they are difficult to regulate. Some members of the Commission expressed their desire to allow temporary signs such as inflatable signs. Staff suggests that one option would be to allow inflatable or portable signs if they meet the Uniform Building Code for safety and the Sign Code for height, setbacks, size, etc.

Commissioner Monroe inquired if the Uniform Building Code addresses inflatable signs. Mr. Cohen said that this document does not specifically address inflatable signs, but the Uniform Building Code could regulate how these signs are anchored to make sure that they are safe. He noted that the way the code is currently written, anyone can apply for a temporary sign permit every three months for a total of a year.

Therefore, someone could keep a temporary sign up for quite a while. The City has only had one application for a temporary sign in the past year.

Mr. Cohen referred to the photographs that he provided to illustrate the types of signs found along Aurora Ave. He specifically pointed out the types of temporary signs that are located throughout the City. He also noted the gas station signs and noted monument signs are required to have a solid base. He explained that the idea is to bring the signage down in height.

Commissioner Maloney suggested that perhaps the City is being too particular. He said he does not have an objection to either of the gas station signs that were identified in the photograph. Monroe agreed and added that signs that are located on poles leave open space.

Commissioner McClelland inquired if the City has an amortization period for signs that are not found in compliance with the new sign code. Mr. Cohen said that there is no amortization program at this time. If someone wants to replace an existing sign, the new sign must meet the code requirements. An illegal and non-conforming sign can be altered as long as it is not made larger.

Commissioner Monroe suggested that perhaps the City should consider the adoption of an amortization program related to signs. Mr. Cohen said staff and the Planning Academy considered whether an amortization process would be appropriate or if they should allow signs to be brought into compliance as they are replaced. He said he does not know the reason for the decision that was made.

COMMISSIONER MONROE MOVED THAT THE COMMISSION HAVE A DISCUSSION REGARDING AMORTIZATION OF THE SIGN CODE AND MAKE A RECOMMENDATION TO THE CITY COUNCIL. MOTION FAILED DUE TO LACK OF A SECOND.

Commissioner McClelland agreed with Mr. Cohen in regards to enforcement. If the City were to review every sign within the City limits to determine those that were illegal and then computed the cost of the amortization program over ten years, the costs would be astronomical. Enforcement of the sign code is a difficult issue to address. If the Commission wants to be that aggressive, they must be firm and secure enough as to what they want Aurora Ave to look like in 20 years that they are willing to go to court over the issue. She said she is in favor of amortization, but only if the City decides that they are committed to the huge effort.

Commissioner Monroe suggested that the City is doing the merchants on Aurora Ave a disservice by not having some type of amortization program. There is so much clutter along the road, that the signs are becoming indistinguishable. He suggested that it would be in the merchants' best interest to follow a standard sign plan. Perhaps they should hold a public hearing and hear first hand from the merchants.

Commissioner Marx suggested that this issue be postponed and taken up again after the Commission has completed their review of the Development Code amendments.

Chair Gabbert said there appear to be some items that need to be acted upon quickly, while some items will require further study. Perhaps the sign code ordinance needs to have further study. He said he agrees that there should be an amortization schedule for signs to provide uniformity along Aurora Ave.

Commissioner Maloney inquired if the Chamber of Commerce or another merchant group should have an opportunity to provide input on the proposed sign code amendments. Chair Gabbert pointed out that there was a public hearing on this ordinance, but there were no merchant comments provided at the hearing. Ms. Markle advised that there were some written comments submitted.

Commissioner McClelland referred to a previous statement by Councilmember Ransom that it was wrong in the Code to prohibit roof signs (as shown in the first illustration by staff). Mr. Cohen said that these types of signs are not permitted according to the existing sign code. Commissioner McClelland said that since there is not an amortization program, a sign on a roof could stay as a non-conforming use as long as the owner wants. But if they want to replace the sign, they would be required to meet the new sign code requirements. Mr. Stewart agreed, and explained that roof signs are prohibited. But existing signs are considered a legal, non-conforming use and allowed to continue unless the City adopts an amendment to the Development Code to amortize that right over a period of time.

Commissioner Marx said that the proposed amendment is better than what they currently have, but it does need more work. She said she would like the Commission to spend time reviewing all of the various prohibited temporary signs, but she does not want to table the entire sign code amendment until this review has been completed. She suggested that they go forward with the proposed amendment, recognizing that it is not perfect and that more work must be done in the future.

Ms. Markle clarified that it appears that the amendments to 20.50.550—Prohibited Signs and 20.50.650—Temporary Signs are where the greatest amount of work is needed. If the amendments to these sections are removed from the proposal, the remainder of the items are intended mostly for clarification. She said she would review the proposed amendment and pull out those items that are a more significant concern. The Commission could then act on clarification items and place the rest on a work program item for next year.

Commissioner Harris said that while it would be great to have the merchants involved in the sign code amendment process, the Commission has received no significant input from them to date. Therefore, he agreed with Commissioner Marx that the Commission should proceed with what has been proposed, and then readdress the issue at a later date.

Commissioner Monroe said he would accept Ms. Markle's recommendation to move the majority of the proposed sign code amendments forward, after pulling out those that present more significant concerns. He agreed with Commissioner Marx that the proposed language is better than what currently exists, but it is not adequate at this point. The Commission needs to address these major concerns, along with the issue of amortization. He suggested that a workshop be held, and the merchants and the public could speak about the issue with the Commission on an informal basis.

Vice Chair Doennebrink also agreed with Ms. Markle's recommendation, and added that he would like to hear more testimony from the merchants and public regarding the more significant issues. He also asked that staff provide more photographs of signage examples, as this is very helpful to him.

Commissioner Maloney said that he is concerned that the proposed amendments include an incredible amount regulation, and they cry out for simplification and review.

Commissioner Doering said she does not like the idea of prohibiting certain signs in the sign code when there is no method of enforcement. She suggested that portable signs and banners are necessary for some types of businesses to survive. She is concerned about any proposal that would prohibit these signs. However, she finds inflatable signs to be dangerous and a distraction to the drivers. She felt the Commission should make at least some decisions tonight instead of waiting.

Commissioner Marx suggested that the proposed sign code amendment could be broken into two sections: one for the easier issues that can be moved forward and the other for the issues that still need to be worked on.

COMMISSIONER MARX MOVED THAT THE COMMISSION FORWARD THE PROPOSED AMENDMENTS THAT THEY CAN AGREE UPON TO THE CITY COUNCIL AS SOON AS POSSIBLE AND THEN CONTINUE TO WORK ON THE OTHER ITEMS THAT ARE MORE CONTROVERSIAL. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

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Ms. Markle referred the Commission to **Tab 31** and explained that this amendment would move the section that identifies when site development improvements are required from the engineering section to the front of each chapter near the purpose sections. No changes were made to the content of the threshold regulations. Mr. Cohen reiterated that there are no language changes proposed to this section.

Commissioner McClelland suggested that the current language is difficult to understand, and she asked the section be edited to more clearly indicate that the purpose of the section is to identify the extent of a development proposal in order to apply the provisions. Commissioner Harris suggested that perhaps if this section were arranged in bulleted format it would be easier to understand. The Commission concurred and directed staff to make this change.

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Ms. Markle referred to **Tab 32** and explained that this amendment would require that "garages and covered car ports, either detached from or attached to the main structure, shall be flush with the house façade or setback at least five feet farther than the portion of the house façade located at the minimum front yard setback." She advised that staff has received a lot of questions from developers regarding the intent of this section. Therefore, they are seeking feedback from the Commission at this time. She noted that there are pictures in the code that show the garage setback requirement, and that is the way the staff has been enforcing the policy. Mr. Cohen added that the proposed is intended to clarify and reinforce the drawing that is already provided in the code.

The Commission expressed their confusion about the language in this section. Mr. Cohen said the intent of this section is to require that the entry of units be more prominent than the garage. Chair Gabbert suggested that a picture should be added to better illustrate the entry in relationship to the garage. Mr. Cohen replied that the picture that was provided illustrates the concept explained in the code language. He pointed out that this provision only applies to multi-family development. He added that cottage housing is not considered multi-family development.

To clarify this section more, Ms. Markle said the picture in the code shows the garage flush, as was decided at the time the Development Code was adopted. However, the City still receives proposals in which the garage is extended 15 to 20 feet in front of the facade. At this time, staff's interpretation is that the garage must be flush with the facade of the unit instead of jutting out in front. She questioned if that is the intent of the Commission. Commissioner McClelland suggested that perhaps it would be better to provide illustrations to clearly identify what is not allowed. The majority of the Commission concurred.

Commissioner Marx suggested that in addition to providing illustrations of what is not allowed, the language should be changed to clearly state that "garages shall not protrude beyond the front building facade." This would make the language consistent with the illustrations provided and the original intent of the section. Mr. Cohen said the intent of this section is related more to the entry of the house than to the front facade, itself.

Mr. Cohen referred to **Tab 33**²⁷ and explained that in mixed-use and commercial development, the code requires that the building facade take up at least 50 percent of the property facing onto the sidewalk. However, in Shoreline, there are a number of properties along Aurora and North City that are very narrow. With these lots it is extremely difficult to meet this provision and still provide parking on the side or in the back. The proposed amendment would lower the threshold of this provision in order to allow properties that are narrow or short to be developed reasonably. He recommended that properties with less than 80 feet of frontage and no other access point except for through the frontage be exempt from this requirement.

Mr. Cohen further explained that if there is an access point from the back, such as an alley, there are a lot of reasons to require that parking be provided in the rear and they could meet the 50 percent provision. However, he referred to the illustration that was provided to show that with an 80-foot wide parcel, there is room for access, parking, sidewalk and only a 35-foot storefront, which does not meet the 50 percent requirement. He recommended that the proposed amendment would allow these narrow parcels to be developed reasonably.

Commissioner Marx questioned if there should be a requirement that at least some of the building must front on the street. Mr. Cohen said the way the amendment is proposed, if a property is less than 80 feet wide, the property owner is not bound by the 50 percent requirement. Commissioner Marx expressed her concern, that if the amendment is approved as proposed, then there is no requirement that the building provide an entrance on the street. Commissioner McClelland agreed and reminded the Commission that the whole opportunity for a pedestrian friendly environment requires that the stores be accessible from the sidewalk.

Commissioner Marx recommended that an additional phrase be added at the end of the proposed language as follows: "provided that the building fronts on the street." Mr. Cohen said there is already a provision in the code that says that if a building does not have 50 percent frontage, full frontage improvements would be required and there must be a direct walkway connection from the City sidewalk to the front entrance of the building as part of a rebuild or remodel that is greater than 50 percent of the valuation of property and structure. This provision is only intended for those businesses that are car oriented. Mr. Cohen reviewed

some of the code provisions that are already in place to address the concerns that have been voiced by the Commission.

The Commission discussed whether or not the additional phrase recommended by Commissioner Marx would be appropriate or not. The Commission and staff both supported her recommended change to indicate that, if possible, the building façade should front on the street.

Mr. Cohen explained that **Tab 24** is intended to clarify that the section applies to all buildings that face the street. This section does not apply to the back and side of the buildings.

Mr. Snedeker referred to **Tab 35** and recalled that when the Development Code was rewritten, a number of changes were made to the grading section. The combination of those changes have proven to be unworkable in some situations, and have impacted some homeowner landscaping projects, which was not the intent. He suggested that the intent is that there be an appropriate level of notification, review and standards when there are actions that citizens are concerned about. The intent was not to require citizens to go through the entire review process in order to do projects in their yard. Staff had originally proposed to change the grading threshold back up to 100 cubic yards, but determined that the appropriate threshold is still 50 cubic yards. While they want to retain the grading standard, they recommend that clearing and grading become a Type A Action. If SEPA is required, then clearing and grading would be a Type B Action, and the neighbors would receive notice. The neighbors would not receive notice from the property owner who wants to remove six trees, construct a sport court in the back yard, etc. unless the project is in a critical area or requires a substantial amount of cut and fill.

Mr. Snedeker pointed out the lengthy process and cost associated with a SEPA review. Staff feels that requiring small projects to go through this detailed level of environmental review is not reasonable. The proposed amendment is reasonable for the homeowner, but would still capture the major development projects. He noted that if more than 50 cubic yards is being moved or if an impervious surface of more than 1,500 square feet is created, a permit would be required.

The Commission inquired how the City would monitor this type of development to make sure that it meets the code requirements if no permit is required. It was pointed out that an enforcement issue would only be brought out if a neighbor complained after the development had already been done or when it is too late.

Commissioner McClelland said that if no notification process is required, the neighbors would not have the ability to provide their comments. A proliferation of this type of development could significantly change the character of the neighborhood. The only way this situation could be prevented is to require some sort of permit process.

Mr. Snedeker clarified that the proposed amendment would only change the clearing and grading that does not involve SEPA from a Type B Action to a Type A Action. Commissioner McClelland said that if all of the "red flags" are taken away, by the time the work is started, it may be too late for neighbors to have a say.

Commissioner Harris pointed out that while a permit is required, there is no public notice or neighborhood meeting requirement for the development of a single-family home. He questioned why they should single out 50 cubic yards for public notice.

Commissioners Harris and Monroe indicated that they support the proposed amendment. Commissioners Maloney and Marx expressed no opinion either way. Commissioner Doering said she is concerned that this provision could be abused by some.

Chair Gabbert inquired how the proposed amendment would have impacted the situation that was brought up by the public at the beginning of the meeting related to the new development on 171st Street. Mr. Snedeker answered that if the action is associated with a building permit, then that is the action the project is permitted under. They do not require both a building permit and a grading and clearing permit.

Commissioner Doering noted that they frequently hear concerns from the public about all of the trees that are being cut down. Therefore, the Commission should not minimize the impact. Ms. Markle advised that this issue would be discussed as part of the proposed amendment related to trees.

The consensus of the Commission was to accept the amendment as proposed.

Mr. Stewart noted the lateness of the hour and reminded the Commission of their previously voiced desire to move the proposed amendment known as ~~Tab 46~~ immediately forward to the Council. If that is still their desire, they should discuss the issue now. The Commission agreed.

ADOPTED

COMMISSIONER MARX MOVED TO EXTEND THE MEETING FOR 10 MINUTES. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Ms. Markle noted that there are two versions provided for ~~Tab 46~~. The amendment proposed in ~~Log 175B~~ would allow a second unit on a lot in the R-6 and R-4 zones with a conditional use permit. The amendment proposed in **Log 175C** would merely change the way that density is calculated on lots that are less than 14,000 square feet by prohibiting the rounding up of dwelling units.

Mr. Stewart clarified that the amendment proposed in ~~Log 175B~~ would add a conditional use permit requirement to the development of more than one single-family house on a single lot. It would not change the density calculation, but would merely change the permissibility of the single-family unit. If the Commission wanted to further restrict the density, they would need to take a subsequent action. He noted that **Log 175B** would apply to all lots in the R-4 and R-6 zones.

Chair Gabbert recalled the public comments provided at the beginning of the meeting regarding the placement of two manufactured homes on a single-family lot. The Commission felt that allowing two homes on a single-family lot would defeat the purpose of the 7,200 square foot minimum lot size requirement.

Mr. Stewart said the original rationale for allowing two, single-family homes on a single lot was to calculate density without respect as to whether the property was on one or two lots. Therefore, the rounding up mechanism ended up providing a "back door" way of getting around the 7,200 square foot minimum lot size requirement.

Chair Gabbert inquired if the Commission would favor a conditional use requirement with perhaps a little bit higher density (~~Log 175B~~), or if they would rather control the density by making a change in the way it is

calculated (~~Log 175C~~). Commissioner Marx said she supports the conditional use concept. Commissioner Harris said he would prefer to eliminate the ability to place two individual structures on a lot, and make provisions that would allow duplexes or town homes only. Commissioner Monroe suggested that this could be specified in the conditional use permit requirements. However, Mr. Stewart explained that a conditional use requirement would not impact the ability to construct a duplex on a single-family lot.

A duplex would be allowed without a conditional use permit, thereby providing an incentive for developers to create duplex type development instead of two separate units on the site. Commissioner Monroe advised that he does not support the concept of allowing duplexes on single-family lots, either.

Commissioner Doering indicated her support for the concept identified in ~~Log 175B~~, also. Commissioner McClelland said that she still has concerns about both of the proposed concepts. She said people living in the neighborhoods are going to be concerned, as well. Commissioner Marx explained that if a conditional use permit is required, the neighbors would be notified of the proposed action. A public hearing would be held, and conditions could be placed on the development to protect the neighborhood.

Mr. Stewart clarified that a conditional use permit is a Type B administrative decision. If the Commission wants to retain their role of public hearing and advisory, they should make it a special use permit requirement. He added that a special use permit requirement would significantly discourage the development of two separate units on a single-family lot. Ms. Markle noted, however, that there are certain issues that cannot be regulated as part of the special use permit such as whether or not a manufactured home would be allowed.

Commissioner McClelland said she does not approve of any concept that would allow two residential units on a single lot in a single-family zone.

COMMISSIONER MONROE MOVED THAT THE COMMISSION ACCEPT THE SPECIAL USE PERMIT DEFINITION OF ~~LOG 175B~~. COMMISSIONER HARRIS SECONDED THE MOTION.

Mr. Stewart clarified that ~~Log 175B~~ focuses on the problem of two, single-family structures on a single lot. ~~Log 175C~~ focuses on the amount of land that would be needed in order to construct two structures. If ~~Log 175C~~ is adopted, it would eliminate the opportunity to round the density calculations up. Two structures would only be allowed if a property is substantial enough in size to make two lots. He added that the duplex opportunity would still be allowed if ~~Log 175C~~ is accepted.

Commissioner McClelland inquired if the combination of the two logs would preclude subdivision opportunities. Mr. Stewart answered that neither would preclude subdivision if there is sufficient land. Commissioner McClelland noted that 14,400 square feet would be required in order to subdivide a lot.

Commissioner McClelland said she is concerned that the provision would invite developers to construct rental units in single-family zones. Chair Gabbert concurred. He said he would be in favor of accepting a proposal that would limit development to one house per lot. Vice Chair Doennebrink noted that ~~Log 175B~~ would only require 10,890 square feet of land for two units on the site. Mr. Stewart agreed that two units could be created on lots greater than this size as long as the units were not separate, single-family detached units. If a developer wants to build two separate, single-family detached units, a special use permit would be required. This would involve a large application fee, public notice, public hearing, etc.

COMMISSIONER MARX MOVED TO EXTEND THE MEETING FOR TEN MORE MINUTES. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED, WITH COMMISSIONERS MALONEY AND MONROE VOTING IN OPPOSITION.

Chair Gabbert called for a count on the previous motion.

MOTION FAILED 4-4 WITH COMMISSIONERS DOERING, HARRIS, MARX AND MONROE VOTING IN FAVOR AND COMMISSIONERS MCCLELLAND, MALONEY, CHAIR GABBERT AND VICE CHAIR DOENNEBRINK VOTING IN OPPOSITION.

COMMISSIONER MONROE MOVED TO ACCEPT LOG ~~175C~~.

Commissioner Maloney questioned whether the square footage designation in Log ~~175C~~ should actually be 14,400 instead of 14,000. He suggested that it should be changed to maintain the sanctity of the 7,200 square foot minimum lot size requirement.

COMMISSIONER MONROE AMENDED HIS MOTION TO ACCEPT LOG ~~175C~~, BUT KEEP THE INTEGRITY OF THE 7,200 SQUARE FOOT MINIMUM LOT SIZE REQUIREMENT BY CHANGING THE SQUARE FOOTAGE FIGURE TO 14,400. (Mr. Stewart noted that this motion would change the footnote to read: "Exception to table 20.50.020.17—the base density for single-family detached dwelling on a single parcel that is less than 14,400 square feet shall be calculated using a whole number without rounding up.") COMMISSIONER MALONEY SECONDED THE MOTION.

Commissioner Marx said that if the amendment is approved as indicated in the motion, a property owner might be able to put houses side by side with a "0" lot line. She questioned what the setback requirements between the two houses would be. Mr. Stewart said both of the structures would have to be outside of the setbacks at the exterior of the lot. They would also have to meet the separation requirements of the fire code. Commissioner Marx suggested that the motion, as proposed, would not correct the problem that has been identified.

COMMISSIONER MARX MOVED TO EXTEND THE MEETING FOR AN ADDITIONAL TEN MINUTES. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED, WITH COMMISSIONERS MALONEY AND MONROE VOTING IN OPPOSITION.

Vice Chair Doennebrink, Commissioner Maloney and Commissioner Monroe all felt that the issue should be tabled to the next meeting so that staff could provide additional information.

Commissioner McClelland suggested that the Commission must decide whether they want to encourage infill development to meet the housing quotas of the Growth Management Act by allowing two single-family homes on one lot, or if they think it is more important to prevent the deterioration of the single-family neighborhoods. If their goal is the latter, then neither of the two proposals would accomplish the goal.

Ms. Markle advised that there are no regulations for setbacks from structures on a single lot in the single-family zones. Mr. Stewart said the setbacks would be the same minimum setback requirements for other structures on the lot, such as garages. Mr. Stewart referred to an earlier question regarding the status of permits that would be received during the next few months. He said that if the City receives a complete application for this type of development before the regulation has been changed, the permit becomes vested. Therefore, there is some urgency for the Commission to take action tonight so that the issue can be introduced to the Council as soon as possible.

Chair Gabbert inquired if the Commission could recommend that a moratorium be placed on this type of development in single-family zones until the regulation can be further discussed and changes can be made. Commissioner McClelland suggested that rather than considering a moratorium at this time, they should take a vote on the last motion that was made to see if there is a Commission consensus.

MOTION CARRIED 6-2, WITH COMMISSIONERS MCCLELLAND AND MONROE VOTING IN OPPOSITION, AND COMMISSIONERS DOERING, MALONEY, HARRIS, MARX, CHAIR GABBERT AND VICE CHAIR DOENNEBRINK VOTING IN FAVOR.

Mr. Stewart suggested that the Commission add a preamble to the recommendation that the Council adopt this at the earliest possible time. The Commission agreed.

10. NEW BUSINESS

There was no new business scheduled on the agenda.

11. AGENDA FOR NEXT MEETING

The Commissioners had no additional comments to make regarding the agenda for the next meeting.

12. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Marlin J. Gabbert
Chair, Planning Commission

Lanie Curry
Clerk, Planning Commission

These Minutes Approved
December 6, 2001

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

November 15, 2001
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Gabbert
Vice Chair Doennebrink
Commissioner Harris
Commissioner Marx
Commissioner Monroe
Commissioner McAuliffe
Commissioner McClelland

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Kirk McKinley, Planning Manager, Planning & Development Services
Andrea Spencer, Planner, Planning & Development Services
Rachael Markle, Senior Planner, Planning & Development Services
Gabe Snedeker, SEPA Responsible Official, Planning & Development Services
Brian Krueger, Planner, Planning & Development Services

ABSENT

Commissioner Doering
Commissioner Maloney

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Gabbert.

1. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Gabbert and Commissioners Harris, Marx, Monroe, McAuliffe and McClelland. Commissioners Doering and Maloney were excused. Vice Chair Doennebrink arrived at 7:05 p.m.

2. APPROVAL OF AGENDA

COMMISSIONER MONROE MOVED TO APPROVE THE AGENDA AS PROPOSED.
COMMISSIONER McAULIFFE SECONDED THE MOTION. MOTION CARRIED
UNANIMOUSLY.

3. APPROVAL OF MINUTES

COMMISSIONER MONROE MOVED TO ACCEPT THE MINUTES OF NOVEMBER 1, 2001 AS AMENDED ON PAGE TWO. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

4. PUBLIC COMMENT

Dan Mann, 17920 Stone Ave North, advised that most business owners are completely unaware that the sign ordinance is being considered by the Commission at this time. They have had no public notice of this process and, therefore, they have not provided their comments regarding the issue. If the Commission wants to solicit public comment from the business owners, they should create a proposal and circulate it amongst the business owners.

5. REPORTS OF COMMISSIONERS

Commissioner McClelland advised that she, Commissioner Gabbert and the staff never did provide a report to the Commission regarding the APA Conference they attended. She asked that this report be placed on the next meeting agenda. The Commission agreed to place this item on the next agenda as a Commissioner Report.

Commissioner Doennebrink distributed an article from the Puget Sound Region Building News, which discusses the different housing projects throughout the area.

6. STAFF REPORTS

a. Continued Deliberation on Proposed Development Code Amendments

Ms. Markle referred the Commission to the staff report, which was provided to alert the Commission that they would be continuing their deliberations on the proposed development code amendments. She said that in an effort to maximize the Commission's time, staff has made some suggestions as to how they can move through the amendment review process. She noted that staff has recommended that the Commission proceed by using the proposed Option 2, which calls for the Commission to make a recommendation on each amendment as they go through the process. At the end of the Commission's deliberation on the amendments, the recommendation would be complete and the Commission would not have to go back and try to remember their previous discussion on each one. The Commission agreed to use Option 2, calling for a vote on each amendment separately.

^{25 26 27}
Tabs 31, 32 and 33

Ms. Markle advised that while the Commission did not make any formal recommendations at the last meeting, the Commission did reach a consensus on ²⁵Tab 31, ²⁶Tab 32 and ²⁷Tab 33. The language was amended as the Commission requested, and staff asks that the Commission make a formal recommendation on these three amendments and then move on from there.

Ms. Markle reviewed that ²⁵Tab ~~31~~ would provide language related to the thresholds that trigger site improvements at the beginning of each section. The Commission requested that staff rewrite the thresholds so that they are easier to understand, and this revision has been completed. Next, Ms. Markle advised that ²⁶Tab ~~32~~ is an amendment stating that garages and covered carports, either detached from or attached to the main structure, shall protrude beyond the front building façade. She noted that the last clause was amended by the Commission at the last meeting. She advised that ²⁷Tab ~~33~~ adds a new exception to the 50-percent building frontage requirements in mixed-use, commercial and non-residential zones. She recalled that the Commission discussed the need to ensure that at least some of the building frontage was on the street. The staff has amended the language per that discussion.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TABS ²⁸~~31~~, ²⁹~~32~~ AND ³⁰~~33~~ AS AMENDED BY STAFF. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

³²
Tabs ~~38~~ and ~~38a~~

Ms. Markle advised that at a previous meeting, staff was directed by the Commission to revisit this proposed amendment and remove the portions that staff felt would need more work. These were, basically, the provisions on prohibited signs and some alternatives that were proposed on temporary signs. She noted that staff feels that the items identified in ³²Tab ~~38a~~ are clarifications of the sign ordinance and not new regulations. Staff recommends that the issue of political signs and banners be discussed next year.

Commissioner Doennebrink inquired if sandwich board signs would be allowed. Ms. Markle said the proposed amendment would clarify which zones sandwich board signs could be located in. She clarified that the proposed amendments are related to clarification only.

Commissioner McClelland agreed with Mr. Mann's comments regarding the sign code amendments. She said it is important to notify the business owners that the City is considering changes to the sign code. She also emphasized that the changes to the sign code will only be effective if they are enforced. The Commission should carefully consider whether or not the proposed changes would have a large enough impact for the Commission to actively seek feedback from the business public at this time. She suggested that the City should make presentations regarding sign code issue to the Chamber of Commerce so that the business owners can be well-informed.

Chair Gabbert inquired how the sign code is being enforced at this time. Mr. Stewart said the standard enforcement technique is done on a complaint basis. The City investigates each complaint and makes a determination as to whether or not there is a violation of the sign code. He briefly described the process staff follows to obtain compliance with the sign code. He noted, however, that violations of the sign code are one of the lowest priority code enforcement actions.

Commissioner McClelland inquired if it is the Commission's responsibility to help the City enforce the sign code by filing complaints against illegal signs. Commissioner McAuliffe suggested that it is not the Commission's responsibility to enforce the sign code. The Commission continued to discuss the issue

of sign code enforcement and whether it is their responsibility, as a public official, to complain about illegal signs.

Commissioner Monroe suggested that instead of the City suddenly going after all of the illegal signs in the City, they should provide notification in the local newspaper seeking input from the business owners. When they come to a future meeting to provide their input, the Commission could educate them as to the purpose of the new sign ordinance.

Commissioner Marx suggested that the "Standards for Signs" table found on Page 24 (Section 20.50.540B) be changed. Where it says "street frontage," "Interurban Trail frontage" should also be added so that signage is allowed on both the street and Interurban Trail frontages. She suggested that they also need to clarify at the end of the table that the signs need to be a minimum space of 150 feet apart when on the same frontage.

Mr. Stewart explained that the site distance (the speed at which the sign must be read) and the size of the sign is probably a different scale for the Interurban Trail than it is for other street frontages. Therefore, staff would like to have an opportunity to draft language to address this issue. Commissioner Marx agreed that the signs that are permitted along the trail should be scaled to pedestrians and bicyclists rather than to automobiles.

Commissioner McAuliffe inquired if the Burke Gilman Trail allows signs to advertise businesses. Ms. Markle advised that in Snohomish County handmade signs are tacked on trees to advertise businesses. She agreed that design standards for signs along regional trails would be a good way to address this use. Because it would take a significant amount of time for staff to come up with proposed language to address the type of signs allowed on trails, Commissioner Marx suggested that the Commission consider approval of ~~Tab 38a~~³² now, recognizing that the trail is not even developed at this time. The Commission could direct the staff to prepare language related to the Interurban Trail next year.

Chair Gabbert expressed his concern about the Commission approving the proposed sign code amendments when the businesses have expressed their concern that they have been left out of the loop. Ms. Markle reminded the Commission that the proposed amendments do not change the way staff already interprets and enforces the sign code. The City already regulates banner as prohibited signs in some cases if they do not meet the standards for health, safety and welfare, etc. Mr. Stewart added that the City Council will also hold a public hearing on the sign code amendments.

Commissioner Marx suggested that the Commission accept ~~Tab 38a~~³² because it provides clarification to the existing sign code. When the sign issue is placed on the work schedule next year, staff can be directed to contact the businesses, the Chamber of Commerce, etc. inviting them to participate. Clarifying the sign code now, as proposed in ~~Tab 38a~~³², would provide a clearer document for the business owners to review later, when the more significant issues are discussed.

Commissioner Monroe expressed his concern that if the Commission accepts the proposed changes in ~~Tab 38a~~³² before they talk to the business community, it will be too late for their comments to make a difference. He suggested that the Commission and staff would probably be less willing to make changes

after the amendment is approved. He said that in order to be fair to the businesses, they should invite the business owners to provide their input prior to the amendment's approval.

Commissioner McAuliffe suggested that this would be providing special treatment to the business owners. He noted that if they agree to postpone acceptance of the proposed sign code amendments as recommended by Commissioner Monroe, they should also consider postponing many of the other amendments that could have an impact on someone who has not had the opportunity to provide their comments.

Commissioner McClelland agreed with Commissioner Monroe that the business owners should be contacted prior to approval of the sign code amendments. These codes are important to the well-being of the business community, and the Commission needs to clearly understand what signs mean to people. She said that in the absence of any ability to remove illegal signs, the City is allowing a benefit to existing business owners that is not available to new business owners. She said that if the Commission is going to take signs on seriously, they need to clearly understand the impacts of any changes, and the business owners need to participate in the process.

32

COMMISSIONER MARX MOVED TO RECOMMEND APPROVAL OF TAB ~~38a~~³² TO AMEND SUBCHAPTER 8 (SIGN REGULATIONS) OF THE DEVELOPMENT CODE, AS PRESENTED BY STAFF AND WITH THE AMENDMENTS PROPOSED BY THE COMMISSION INCLUDING A REFERRAL OF SUBCHAPTER 8 TO STAFF, PLANNING COMMISSION, AND BUSINESS OWNERS FOR FURTHER WORK IN 2002. COMMISSIONER McAULIFFE SECONDED THE MOTION.

32

Chair Gabbert clarified that Commission acceptance of Tab ~~38a~~³² would accept the changes made for clarification. The Commission would come back and deal with prohibited signs, inflatable signs, trail signs, etc. in 2002. The business community would be able to provide their input at that time.

MOTION CARRIED UNANIMOUSLY.

Tab ~~36~~ 30

Ms. Markle explained that this amendment would reduce the number of replacement trees required from 2 to 1 in Section C1 and from 4 to 3 in Section C2. Mr. Snedeker provided some notes to further clarify the amendment. The amendment is based on actual application of the code over the past year. She explained that the applicants have had a difficult time fitting all of the required replacement trees on the lot. Therefore, staff suggests that the ratio be reduced.

Chair Gabbert clarified that an applicant is required to maintain a certain percentage of the significant trees on a site. He questioned whether it is fair to require a developer with a lot of significant trees on their property to retain so many more than another developer who has fewer trees on their property to start with. The same is true for the replacement requirement. A developer who has a lot of trees on their lot is required to provide significantly more replacement trees than another developer with fewer trees.

Commissioner McClelland inquired regarding the intent of the replacement tree ratio. Ms. Markle said the intent of the regulation is to keep the forested look, to be environmentally sensitive, to fit in with the neighborhood character, etc. There is some flexibility to account for diseased trees based on an arborist report. She staff feels that a 1 to 1 ratio would work and would still allow flexibility in the percentage that is maintained. The current regulations are based on those of about 12 other jurisdictions, so staff is confident that the existing method is working. She noted that a property owner is allowed to remove six significant trees within a 36-month period without having to replace them.

Commissioner Marx suggested that the purpose of reducing the ratio from 2 to 1 is so the replacement trees have room to grow healthy. If the trees are overcrowded, they will not be healthy. As much as she loves trees, she feels it is reasonable to require a replacement of 1 to 1.

COMMISSIONER MARX MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TAB 36³⁰ AS PRESENTED TO AMEND THE TREE REPLACEMENT REQUIREMENTS. COMMISSIONER McAULIFFE SECONDED THE MOTION.

Chair Gabbert inquired if the property owner has the ability to choose the type of tree that is used for replacement. Ms. Markle answered that the code does not specify the variety of replacement trees required.

Commissioner McClelland inquired if there is any type of provision that would allow the required replacement trees to be planted off-site if there is not enough room on their property or the developer does not want trees on the property. Ms. Markle said that the City does not have a provision to allow replacement trees to be placed off-site.

The Commission discussed that six trees can be removed from a property without requiring any replacement. However, the code does not specify a time period for when the six trees can be removed. Mr. Krueger explained that the code allows six significant trees to be removed during a 36-month period.

Mr. Stewart advised that the enforcement provisions for this requirement are rigorous. He briefly reviewed the existing penalties for violating the tree code.

MOTION CARRIED UNANIMOUSLY.

Tab 45 31

Ms. Markle advised that this amendment would add a regulation to the erosion hazard area development standards that permit alterations. She referred the Commission to the alternative version. She explained that original proposal recognized that there were no regulations in the code regarding this issue. Staff quickly proposed an amendment using the language from the King County Code. After further review to

retrofit the proposal to meet the City's needs, staff has proposed an edited version of the original proposal.

Ms. Markle advised that more work will be necessary on this item next year as part of the critical areas ordinance update. In the meantime, staff feels they need to have some regulations to deal with development erosion hazard areas. Major components of the amendment are:

- ❑ Limiting the amount of soil that can be exposed without permits.
- ❑ Preventing a developer from stripping the site in these areas until final permits are obtained for the project.
- ❑ Requiring restoration plans as well as erosion and sediment control plans.
- ❑ Allowing the City to place seasonal restrictions and other controls on a project when necessary.

She explained since the existing code does not have regulations related to erosion hazard areas, the City imposes the regulations through SEPA. The proposed amendment would be a stop gap measure at this time.

Commissioner McClelland inquired if this regulation would impact a significant amount of property in the City. Chair Gabbert pointed out that there are quite a few areas identified on the sensitive areas map. Ms. Markle agreed that there are a fair amount of erosion hazard areas.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TAB 43²⁹ AS AMENDED BY STAFF ON NOVEMBER 1, 2001 TO ADD DEVELOPMENT STANDARDS AND PERMITTED ALTERATIONS FOR EROSION HAZARD AREAS. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 9²⁹

Ms. Markle advised that Tab 9²⁹ is a minor technical correction to the categorical exemption note. She explained that there is a proposal in Tab 35²⁹ to change the levels. If Tab 35²⁹ is approved, this note should be changed to "the lowest exempt level applies unless otherwise indicated," or they could delete the statement altogether. The Commission agreed to consider Tab 35²⁹ before making a recommendation regarding Tab 9²⁹.

Tab 35²⁹

Ms. Markle advised that the Commission has reviewed both of the amendments proposed in Tab 35²⁹ previously, and they agreed with staff. Tab 35²⁹ would change clearing and grading from a Type B Process to a Type A Process and increase the SEPA threshold from 100 cubic yards to 500 cubic yards. She recalled that a lot of the smaller landscape projects were getting caught up in the threshold, requiring that a property owner hold a neighborhood meeting to develop gardens, etc. Staff felt this was overkill.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TAB 35²⁹ CHANGING CLEARING AND GRADING FROM A TYPE B TO A TYPE A

PROCESS AND INCREASING THE SEPA THRESHOLD TO 500 CUBIC YARDS. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 9

Ms. Markle advised that since the amendment was advertised as a change rather than a deletion, staff recommends that the Commission accept the change as proposed.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENT PROPOSED IN TAB⁹ WHICH ADDS THE FOLLOWING: "THE LOWEST EXEMPT LEVEL APPLIES UNLESS OTHERWISE INDICATED." VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 34²⁰ 28

Ms. Markle advised that the amendment proposed in Tab ²⁰34 would clarify that the requirement applies to all buildings facing the street. The street frontage of all new buildings of the first floor must be treated with transparent windows and doors.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB ²⁰34 CLARIFYING THAT SECTION 20.50.280 APPLIES TO THE FIRST FLOOR OF ALL STRUCTURES FACING THE STREET. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 10⁸ 8

Mr. Krueger explained that the amendment proposed in Tab ⁸10 would add RV's to the use table as permitted with special index criteria in every zone. The index criteria would allow RV's as residential uses in any zone with owner's permission for up to two weeks. He noted that staff does not recommend approval of the proposed amendment. He explained that this use would already be allowed with a temporary use permit. Anyone wanting to park an RV within the City could apply for this permit. At the previous meeting, staff indicated that short period transient visits would be permitted if there were no complaint.

COMMISSIONER MONROE MOVED TO RECOMMEND DENIAL OF THE AMENDMENTS PROPOSED IN TAB ⁸10 WHICH WOULD HAVE PERMITTED RV'S AS RESIDENTIAL USES IN ALL ZONES FOR UP TO TWO WEEKS. COMMISSIONER McAULIFFE SECONDED THE MOTION. MOTION CARRIED, WITH COMMISSIONER HARRIS VOTING IN OPPOSITION.

Tab 20¹⁶ 16

Mr. Krueger said Tab ¹⁶20 is an amendment to reduce the height of structures located in industrial zones adjacent to R-6 and R-4 zoned properties to 50 feet unless a sub area or master plan has been adopted. He noted that staff presented an alternative to the proposed amendment at the November 1, 2001 meeting. The alternative would reduce building heights for portions of buildings in the industrial zone adjacent to R-4 or R-6 zones to 35 feet at the building setback lines. A structure up to 50 feet in height would be allowed if it is set back an additional 10 feet at the 35-foot height transition line. Sixty-five feet would be allowed with an additional 10-foot setback at the 50-foot height transition line. There is

also a provision that would allow balconies to extend into one of the setbacks. He distributed drawings to illustrate the new concept.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TAB 20¹⁶ TO REDUCE THE HEIGHT LIMITS IN INDUSTRIAL ZONES ADJACENT TO R-4 AND 4-6 ZONES. COMMISSIONER HARRIS SECONDED THE MOTION.

Commissioner McAuliffe pointed out that it is not typical to find industrial buildings that are constructed in the "wedding cake tier" design that is referenced in the alternate proposal for Tab 20¹⁶. In response to the Commission's inquiry, Mr. Krueger said that the City currently has two areas of industrial zoning: one is near Aurora and 192nd and the other is near Carter's Subaru. Mr. Krueger explained that the industrial zone is regulated the same as the regional business zone along Aurora. Residential units are allowed in the industrial zone, so it is possible for someone to build a mixed-use project using the concept identified in the alternative proposal.

Commissioner Marx said the proposed amendment was written in response to a transit-oriented development at the park and ride, which is zoned industrial and is adjacent to R-6. She felt that stepping back the height is a good compromise. It allows for higher buildings, but protects the adjacent single-family neighborhoods.

Commissioner McClelland said the proposed amendment gives the appearance that the industrial zones are not necessarily preserved for industrial uses. Mr. Krueger pointed out that the uses in the industrial zones would not be changed by the amendment. The amendment would only change the building envelope regulations. Mr. Stewart advised that the issue of preserving the industrial zone for industrial uses could be addressed more as the Commission considers the major review of the Comprehensive Plan. He briefly described the history of the industrial-zoned property, which is now being used for business uses.

Commissioner Monroe suggested that if a true industrial use were to locate in the existing industrial zones, the adjacent neighborhoods would be very concerned. He suggested that an industrial use is incompatible with its surroundings. He inquired if there is any mandate requiring the City to maintain industrial zones. Mr. Stewart answered that there is no mandate for the City to provide for this use. He suggested that any industrial uses located in Shoreline would be of a smaller scale because of the limited land available.

Chair Gabbert inquired if the Commission supports the idea of allowing development of up to 50 feet next to single-family residential zones. He said this would be more appropriate adjacent to multi-family zones. Commissioner Monroe noted that there are a limited number of industrial zoned lots that are large enough to make higher development possible, given the setback and screening requirements when adjacent to single-family zones.

MOTION CARRIED UNANIMOUSLY.

Tab 15

Mr. Krueger said that ¹⁵Tab 15 also deals with the height issue, and staff has proposed two options (123a and 123b). He recalled that at the last meeting, the Planning Commission asked staff to review the amendment further. Staff is suggesting similar strategy for all portions of a building in an R-48 zone that are adjacent to R-4 and R-6 zones. The height allowed at the building setback line would be 35 feet, with 50 feet allowed if the building is setback 10 feet. There is also a provision for a bonus floor.

Commissioner McClelland said that when this tab was discussed by the staff and Commission at the last meeting, she left feeling that a lot more information would be necessary in order to make a decision. She specifically questioned the impact the amendment would have to the street system, particularly in the area near the QFC in Richmond Beach. Mr. Krueger said that the Comprehensive Plan process included a traffic analysis to identify whether the area could accommodate R-48 zoning. The analysis identified mitigation that would address the impacts.

Commissioner McClelland said she is not in favor of the proposed amendment because she does not feel she has sufficient information. The Commission has no information as to the cumulative impact the higher height limit would have on the entire street. She said she does not want to be responsible for pushing the level of the street up unknowingly.

Chair Gabbert said all of these concerns were addressed during the Comprehensive Plan process. They had designated certain densities in these areas, and the EIS addressed all of these issues. Commissioner McClelland said the Comprehensive Plan addressed the impacts associated with an R-48 zone with a 35-foot height limit which would have a much lower impact than an R-48 zone with a 60-foot height limit. Chair Gabbert advised that the EIS study was based on the maximum density that would be allowed in an R-48 zone, and did not consider that the height requirements would limit the development to less than the maximum. It is clear that with the existing height limit, it is nearly impossible to develop an R-48 parcel to its maximum density.

Commissioner McClelland suggested that the proposed amendment would allow four or five stories of wood construction apartment buildings with retail on the ground level. This a very intense type of development and would have a huge impact on neighborhood character. Chair Gabbert noted that these impacts were addressed during the EIS analysis for the Comprehensive Plan.

Mr. Stewart explained that the R-48 zone was identified in the Comprehensive Plan and analyzed as part of the EIS. The Comprehensive Plan set the stage for the adoption of the development regulations. When the Comprehensive Plan was reconciled with the Development Code, it became apparent that the City could not achieve the R-48 densities with a height limit of 35 feet. Staff explained this during the Zoning and Comprehensive Plan Map reconciliation process. Staff advised, at that time, that they would be presenting a Development Code amendment to address the height issue. He said this issue is important because the R-48 density is being used in the City's calculations to meet the target growth as

mandated by the County. If the City does not increase the height limit in R-48 zones, they will have to find the density someplace else.

Commissioner Monroe inquired if there is a mandate in the Growth Management Plan that requires that there be adequate infrastructure to support the increased densities. Mr. Stewart answered affirmatively. Commissioner Monroe suggested that Commissioner McClelland is expressing her concern that the road infrastructure in those areas is not adequate. Mr. Stewart again stated that the infrastructure was reviewed as part of the EIS when the Comprehensive Plan was adopted with the R-48 density.

Commissioner McClelland said that the fact that the City has chosen to place R-48 zoning on smaller parcels that are impossible to develop to the allowed density, suggests that they really don't want the properties developed as R-48. If they want R-48 density, they should put it where it is appropriate. She questioned how the previous Commission came to believe that R-48 zoning in the Richmond Beach area was appropriate. Chair Gabbert again stated that density in terms of traffic was addressed in the EIS that was done for the Comprehensive Plan.

Commissioner McClelland said that if the City wants to achieve the density requirement in R-48, they don't have to build up. Instead, they could build out. If they want to go up, they should do so when it seems most appropriate. She said her only question is why the R-48 zoning in the Richmond Beach area is appropriate. Chair Gabbert pointed out that a developer cannot achieve the density by going out, because they would be using more acreage.

Mr. Stewart clarified that the R-48 zoning designation on these properties was inherited from King County. Mr. Stewart further explained that since the R-48 zoning designation is already identified for these lands, the real question the Commission must consider is whether this is a real R-48 zone or a fictional R-48 zone. At the current height limit, the R-48 zone is fictional. If the height limit is not adjusted, staff will recommend that the site be down zoned to the reasonable achievable density. The impact of this adjustment would trickle over into the City's ability to meet their density calculations.

Commissioner McClelland said that her concern is related to the location for the existing location in Richmond Beach. She particularly expressed her concern about height, density, neighborhood character, and appropriateness of high density development in this area.

Vice Chair Doennebrink inquired at what height limit the properties zoned as R-48 could be developed to their greatest density allowed. He questioned if perhaps a 50-foot height limit would be more appropriate. Mr. Krueger explained the process he used to calculate the minimum height necessary in order to develop up to the density allowed in an R-48 zone. He determined that a minimum of five-stories would be necessary to get the maximum density if surface parking and other site requirements are met. If the height limit is 60 feet, the developer would be able to place some parking in the ground floor level and more open space could be provided on site.

Mr. Krueger said that the two proposed alternatives for the R-48 zone would limit the height to 60 feet, but would also require the same type of step up setback when adjacent to single-family zones as was discussed previously for the industrial zones that are adjacent to single-family zones. Mr. Krueger said that there is also a provision in the multi-family and single-family design standards (Section 20.50.130) which states that "for developments consisting of three or more dwelling units located on a single parcel, the setback shall be 15 feet beyond any property line abutting an R-4 or R-6 zone."

Mr. Krueger directed the Commission to ³³Tab 39, which is an amendment to require that multi-family development of more than four units shall use Type I Landscaping when adjacent to single-family zoning and Type II Landscaping when adjacent to multi-family or commercial zoning. This provision would require additional screening for high density development that is located adjacent to single-family zones.

Mr. Krueger explained that the actual amendment would go into the "densities and dimensions table" (Page 27 of the Development Code). Currently, the base height is 35 feet. The proposal is to change the height limit to 50 feet, but to add two exceptions. The proposed amendment states that for all portions of the building adjacent to R-4 and R-6 zones, height allowed at the building setback line shall be 35 feet. Up to 50 feet in height would be allowed with an additional upper floor transitional line setback of 10 feet. A bonus floor of up to 60 feet would be allowed with an additional upper floor transitional line setback of 10 feet after the 50-foot height limit. There are two alternatives proposed. The first ~~(123a)~~ does not allow unenclosed balconies to extend into the setback. The second ~~(123b)~~ would allow balconies into the 10-foot transition line setbacks as the building goes up. SEE TAB 15 - REPLACES ALTERNATIVES

Commissioner Marx inquired if there is a definition for an unenclosed balcony. Mr. Krueger said this definition is not in the code, so the City uses the accepted common definition. The Commission suggested that an illustration be provided with this exception, to clearly identify the intended unenclosed balcony use. The Commission discussed how they could create a provision that would state that a solid wall on a balcony, even without a roof, does not count for the extra balcony on top of the 35-foot height limit within the 10-foot setback. Mr. Krueger suggested that perhaps balcony's should only be able to extend 5 feet into the setback.

Commissioner McAuliffe said he would like to recommend approval of the amendment identified in Tab 19.^b Commissioner Marx said that she, too, would like to recommend approval of the proposed amendment, using Alternative ~~123a~~. However, she would like to add that the height of the railing of the balcony cannot exceed the building height. The Commission suggested that pictures should be provided to illustrate this provision.

Commissioner Harris said he would not like to have a 60-foot building in his back yard. He suggested that no amount of buffer would protect the adjacent single-family developments. However, real estate location is the most important factor when a person purchases property. A person purchasing property next to property zoned high-density should expect some change in the future. Generally, the cost of the real estate is priced accordingly based on the location. However, he said he still is not comfortable with allowing buildings of up to 65 feet in height in the Richmond Beach area.

Commissioner Monroe said he agrees with Commissioner Marx' recommendation.

Commissioner McClelland said she is in favor of the level of intensity they are trying to achieve, but she is concerned about the appropriateness of some of the locations for the R-48 zoning. She said she feels the Commission needs more information before they make this decision so that they can carefully consider the potential impacts to the surrounding neighborhoods.

Vice Chair Doennebrink said it seems like the height limit should be lower for R-48 properties that are located next to single-family residential zones. He said he does not have a problem with allowing the balconies to extend into the setback area, but this extension should be limited to less than 10 feet.

Chair Gabbert said that he feels the City needs to have the additional height limitation, but he doesn't know if it is appropriate in all of the R-48 zones that are located in the City. He said that one option would be to set different heights for the R-48 zone that could be applied to certain areas. A blanket height limit for all R-48 zones may not be appropriate.

Commissioner McAuliffe said that parking dictates how high a structure can be. If parking has to be placed underground or on two levels, the costs make the project almost prohibitive. Even with a 60-foot height limit, depending upon the size of the site, it may still be prohibitive to build to that height.

Commissioner McClelland said she is troubled that there is something on the books that makes it appear as though the City is meeting the Growth Management Act requirements, but because of the restraints of the site, this development is never going to happen.

Mr. Stewart suggested that one theory the Commission may want to consider is to distinguish the location of R-48 zones between those that abut R-4 and R-6 zones and those that do not. They could place different limitations on the zone based on their proximity to the single-family zones. The Commission directed the staff to further review **Tab 19** to address the Commission's concerns.

Tab 30 24

Mr. Krueger recalled that this amendment includes three log numbers related to good neighbor lighting standards. Staff is proposing that these be added to two sections in the code where there are no current good lighting standards. He said most of the language is crafted around the statement that the lighting shall be non-glare shielded to minimize direct illumination.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE PROPOSED AMENDMENTS IDENTIFIED IN TAB 30²⁴ AS PROPOSED, WHICH ADDS THAT OUTDOOR LIGHTING SHALL BE NON-GLARE AND SHIELDED. COMMISSIONER McCLELLAND SECONDED THE MOTION. MOTION CARRIED.

TAB 4

Ms. Markle advised that the proposed amendment would define and regulate shipping containers in all zones. She recalled that the Commission asked the staff to try and broaden the definition, but staff found that this was difficult to do. Staff concluded that this is a much broader issue. This is more of an

outdoor storage question for all zones. She said there is merit to developing standards for all zones for all outdoor storage types. However, there was not sufficient time for staff to develop that type of regulation for approval at this time. Staff is recommending that if the Commission wants to regulate shipping containers as defined right now as a stop gap measure, they should recommend adoption of **Tab 4**. The other option would be to wait to do a more comprehensive review of outdoor storage next year.

Commissioner Monroe suggested that the Commission recommend adoption of **Tab 4**, but at the same time place the issue on the agenda of a future work program to revisit in more detail.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 4, WHICH DEFINES AND REGULATES SHIPPING CONTAINERS IN ALL ZONES, AND TO RECOMMEND THAT THE PLANNING COMMISSION AND STAFF ADDRESS OUTDOOR STORAGE IN ALL ZONES IN 2002. COMMISSIONER McCLELLAND SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 5

Ms. Markle advised that the proposed amendment to **Tab 5** is related to neighborhood meetings. She said staff proposed this amendment to codify the neighborhood meeting process. The Commission had asked for some changes to the proposed amendments, but staff recommended that these changes not be made. She reminded them that the Commission wanted to broaden the list of those who receive notification of neighborhood meetings to include property residents. Staff noted that it may be difficult to get this type of list since the service is currently provided by King County. The Commission also requested that neighborhood meeting notes be mailed to all persons who attended. She noted that because the staff is not involved in the neighborhood meeting process, it would be difficult to manage this requirement.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENTS PROPOSED IN TAB 5 PROVIDING CLARIFICATION OF THE NEIGHBORHOOD MEETING REQUIREMENTS AS PROPOSED BY THE STAFF. COMMISSIONER HARRIS SECONDED THE MOTION.

Vice Chair Doennebrink inquired regarding the time period identified for the neighborhood meetings. He felt that 5:30 p.m. is too early to start a meeting given the traffic situation in the area. Vice Chair Doennebrink also questioned if the neighborhood meeting could occur as part of the neighborhood association's monthly meeting. Ms. Markle advised that this would be a possibility because the location of the meeting is not regulated by the City.

Commissioner Marx said she would like to see an attempt made to notify the occupants of the properties located within the notification area. Perhaps some type of notification could be placed on the doors of the residences. Commissioner Harris suggested that this would be illegal. Commissioner McClelland said that in addition to the legal notices that must be sent to all property owners within 500 feet, the applicant could provide flyers to the residents in the area informing them of the proposal.

Commissioner Marx said she would like encourage developers to mail notices to occupants, too. The Commission discussed whether or not it would be appropriate to send notices addressed to the occupants. Commissioner Harris noted that there is always a sign posted in the area when a proposal is presented. The residents in the area have the opportunity to read the sign and find out what is happening. Both Commissioner Marx and Commissioner McClelland agreed that developers should be encouraged, not required, to mail notices to occupants as well as property owners. Commissioner Marx said she would also like to encourage applicants to send minutes to the people who attended the public meeting.

Ms. Markle advised that this language could be included on the instruction sheet that the staff has been using for the public meeting process. However, staff cannot guarantee that the notices were provided to the occupants.

COMMISSIONER MONROE MODIFIED HIS MOTION TO ADD LANGUAGE TO THE INSTRUCTION SHEET THAT WOULD ENCOURAGE DEVELOPERS TO SEND NOTIFICATION TO OCCUPANTS AND TO PROVIDE MINUTES OF THE NEIGHBORHOOD MEETINGS TO THOSE WHO ATTENDED. COMMISSIONER HARRIS WITHDREW HIS SECOND. COMMISSIONER McAULIFFE SECONDED THE MOTION AS AMENDED. MOTION CARRIED, 6-1 WITH COMMISSIONER HARRIS VOTING IN OPPOSITION.

7. UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

8. NEW BUSINESS

There was no new business scheduled on the agenda.

9. AGENDA FOR NEXT MEETING

The Commissioners had no additional comments to make regarding the agenda for the next meeting.

10. ADJOURNMENT

The meeting was adjourned at 9:34 p.m.

Marlin J. Gabbert
Chair, Planning Commission

Lanie Curry
Clerk, Planning Commission

These Minutes
Approved December 20, 2001

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

December 6, 2001
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Gabbert
Vice Chair Doennebrink
Commissioner Maloney
Commissioner Marx
Commissioner Doering
Commissioner Harris
Commissioner McClelland
Commissioner McAuliffe

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Kirk McKinley, Planning Manager, Planning & Development Services
Rachael Markle, Senior Planner, Planning & Development Services
Brian Krueger, Planner, Planning & Development Services
Lanie Curry, Planning Commission Clerk

ABSENT

Commissioner Monroe

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Gabbert.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Gabbert, Vice Chair Doennebrink, Commissioners Doering, Marx, Maloney and Harris, McAuliffe and McClelland. Commissioner Monroe was excused.

3. APPROVAL OF AGENDA

COMMISSIONER MALONEY MOVED TO APPROVE THE AGENDA AS PROPOSED.
COMMISSIONER McAULIFFE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF MINUTES

COMMISSIONER MALONEY MOVED TO ACCEPT THE MINUTES OF NOVEMBER 15, 2001 AS MODIFIED. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

5. PUBLIC COMMENT

Dan Mann, 17920 Stone Ave North, said that he reviewed the minutes from the last meeting to find out exactly what happened in regards to the sign ordinance and found that the Commission seems to have deferred their action until next year. He said that members of both the Aurora Improvement Council and the Chamber of Commerce are eager to work with the staff and Commission on this issue in the future.

Chair Gabbert said that the Commission decided that since they did not receive significant public input regarding the sign code amendments, they would only make the minor corrections that were needed for housekeeping now. It is anticipated that next year the Commission will seek involvement from the public and business community regarding the more significant issues.

6. REPORTS OF COMMISSIONERS

a. Briefing on the Washington State Chapter APA Conference

Commissioner McClelland reported that she attended the APA Conference in Spokane recently. There were some excellent materials on affordable housing which can be reproduced for interested Commissioners. One of the speakers was Art Sullivan, the founder of ARCH, which is a coalition of governments and organizations of east side cities. Their goal is to make sure that there is affordable housing available. She said she asked Mr. Sullivan about the possibility of having a similar organization in the North King County and South Snohomish County area.

Commissioner McClelland said she also attended a couple of sessions related to design issues. One of the sessions was particularly useful in regard to what the City is trying to accomplish in the North City area. Last, she said that the Planning Commissions in Washington do not have a strong presence in the APA, and she encouraged the Planning Commissioners to become more active.

Chair Gabbert reported that he attended several sessions related to the Growth Management Act and the expectations of state and local authorities. He said he learned that the state authorities have the ability to cut off local funding if local jurisdictions do not meet the GMA requirements. Mr. Stewart advised that the state authorities can also challenge the City's regulations to the Growth Management Act Hearings Board.

Chair Gabbert said that he also attended a session related to the redevelopment of the Northgate south parking lot project, which involved neighbors who were against any type of new development in this area. The designers held design charrettes to come up with three possible solutions for the community's consideration. The entire process provided a significant opportunity for public involvement and was handled in a very professional manner. On the other hand, the community of Cheney, Washington used design charrettes to involve the community when they redeveloped their downtown area, but the approach was more do-it-yourself. Both had to go through the same type of public process, but the output of the documents are at a different level.

Chair Gabbert referred to a speaker from the Department of Education who made the statement that jurisdictions need to consider school requirements as part of zoning issues. Also, the State education systems need to look at their requirements for schools. The speaker cautioned that the requirements are making it difficult to redevelop schools.

7. STAFF REPORTS

a. Growth Management Act Hearings Board Decision Related to the Point Wells Site

Mr. Stewart reviewed the Growth Management Act Hearings Board decision related to the Point Wells Site and the City of Shoreline's designation of the site as an annexation area and a subsequent amendment by the Town of Woodway to do the same. The conclusion of the Growth Management Hearings Board is that Shoreline carried its burden of proof showing that Woodway's adoption of Ordinance 01406 failed to comply with the requirements of the Washington Code. They found Woodway's action to be clearly erroneous. The Hearings Board ordered the Town of Woodway to take legislative action to amend their plan. Mr. Stewart advised that the City Attorney could come before the Commission at a future meeting to further explain the issue.

Chair Gabbert recalled that when the first Planning Commission was working on the new Comprehensive Plan, they wanted to make sure that the Point Wells site was identified to fulfill the requirements of the Washington Code. Mr. Stewart agreed, and advised that the basis of the appeal's success was the recommendation made by the Commission to the Council at that time.

Commissioner Maloney requested further clarification as to the specific action that the Town of Woodway must now take. Mr. Stewart said the order is to remove the inconsistency of overlapping jurisdictions claiming a single geographic area. The Town of Woodway must remove the designation from their Comprehensive Plan by February 6, 2002. Commissioner Maloney said he read somewhere in the document that Snohomish County has exclusive jurisdiction for planning on this site. Mr. Stewart said that is a hotly contested point. He explained that Snohomish County Tomorrow is an advisory group to the Snohomish County Council. Last year, they embarked upon a process of establishing annexation areas for the cities and towns in southwest Snohomish County. This was a collaborative process done through the planning directors of those towns. He said he participated for a while as a representative for Shoreline, but because he was from a King County City, he was asked to discontinue his participation. Snohomish County's planning policies state that in order to annex any property in Snohomish County a jurisdiction must enter into a pre-annexation agreement with the County and go through the Snohomish County Tomorrow process.

By default, the City was excluded from this process, and now the City will seek to resolve this policy issue with Snohomish County.

Commissioner McClelland inquired if the City could continue to plan for Point Wells as a potential annexation area. Mr. Stewart answered affirmatively and advised that the Comprehensive Plan includes both a land use designation and a plan for the provision of municipal services for Point Wells. The City will continue to plan for this annexation and work with the property owners.

b. Public Hearing on Environmental Impact Statement for the Aurora Improvement Project

Mr. Stewart referred to the Aurora Improvement Project (Aurora Avenue from 145th to 165th Street) and advised that staff is getting ready to publish the Environmental Impact Statement (EIS) for that project. Staff requests that the Planning Commission host the public hearing for that document. This would be similar to how the Planning Commission hosted the public hearing for the EIS related to North City. Public comments would be entered into the record and dealt with as part of the environmental record. The Commission would not be asked to act on the EIS officially, but they would be able to listen to the public comments first hand and formulate their individual comments to be passed on as part of the record. This hearing would also provide the citizens with an opportunity to meet the Commission that recommends policy to the City Council on land use issues. He advised that the other alternative would be for the staff to conduct a public hearing on the EIS. He asked that the Planning Commission host this meeting as a special meeting on January 31, 2002.

Commissioner McAuliffe inquired why the City Council does not conduct the public hearing. Mr. Stewart explained that the City has a lot of latitude regarding who conducts this type of hearing. Ultimately, the City Council will be the decision maker on the selected preferred alternative, but the public hearing before the Commission would provide "an additional set of eyes" on the EIS. He emphasized that the Commission would also be allowed to enter their comments and questions into the record, as well.

Commissioner Maloney inquired if it would be feasible to combine the public hearing with a regular Commission meeting. Mr. Stewart advised that there might be a substantial amount of public participation, making it difficult to schedule the hearing on the same night as a regular Commission meeting.

Commissioner McClelland inquired regarding the purpose of the hearing. Mr. Stewart explained that the hearing is legally required by SEPA to solicit comments on the draft EIS. The comments are carefully indexed and inventoried and responses are developed as part of the final EIS which is then used for the basis of the decision the Council will make. The final EIS may be appealed as part of the legal process. Secondly, the Federal Highway Administration has requested that a public hearing be held as part of the environmental record for their environmental assessment. The comments from this public hearing will be passed on to the Federal Highway Administration and the Washington State Department of Transportation, as well.

Commissioner Doering questioned what types of issues the Federal Highway Administration would be reviewing. Mr. Stewart said that because the project is funded with Federal funds in addition to State funds, the National Environmental Protection Act (NEPA) comes into play which is similar but different from SEPA. The City has tried to use one, single documents for both the SEPA and NEPA reviews.

Commissioner Marx said she feels it is appropriate for the Planning Commission to host the public hearing. It would be beneficial to both the Commission and the community at large. The Commission concurred.

c. Update Regarding the Transit Oriented Project Master Plan

Commissioner Marx inquired regarding the status of the Transit Oriented Project Master Plan. Mr. McKinley recalled that the City of Shoreline and King County forwarded a letter to the State at the end of June asking for a response to the master plan concepts. Around early September, the State reorganized and lost the project manager for that process. They now have a new project manager and the document is being reviewed by the Attorney General's Office now. Staff hopes to receive a response by the end of next week.

d. Continued Deliberation on Proposed Development Code Amendments

Ms. Markle reminded the Commission that at the last meeting they started reviewing the tabs one by one. The staff provided a brief introduction of each, followed by Planning Commission debate and recommendation. She asked that the Commission continue their review where they left off.

Tab 14 15

Ms. Markle advised that **Tab 15** is the only new information that the Commission received in their packets. This was a staff generated alternative to the amendment for height in the R-48 zone. She recalled the significant Commission discussion at the last meeting about whether or not it was appropriate to increase the height to 60 feet, and whether or not there should be a step requirement when adjacent to R-4 and R-6 zones. The alternative would require that the height in the R-48 zone would remain at 35 feet when adjacent to R-4 or R-6 zones and could only go to 50 feet via a conditional use permit. She further explained that a 60-foot height without a conditional use permit would be permitted in all R-48 zones that do not abut R-4 and R-6 zones.

Commissioner Doering inquired if the Commission discussed the ability to require a buffer between development of greater than 35 feet and adjacent R-4 and R-6 zones. Ms. Markle advised that this provision already exists in the code. There is a greater setback requirement for properties that are zoned R-48 but located adjacent to R-4 and R-6 zones. There are also some additional landscaping requirements. Commissioner Doering said that she does not like the idea of allowing greater heights on properties adjacent to single-family zones. She noted that the R-48 zones are scattered throughout the single-family neighborhoods. The goal of the Comprehensive Plan is to make the community more neighborhood and pedestrian oriented. Large structures next to single-family residential properties would not meet this goal. She said she would like to have greater buffer and landscaping requirements between R-48 zones and single-family residential properties.

Ms. Markle advised that **Alternative 123c** would limit the height of R-48 zoned property adjacent to single-family zones to 35 feet unless a conditional use permit is obtained. She noted that 35 feet is the maximum height allowed in R-4 and R-6 zones. There would also be an additional setback from multi-family development that is adjacent to single-family zones.

Commissioner Maloney inquired how many R-48 parcels are adjacent to single-family zones. Ms. Markle advised that a map was provided, and it appears that nearly all of the R-48 zoning in Richmond Beach would be impacted by the amendment identified as ~~Alternative 123c~~, and this amounts to about 10 percent of the City's total R-48 zone. *SEE TAB 15*

Commissioner Marx inquired regarding the R-48 zones that are identified along the Interurban Trail near Echo Lake. Ms. Markle said the Interurban Trail is zoned either R-6 or Regional Business. The properties along the Interurban Trail that are zoned R-6 and abutting R-48 zones would be impacted. In cases where the Interurban Trail is not zoned, the height limit in the R-48 zones would not be impacted. If R-6 or R-4 zoning is touching the property line, then the development in the R-48 zones could only go to 35 feet unless a conditional use permit is obtained.

SEE TAB 15

The Commission reviewed the ~~R-48~~ zoned properties that are abutting R-4 and R-6 zones, and discussed the impact that ~~Alternative 123c~~ would have to these properties. Ms. Markle reminded the Commission that an additional height of up to 50 feet would be allowed with a conditional use permit. This provision could address situations where additional height is appropriate even though the R-48 zone abuts an R-4 or R-6 zone.

Commissioner Maloney said that he is concerned with allowing 50 to 60-foot height limits in R-48 zones adjacent to single-family zones, but he felt that the proposed amendment identified as ~~Alternative 123c~~ is a creative compromise. *SEE TAB 15*

Commissioner Marx said it appears that there is a small piece of R-6 zoning that abuts the R-24 and R-48 zones in the North City area. She asked if the R-6 zoning still exists on this property. Ms. Markle advised that this property is used as either a water tower or a recreational facility for the condos. Again, she noted that this could be a case that would likely qualify for a conditional use permit. Commissioner Marx suggested that this piece of property be rezoned if ~~Alternative 123c~~ is approved so that it does not prevent the properties zoned with higher density from being developed to their full potential. Ms. Markle recalled that this parcel was discussed as part of the map reconciliation process, but she would have to research to find out the exact situation. Commissioner Marx said she would like to have this property researched further before she agrees to recommend approval of ~~Alternative 123c~~. *SEE TAB 15*

Chair Gabbert advised that if this property is currently used as a water tower, the abutting R-48 zones would still be allowed to develop to 50 feet with a conditional use permit. Commissioner Marx agreed, but noted that the entire area, with the exception of this property, is zoned as high-density residential. Because of this one piece of property, all of the R-48 zoned property in this area would be limited to 50 feet in height instead of 60.

To clarify the term "abut," Mr. Stewart read the definition as follows: "To physically touch or border upon. To share a common property line, but not overlap." He also clarified that properties separated by a common right-of-way would not be considered abutting.

SEE TAB 15

Vice Chair Doennebrink inquired why proposed ~~Alternative 123c~~ is limited to R-6 and R-4 zones instead of all single-family zoning designations.

Commissioner McClelland noted that most of the concern was related to the R-48 zones in the Richmond Beach area. Most of these parcels are already developed as single-family, and the likelihood of change is minimal. She questioned the purpose of zoning these properties as R-48.

Commissioner Maloney explained that the requirement of GMA is to enable greater density, not to have it actually occur. He expressed his opinion that the City should deal with the R-48 zoning as the demand occurs. There are many people saying that they don't want greater densities. The R-48 zoning was done in part to put greater density in areas that were acceptable to the public.

15

~~COMMISSIONER MARX MOVED TO ACCEPT TAB 15, ALTERNATIVE 123C. COMMISSIONER DOERING SECONDED THE MOTION.~~

Commissioner McAuliffe said he does not approve of modifying the R-48 zone at all. If they don't want to allow the full density allowed in an R-48 zone, they should change the zoning on the property. They should not have R-48 zones in the City if property owners cannot develop to the full density identified for the zone.

Commissioner Marx said she would like to see the zoning for the triangle she pointed out in the North City area to be addressed. She said that is the only apparent problem she has with the proposal identified as ~~Alternative 123c.~~

SEE TAB 15 - REPLACES ALTERNATIVES

Commissioner Harris agreed with Commissioner McAuliffe. He doesn't believe that R-48 zones are ever appropriate next to R-6 or R-4 zones. He said he believes in gradual zoning from higher density to lower instead of going from R-4 to R-48. Modifying the height and requiring an additional 10-foot setback would not resolve the issue.

SEE TAB 15

Vice Chair Doennebrink said he would like to expand ~~Alternative 123c~~ to include all single-family residential zones. He said he is also concerned that little tiny pieces of property can impact a huge parcel of R-48 zoned property. Commissioner Marx concurred.

Commissioner Maloney said that when Echo Lake was designated as R-48 zoning, the theory was that the land, as presently developed, was underutilized. The Commission agreed that it was only a question of time before these properties were upgraded. Because many of these are lower in height, the impact of taller buildings would be less than in other locations. He agreed that they must address the southeast corner abutting R-4 or R-6 zone.

Commissioner Maloney said he has a problem with allowing the greater height in many of the other locations of R-48 zoning because of the significant impact to the single-family neighborhoods.

Commissioner Doering felt that R-48 zoning could work adjacent to single-family neighborhoods if additional buffering is required.

Commissioner McClelland agreed with Commissioner McAuliffe. She said she is not sure that a theoretical zone is honest. She said she does not want to allow R-48 zones adjacent to single-family residential. She said she would be interested in knowing how probable R-48 zoning is in these locations, or if it would be more appropriate in other locations.

Mr. Stewart said that he agrees with all of the comments provided by the Commission. But if they consider the practical application, there are a couple of property owners of R-48 zoning who want to go forward with a project. They have noted the inequity of the height limitations of the R-48 zone. One of staff's goals is to get development moving forward on some of the R-48 parcels that are not adjacent to single-family zones.

Commissioner Maloney noted that since Echo Lake is less controversial, they should perhaps deal with the Echo Lake R-48 properties at this time. Mr. Stewart agreed that this could be done. But overriding the discussion is the issue of zoning capacity to meet the growth management targets—particularly since the target is likely to increase by about 1,000 in the near future. There is some capacity that has not been significantly considered for higher density developed such as along Aurora Avenue. He said that perhaps the Commission should consider the option of leaving the height as it currently exists, but allow it to go to 60 feet for a short term with a conditional use permit. The Commission could further condition this by excluding the conditional use permit for any property that abuts an R-6 zone.

Commissioner Maloney inquired if it is intelligent for the City to increase the density voluntarily now when they expect the State to impose more density in the next few months. Mr. Stewart said the City is still trying to reach the capacity of what has already been established by the Growth Management Act.

COMMISSIONER MALONEY MOVED TO AMEND THE MOTION TO DEAL STRICTLY WITH ECHO LAKE AT THIS TIME SO THAT THE LESS CONTROVERSIAL PROPERTIES CAN GO FORWARD. THE COMMISSION COULD DEAL WITH THE OTHER PROPERTIES WHEN THEY HAVE MORE INFORMATION.

SEE TAB 15 (Alternatives Consolidated)

Mr. Stewart reviewed that **Alternative 123b** would establish a height limit of 35 feet in the R-48 district with a conditional use permit that would allow the increase in height up to 60 feet on those R-48 parcels which do not abut an R-4 or R-6 zoning district. Parcels abutting R-4 and R-6 zones would be limited to 35 feet. He noted that this alternative would allow portions of the R-48 zones to move forward with the greater height limits, while the staff and Commission study the more controversial parcels further.

SEE TAB 15 (Alternatives Consolidated)

The Commission agreed that **Alternative 123b** would address the R-48 parcels that are located on the northern portions of Echo Lake, but it does not address the southern parcels. Next, the Commission discussed whether or not an additional setback requirement would address the concerns associated with the southern R-48 properties. If a property owner of an R-48 zone that abuts an R-4 or R-6 zone wants to develop at a height greater than 35 feet, an additional setback would be required.

SEE TAB 15

Commissioner McClelland suggested that perhaps an Item 8 could be added to **Alternative 123c** stating that if the abutting R-4 or R-6 property is less than a certain number of feet, the property owner would qualify for the provisions identified in Item 7.

SEE TAB 15
Mr. McKinley suggested that Item 7 of **Alternative 123c** could be changed to state that "the maximum height of a building abutting lots zoned R-4 or R-6 shall be 35 feet within 50 feet of an R-4 or R-6 zone unless a conditional use permit is obtained." The existing height would be applied unless the building is setback from the single-family zone at least 50 feet. This would provide a stair step height increase. Commissioner McAuliffe said he would be in support of the proposed modification presented by Mr. McKinley.

Mr. McKinley clarified his suggestion that if the Commission wants to eliminate the conditional use requirement, they could provide a clause in Item 7 stating that "the maximum height of a building that is located within 50 feet of a lot zoned R-4 or R-6 shall be 35 feet." The portion of the Echo Lake parcel that abuts R-4 or R-6 zoning would be required to have an additional setback before the height could be increased greater than 35 feet.

Commissioner Harris recalled that the intent of proposing the amendment in the first place was to allow the R-48 zones to develop to their maximum potential. Now they are proposing to reduce the potential density allowed on these properties.

Commissioner McClelland summarized that Mr. McKinley's proposal is that property zoned R-48 that does not abut an R-4 or R-6 zone could be developed to a 60-foot height limit with a conditional use permit. Where an R-48 zone abuts an R-4 or R-6 zone, it may develop to a height of 35 feet for the first 50-linear feet and then increase to a maximum of 60 feet thereafter. Commissioner Harris expressed his concern that this would, in effect, down zone these properties.

SEE TAB 15
To clarify the confusion between the various alternatives that were recommended up to this point, Ms. Markle advised that **Alternative 123c** could incorporate the suggestion made by Mr. McKinley. The types of conditions imposed would be site specific. Therefore, she expressed her opinion that **Alternative 123c** would address all of the concerns of the Commission but would also allow a few of the properties to develop to an R-48 potential. The alternative would be to limit the height of all R-48 development to 35 feet until a better proposal can be created. Ms. Markle said she would like the Commission to seriously consider whether or not there are any significant negative impacts of **Alternative 123c**. She said that, so far, she has only heard concern expressed that two or three lots would not be allowed to develop to their full height potential.
(SEE TAB 15)

THE AMENDMENT TO THE MOTION THAT WAS PROPOSED BY COMMISSIONER MALONEY FAILED FOR LACK OF A SECOND.

The Commission continued to discuss the main motion that was set forth by Commissioner Marx. Mr. Stewart questioned whether or not it would be more appropriate for the Commission to remand the issue back to the staff to provide further information and explanation to address the Commission's concerns.

Commissioner Marx requested clarification regarding the conditional use permit and the special use permit. Mr. Stewart explained that a conditional use permit is an administrative decision, and a special use permit would require Planning Commission review. Commissioner Marx suggested that **Alternative 123c** be amended so that a conditional use permit is required for development to occur up to 50 feet on R-48 properties that abut R-4 and R-6 zones. If someone thinks they can really make a case for 60 feet, they could be allowed to apply for a special use permit to gain an extra ten feet. A public hearing would be required and the neighbors would have the ability to provide their input.

Mr. Stewart said that the option suggested by Commissioner Marx is possible. He reviewed the criteria that must be met by an applicant in order to obtain a special use permit. Two of the nine conditions would be very appropriate to this situation.

First is the requirement that the characteristics of the special use must be compatible to the uses permitted in surrounding areas. Second, the location, size and height of buildings, structures, walls and fences for the special uses shall hinder or discourage the appropriate development or use of neighboring properties.

COMMISSIONER MARX MOVED TO AMEND HER MOTION TO ADD A SECTION THAT WOULD ALLOW DEVELOPMENT OF UP TO 60 FEET IN HEIGHT IN R-48 ZONES ABUTTING R-4 AND R-6 ZONES WITH A SPECIAL USE PERMIT. COMMISSIONER DOERING, THE SECONDER OF THE ORIGINAL MOTION, ACCEPTED THE AMENDMENT.

The Commission discussed the issue raised by Vice Chair Doennebrink that this provision should also apply to R-48 areas that abut R-8 zoning (medium-density residential) instead of only those zoned R-4 and R-6 residential. Commissioner McAuliffe expressed his opinion that medium-density residential should abut the high-density residential development.

Commissioner Maloney inquired if it is appropriate for the Commission to make the changes being discussed at this time without significant public input. Chair Gabbert said that there have been opportunities for public input on the proposed amendments. However, Commissioner Maloney noted that what is being proposed now was never presented to the public. Chair Gabbert pointed out that what is now being discussed is less intense than what was advertised for the public hearing.

CHAIR GABBERT ASKED THAT THE MAIN AMENDMENT BE MODIFIED TO INCLUDE R-8 ALONG WITH R-6 AND R-4 ZONING.

Ms. Markle restated the main motion and the proposed amendment as follows:

REFERS
TO TAB 15

COMMISSIONER MARX MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF TAB 19, ALTERNATIVE 123C, AMENDED AS FOLLOWS: THE MAXIMUM HEIGHT OF A BUILDING ON A LOT ABUTTING A LOT ZONED R-4, R-6 OR R-8 SHALL BE 35 FEET UNLESS A CONDITIONAL USE PERMIT IS APPROVED TO INCREASE THE HEIGHT TO 50 FEET WITH THE ADDITIONAL UPPER FLOOR SETBACK TRANSITION LINE OF 10 FEET AND AN R-48 PROPERTY ABUTTING AN R-4, R-6, OR R-8 ZONE MAY GO UP TO 60 FEET WITH THE APPROVAL OF A SPECIAL USE PERMIT. COMMISSIONER DOERING SECONDED THE MOTION. MOTION FAILED UNANIMOUSLY.

Ms. Markle indicated that she would list of all of the options that have been discussed by the Commission and provide further staff feedback at a future meeting. The Commission can reconsider the issue at the next meeting.

Tab 7 (REMOVED BY PLANNING COMMISSION)

Ms. Markle advised that Tab 7 would have included intensification of a use to trigger the need for a conditional use or special use permit. She said the City Attorney has advised that it would be very difficult to define intensification as a broad application. Staff recommends removal of this amendment for consideration.

Tab 21 (PLACED ON 2002 WORK PROGRAM)

Ms. Markle said that Tab 21 would add text related to zero lot provisions. While this is a good amendment, staff feels that it needs further work. Staff proposes that they review the amendment, modify it to provide further clarification, and then bring it back to the Commission for consideration at a later date.

Tab 22 (PLACED ON 2002 WORK PROGRAM)

Ms. Markle advised that Tab 22 would add incentives for the construction of duplex, single-family attached dwellings in R-8 and R-12 zones. While this concept was proposed as an amendment, no incentives were identified. Staff would like to work on this issue further.

Tab 22 23

Mr. Krueger advised that Tab 23 is an amendment to raise the maximum height of fences located along a property line in the front yard setback from 3½ feet to 6 feet. It also clarifies that the maximum height of fences on any property line is 6 feet and subject to site distance requirements.

Chair Gabbert reviewed that the Commission recently recommended that the fence height in the front yard setback be lowered to 3½ feet. They felt that six-foot fences appeared unfriendly. The reason for increasing the height is that they have had so many complaints from people who would like to put up a higher fence to screen the "junky" yards across the street. Commissioner Marx also noted that no fence permit is required. Therefore, people don't always understand that their fence is limited to 3½ feet in height.

Commissioner McClelland said that the proposed language seems to encourage all fences to be six feet tall. Commissioner Marx suggested that the language be revised to state that "fences may be built along the property line up to a height of six feet." The Commission concurred.

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COMMISSIONER HARRIS MOVED TO RECOMMEND APPROVAL OF TAB 29 TO ALLOW FENCES TO BE BUILT ALONG THE PROPERTY LINE UP TO A HEIGHT OF SIX FEET. COMMISSIONER MALONEY SECONDED THE MOTION. MOTION CARRIED 7-1, WITH COMMISSIONER McCAULIFFE VOTING IN OPPOSITION.

Tab 48 ³⁴

Mr. Krueger explained that Tab ³⁴40 is a change to the Adequacy of Public Facilities Chapter. The current language says that all development proposals shall be served by an adequate wastewater disposal system. Currently, that includes septic tanks. The amendment would change the term "an adequate" to "a public wastewater system." This would require new developments to attach to public sewer.

Commissioner Marx inquired if sewer hookup is available to all properties in the City. Mr. Krueger said that there are a few parcels that will need to hook up to the public system at their cost. However, he noted that this policy would only apply to new development proposals. Existing uses would be grandfathered as pre-existing non-conforming uses. The Commission briefly discussed their concerns related to the expense that a property owner could incur to hook up to the public system. Commissioner Harris noted that because of the new regulations for septic systems, it is unlikely that most of the lots in the City are sufficient in size to enable them to put in a new septic system.

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COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF TAB 40 TO REQUIRE THAT ALL DEVELOPMENT PROPOSALS BE SERVED BY A PUBLIC WASTEWATER SYSTEM. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 45 ³⁹

Ms. Markle advised that Tab ³⁹45 would redefine educational facilities. She explained that construction is prohibited in stream buffer areas, but there are exceptions. One of these exceptions is for educational facilities. Staff feels that this term is too broad, so they attempted to define the term. Commissioner Marx provided the proposed definition as follows: "The construction and placement of informational signs or educational demonstration facilities limited to no more than one square yard of surface area and four feet high provided there is no permanent infringement on streams below."

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COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF TAB 45 TO PROVIDE A DEFINITION FOR "EDUCATIONAL FACILITIES." VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 11 (PLACED ON 2002 WORK PROGRAM)

Ms. Markle advised that Tab 11 is related to permitted mixed-uses in high density residential zoning districts. Staff noted that because the types of mixed uses that would be permitted has not yet been discussed, staff would like to work on the amendment further and bring it back before the Commission in 2002.

Tab 12 (ADOPTED)

Ms. Markle advised that the Commission already made a recommendation related to Tab 12 and the Council has adopted the recommendation.

Tab 1

Mr. Krueger advised that **Tab 1** would provide a new definition for multi-family dwellings. As part of that clarification, there is also a provision to add index criteria in the use table for duplexes to state that two or more duplexes are subject to multi and single-family attached residential design standards.

Commissioner McClelland inquired if cottage housing would be considered multi-family housing. Mr. Stewart advised that would be considered single-family housing. The Commission questioned why cottage housing is included in the proposed definition identified as **Tab 1**. Mr. Krueger agreed that the term "cottage housing" should be deleted from the proposed definition.

COMMISSIONER DOERING MOVED TO RECOMMEND APPROVAL OF TAB 1 TO DEFINE MULTI-FAMILY DWELLINGS, WITH THE DELETION OF THE TERM "COTTAGE HOUSING." COMMISSIONER MALONEY SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 2

Ms. Markle explained that **Tab 2** would change the definition of a "dwelling unit" to "residential living facility" distinguished from lodging such as a hotel, motel or dormitory.

COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF TAB 2 TO CHANGE THE DEFINITION OF A DWELLING UNIT. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED 7-1, WITH COMMISSIONER McCLELLAND VOTING IN OPPOSITION.

Commissioner McClelland felt that the proposed amendment is a terrible definition of a dwelling unit.

Tab 3

Ms. Markle advised that **Tab 3** would amend the code to clarify that requirements for setbacks refer to minimum yard setbacks unless otherwise noted.

COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF TAB 3 TO CLARIFY THAT THE REQUIREMENTS FOR SETBACKS REFER TO MINIMUM YARD SETBACKS UNLESS OTHERWISE NOTED. COMMISSIONER McCLELLAND SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 6

Ms. Markle advised that **Tab 6** would amend the last line of this section to read, "The notice of decision shall be sent to all parties of record." Currently, the code requires that the notice of decision be published or noticed the same as a notice of application. The problem is that a notice of decision goes to everyone within 500 feet, but only those people who are parties of record have the right to appeal.

COMMISSIONER McCLELLAND MOVED TO RECOMMEND APPROVAL OF TAB 6 TO CHANGE NOTICE REQUIREMENTS FOR PUBLIC NOTIFICATION FOR NOTICE OF DECISION. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 8 ⁷

Mr. Krueger advised that **Tab 8** is an amendment to the subdivision procedures to clarify that the City can require dedications for right-of-way, stormwater facilities, open space, easements and tracts as conditions for approval of subdivisions.

COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF **TAB 8** TO AMEND THE SUBDIVISION PROCEDURES AS PROPOSED. COMMISSIONER McCLELLAND SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 13 ⁹

Ms. Markle explained that **Tab 13** would delete the index criteria for utility facilities because it contradicts itself. It was taken directly from the old King County Code and needs to be clarified.

COMMISSIONER DOERING MOVED TO RECOMMEND APPROVAL OF **TAB 13** AS PROPOSED. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 14 ¹⁰

Mr. Krueger said that **Tab 14** is an amendment to codify a code interpretation regarding small livestock. This would amend the subsection that regulates small animals (cats and dogs) to include small livestock and provisions, thereof. It also gives the City direct authority to impose specific conditions.

COMMISSIONER MARX MOVED TO RECOMMEND APPROVAL OF **TAB 14** CODIFYING A CODE INTERPRETATION REGARDING SMALL LIVESTOCK. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 15 ¹¹

Mr. Krueger said that **Tab 15** is an amendment to delete certain subsections of the special index criteria for community residential facilities. Staff felt that these criteria were overly restrictive.

COMMISSIONER MARX MOVED TO RECOMMEND APPROVAL OF **TAB 15** TO DELETE CERTAIN SUBSECTIONS OF THE SPECIAL INDEX CRITERIA FOR COMMUNITY RESIDENTIAL FACILITIES. COMMISSIONER McAULIFFE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 16 ¹²

Mr. Krueger said that **Tab 16** is an amendment to the cottage housing criteria in response to applicants who have narrow cottage housing lots. He provided a graphic illustration of the concept proposed in the amendment. He explained that the amendment would provide an exception for lots that are a maximum of 50 feet wide or 50 percent of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from the public street.

COMMISSIONER MALONEY MOVED TO RECOMMEND APPROVAL OF **TAB 16** AMENDING THE COTTAGE HOUSING CRITERIA RELATED TO PARKING REQUIREMENTS. COMMISSIONER McCLELLAND SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Commissioner Marx proposed that the remainder of the code amendments be postponed until the December 20 meeting. The Commission concurred.

8. UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

9. NEW BUSINESS

There was no new business scheduled on the agenda.

10. AGENDA FOR NEXT MEETING

Ms. Markle referred the Commission to a memorandum regarding the update of the code book. She asked that the Commissioners make sure that they have the latest updates. If not, they should contact the staff as soon as possible. Also, at the next meeting, staff will provide a calendar for next year's agenda.

Commissioners McClelland, McAuliffe and Maloney indicated that they would not be present at the next meeting.

11. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Marlin J. Gabbert
Chair, Planning Commission

Lanie Curry
Clerk, Planning Commission

DRAFT

These Minutes Subject to
January 17 Approval

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

December 20, 2001
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Gabbert
Vice Chair Doennebrink
Commissioner Monroe
Commissioner Marx
Commissioner Doering
Commissioner Harris

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Kirk McKinley, Planning Manager, Planning & Development Services
Rachael Markle, Senior Planner, Planning & Development Services
Brian Krueger, Planner, Planning & Development Services
Lanie Curry, Planning Commission Clerk

ABSENT

Commissioner McAuliffe
Commissioner McClelland
Commissioner Maloney

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Gabbert.

1. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Gabbert, Vice Chair Doennebrink, Commissioners Doering, Monroe, Marx and Harris. Commissioner McAuliffe, Maloney and McClelland were excused.

2. APPROVAL OF AGENDA

COMMISSIONER DOERING MOVED TO APPROVE THE AGENDA AS PROPOSED.
COMMISSIONER MONROE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

3. APPROVAL OF MINUTES

COMMISSIONER MONROE MOVED TO ACCEPT THE MINUTES OF DECEMBER 6, 2001 AS SUBMITTED. VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

4. PUBLIC COMMENT

There was no one in the audience who desired to address the Commission during this portion of the meeting.

5. REPORTS OF COMMISSIONERS

There were no reports from the Commissioners

6. STAFF REPORTS

a. Continued Deliberation on Proposed Development Code Amendment

Ms. Markle requested that the Commission begin their deliberations with the item that they left off on at the last meeting. The Commission concurred.

~~Tab 17~~ TAB 13

Ms. Markle said this amendment proposes to exempt home occupations that are entirely internal to the home and do not have employees beyond the person who is living in the home from having to obtain a home occupation permit. These would also have no deliveries, clients, noise or odor. They would not be allowed to have signs and would have to meet the existing criteria in the code.

Commissioner Marx recommended that the proposed amendment be modified to state "no clients on site." The Commission and staff concurred.

13

COMMISSIONER HARRIS MOVED TO RECOMMEND APPROVAL OF ~~TAB 17~~ AS MODIFIED TO EXEMPT SOME HOME OCCUPATIONS FROM HAVING TO OBTAIN A PERMIT. COMMISSIONER MONROE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

~~Tab 18~~ TAB 14

Ms. Markle advised that this amendment proposes to expand the definition of a public agency or utility yard to include vehicle maintenance and equipment storage as well as material storage and add public facility maintenance and park facilities to the allowed uses.

14

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF ~~TAB 18~~ TO EXPAND THE DEFINITION OF A PUBLIC AGENCY OR UTILITY YARD AS PRESENTED. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 23¹⁷

Ms. Markle explained that **Tab 23¹⁷** proposes to add some regulations and clarity to the term "allowable projections into setbacks." The first one would add regulations for setbacks from utility corridors and was in the old Shoreline code but omitted from the new code. Without the provision, people have to setback from a utility corridor up to 20 feet in some cases. This amendment also clarifies that there would be no projections allowed into the utility corridor. In answer to the Commission's questions, Mr. Stewart provided examples to illustrate the need for the proposed amendment.

Ms. Markle advised that the second setback clarification is related to a regulation that allows driveways to cross the required setbacks and landscaping. While staff realizes that in order to access some properties this would be necessary, it is not explicitly written into the existing code. She said the third proposed exception would allow arbors to project into the required yard setbacks. This is a current code interpretation now, but staff is seeking confirmation from the Commission as to the intent of the code. Again, Mr. Stewart provided examples and further explanation regarding the proposed exceptions.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF **TAB 23¹⁷** TO ADD SOME REGULATIONS AND CLARITY TO ALLOWABLE PROJECTIONS INTO SETBACKS AS PRESENTED. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 24¹⁸

Ms. Markle advised that **Tab 24¹⁸** relates to setbacks from half streets. This was also in the old Shoreline code, but was omitted from the new code. Staff feels the regulation is appropriate and provides the City with a tool to require property owners to setback additional feet to accommodate the other half of the road in anticipation of future transportation needs.

Commissioner Harris inquired if the proposed regulation would take into consideration whether or not the road would ever be fully developed. He said that the proposed regulation would be good in most cases, but there are situations where a road may never be developed. Ms. Markle advised that the proposed regulation states that it applies to "planned half streets" only.

Commissioner Marx recalled that a few years ago, a situation came before the Commission where a half street was involved in the construction of duplex development. If the amendment were approved, the properties adjacent to the half street would be required to provide additional setbacks should they decide to build anything else on their property. Mr. Stewart agreed. Chair Gabbert drew an example on the flip chart to illustrate the concept further, and staff provided further clarification as to what the setback requirements would be.

Commissioner Monroe inquired how many streets of this type are located in Shoreline. Mr. Stewart answered that the new regulation would apply to numerous situations in the City. Ms. Markle reminded the Commission that this requirement already exists under the section titled "Dedication of Right-of-Way." It requires that planned rights-of-way must be dedicated to the City as a condition of approval. The proposed amendment places this regulation in the setback section, also, to clearly identify the setback requirements.

18

VICE CHAIR DOENNEBRINK MOVED TO RECOMMEND APPROVAL OF TAB 24 TO ADD A SETBACK REQUIREMENT FROM HALF STREETS AS PRESENTED. COMMISSIONER DOERING SECONDED THE MOTION.

Commissioner Marx referred to lots along half streets that already have existing development. If the street were to go in, the setback might no longer exist. She questioned if someone wanting to rebuild on the lot would have to build with the increased setback requirement. Mr. Stewart advised that reconstruction would be allowed as long as the extent of the previously existing non-conformance is not increased.

MOTION CARRIED UNANIMOUSLY.

Tab 25 19

Mr. Krueger explained that Tab 25 is a proposed amendment to the exceptions for projections into setbacks. It clarifies some convoluted language regarding eaves. The intent of this provision would not be changed by the proposed amendment.

Chair Gabbert inquired why the City does not allow projections into the 5-foot setback. Commissioner Harris said that the City changed the regulation about three years ago to no longer allow projections into the side-yard setback. Commissioner Marx said this change was related to concerns expressed by citizens about development on skinny lots. Commissioner Harris said he does not necessarily like the regulation, either. But it has been on the books for more than three years.

Chair Gabbert inquired if it would be possible to propose an amendment that would allow the eaves of a structure to extend into the setback by 18-inches. Mr. Stewart explained that the proposed amendment only applies to the required setback. If the required setback is only five feet, no projections would be allowed into the setback. Chair Gabbert again stated that he would support a regulation that would allow eaves to extend into the 5-foot setback. However, Commissioner Marx cautioned against making this change in light of the many public comments that were presented previously. While it may be appropriate for the Commission to consider this amendment in the future, it is not appropriate to consider at this time. Chair Gabbert requested that this item be placed on the future work agenda.

19

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 25 RELATED TO EXCEPTIONS FOR PROJECTIONS INTO THE SETBACK AS PRESENTED. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 26 20

Mr. Krueger advised that Tab 26 includes two proposed amendments related to vehicle access and circulation standards. The first amendment clarifies that access for single-family detached, multi-family attached and single-family attached dwellings is not allowed in a required yard setback. The second amendment is a verbatim of the amendment that was introduced earlier (Tab 25) allowing driveways for single-family detached dwellings to cross required yard setbacks.

17

He explained that this issue arose with a project that was proposed on a lot zoned multi-family residential that was adjacent to a single-family lot. The applicant proposed a driveway right next to the property line. The definition of a yard and yard setback specifies that the setback may only be occupied by landscaping. The proposed amendment clarifies that an access road is not an acceptable use of a yard setback, with the exception of driveways as proposed.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF ²⁰TAB 26 RELATED TO THE VEHICLE ACCESS AND CIRCULATION STANDARDS AS PROPOSED. VICE-CHAIR DOENNEBRINK SECONDED THE MOTION.

Chair Gabbert clarified that a property owner who wants to place a garage at the rear of the lot, cannot place the driveway through the side yard. Mr. Krueger said the driveway would only be allowed to occupy up to 15 percent of the required side-yard setback. Chair Gabbert suggested that this percentage be increased to 20 percent. Mr. Krueger referred the Commission to Page 75 of the notebook that illustrates the proposed concept.

CHAIR GABBERT MOVED TO AMEND ²⁰TAB 26 TO ALLOW A DRIVEWAY TO OCCUPY UP TO 20 PERCENT OF THE REQUIRED SIDE-YARD SETBACK. COMMISSIONER HARRIS SECONDED THE MOTION.

Commissioner Monroe inquired if staff has any objection to changing the percentage from 15 to 20. Ms. Markle said one major issue is the protection of the yard setback. The purposes of a yard setback is to preserve the neighborhood character, allow for an area to be landscaped, protect privacy, etc. But one of the major provisions is to protect natural features. Commissioner Monroe recalled that the initial reason for having side-yard setbacks was related to fire protection.

The Commission discussed the pros and cons of increasing the percentage that a driveway is allowed to encroach into the required setback. Chair Gabbert expressed his opinion that 15 percent is too restrictive and 20 percent would allow more flexibility. Commissioner Doering expressed her concern that property owners with established homes could end up with an automobile access right along their property line. Chair Gabbert felt that more flexibility would allow for more creative design and limit the amount of impervious surface at the front of the property. Commissioner Harris felt that the driveway would be an adequate setback and should not have to be setback from the property line.

THE AMENDMENT TO THE MOTION FAILED 4-2, WITH COMMISSIONERS DOERING AND MARX VOTING IN OPPOSITION.

THE ORIGINAL MOTION FOR ²⁰TAB 26 CARRIED UNANIMOUSLY.

²¹
Tab 27

Mr. Krueger advised that ²¹Tab 27 is a proposed amendment to the single-family detached design standards. It would add an exception specifying that for garages or carports, at least 20 feet of linear driveway shall be provided. He noted that this is already in the multi-family design standards and provides for a safe backing distance from the street. He referred the Commission to the schematic of the centerline language that was discussed at the workshop to show how the centerline would be measured.

Chair Gabbert inquired how this concept would be applied to a single-family residence. He recalled that the intent is to set back the front of the garage from the house. Mr. Krueger replied that single-family design standards do not require that the garage be setback from the front of the house. The front side of the house must only meet the building setback. However, a covered porch can extend five feet into a setback.

²¹
COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 27 AS PRESENTED TO AMEND THE SINGLE-FAMILY DETACHED DESIGN STANDARDS TO SPECIFY THAT FOR GARAGES OR CARPORTS, AT LEAST 20 FEET OF LINEAR DRIVEWAY SHALL BE PROVIDED. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 28 ²²22

Mr. Krueger said ²²Tab 28 is also related to the single-family detached residential design standards. The amendment clarifies the drawing on Page 81 of the notebook of side-yard setback requirements for irregular lots. A building official found this illustration to be convoluted, and staff recommends the proposed amendment as clarification. Both Chair Gabbert and Vice Chair Doennebrink recommended that clarification of the formula be added to the amendment.

²²
COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 28 AS CHANGED TO CLARIFY THE ILLUSTRATION OF SIDE YARD SETBACK REQUIREMENTS FOR IRREGULAR LOTS. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 37 ³¹31

Ms. Markle explained that ³¹Tab 37 is an amendment to update the code in order to be consistent with State guidelines for accessibility. The height for an accessible parking sign should be 3'5" instead of 4'5". Also, the references to the state code (WAC) need to be corrected.

³¹
COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 37 TO UPDATE THE CODE IN ORDER TO BE CONSISTENT WITH STATE GUIDELINES FOR ACCESSIBILITY AS PROPOSED. COMMISSIONER MARX SECONDED THE AMENDMENT. MOTION CARRIED UNANIMOUSLY.

Tab 33 ³³

Mr. Krueger presented Tab 33 which is related to the interior lot line landscaping standards. This is a new regulation to specify that multi-family developments of more than 4-units should use Type I Landscaping when adjacent to single-family zoning and Type II Landscaping when adjacent to multi-family and commercial zoning. He briefly described both Type I and Type II Landscaping.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 33 RELATED TO INTERIOR LOT LINE LANDSCAPING STANDARDS AS PROPOSED. VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 35 ³⁵

Ms. Markle presented Tab 35 and explained that the amendment seeks to clarify that the City does not maintain all public rights-of-way as streets and that some rights-of-way have been approved for private use and are privately maintained. The amendment also defines the circumstances in which the City will assume the maintenance responsibility of a privately maintained street. She briefly described the circumstances as listed on Page 132 of the notebook.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 35 AS PRESENTED TO CLARIFY THAT THE CITY DOES NOT MAINTAIN ALL PUBLIC RIGHTS-OF-WAY AS STREETS AND THAT SOME RIGHTS-OF-WAY HAVE BEEN APPROVED FOR PRIVATE USE AND ARE PRIVATELY MAINTAINED. COMMISSIONER HARRIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 36 ³⁶

Ms. Markle advised that Tab 36 is an amendment to simplify the way a site distance triangle is measured. The method would go back to the way it was in the old Shoreline Code.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 36 AS PROPOSED TO SIMPLIFY THE WAY A SITE DISTANCE TRIANGLE IS MEASURED. COMMISSIONER DOERING SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 38 ³⁸

Ms. Markle advised that the amendment proposed in Tab 38 would remove the word "side" since the intent is to not allow projections into all 5-foot setbacks. Therefore, staff recommends removal of the word "side" so that the projections could not extend into any 5-foot setback.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF TAB 38 AS PROPOSED TO REMOVE THE WORD "SIDE." VICE CHAIR DOENNEBRINK SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Tab 15 ¹⁵

Ms. Markle recalled that Tab 15 proposes to increase heights in the R-48 zone to 60 feet or 50 feet. She referred to the idea presented by Vice Chair Doennebrink to start an orderly discussion of this topic. He suggested that they ask the following questions and take a straw poll.

Question 1

How many Commissioners support the idea of raising the height limit in the R-48 zone? All Commissioners except Commissioner Doering supported the idea of increasing the height limit in the R-48 zone.

Question 2

How many Commissioners support the idea of raising the height limit in an R-48 zone to 50, 55 or 60 feet without exception? Chair Gabbert said he would not be in favor of raising the height limit without exception. The remainder of the Commissioners who indicated support of the increased height limit agreed that it should not be increased without exception.

Question 3

How many Commissioners support the idea of raising the height limit in an R-48 zone to 50, 55 or 60 feet with exceptions? All of the Commissioners who indicated support of the increased height limit were willing to consider the option of raising the height limit to 50 or 55 feet with exceptions. Some Commissioners indicated that they would also consider the option of raising the height limit to 60 feet with exceptions.

Chair Gabbert concluded that the Commission has indicated that they are in favor of considering an increase in the height limit of an R-48 zone with exceptions. Chair Gabbert suggested that they first identify the problems associated with raising the height limit on properties that are abutting to single-family residential zones. Once the problems are identified, they will be able to come up with exceptions to address the problems.

Commissioner Monroe recalled that the Commission must also address the Growth Management Act (GMA) issue. He suggested that the final solution would have to be some type of tradeoff or compromise. He noted that raising the height limit in R-48 zones would address the GMA issues, but the Commission must come up with a solution to compensate for the added height (i.e. larger setbacks, limiting the height when adjacent to residential neighborhoods, etc.)

Chair Gabbert used the flip chart to clarify the issues for discussion. One side of the chart listed the various residential zones and the other identified the problems associated with the increased height when abutting to the listed zones. Commissioner Monroe noted the difference in the existing height of an R-24 zone of 35 feet and the proposed new height of an R-48 zone of 50 to 60 feet. He suggested that is a huge difference, and perhaps it is not realistic to limit the R-24 zone to 35 feet. He suggested that they consider adjustments to the height allowed in all of the multi-family zones. Ms. Markle agreed and advised that adjusting the height of an R-48 zone is the first step in this process.

Chair Gabbert reviewed the maximum height limit for all of the residential zones. All single-family residential zones have a height limit of 30 feet, with an additional 5-feet if the structure has a pitched roof. He suggested that a 50-foot height limit appears reasonable if there is a greater setback or a step back when adjacent to single-family residential zones.

Commissioner Monroe suggested that the Commission consider the option of offering bonus points for height if there is more open space or landscaping surrounding the development.

Commissioner Marx inquired how many Commissioners would support ~~Log 123H~~ ^{SEE TAB 15}, as proposed by Mr. McKinley where the maximum height in an R-48 zone would be 60 feet. However, any development located within 50 feet of a lot zoned R-4 or R-6 would be limited to 35 feet in height. The Commission and staff discussed this option further. They discussed the existing setback and landscaping requirements for an R-48 zone that is adjacent to an R-4 or R-6 zone.

Commissioner Harris said he does not feel there is anything that can be done to make the increased height in an R-48 zone palatable to an abutting single-family property owner. He suggested that the best option would be to rezone the abutting property to a greater density and make it possible for the owner to sell his property and move. He suggested that no amount of setback or landscaping would protect the single-family properties.

Ms. Markle referred to the map that was provided by staff to identify the existing R-48 parcels that are abutting to R-4 and R-6 zones. The Commission briefly reviewed each of these sites. Next, Mr. Krueger briefly reviewed the design standards for articulating facades and specifically referred to a picture on Page 154 of the code. The Commission discussed options for requiring modulation on the R-48 properties that are adjacent to R-4 and R-6 zones.

Again, Commissioner Monroe expressed his opinion that R-48 zoning would be more reasonable if the R-18 and R-24 zones were to also have an increased height limit. But the height difference between the R-48 and all other multi-family residential zones is what seems to be causing the significant concern. Ms. Markle suggested that if the Commission feels that a greater height limit in the R-24, R-18 and R-12 zones is appropriate, they could make that suggestion. However, the Commission can only act on the proposed height increase for the R-48 zone at this time.

Mr. Stewart said the notion of a 50-foot height limit with some kind of guaranteed setback would seem to be a reasonable solution. If a structure exceeds 35 feet in height, it would have to be set back an additional 50 feet.

Commissioner Marx suggested that this issue be split into two categories: those R-48 zones that are abutting to R-4, R-6 and R-8 and those that are not. She questioned whether it would be reasonable to allow development of up to 50 feet in R-48 zones that are not abutting to the lower-density residential zones. The Commission agreed that if an R-48 zone does not abut a low-density residential zone, development of up to 50 feet should be allowed.

Next, the Commission discussed whether or not the height limit of R-48 zoned properties that are not abutting to R-4, R-6 and R-8 zones should be increased to 60 feet. Commissioner Monroe expressed his opinion that he would find a 60-foot height limit more palatable if the City were to get something from the developer such as more open space, greater setbacks, etc. The Commission agreed that the height limit for R-48 zoned properties located next to zones of R-12 and up should be up to 60 feet with a conditional use permit and 50 feet without a conditional use permit.

Mr. Stewart referred to the 8 criteria that must be met in order to obtain a conditional use permit (Page 56 of the Development Code). The Commission briefly reviewed each of the criteria. Mr. Stewart pointed out that an administrative decision on a conditional use permit could be appealed to the Hearing Examiner.

Chair Gabbert recalled that at the last meeting, the Commission also discussed the option of requiring a special use permit in order to build up to 60 feet in height in the R-48 zone. If a special use permit were required, the issue would have to be reviewed by the Planning Commission. Mr. Stewart said the special use permit requirements involve a more laborious process. He referred to the criteria for a special use permit on Page 58 of the Development Code.

Commissioner Monroe said he would support the requirement of a conditional use permit, and would allow the staff and the developer to negotiate the significant issues.

COMMISSIONER MONROE MOVED TO RECOMMEND APPROVAL OF THE AMENDMENT (TAB ~~B~~ ¹⁵) AS DISCUSSED TO ALLOW DEVELOPMENT OF UP TO 50 FEET WITHOUT EXCEPTION AND UP TO 60 FEET WITH A CONDITIONAL USE PERMIT IN R-48 ZONES THAT ABUT ZONES OF R-12 OR GREATER. COMMISSIONER MARX SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Commissioner Monroe suggested that the same type of concept be used for R-48 zones that abut R-4, R-6 and R-8 zones, except change the number to 40 feet without a conditional use permit and 50 feet with a conditional use permit. Chair Gabbert referred to an earlier suggestion by Vice Chair Doennebrink that they use a percentage of the adjacency to determine the maximum height limit for R-48 zones that abut R-4, R-6 and R-8 zones. Commissioner Monroe pointed out that if the outright permitted height in these zones was 40 feet, it would only be five feet more than what is allowed now. The impact would be miniscule. A height limit of 50 feet with a conditional use permit would only increase the height limit by 15 feet.

Ms. Markle suggested that they could add to the previous motion a statement that for R-48 lots that abut R-4, R-6 and R-8 lots by less than ten percent, the maximum height could be 50 feet, but could go up to 60 feet with a conditional use permit. Commissioner Monroe felt that ten percent seems too small, and should perhaps be increased.

Mr. Stewart suggested that another idea would be to establish the height based upon the location of the parcel that is abutting. On R-48 properties that are within 100 feet of an R-4, R-6 or R-8 zone, the height shall be no more than a specific amount, but may be increased if a conditional use permit is obtained.

Next, the Commission discussed the option of requiring a special use permit in order for the height to be increased in R-48 zones abutting R-4, R-6 and R-8 zones. Mr. Stewart suggested that the Commission must first determine what would be an acceptable height in these zoning districts. Then they can figure out how to apply that height limit and determine the specific areas where the height should be restricted.

Commissioner Marx said it does not seem unreasonable to limit the R-48 zoned properties that abut R-4, R-6 and R-8 zones to 35 feet in height. Everything else around this property is limited to 35 feet, as well. She suggested that these properties be limited to 35 feet in height and up to 50 feet in height with a conditional use permit. If a developer wants to build to 60 feet in these areas, they should be required to obtain a special use permit. This would provide an opportunity for the citizens to participate in the decision process.

Commissioner Monroe questioned if it would be unreasonable to allow development of up to 45 feet in height outright in R-48 zones that abut low-density residential zones. He noted that is not a significant increase in height. Development of up to 60 feet in height could be allowed with a conditional use permit. Commissioner Marx emphasized that for abutting property owners, an additional ten feet in height could have a huge impact.

15 19) COMMISSIONER MARX MOVED TO RECOMMEND APPROVAL OF THE AMENDMENT (TAB AS DISCUSSED TO ALLOW DEVELOPMENT OF UP TO 35 FEET OUTRIGHT IN R-48 ZONES THAT ARE ABUTTING R-4, R-6 AND R-8 ZONES. DEVELOPMENT OF UP TO 50 FEET WOULD BE ALLOWED WITH A CONDITIONAL USE PERMIT AND UP TO 60 FEET WOULD BE ALLOWED WITH A SPECIAL USE PERMIT. COMMISSIONER MONROE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

b. Preliminary Planning Commission Calendar for 2002

Ms. Markle referred the Commission to the list of issues staff knows are coming up, as well as some ideas that have already come forth. She asked that the Commission provide feedback regarding the type of training the existing Commissioners would be interested in, as well as training for the new Commissioners who will be joining the group in April. She also noted that a tour has been scheduled in May to look at developments that were approved over the past year.

The Commission briefly discussed the staff's recent tour to a transit oriented development that was recently constructed next to the Group Health facility in Redmond.

Staff indicated that at the January 17, 2002 they would provide an update on the Central Shoreline and Westminster Charettes as well as the buildable lands issue. Staff could also provide an update regarding the transit oriented development that staff recently visited.

Commissioner Marx noted that a public hearing regarding the Aurora Corridor Project is scheduled for January 31, 2002. Mr. Stewart advised that there would also be a workshop scheduled sometime in March with the City Council and the Planning Commission to discuss the Central City Sub-Area Plan.

Ms. Markle inquired if the Commission would like to have an open house again next year. Commissioner Harris said he did not feel the last open house was very successful, partly because there were no significant planning issues to address. He suggested that the last open house was not an efficient use of staff time. The Commission decided to postpone a decision regarding the option of having another open house.

Ms. Markle asked that the Commission provide feedback regarding the upcoming tour. Commissioner Marx said it would be helpful for the four new Commissioners to view the various types of development (i.e. R-4 verses R-24 and Type I verses Type II Landscaping). It would also be helpful to visit past and current developments to see how the existing regulations are being applied. She suggested that the tour take place during daylight hours.

7. PUBLIC COMMENT

There was no one in the audience to address the Commission during this portion of the meeting.

8. UNFINISHED BUSINESS

The Commission agreed that they should schedule a discussion regarding the height limits for the other medium and high-density residential zones next year. Commissioner Harris suggested that if the Commission considers this issue, they should go on a tour to view new construction and get a new perspective of the height limits proposed.

9. NEW BUSINESS

Commissioner Monroe suggested that it would be appropriate for the Commission to consider the option of disallowing cell phone use in moving vehicles. He noted that it has been proven time and again that this use causes accidents. He felt it would behoove the Commission to discuss the topic further as a transportation issue. Chair Gabbert agreed that the issue is important, but is probably not within the purview of the Planning Commission. The Commission agreed that, as a resident of Shoreline, Commissioner Monroe could bring the issue before the City Council for consideration. The Commission also agreed to go on record as being against the use of cell phones while driving.

10. AGENDA FOR NEXT MEETING

The Commission agreed to cancel the January 3, 2002 meeting. Mr. Stewart also advised that the public hearing that was scheduled as a special meeting on January 31, 2002 may need to be pushed back.

11. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

Marlin J. Gabbert
Chair, Planning Commission

Lanie Curry
Clerk, Planning Commission

DRAFT

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December 20, 2001 Page 13



Attachment: A
Proposed
Development Code
Amendments for
2001

Development Code Amendments

Tab #	Request	Planning Commission Recommendation	Notes
1	Add definition of Dwelling, Multifamily and clarify the types of uses that are to be regulated as multi family dwellings.	Recommended. (vote: 8-0)	Amended staff definition to remove cottage housing from MF definition.
2	Change definition of dwelling unit to "residential living facility, distinguished from lodging such as hotel/motel or dormitory."	Recommended. (vote: 7-1)	Commissioner McClelland dissented because the definition of dwelling unit needed improvement and should be the same as the Uniform Building Code definition for DU.
3	Amend the Code to clarify that requirements for setbacks refer to minimum required yard setbacks unless otherwise noted.	Recommended. (vote: 8-0)	
4	Add definition and regulations for "shipping containers."	Recommended. (vote: 7-0)	Further work recommended in 2002 to address outdoor storage in all zones.
5	(a) Add detail to the Neighborhood Meeting requirements which are currently used as guidelines only; and (b) Add detail to the Neighborhood Meeting requirements which are currently used as guidelines only including notification of occupants, requiring a meeting summary be sent to attendees, and including meeting attendees on the official party of record list.	Recommended (vote: 6-1) Commissioner Harris dissented.	Recommends adding to administrative handout: distribution of meeting meetings to participants & noticing occupants.
6	Amend last line of section to, "The notice of decision shall be sent to all parties of record."	Recommended. (vote: 8-0)	

Development Code Amendments

Tab #	Request	Planning Commission Recommendation	Notes
7	Add (4), "Dedications to the City of Shoreline for required right-of-way, storm water facilities, open space, and easements and tracts may be required as a condition of approval."	Recommended. (vote: 8-0)	
8	Add RV to use table as P-I in every zone. Index criteria to allow RVs in any zone w/ owners permission for up to 2 weeks.	Not recommended. (vote: 6-1)	This amendment was submitted by Rev. Steve Ulmer.
9	Delete the index criteria for utility facilities b/c it contradicts itself.	Recommended. (vote: 8-0)	
10	Amend sub-section to include small livestock and further detail exceptions to requiring unaltered animals kept outdoors be leashed or located in a confined area.	Recommended. (vote: 8-0)	
11	Delete sub-sections in the Supplemental Use Criteria Index for Community Residential Facilities.	Recommended. (vote: 8-0)	
12	Amend third bullet to read, "Setback a minimum of 40 feet from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50% of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from a public street."	Recommended. (vote: 8-0)	
13	Exempt Home Occupations that do not have employees, deliveries, on site clients, noise, odor, signs, etc. from permitting.	Recommended. (vote: 6-0)	The Planning Commission clarified that there should be no <u>on-site</u> clients.
14	Expand (B) to include vehicle maintenance and equipment storage and parks maintenance facilities.	Recommended. (vote: 6-0)	
15	Increase the height in R-48 to 60 ft.	Recommended. (vote: 6-0)	The Planning Commission amended the original proposal. There are now two amendments regarding height in the R-48 zone. See Tab 15 for the recommended amendments.

Development Code Amendments

Tab #	Request	Planning Commission Recommendation	Notes
16	Reduce height of structures in Industrial zones adjacent to R-4 and R-6 zoned property to 50 ft. unless a subarea or master plan has been adopted	Recommended (vote: 7-0)	The concept of reducing height for Industrial properties adjacent to R-4 & R-6 zoned property was submitted by Kathleen Williamson. Staff proposed an alternative to her amendment. The Planning Commission recommended the staff alternative. Note: Staff recommends changing the word adjacent to abutting. Adjacent is not defined in the Code, but abutting is defined. This was corrected in Tab 15, but was not corrected in Tab 16.
17	Add regulations for setbacks from utility corridors and projections into setbacks	Recommended. (vote: 6-0)	
18	Add regulations for setbacks from half streets	Recommended. (vote: 6-0)	
19	Change may to shall in exception for eaves in setbacks.	Recommended. (vote: 6-0)	Chair Gabbert requested that the issue of allowing the projection of eaves into the 5 foot setback be considered for the 2002 work program.
20	Clarify the location of access for SF and MF developments.	Recommended. (vote: 6-0)	
21	Add exception 20.50.070(3): Individual garage or carports, at least 20 linear ft. of driveway shall be provided	Recommended. (vote: 6-0)	
22	Correct the drawing by removing "or a+c"	Recommended. (vote: 6-0)	

Development Code Amendments			
Tab #	Request	Planning Commission Recommendation	Notes
23	Delete Subsection (A) and Amend sub-section to read, "The maximum height of fences located along a property line shall be six feet, subject to the site clearance provisions of Sections 20.70.170, 20.70.180 and 20.70.190(C)."	Recommended. (vote: 7-1) Commissioner McAuliffe dissented.	
24	Proposed Good Neighbor Lighting Standards for the City	Recommended. (vote: 7-0)	
25	New Section: Thresholds (inserted in between Purpose and Standards on each page) to clearly indicate how and when the provisions of for site improvements apply to development proposals.	Recommended (vote: 7-0)	
26	Add (G), "Garages covered car ports either detached from or attached to the main structure shall not protrude beyond the front building facade	Recommended (vote: 7-0)	
27	New exception to 50% building frontage requirement in Mixed Use, Commercial, and other Nonresidential zones.	Recommended (vote: 7-0)	
28	Clarify that the requirement applies to all buildings facing the street.	Recommended. (vote: 7-0)	
29	Change Clearing and Grading from a Type B process to a Type A Process; and Increase the SEPA threshold from "100" cubic yards and replace with "500" cubic yards.	Recommended (vote: 7-0).	
30	Reduce the number of replacement trees required from 2 to 1 in C.1 & from 4 to 3 in C.2.	Recommended. (vote: 7-0)	
31	Correct the reference for accessible parking to WAC 51-40-1100 Chapter 11 & illustration to read 4' 5".	Recommended. (vote: 6-0)	

Development Code Amendments

Tab #	Request	Planning Commission Recommendation	Notes
	Rewrite of "Signs" sub-chapter (As amended to remove proposed changes to prohibited and temporary signs. Prohibited and Temporary signs should be added as a work item for 2002.)	Recommended. (vote: 7-0)	Staff originally proposed adding banners and inflated signs to the list of Prohibited signs. The Planning Commission amended that part of the amendment to the Signs subchapter - by removing banners & portable signs and recommends further work on this & other sign issues in 2002.
32	Add following sentence: "Multi family development of more than 4 units shall use Type I landscaping when adjacent to Single Family zoning and Type II landscaping when adjacent to multi-family and commercial zoning within the required setback."	Recommended. (vote: 6-0)	
33	Prohibit septic tanks.	Recommended. (vote: 8-0)	
34	Clarifying that the City doesn't maintain all public ROW as streets	Recommended. (vote: 6-0)	
35	Amend to read, "For the intersection of a residential driveway with a public street, a sight distance triangle for a site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle."	Recommended. (vote: 6-0)	
36	Add (F): Erosion Hazard Areas - Development Standards and Permitted Alterations.	Recommended (vote: 7-0).	
37	Eliminate the word "side"	Recommended. (vote: 6-0)	
38			

Development Code Amendments			
Tab #	Request	Planning Commission Recommendation	Notes
39	Redefine "educational facilities".	Recommended. (vote: 8-0)	



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 120 & 340 Pages 98 & 107

Amendment Proposed:

Please describe your amendment proposal.

Add clarification and indexed criteria for duplexes in all zones that requires that two or more duplexes shall be subject to the Multifamily and Single-Family Attached residential design standards, 20.50.120-210.

Please describe the reason for your amendment proposal:

The development of multiple duplexes (two or more) on a parcel is multifamily development and should be regulated as such.

Please see attached sheet for legislative description.

Please use additional sheets if necessary.

LEGISLATIVE LANGUAGE

20.40.120 Residential Type Uses

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	NB & O	CB	RB & I
RESIDENTIAL GENERAL							
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i
	Apartment		C	P	P	P	P
	Cottage Housing	C-i	P-i	P-i			
	Duplex	P-i	P-i	P-i	P-i		
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i			
	Mobile Home Park	P-i	P-i	P-i			
	Single Family Attached	P-i	P	P	P		
	Single Family Detached	P	P	C	C		
GROUP RESIDENCES							
	Boarding House	C-i	C-i	P-i	P-i	P-i	P-i
	Community Residential Facility-I (Less than 11 residents and staff)	C-i	C-i	P-i	P-i	P-i	P-i
	Community Residential Facility-II			P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING							
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel					P	P
MISCELLANEOUS							
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i
P = Permitted Use				S = Special Use			
C = Conditional Use				-i = Indexed Supplemental Criteria			

20.40.340 Duplex

Duplex may be permitted in R-4 and R-6 zones subject to compliance with dimensional and density standards for applicable R-4 or R-6 zone and subject to single-family residential design standards.

Two or more duplexes are subject to multifamily and single-family attached residential design standards.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.20 Section 16 Pages 14

Amendment Proposed:

Please describe your amendment proposal.

Add new definition under D, as follows:

Dwelling, Multifamily: Multifamily dwellings include: townhouses, apartments, mixed
use buildings, single-family attached and two or more duplexes.

Please describe the reason for your amendment proposal:

Clarification of the definition of what constitutes a multifamily dwelling.

Legislative Language:

Dwelling, Multi-family Multi family dwellings include: townhouses, apartments,
mixed use buildings, single-family attached, and two or more duplexes.

Please use additional sheets if necessary.

**Planning and Development Services**Name: Staff☐ **Comprehensive Plan: Element** _____ **Policy** _____ **Page** _____**X Development Code: Chapter 20.50 Section 160 Pages 152****Amendment Proposed:**

Please describe your amendment proposal.

Add new language to clarify B.:

See Below.**Please describe the reason for your amendment proposal:**Clarification of the definition of what constitutes a multifamily dwelling.**Legislative Language:**

- B. All ~~apartment, townhouse, and mixed use developments~~ multifamily developments, excluding age restricted senior citizen housing, shall provide tot/children play areas within the recreation space on-site, except when facilities are available within one-quarter mile that are developed as public parks or playgrounds and are accessible without crossing of arterial streets.

If any play apparatus is provided in the play area, the apparatus shall meet consumer product safety standards for equipment, soft surfacing and spacing, and shall be located in an area that is:

1. At least 400 square feet in size with no dimension less than 20 feet; and
2. Adjacent to main pedestrian paths or near building entrances.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.20 Section 016 Page 14

Amendment Proposed:

Please describe your amendment proposal.

Change the definition of “dwelling unit” to:

Residential living facility, distinguished from lodging such as hotel/motel or dormitory.

Please describe the reason for your amendment proposal:

The current definition distinguishes dwelling unit from group homes, however, the code allows group homes to be operated as “family” homes in single-family zones, therefore the distinction is false and confusing. This definition is not necessary other than to calculate density and parking requirements.

Legislative Language:

Dwelling Unit Residential living facility, as distinguished from temporary lodging or group home facility, such as hotel/motel room or dormitory.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code:

Chapter	Section	Page
20.20	046	030
20.20	058	036
20.50	020	128
20.50	020	127
20.50	130	145
20.50	210	157

Amendment Proposed:

Please describe your amendment proposal.

Consistently clarify whether the setback being regulated is a building or a yard setback.

there is a difference based on the Codes definition of yard.

Please describe the reason for your amendment proposal:

To provide for clear and consistent application of the regulations for setbacks.

Legislative Language:

Please use additional sheets if necessary.

20.20.046

Setback, Aggregate Yard	Total <u>yard</u> setback area that equals the sum of the minimum front yard, rear yard, and side yard setbacks.
Setback, Front Yard	<u>A space extending the full width of the lot between any building and the front line and measured perpendicular to the building at the closest point to the front lot line.</u>
Setback, Rear Yard	<u>A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.</u>

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Setback, Side Yard A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular for the side lot line to the closest point of the principal building.

20.20.058

Yard, Front A space extending the full width of the lot between any building and the front line and measured perpendicular to the building at the closest point to the front lot line.

Yard, Rear A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

Yard, Side A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular for the side lot line to the closest point of the principal building.

Exceptions to Table 20.50.020(1):

- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see V.3.B-1.

Table 20.50.020(2): Densities and Dimensions for Residential Development in Non-Residential Zones

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB) Zone	Regional Business (RB) and Industrial (I) Zones
Maximum Density: Dwelling Units/Acre	24 du/ac	48 du/ac	No maximum
Min. Front (Street)-Yard Setback	10 ft	10 ft	10 ft
Min. Side Yard Setback from Non-Residential Zones	5 ft	5 ft	5 ft
Min. Rear Yard Setback from Non-Residential Zones	15 ft	15 ft	15 ft
Minimum Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height (1)	35 ft	60 ft	65 ft
Max. Impervious Surface	85%	85%	95%

20.50.130(1)

Exception to 20.50.130(1): Underground parking may extend into required minimum yard setbacks, provided it is landscaped at the ground level.

20.50.210

- A. Fences and walls shall be maximum three (3) feet, six (6) inches high between the minimum front yard building setback line and the front property line for the street frontage that contains the main entrance to the building. Chain link fences are not permitted in the minimum front yard setback for the street frontage that contains the main entrance to the building.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.20 Section 130 Page 29
20.40 130 99

Amendment Proposed:

Please describe your amendment proposal.

Define and regulate "shipping containers" in all zones

Please describe the reason for your amendment proposal:

The use of shipping containers for storage in both residential and commercial areas is a growing problem throughout the City.

Legislative Language:

20.20.130

Shipping Containers Steel or wooden containers used for shipping and storage of goods or materials. The typical dimensions for these containers are 8'6 feet high 20-40 feet long with a width of 7 feet.

20.40.130 Nonresidential uses.

NAICS #	Specific Land Use	R4-R6	R8-R12	R18-R48	NB & O	CB	RB & I
	Shipping Containers					C	C

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.30 Section 090 Page 45

Amendment Proposed:

Please describe your amendment proposal.

This amendment would add clarification to the neighborhood meeting provision. Please

See legislative language for more detail.

Please describe the reason for your amendment proposal:

We receive many questions about neighborhood meetings from applicants, concerned citizens and the office of neighborhoods. This indicates to me some clarification is needed. If not to this degree, some degree

Legislative Language:

20.30.090

The Neighborhood Meeting shall meet the following requirements:

~~Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time, and location of the neighborhood meeting. The target area for such notification shall include, at a minimum, property owners located within 500 feet of the proposal and the Neighborhood Chair, as identified by Shoreline's Office of the Neighborhoods. If proposed development is within 500 feet of neighboring Neighborhoods, those chairs should also be notified.~~

- Notice of the neighborhood meeting shall be provided by the applicant and shall include the date, time, and location of the neighborhood meeting.

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- The Notice shall be provided at a minimum to property owners located within 500 feet of the proposal, the Neighborhood Chair as identified by the Shoreline Office of Neighborhoods (Note: if a proposed development is within 500 feet of adjacent Neighborhoods, those chairs shall also be notified), and to the City of Shoreline Planning and Development Services Department.
- The Notice shall be postmarked at least 10 to 14 days prior to the Neighborhood Meeting.
- The Neighborhood Meeting shall be held within the city limits of Shoreline.
- The Neighborhood Meeting shall be held anytime between the hours of 5:30 and 9:30 p.m. on weekdays or anytime between the hours of 9:00 a.m. and 9:00 p.m. on weekends.

The applicant shall provide to the City a written summary of the neighborhood meeting. The summary shall include the following:

- A copy of the mailed notice of the neighborhood meeting with a mailing list of residents who were notified.
- Who attended the meeting (list of persons and their addresses).
- A summary of concerns, issues, and problems expressed during the meeting.
- A summary of concerns, issues, and problems the applicant is unwilling or unable to address and why.
- A summary of proposed modifications, or site plan revisions, addressing concerns expressed at the meeting.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.30 Section 150 Page 48

Amendment Proposed:

Please describe your amendment proposal.

Amend the last line to read "The notice of decision shall be sent to all parties of record."
Change notice requirements for public notification on notice of decision

Please describe the reason for your amendment proposal:

This allows people who are interested in the decision of the project to receive an answer,
and those are not interested what be inundated with mail that may create apathy. In

addition, it may be confusing to those who receive the notice, but are not parties of
record.

Legislative Language:

20.30.150

The Director shall issue and mail a notice of decision to the parties of record applicant and to any person who, prior to the rendering of the decision, requested notice of the decision ~~or submitted substantive comments on the application~~. The notice of decision may be a copy of the final report, and must include the threshold determination, if the project was not categorically exempt from SEPA. The notice of decision will be published in the newspaper of general circulation for the general area in which the proposal is located and posted for site-specific proposals. ~~The notice of decision shall be sent to all parties of record; made public using the same methods used for the notice of application for the action.~~

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Table 20.30.050 - Summary of Type B Actions, Notice Requirements, Target Time Limits for Decision, and Appeal Authority

Action	Notice Requirements: Application and Decision [*] (1), (2), and (3)	Target Time Limits for Decision	Appeal Authority	Section
Type B:				
1. Binding Site Plan	Mail	90 days	HE	20.30.480
2. Conditional Use Permit (CUP)	Mail, Post Site, Newspaper	90 days	HE	20.30.300
3. Clearing and Grading Permit	Mail	60 days	HE	20.50.290-20.50.370
4. Preliminary Short Subdivision	Mail, Post Site, Newspaper	90 days	HE	20.30.410
5. SEPA Threshold Determination	Mail, Post Site, Newspaper	60 days	HE	20.30.490-20.30.710
6. Shoreline Substantial Development Permit, Shoreline Variance and Shoreline CUP	Mail, Post Site, Newspaper	120 days	State Shorelines Hearings Board	Shoreline Master Program
7. Zoning Variances	Mail, Post Site, Newspaper	90 days	HE	20.30.310

Key: HE = Hearing Examiner

^{*} (1) Public hearing notification requirements are specified in SMC 20.30.120.

(2) Notice of Application requirements are specified in SMC 20.30.120.

(3) Notice of Decision requirements are specified in SMC 20.30.150.

Table 20.30.060 - Summary of Type C Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision ⁽⁵⁾ ⁽⁶⁾	Review Authority, Open Record Public Hearing ⁽¹⁾	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Section
Type C:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	PC ⁽³⁾	City Council	120 days	20.30.410
2. Rezone of Property ⁽²⁾ and Zoning Map Change	Mail, Post Site, Newspaper	PC ⁽³⁾	City Council	120 days	20.30.320
3. Special Use Permit	Mail, Post Site,	PC ⁽³⁾	City Council	120 days	20.30.330

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18a

(SUP)	Newspaper				
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE ⁽⁴⁾	City Council	120 days	20.80.090
5. Critical Areas Reasonable Use Approval	Mail, Post Site, Newspaper	HE ⁽⁴⁾		120 days	20.80.120
6. Final Formal Plat	None	Review by the Director – no hearing	City Council	30 days	20.30.450

⁽¹⁾ Including consolidated SEPA threshold determination appeal.

⁽²⁾ The rezone must be consistent with the adopted Comprehensive Plan.

⁽³⁾ PC = Planning Commission

⁽⁴⁾ HE = Hearing Examiner

⁽⁵⁾ Notice of Application requirements are specified in SMC 20.30.120.

⁽⁶⁾ Notice of Decision requirements are specified in SMC 20.30.150.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.30 Section 410 Page 63

Amendment Proposed:

Please describe your amendment proposal.

C. Dedications

Add following line:

Dedications to the City of Shoreline for the required right of way, storm water facilities, open space, and easements and tracts may be required as a condition of approval

Please describe the reason for your amendment proposal:

This allows for such dedications to be done as a condition of approval, and actual dedication with the plat.

Legislative Language:

20.30.410

4. Dedications to the City of Shoreline for the required right of way, storm water facilities, open space, and easements and tracts may be required as a condition of approval.

HOT TOPIC/DISCUSSION ITEM

Tab 8: Add RV to use table as P-I in every zone. Index criteria to allow RVs in any zone with the owner's permission for up to two weeks.

The Planning Commission and staff do not recommend the adoption of this amendment. This is the only amendment that is not recommended. This amendment is inconsistent with Comprehensive Plan Policy LU25. LU 25 establishes as a goal a need for infill standards for single family houses that address screening of on site storage of recreational vehicles. In addition, enforcing the proposed two-week allowance for RVs in all zones could prove to be difficult since no permit would be required to begin the use. If this amendment were to be adopted, careful consideration would need to be given to the level of staffing necessary to adequately monitor and enforce this provision.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Rev. Steve Ulmer

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 110 & 120 Page _____

Amendment Proposed:

Please describe your amendment proposal.

I propose you add to the table of residential type uses (20.40.120) the category "Recreational Vehicle" with a "P-I" symbol in every zone designation column. To specify the "i" symbol I propose you add to the Index of Supplemental Use Criteria the following paragraph:

"Recreational vehicles may be occupied as a temporary dwelling up to two weeks with the permission of the owner of the property where it is parked. This period of time may only be extended by a Temporary Use Permit."

Please describe the reason for your amendment proposal:

1. Churches and other organizations occasionally employ the temporary services of those who are either volunteers or utilize recreational vehicles to cut down on expenses. Location on the organization's property for short-term services of one to two weeks also cuts down on transportation to and from an available R/V park.
2. It is common practice that R/Vs are used as temporary dwellings for visits by friends and family of local residents. It is wiser to take a pro-active stance toward this than simply react only when a neighbor's complaint is filed.
3. There may be occasions when R/Vs would be used for disaster relief or under other extraordinary circumstances. We don't want those to be illegal
4. The City of Mountlake Terrace has a code allowing up to 2 weeks occupancy (appendix A)
5. The City of Lynnwood has an interpretation letter allowing up to 30 days (Appendix A)

Please See Attached Application

Planning and Development Services

Please complete the following:

Applicant for Amendment: Rev. Stephen T. UlmerAddress: 19350 Firlands Way N. City: Shoreline State: WAZip: 98133Phone - Day: 206-546-3550 Evening: 206-542-9569

Please specify:

Shoreline Development Code--Chapter 20.40 Section 110 & 120

Amendment Proposed:

Please describe your amendment proposal.

I propose you add to the table of residential type uses (20.40.120) the category "Recreational Vehicle" with a "P-i" symbol in every zone designation column. To specify the "i" symbol I propose you add to the Index of Supplemental Use Criteria the following paragraph:

"Recreational vehicles may be occupied as a temporary dwelling up to two weeks with the permission of the owner of the property where it is parked. This period of time may only be extended by a Temporary Use Permit."

Reason for Amendment:

Please describe why the amendment is necessary.

1. Churches and other organizations occasionally employ the temporary services of those who are either volunteers or utilize recreational vehicles to cut down on expenses. Location on the organization's property for short term services of one day to two weeks also cuts down on transportation to and from an available R/V park.
2. It is a common practice that R/V's are used as temporary dwellings for visits by friends and family of local residents. It is wiser to take a pro-active stance toward this than simply react only when a neighbor's complaint is filed.
3. There may be occasions when R/V's would be used for disaster relief or under other extraordinary circumstances. We don't want these to be illegal.
4. The City of Mountlake Terrace has a code allowing up to 2 weeks' occupancy (Appendix 1).
5. The City of Lynnwood has an interpretation letter allowing up to 30 days (Appendix 2).

10.05.260 Amendments.

All amendments to the statutes of the state of Washington incorporated by reference in the preceding sections, whether now in force or hereafter adopted, are hereby incorporated by this reference, and shall be deemed to be a part of this chapter. (Ord. 1155 § 24, 1977).

10.05.270 Limited access roadways.

Limited access roadways shall be established in the following locations:

A. Cedar Way. Beginning at the intersection at 44th Ave. W. and 228th St. S.W. and extending south to the intersection of Cedar Way and 244th St. S.W.

B. 236th St. S.W. Beginning at the intersection of 236th St. S.W. and Cedar Way and extending west to the intersection of 236th St. S.W. and 48th Ave. W. (Ord. 1353, 1980; Ord. 1155 § 27, 1977).

Chapter 10.10

RECREATIONAL VEHICLE PARKING

Sections:

10.10.010 Vehicle parking and storage.

10.10.010 Vehicle parking and storage.

A. Definitions.

1. "Recreational vehicle" means any vehicle commonly known as a "house trailer", "motor home", "utility trailer", or other name designed or used for human habitation or for carrying persons and/or property therein.

2. "Boat" means any water vessel, designed to carry persons and/or property upon water, propelled by engine, oars, or sail.

B. 1. Unlawful Parking. No recreational vehicle, trailer, camper, or boat shall be parked for any period of time between sunset and sunrise in any City park or upon any City-owned property unless that area is posted or permission is granted to so use. A recreational vehicle shall only be used or occupied on the premises of any occupied dwelling with the permission of the lawful occupant thereof and for a period not to exceed two weeks; provided, that such occupancy does not create a public health hazard or nuisance.

It is unlawful to park or otherwise leave on any street or highway in the City of Mountlake Terrace, within or abutting an area classified as residential (RS, RML, RMM, RUD) or open space (OS) by the official zoning ordinance, any recreational vehicle if such vehicle:

a. Is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic; or

b. Has been parked or left standing in any public street or alley for any continuous period of time of more than 168 hours.

It is not necessary that restricted parking or other traffic signs be erected for the purpose of enforcing this section.

2. Wheeled Vehicles. House trailers and other trailers shall be suitably blocked to prevent rolling in either direction. Campers, vans, and any similar vehicles, when not mounted on the transporting vehicle shall be stored supported on four firm supports placed under the frame as close to the extremities thereof as practical and designed to ele-



COMMUNITY DEVELOPMENT DEPARTMENT
September 8, 2000

Mr. Joseph E. Ellis
19305 71st Place West
Lynnwood, Washington

RE: Occupying an Recreational Vehicle at a Single Family Residence

Dear Mr. Ellis:

Following our discussion at the Permits & Inspections last Thursday, attached for your reference is a summary listing of the major City regulations regarding occupancy of a recreational vehicle (RV) at a single family property. This summary responds to the request from you and your wife for such regulations.

The first two groups of regulations (Zoning Code and Health and Sanitation Code) state the circumstances under which an RV may be occupied at a single family residence. In brief, these regulations consider an RV a dwelling unit and limit occupancy of an RV at an existing residence to "not to exceed 30 days continuous time."

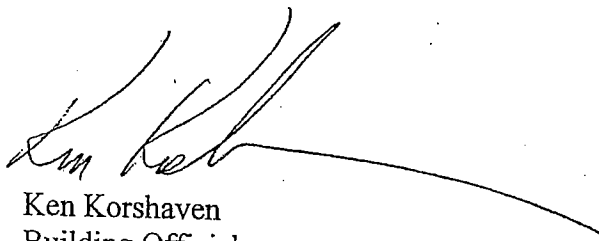
The second group (Plumbing Code and Electrical Code) state how such an RV must be connected to utility systems (water, sewer, electricity). In brief, these regulations require that any RV occupied at a residence would need to provide utility connections that met code requirements.

As we read these regulations, occupancy of your RV at your property, as you described it last week, is not allowed. However, we anticipate that you will want to discuss this situation further. Please call either of us (425-670-6645) to schedule a meeting.

Sincerely,

CITY OF LYNNWOOD


Kevin Garrett
Planning Manager


Ken Korshaven
Building Official

City Regulations Regarding Use of RVs, Mobile Homes and Similar at Residential Properties

Zoning Code

LMC 21.02.300: "The term "dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. ..."

LMC 21.42.100 limits residential use of a single family lot to one single family dwelling per lot.

Health And Sanitation Code

LMC 7.08.010: "A mobile home is a vehicle without motor power designated to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property, or for conducting a business, including a mobile home or trailer coach and any self-propelled vehicle having a body designated for or converted to the same uses as an automobile trailer without motor power."

LMC 7.08.020: "It shall be unlawful for any person to park or occupy any mobile home on any street, alley, or highway, or other public place, or any tract of land owned by any person, occupied or unoccupied, within the City of Lynnwood, except as provided in this chapter."

LMC 7.08.040: "No person shall park or occupy any mobile home on the premises of an occupied dwelling or on any lot which is not a part of the premises of an occupied dwelling either of which is situated outside of an approved mobile home park, except:

- A. That the parking of only one unoccupied mobile home in an accessory private garage building, or in a rear yard in any district, is permitted provided no living quarters shall be maintained, or any business practiced in said mobile home while said home is so parked or stored;
- B. That the parking of any unoccupied mobile home in any lot devoted for the purpose of selling, renting, or otherwise disposing of mobile homes is permitted, provided said mobile home is not located less than ten feet from another mobile home, building or structure;
- C. That a mobile home may be parked and occupied outside of a mobile home park on premises of any occupied dwelling for a period not to exceed thirty days continuous time; ..."

Plumbing Code

Section 103.6 requires that water supply connections must be approved by the City.

Section 221 defines sewage as "any liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution" such as soap.

Section 303 states that sewage may be disposed only in an approved plumbing system.

Section 601 requires all plumbing fixtures to be connected to an approved supply of water.

Section 713 states that every premise having drainage piping must be connected to a public or private sewer.

National Electrical Code

Sections 110.3b and 400 require that all connections to auxiliary systems shall be made with weather tight receptacles rated for the amperage of the RV (in addition to the buildings).

Section 551 requires that the cord to the RV be UL-rated and must meet the amperage requirements of the RV manufacturer. It must be protected from damage and wear.

LMC 16.10 requires permits and inspections for this electrical work.

Summary of Public Hearing Testimony to Date

Note: See Planning Commission Minutes from October 18, 2001 Meeting for more detail.

TAB #	Name of Person Commenting	Comment Summary
8	Steve Ulmer 20028 3 rd Avenue NW	(Submitted the original amendment) He spoke in support of the amendment to allow RVs as temporary dwellings for up to 2 weeks.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.40 Section 140 Page 100
20.40 580 116

Amendment Proposed:

Please describe your amendment proposal.

Delete the index criteria for utility facilities.

Please describe the reason for your amendment proposal:

The index criteria contradicts itself.

Legislative Language:

20.40.140 Other uses.

NAICS #	Specific Use	R4-R6	R8-R12	R18-R48	NB & O	CB & NCBD	RB & I
221	Utility Facility	C-i	C-i	C-i	P-i	P-i	P-i

20.40.580 — Utility Facility

A. ~~Limited to bulk gas storage tanks, which pipe to individual residences, but excluding liquefied natural gas storage tanks.~~

B. ~~Excluding bulk gas storage tanks. (Ord. 238 Ch. IV § 3(B), 2000).~~

HOT TOPIC/DISCUSSION ITEM

Tab 10: Amend sub-section to include small livestock and further detail exceptions to requiring unaltered animals kept outdoors to be leashed or located in a confined area.

This amendment was not a hot issue and garnered no debate. Staff is highlighting the amendment because it is an example of staff "checking in" with the public regarding a Director's Interpretation of the Code made in absence of clear direction in the Code. The issue is small livestock are defined in the Code, but are not regulated. The Interpretation was made that small livestock should be regulated in the same manner as small animals.

Small livestock is defined in the Code as: "Hogs, excluding pigs weighing under 120 pounds and standing 20 inches or less at the shoulder which are kept as household pets or small animals; sheep, goats, miniature horses, llamas, alpaca and other livestock generally weighing under 500 pounds." Under the existing Code Interpretation and the proposed amendment, small livestock as defined would be regulated as follows:

- o Limited to 3 per household on lots 20,000 sq. ft. or less;
- o Unaltered small livestock kept outdoors must be kept on a leash or confined area;
- o Unaltered and altered large livestock shall be kept on a leash or in a confined area;
- o No animals shall be kept in a manner, which constitutes a nuisance or a cruelty; and
- o The Director may impose further conditions upon review of the specific case.

Therefore, the question to the Commission and the Council is do you agree that small livestock as defined should be regulated in largely the same manner as small animals? The Commission agreed with staff and recommend regulating small livestock as small animals.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 240 Animals Page 103

Amendment Proposed:

Please describe your amendment proposal.

Amend the subsection to include small livestock and further detail exceptions to requiring unaltered animals to be leashed or located in a confined area.

Please describe the reason for your amendment proposal:

Previous code interpretation that small livestock should be regulated in the same manner as other small animals, yet not allowed to roam free. There is a definition of small livestock in the Code.

Legislative Language:

20.40.240

C. Other small animals, including adult cats, and dogs, and small livestock shall be limited to three per household on lots of less than 20,000 square feet, five per household on lots of 20,000 to 35,000 square feet, with an additional two per acre of site area over 35,000 square feet up to a maximum of 20, unless more are allowed as an accessory use pursuant to subsection (F) of this section; All unaltered animals kept outdoors must be kept on a leash or in a confined area, except unless as authorized for a kennel or cattery, except that any animal defined as livestock by this Code, either altered or unaltered, shall be kept on a leash or in a confined area. No animals shall be kept in a manner, which constitutes a nuisance or a cruelty. The Director may impose further conditions upon review of the specific case.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 280 Page 105

Amendment Proposed:

Please describe your amendment proposal.

Remove mixed use requirements from Supplemental Use Index for Community
Residential Facilities

Please describe the reason for your amendment proposal:

These requirements were copied from the King County Code and do not appear to be
compatible with Shoreline's new Development regulations.

Legislative Language:

20.40.280

- B. Type I and II facilities are permitted in the R18-48, neighborhood business, community business, regional business and office districts, ~~only part of a mixed use development subject to the conditions described below:~~

~~Residential uses in mixed use developments shall be provided as follows:~~

- ~~1. A minimum of 25 percent to a maximum of 50 percent of the total built floor area when located in NB zones; and~~
- ~~2. A minimum of 50 percent to a maximum of 75 percent of the total built floor area when located in CB, RB and O zones; provided, that the total percentage may be increased by an additional 15 percent with the approval of a conditional use permit.~~

17544 Midvale Avenue North, Shoreline, Washington 98133-4921

Telephone (206)546.1811 Fax (206)546.8761 PDS@ci.shoreline.wa.us



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 300 (I) Page 106

Amendment Proposed:

Please describe your amendment proposal.

Amend Cottage Housing Supplemental Index to read:

“Setback a minimum of 40 ft. from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50% of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from public street”

Please describe the reason for your amendment proposal:

Clarify because it is difficult to interpret and explain. The way it is currently written, there have been challenges regarding its application.

Legislative Language:

20.40.300

- ~~Not be permitted within 40 feet of a public street, except within a 50 foot area fronting on a public street; parking spaces may be within 15 feet of a public street.~~
Setback a minimum of 40 ft. from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50% of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from public street.
-

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 400 Page 109

Amendment Proposed:

Please describe your amendment proposal.

Home Occupation:

Home Occupations that are entirely internal to the home, without employees, deliveries, on-site clients, noise, odor, signs, and meet the following criteria are exempt from a permit.

Please describe the reason for your amendment proposal:

There are many home occupations that are so small and internal that regulating them is

unnecessary and heavy-handed.

Legislative Language:

20.40.400

J. Home occupations that are entirely internal to the home; have no employees in addition to the resident(s); have no deliveries associated with the occupation; have no on-site clients; create no noise or odors; do not have a sign, and meet all other requirements as outlined in the 20.40.400 may not require a home occupation permit.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.40 Section 490 Page 112

Amendment Proposed:

Please describe your amendment proposal.

Public Agency or Utility Yard

Suggest the definition be expanded to indicate vehicle maintenance and equipment storage as well as materials storage and note other uses like park and facility maintenance purposes in addition to road maintenance facilities.

Please describe the reason for your amendment proposal:

As the city grows, it could take over utilities. In that case the expansion of the Public Agency Utility yard definition would be beneficial. The utility yard definition says it will be "only on sites with utility district offices" This seems too restrictive given that it might be beneficial to use the sites and offices in a different manner.

Legislative Language:

20.40.290 Public Agency or Utility Yard

Public agency or utility yards are permitted provided:

- A. Utility yards only on sites with utility district offices; or
- B. Public agency yards are limited to material storage, vehicle maintenance, and equipment storage for road maintenance, facility maintenance, and parks facilities.

Please use additional sheets if necessary.

HOT TOPIC/DISCUSSION ITEM

Tab 15: Increase the height in Residential – 48 units per acre (R-48) from 35 feet to 60 feet

The increase in height in the R-48 zone from 35 ft. to 60 ft. is proposed because it allows property owners in the R-48 zone to achieve that density on their parcels. The R-48 zone plays a large role in Shoreline's ability to meet the long-term housing targets required by the Growth Management Act (GMA). Parking and site requirements, such as pedestrian circulation, fire turnarounds, open space, and service areas for multifamily development in the R-48 zone necessitate small footprints for multifamily structures and the increased height allows for smaller footprints while still meeting density. The ability to construct units in a multistory building with the concurrent smaller building footprint also promotes increased open space and pervious surfaces on site and the ability to construct structured parking on the ground-floor. Overall, the increase in height in the R-48 zone allows a parcel owner to develop their property with more creativity and allows the flexibility for better site design from the pedestrian, environmental, and design perspectives while meeting the objectives and requirements set forth in the GMA.

This amendment was extensively debated. Discussion on this amendment focused on the following issues:

- o Identifying the minimum height that if permitted would allow a property owner to achieve R-48 density
- o Determining the appropriate height of structures in the R-48 zone when abutting low density property (R-4 and R-6)
- o Determining the appropriate height of structures in the R-48 zone when they would not abut low density property
- o Determining if R-48 property abutting R-8 and R-12 property should be protected from increased height

The final version of the amendment as seen in Tab 15 of Attachment A, answered all of the above questions. The Planning Commission determined that a maximum height of 50-feet would allow most R-48 zoned properties to develop to a density of 48 units per acre. The Commission agreed that those R-48 parcels that do not abut R-4 or R-6 zones should be permitted to build to a maximum height of 50 feet. However, to increase the height to 60 feet further review and conditions as appropriate should apply. Therefore, the Commission recommends allowing R-48 zoned properties to build to a height of 60 feet with the approval of Conditional Use permit. Conditional Use permits require public notice inviting the public to submit written comments, provide staff with the authority to place conditions on the development, allow staff to approve or deny the permit based on compliance with the adopted criteria, and staff decisions may be appealed to the Hearing Examiner.

Those R-48 zoned properties that abut R-4 (no such scenarios currently exist in the City) and R-6 zoned properties are recommended to remain at a maximum height of 35 feet to protect single family neighborhood character. However, the Commission noted in some cases where R-48 abuts R-4/R-6 zoned properties it may be appropriate to allow for an increase in height. Therefore the Commission recommends allowing an increase in height to a maximum of 50 feet in the R-48 zone when abutting R-4 or R-6 zoned

property with the approval of a Conditional Use permit. If an R-48 property owner wants to increase the maximum height to 60 feet when it abuts R-4 or R-6 zoned property, the issuance of a Special Use Permit would be required. The Special Use permit requires public notice, a public hearing, and Council approval based on meeting the stringent criteria.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 020 Page 127

Amendment Proposed:

Please describe your amendment proposal.

Increase the height in R-48 to 60 feet.

Please describe the reason for your amendment proposal:

Most sites can't develop at R-48 without the ability to go higher. In addition allowing for greater height could be an incentive for underground parking

Legislative Language:**Table 20.50.020(1): Densities and Dimensions in Residential Zones**

Note: Exceptions to the numerical standards in this Table are noted in parenthesis and described below.

STANDARDS	Low Density		Medium Density		High Density		
	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (1)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Min. Density	4 du/ac	4 du/ac	4 du/ac	6 du/ac	8 du/ac	10 du/ac	12 du/ac
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft
Min. Lot Area (2)	7200 sq ft	7200 sq ft	5,000 sq ft	2500 sq ft	2500 sq ft	2500 sq ft	2500 sq ft
Min. Front Yard Setback (2) (3)	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min. and 15 ft total sum of two	5 ft min. and 15 ft total sum of two	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft	35 ft	35 50 ft (7) (8)
Max. Building Coverage	35%	35%	45%	55%	60%	70%	70%
Max. Impervious Surface	45%	50%	65%	75%	85%	85%	90%

Exceptions to Table 20.50.020(1):

- (1) *In order to provide flexibility in types of housing and to meet the policies of the Comprehensive Plan, the base density may be increased for cottage housing in R-6 (low density) zone subject to approval of a Conditional Use Permit.*
- (2) *These standards may be modified to allow zero lot line developments.*
- (3) *For exceptions to front yard setback requirements, please see SMC 20.50.070.*
- (4) *For exceptions to rear and side yard setbacks, please see SMC 20.50.080.*
- (5) *For developments consisting of three or more dwellings located on a single parcel, the setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.*
- (6) *The maximum building coverage shall be 35 percent and the maximum impervious surface shall be 50 percent for single-family detached development located in the R-12 zone, excluding cottage development.*

- (7) For development on R-48 lots abutting R-4, R-6, and R-8 zoned lots the maximum height allowed is 35 feet. The height of these lots may be increased to a maximum of 50 feet with the approval of a Conditional Use Permit or to a maximum of 60 feet with the approval of a Special Use Permit.
- (8) For development on R-48 lots abutting R-12, R-24, R-48, O, NB, CB, NCBD, RB, I, and CZ zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a Conditional Use Permit.
-

Please use additional sheets if necessary.

Summary of Public Hearing Testimony to Date

Note: See Planning Commission Minutes from October 18, 2001 Meeting for more detail.

TAB #	Name of Person Commenting	Comment Summary
15	Rob Hill 17104 13 th Avenue NW	Supports increasing height in the R-48 zone from 35 ft. to 60 ft. He owns property on the North end of Echo Lake and has been trying since the early 90's to develop an apartment building there.
15 & 16	Felicia Schwindt 2209 NE 177 th Street	Concerned about the affects of allowing 60 ft. in height adjacent to single family zones.
Additional Public Comment Received After the Public Hearing		
15	Dennis Lee 14547 26 th Avenue NE	Provided history on the height limit in the R-48 zone. State he is not necessarily against a 65 ft. height limit in the R-48 zone if there is specific criteria. Suggests tabling the amendment until criteria can be created. <i>(For more information see the 11/1/01 Planning Commission Minutes)</i>

HOT TOPIC/DISCUSSION ITEM

Tab 16: Reduce height of structures in Industrial zones adjacent to Residential 4 units per acre (R-4) and Residential six units per acre (R-6) zoned property to 50 feet unless a subarea or master plan has been adopted.

The Development Code provides for protection of residential uses adjacent to industrial uses by:

1. Increasing rear and side setbacks when adjacent to R-4 and R-6 zones to 20 feet.
2. Requiring industrial uses to comply with regulations for site planning, frontage improvements, lighting standards, building design, screening of outside storage and mechanical equipment.
3. Maintaining vegetative buffers where possible by requiring that at least 20 percent of the significant trees on a given site to be retained.
4. Requiring the installation of 20 feet of Type I landscaping along any interior lot line of an industrial use that is adjacent to a R-4 or R-6 zones. Type I landscaping is a full screen that functions as a visual barrier. Type I landscaping minimally consists of:
 - o A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscaped strip and spaced to form a continuous screen.
 - o Eighty percent of trees and shrubs shall be evergreen.
 - o Trees planted at 10 feet in height, at the rate of one tree per 10 linear feet of landscaped strip and spaced no more than 15 feet apart.
 - o Shrubs planted from five-gallon containers or at 30 inches in height and spaced no more than three feet apart on center.
 - o Ground covers planted from minimally four-inch pots and spaced no more than 18 inches apart.

To apply a height restriction in addition to the provisions already in the Code may have the effect of reducing the building envelope to such a degree that projects are no longer viable. Please refer to the map of Industrial zoned property in Attachment A, Tab 16. The City has goals and objectives in the Comprehensive Plan to "pursue a strong and diverse economy and assure economic development that complements neighborhood character". The current standards including the height limit in the Development Code provide for the ability to accommodate a limited amount of industrial development while mitigating impacts on adjacent neighborhoods.

The Planning Commission unanimously recommended to reduce the height of structures at the yard setback line in Industrial zones that are adjacent to R-4 or R-6 zoned lots to a maximum of 35 feet. The height may be increased to 50 feet with additional upper floor setback (transition line setback) of 10 feet and to 65 feet with additional upper floor setback (transition line setback) of 10 feet after the 50 feet height limit. The recommendation also allows unenclosed balconies to project into the transition line setback. (Please refer the illustration in to Attachment A, Tab 16). The additional transition line setbacks would further protect the R-4 and R-6 zones from shadowing and height impacts. The allowance of balconies into the transition line setback would add livability and design flexibility to residential buildings if constructed in the Industrial zone.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Kathleen Williamson w/amendments by Planning Commission and Staff

☐ **Comprehensive Plan:** Element _____ Policy _____ Page _____

☒ **Development Code:** Chapter 20.50 Section 020-230 Page 128

Amendment Proposed:

Please describe your amendment proposal.

Limit height in Industrial zones adjacent to R-4 or R-6 zones to 50 feet unless a subarea

Plan or master plan has been adopted. Please see attached application from Ms. Williams.

The Planning Commission, chose an alternative to Ms. Williams amendment. Please

see Legislative Language below for the Planning Commission's recommendation. The

Planning Commissions amendment proposes to reduce building heights for portions of

buildings in the Industrial zone adjacent to R-4 and R-6. All portions of buildings

adjacent to R-4 and R-6 zone shall build to 35' height at building setback line and can

build to 50' if they set back an additional 10 feet at the 35' height transition line.

Unenclosed balconies would be permitted within 10 'setback above the 35' transition

line.

Please describe the reason for your amendment proposal:

Create a transition between neighborhoods and preserve the general welfare of

neighborhoods.

Legislative Language:

Table 20.50.020(2): Densities and Dimensions for Residential Development in Non-Residential Zones

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB) Zone	Regional Business (RB) and Industrial (I) Zones
Maximum Density: Dwelling Units/Acre	24 du/ac	48 du/ac	No maximum
Min. Front (Street) Yard Setback	10 ft	10 ft	10 ft
Min. Side Yard Setback from Non-Residential Zones	5 ft	5 ft	5 ft
Min. Rear Yard Setback from Non-Residential Zones	15 ft	15 ft	15 ft
Minimum Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Min. Side and Rear Yard Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height (1)	35 ft	60 ft	65 ft (2)
Max. Impervious Surface	85%	85%	95%

Exception to Table B-1.1b:

- (1) Please see Exception V.4.B-1.1d for an explanation of height bonus for mixed-use development in NB and O zones.
- (2) For all portions of a building in the I zone abutting R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35 feet, 50' height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50' height limit. Unenclosed balconies on the building that are above the 35 foot transition line setback shall be permitted to encroach into the 10-foot setback.

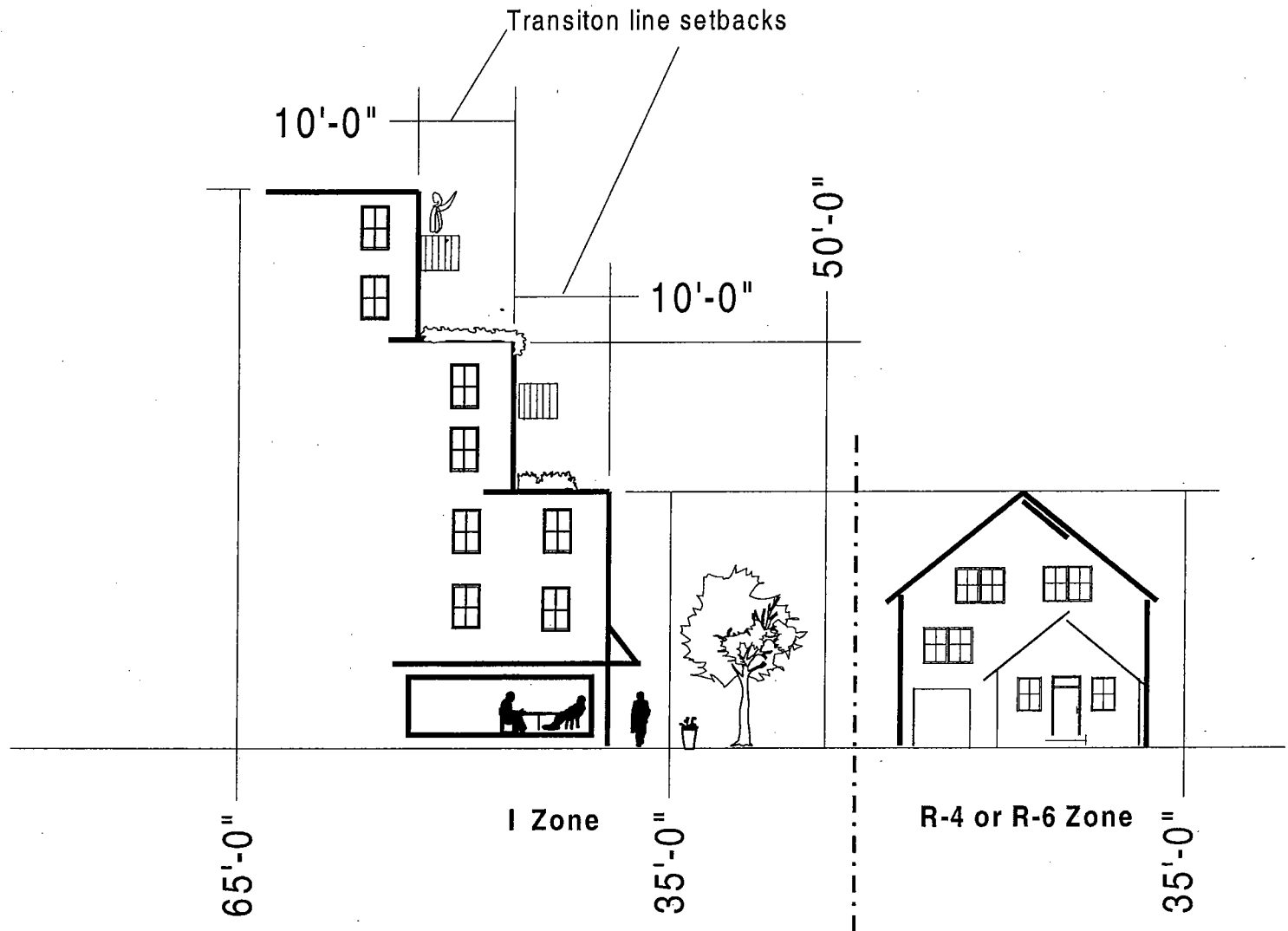


Figure Exception 20.50.020(2): For all portions of a building in the I zone abutting to R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35', 50' height allowed with additional upper floor setback (transition line setback) of 10'. 65' allowed with additional upper floor setback (transition line setback) of 10' after 50' height limit. Unenclosed balconies on the building that are above the 35' transition line setback shall be permitted to encroach into the 10' setback.

Table 20.50.230(1) Table of Site Development Standards

Note: Exceptions to the numerical standards in this Table are noted in parenthesis and described below.

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB)	Regional Business (RB) and Industrial (I) Zones
Min. Front Yard Setback (Street) (1)	10 ft	10 ft	10 ft
Min. Side and Rear Yard (Interior) Setback from NB, O, CB, RB, and I Zones.	0 ft	0 ft	0 ft
Min. Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Min. Side and Rear Yard (Interior) Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height (3)	35 ft (2)	60 ft	65 ft (4)
Max. Impervious Surface	85%	85%	90%

Exceptions to Table 20.50.230(1):

- (1) Front yard setback may be reduced to zero (0) feet if adequate street improvements are available or room for street improvements is available in the street right-of-way.
- (2) Please see Exception 20.50.230(3) for height bonus for mixed use development in NB and O zones.
- (3) Please see Exception 20.50.230(4) for a description of structures that may be erected above the height limits in all zones.
- (4) For all portions of a building in the I zone abutting R-4 and R-6 zones, the maximum height allowed at yard setback line shall be 35 feet, 50' height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50' height limit. Unenclosed balconies on the building that are above the 35 foot transition line setback shall be permitted to encroach into the 10-foot setback.

Please use additional sheets if necessary.

For illustration.

Cat's Exclusive

N 192nd St.

Shoreline
Park and Ride

Aurora Ave. N

MacPherson
Building

Sky Nursery

SHORELINE

GEOGRAPHIC INFORMATION SERVICES

INDUSTRIAL ZONES AURORA AVENUE N

DEVELOPMENT CODE

Parcel Boundary



Park

Zoning



R-6; Residential, 6 units/acre



R-8; Residential, 8 units/acre



R-12; Residential, 12 units/acre



R-18; Residential, 18 units/acre



R-24; Residential, 24 units/acre



R-48; Residential, 48 units/acre



O; Office



NB; Neighborhood Business



CB; Community Business



RB; Regional Business



I; Industrial



CZ; Contract Zone



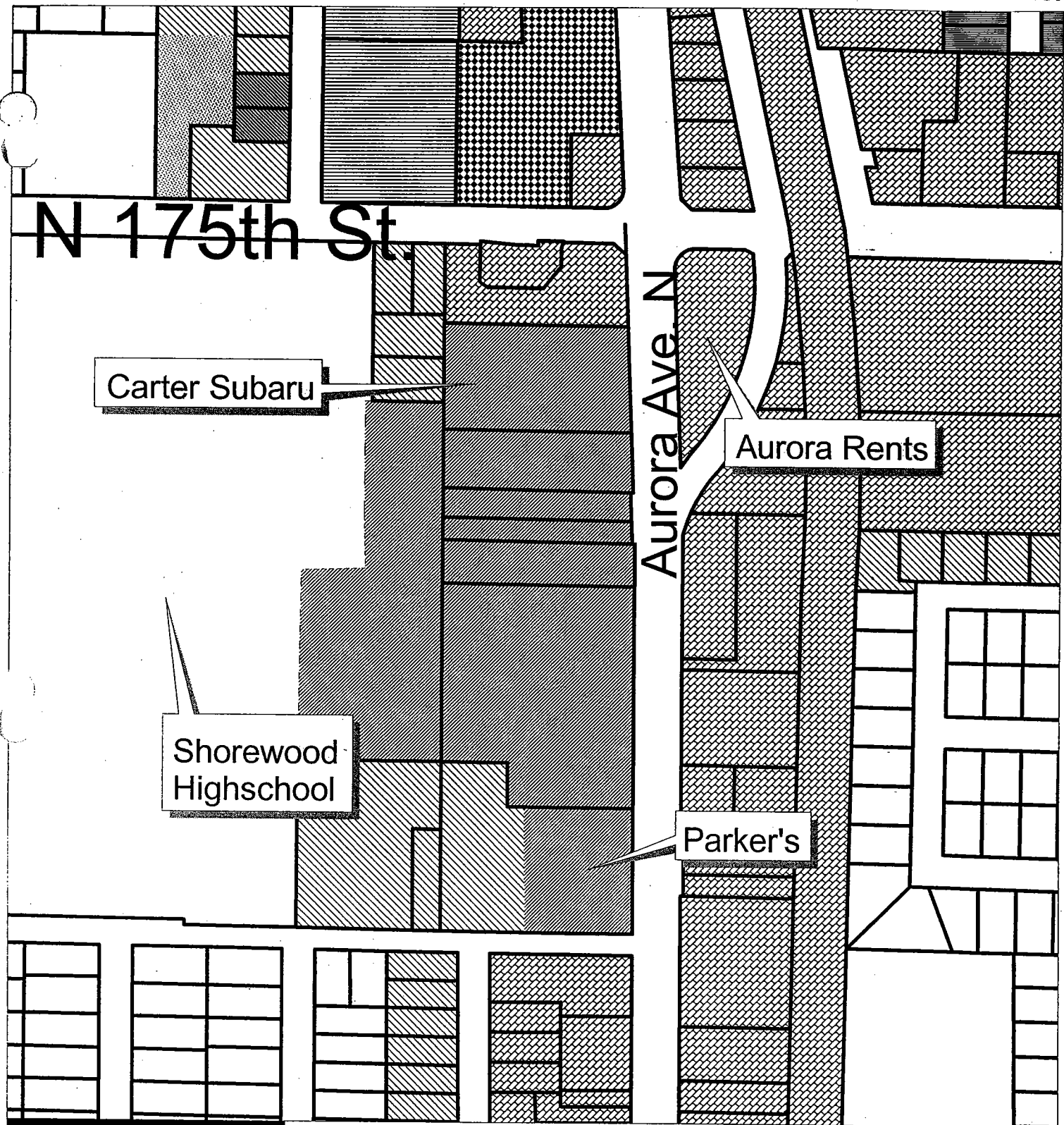
0 100 200 300 Feet

1"= 250 feet



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No warranties of any sort, including accuracy,
fitness, or merchantability, accompany this
product.



SHORELINE

GEOGRAPHIC INFORMATION SERVICES

INDUSTRIAL ZONES
AURORA AVENUE N

DEVELOPMENT CODE

- | | |
|----------------------------------|----------------------------------|
| Parcel Boundary | R-48; Residential, 48 units/acre |
| Park | O; Office |
| Zoning | NB; Neighborhood Business |
| R-6; Residential, 6 units/acre | CB; Community Business |
| R-8; Residential, 8 units/acre | RB; Regional Business |
| R-12; Residential, 12 units/acre | I; Industrial |
| R-18; Residential, 18 units/acre | CZ; Contract Zone |
| R-24; Residential, 24 units/acre | |



0 100 200 300 Feet
1" = 250 feet

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Planning and Development Services

Please complete the following:

Applicant for Amendment: Kathleen Williamson
Address: 235 NW 2nd St City: Shoreline State: WA
Zip: 98147-2514
Phone: Day: 206-542-7880 Evening: same

Please specify:

Shoreline Development Code--Chapter 4 Section 20.50.230

Amendment Proposed:

Please describe your amendment proposal.

see attached

Reason for Amendment:

Please describe why the amendment is necessary.



Planning and Development Services

2001/10/02 10:00 AM

Decision Criteria Explanation:

1. Please describe how the amendment is in accordance with the Comprehensive Plan.

2. Please describe how the amendment will not adversely affect the public health, safety or general welfare.

3. Please describe how the amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Please attach additional sheets if necessary

Please submit your request to the City of Shoreline, Planning and Development Services Department.

10/00

17544 Midvale Avenue North, Shoreline, Washington 98133-4921
Telephone (206)546.1811 Fax (206)546.8761 PDS@ci.shoreline.wa.us

Comprehensive Plan Page 53

LU 44: Ensure that the height of future industrial development adjacent to low and medium density residential zones is reduced to provide for transition between uses.

LU 44: The base height for industrial uses adjacent to residential uses will be no greater than 50 feet unless a master plan or subarea plan is completed.

Development Code

Page 128 Table 20.50.020(2) - Densities and Dimensions for Residential Development in Nonresidential Zones

Add a (2) to Base Height for an additional exception:

(2) Please see Exception 20.50.230(5) for an explanation of height limitation in Industrial Zones adjacent to R - 4 and R - 6 zones.

Change table on page 159; add Exception (4); note (4) beside Base Height; add (4) below table: Please add Exception 20.50.230(5) for height limitations in Industrial Zones adjacent to R-4 and R-6 zones.

(add to page 161) Exception 20.50.230(5): Structures in Industrial Zones adjacent to Residential 4 - unit per acre (R4) and Residential 6 - units per acre (R6) shall not exceed a base height of 50 feet unless a subarea plan or master plan has been adopted.

Decision Criteria Explanation:

1. This amendment is in accordance with the Comprehensive Plan in that it will provide an area of transition between residential and non residential zones, minimizing negative impacts on residential neighborhoods and allowing areas to maintain characteristics that are valued by residents of Shoreline.

2. This amendment has a goal of preserving the general welfare of neighborhoods in Shoreline while acknowledging the growth that will occur .

3. see #2



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 040 Page 132

Amendment Proposed:

Please describe your amendment proposal.

Add regulations for setbacks from utility corridors and projections into setbacks.

Please describe the reason for your amendment proposal:

There were provisions in Title 18 for adjusting setbacks when adjacent to a utility corridor. Since the adoption of the new Code, we have encountered the need to interpret setbacks from such corridors. In addition, there has also been a need to further clarify the allowable projections into the required yard setbacks.

Legislative Language:

20.50.040

H. Setbacks from regional utility corridors.

1. In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.
2. In other types of land development permits, easements shall be used to delineate such corridors.
3. All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor.

G. I. Projections into Setback.

1. Projections may extend into required yard setbacks as follows, except that no projections shall be allowed into any five (5) foot side yard setback except:

- a. Gutters;
 - b. Fixtures not exceeding three square feet in area (e.g., overflow pipes for sprinkler and hot water tanks, gas and electric meters, alarm systems, and air duct termination; i.e., dryer, bathroom, and kitchens); or
 - c. On-site drainage systems.
2. Fire place structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into setbacks, except into a side yard setback that is less than seven (7) feet, provided such projections are:
 - a. Limited to two (2) per façade;
 - b. Not wider than 10 feet;
 - c. Not more than 24 inches into a side yard setback (which is greater than seven (7) feet); or
 - d. Not more than 30 inches into a front and rear yard setback.
3. Eaves may not project more than:
 - a. Eighteen inches into an side yard setback which is greater than six (6) feet, six (6) inches;
 - b. Eaves may not project more than 36 inches into a front yard and/or rear yard setback.
4. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the rear and side property lines.
5. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project:
 - a. Eighteen inches into a side yard setback which is greater than six (6) feet, six (6) inches; and
 - b. Five (5) feet into the front and rear yard setback.
6. Building stairs less than three (3) feet and six (6) inches in height, entrances, and covered but unenclosed porches that are at least 60 square feet in footprint area may project up to five (5) feet into the front yard
7. Arbors are allowed in required yard setbacks if they meet the following provisions:

In any required yard setback, an arbor may be erected:

 - a. With no more than a forty (40) square foot footprint, including eaves;
 - b. To a maximum height of eight (8) feet;
 - c. Both sides and roof shall be at least 50% open, or, if latticework is used, there shall be a minimum opening of two inches between crosspieces.
8. No projections are allowed into a regional utility corridor.
9. No projections are allowed into an access easement.

10. Driveways for single-detached dwellings may cross required yard setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or yard setback area is displaced by the driveway.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 040 Page 132

Amendment Proposed:

Please describe your amendment proposal.

Add regulations for setbacks from half streets.

Please describe the reason for your amendment proposal:

This provision was in Title 18. This would establish through regulation a way to upgrade half streets to full streets.

Legislative Language:

20.50.040

G. Setbacks – Adjoining half-street or designated arterial

A. In addition to providing the required yard setback, a lot adjoining a half-street or designated arterial shall provide additional width of yard setback sufficient to accommodate construction of the planned half-street or arterial.

Please use additional sheets if necessary.

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Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element Policy Page

☒ Development Code: Chapter 20.50 Section 040 Page 133
Amendment Proposed:

Please describe your amendment proposal.

(3a) Revise "Eaves shall not project into a required setback more than 18" and shall not
project at all into a 5 feet setback.

Please describe the reason for your amendment proposal:

The existing language is convoluted. The current language could mean that eaves cannot
Project into a setback greater than 6' - 6". This would mean a 20' setback could not have the
18" projection. The intent is lost. It also implies that people can't have eaves greater than
18" no matter the setback.

Legislative Language:

20.50.040

3. Eaves ~~may~~ shall not project more than:

- a. Eighteen inches into ~~an~~ a required side yard setback ~~which is greater than six feet, six inches; and shall not project at all into a 5 feet setback;~~
- b. ~~Eaves may not~~ 36 inches into a front yard and/or rear yard setback.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 420 Page 199

Amendment Proposed:

Please describe your amendment proposal.

Clarify where access for all development is allowed in relation to the required yard setbacks and landscaping requirements.

Please describe the reason for your amendment proposal:

There have been many questions regarding where access is allowed.

Legislative Language:

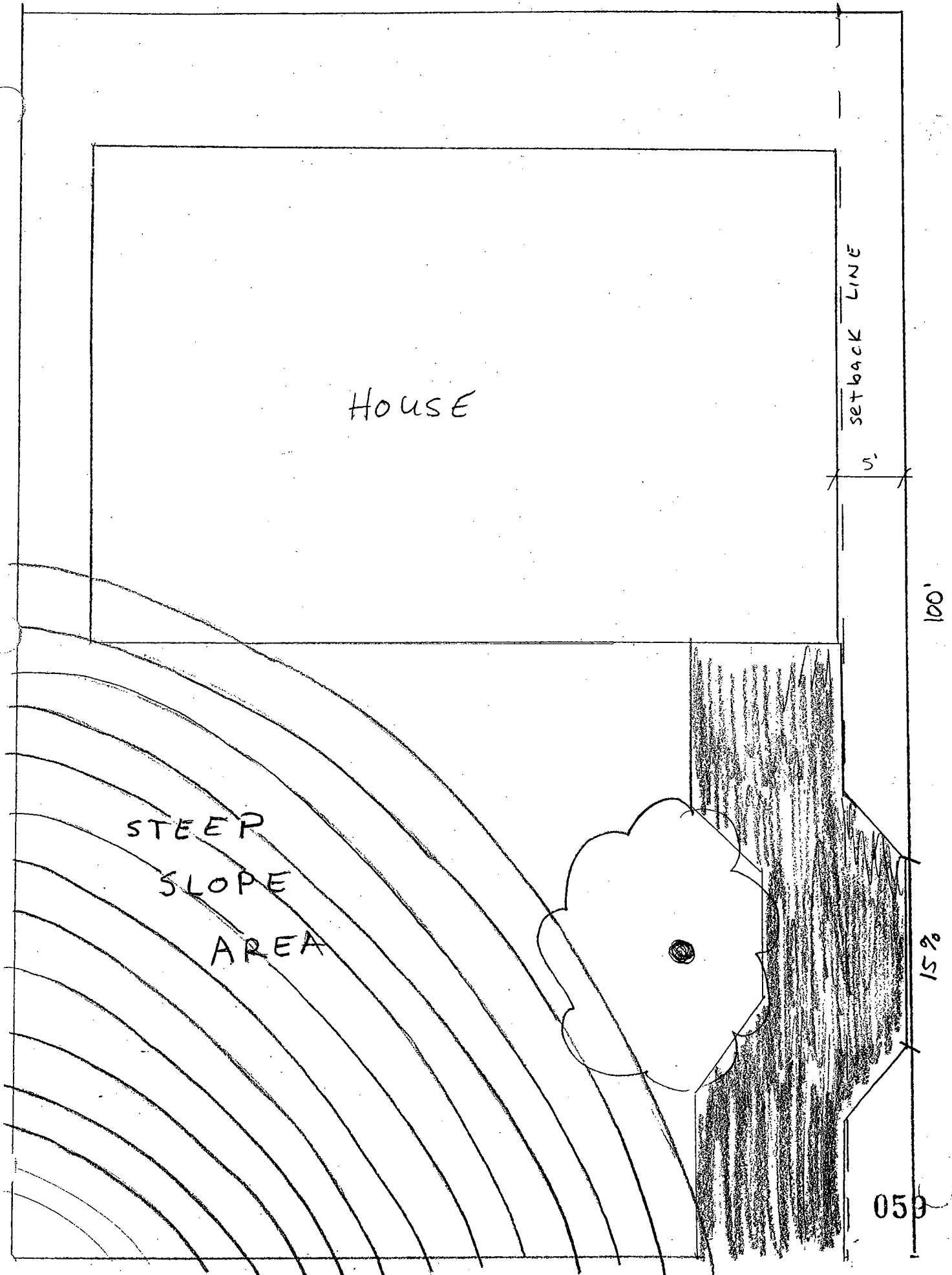
20.50.420

- A. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located, and constructed in accordance with the adopted Engineering Manual.
- B. Access for single family detached, single family attached, and multi family uses is not allowed in the required yard setbacks (see exceptions 20.50.080 (A)(1) and 20.50.130(a)).
- C. Driveways for single-detached dwellings may cross required yard setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or yard setback area is displaced by the driveway.

- D. Driveways for non single-family development may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway.
 - E. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of the Adequate Public Facilities provisions.
 - F. No dead end alley may provide access to more than eight required off-street parking spaces.
 - G. Business with drive through windows shall provide stacking space to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.
 - H. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility.
 - I. Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:
 - 1. For each drive-up window of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided.
 - 2. For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.
 - J. Alleys shall be used for loading and vehicle access to parking wherever practicable.
-
-

Please use additional sheets if necessary.

* For illustration.





Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.50 Section 070 Page 138

Amendment Proposed:

Please describe your amendment proposal.

Add after exception 20.50.070(1): For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

Please describe the reason for your amendment proposal:

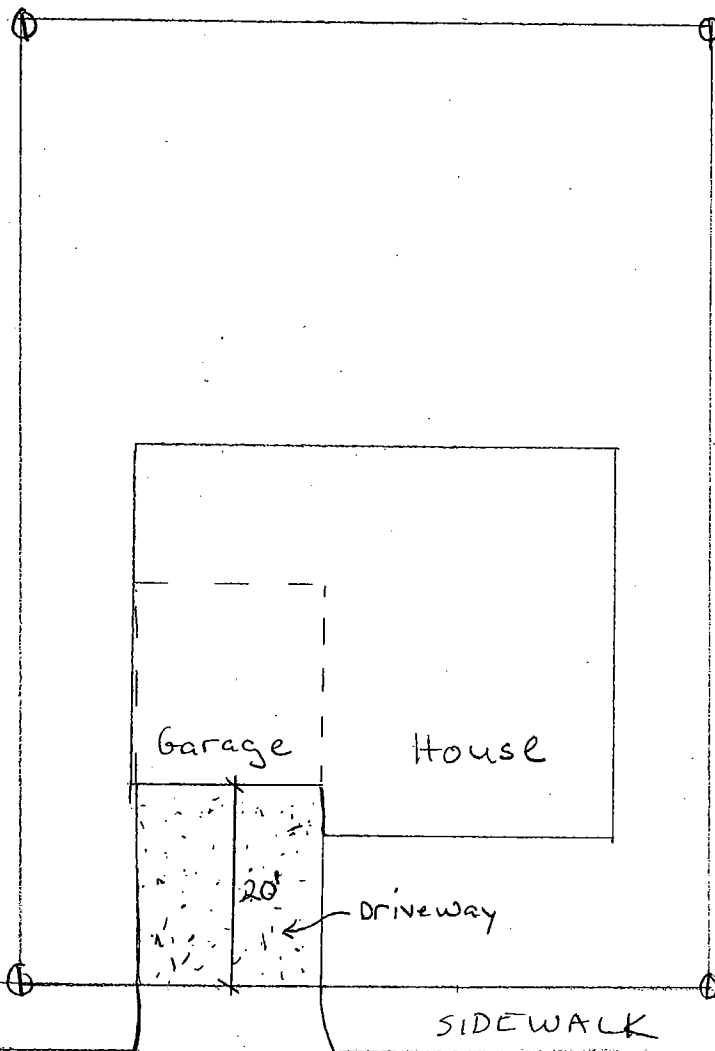
There are provisions in the single-family design standards for reducing a front yard setback, however, garages and carports should be set back from streets to allow for sufficient site distance for pulling out. This would also apply to single-family developments in multi-family zones, where the front yard setback is 10 feet. This provision is in the multi-family design standards.

Legislative Language:

20.50.070

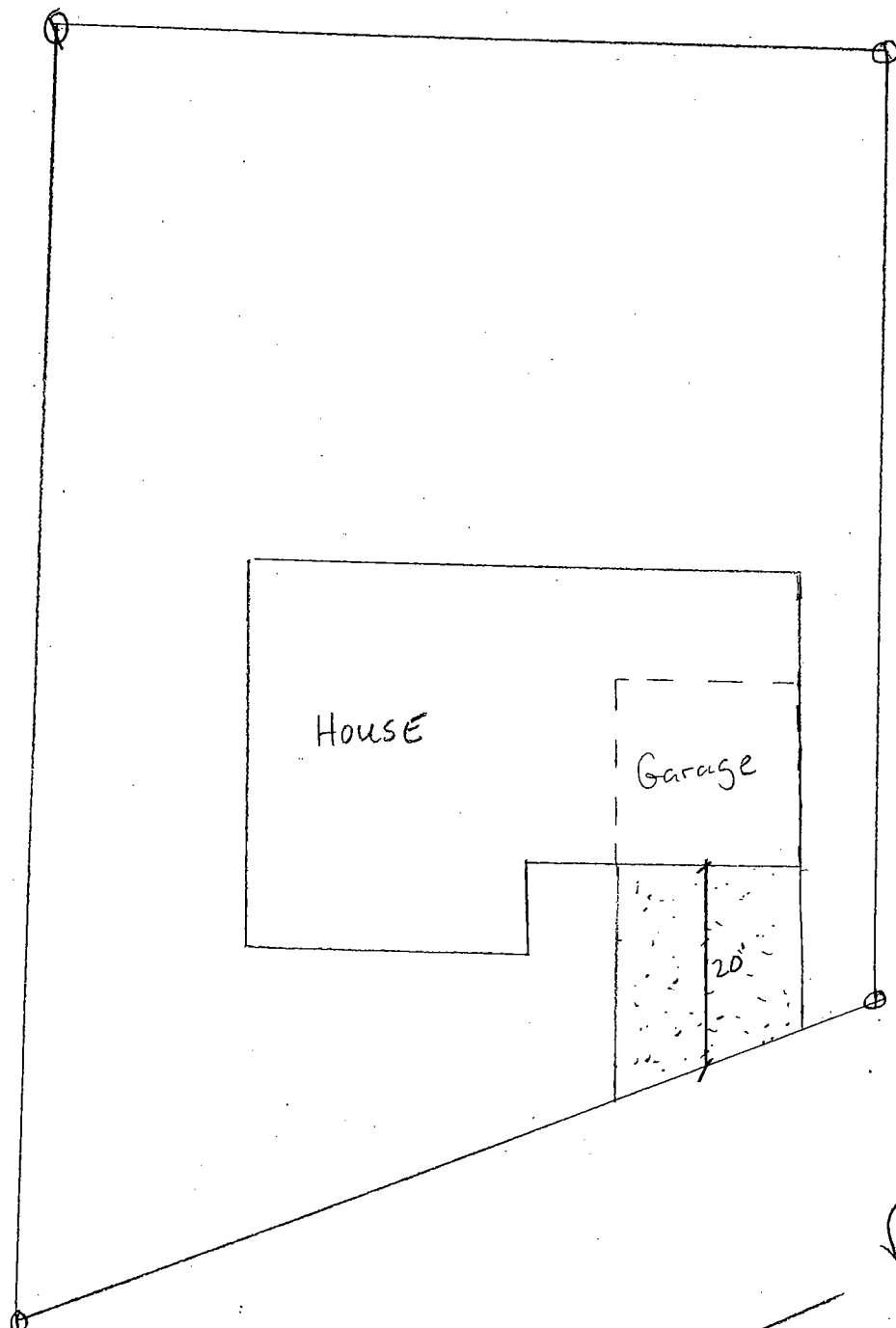
For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

* For illustration.



CENTERLINE OF STREET

* For illustration.





Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 080 Page 139

Amendment Proposed:

Please describe your amendment proposal.

Error in drawing (B). See attached

Please describe the reason for your amendment proposal:

Legislative Language:

20.50.080

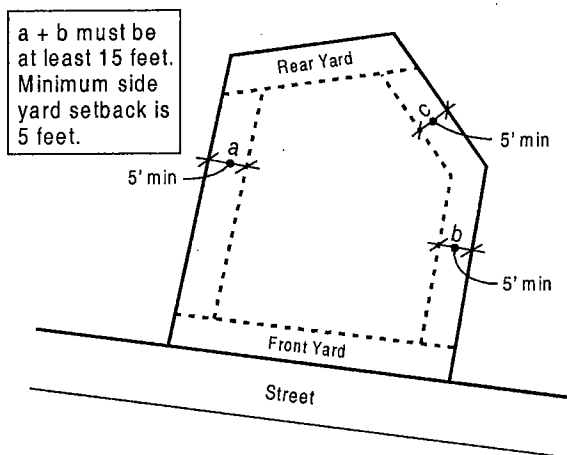


Figure 20.50.080(B): Side yard requirements for irregular lots.

HOT TOPIC/DISCUSSION ITEM

Tab 23: Increase the maximum allowable height of fences located in the front yard from 3 ½ feet to 6 feet subject to site distance clearance.

The current limit of 3 ½ feet for fences in the front yard was adopted with the intention of creating pedestrian oriented neighborhoods by prohibiting the creation of long walls of fencing adjacent to the sidewalk. This amendment increases the maximum height of fences allowed in the front yard setback of single-family detached structures from three and one half (3 ½) feet to six (6) feet subject to standard site distance clearance regulations. The City does not currently require a permit to construct a fence that is six (6) feet high or less. The enforcement of a fence height standard that is not subject to a permit or inspection has proved difficult and has often led to poor customer service.

The standard example of this enforcement situation begins with a code complaint against a resident that has constructed a six (6) foot high fence along the front yard property line. A CRT representative would verify that there is or is not a violation, inform the property owner if there is a violation, and would then seek voluntary compliance from the customer to modify the already constructed six (6) foot high fence to meet the maximum height allowed. The customer may have spent a considerable sum of money to construct the fence and will incur additional cost and time to have the fence modified to meet standards. The customer may have heard that fences do not require permits, which is correct. In the absence of a permit a customer may not inquire about additional standards or exceptions.

The only time staff has the opportunity to review fence heights is on a new construction or remodel site plan for a building permit where it is possible to specify the maximum height in the front yard setback. Building permit conditions are enforced through a building permit inspection. With the lack of a permit and adequate resources to enforce the three and a half (3 ½) feet maximum height of a fence in the front yard setback, the Planning Commission and staff recommend an increase in the height limit of a fence in the front yard setback to six (6) feet subject to the standard site distance clearance provisions.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 110 Page 142, 143

Amendment Proposed:

Please describe your amendment proposal:

Allow for 6 feet fences in front yards by eliminating "A." Amending "C" as follows: The maximum height of fences located along a side and/or rear yard property line shall be six feet, *subject to the site clearance provisions of Sections 20.70.170, 20.70.180, and 20.70.190C.* (Re-letter the remaining sections)

Please describe the reason for your amendment proposal:

Limiting fences to 3.5 feet in front yards is overly restrictive and very difficult to enforce.

Legislative Language:

20.50.110

~~A. Fences and walls shall be a maximum three (3) feet, six (6) inches high between the front yard building setback line and the front property line.~~

Exception to 20.50.110(A)(1): For corner lots or any lots which have more than one (1) front yard, the fence height of three (3) feet, six (6) inches applies to one front yard only.

C. The maximum height of fences located along a side and/or rear yard property line shall be six (6) feet, subject to the site clearance provisions of Sections 20.70.170, 20.70.180, and 20.70.190C.

HOT TOPIC/DISCUSSION ITEM

Tab 24: Proposed Good Neighbor Lighting Standards

This amendment was not a "hot topic" or widely debated. It is included in the report to update you on an issue that has previously been before the Council. The author of the amendment, Deb Moore-Marchant, has previously written and provided testimony to the Council regarding the need for regulations to reduce glare and light trespass caused by outdoor lighting. In response to Ms. Moore-Marchant's requests, staff directed her to submit a Development Code amendment application. Staff reviewed Ms. Moore-Marchant's application and drafted the amendment that is now shown in Tab 24. This amendment met with no opposition at the Planning Commission. Ms. Moore-Marchant has stated that it is a good first step in reducing the impacts, however suggests that more specific standards that regulate the types of shielded lighting and illumination levels allowed would more directly address the issue.

Staff supports the concept of requiring non-glare and shielded lighting, however staff has concerns about the City's ability to enforce such a regulation. These regulations would realistically have to apply to existing and new outdoor lighting because it would be very difficult over time to verify the date the light was installed. This regulation would be enforced on a complaint basis. We would be hopeful to gain voluntary compliance, but anticipate that a percentage of those persons asked to comply would refuse and necessitate further enforcement action. Therefore, Staff recommends amending the Planning Commission's recommendation by changing the "Any/all lighting shall be non-glare and shielded..." to "Any/all lighting should be non-glare and shielded..." This change would allow staff to encourage residents to install this type of lighting, but in turn would not create 1000's of Code violations. It is important to note, that the Development Code chapter on Mixed Use, Commercial and Other Nonresidential Development Design Standards already states that, "All lighting shall be designed to minimize glare on abutting properties and adjacent streets."



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Deb Merchant Moore

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.50 Section 115 Page 143
20.50 410 199

Amendment Proposed:

Please describe your amendment proposal.

Outdoor Lighting proposal

In addition to the application (see attached), the applicant submitted a substantial

amount of supporting documentation for this Amendment. Staff reviewed this

documentation and drafted an amendment in response. The supporting documentation

is available for viewing at City Hall (17544 Midvale Avenue North – Planning and

Development Services Office).

Please describe the reason for your amendment proposal:

Protect people and wildlife from light trespass.

Legislative Language:

Version Recommended by the Planning Commission: (Staff does not recommend this version)

20.50.115 **Lighting – Standards.**

A. Any lighting shall be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.

20.50.410

P. All parking lot lighting shall be non glare and shielded to minimize direct illumination of abutting properties and adjacent streets.

Version Recommended by Staff:

20.50.115 Lighting – Standards

B. Any lighting shall should be non-glare and shielded to minimize direct illumination of abutting properties and adjacent streets.

20.50.410

P. All parking lot lighting shall should be non glare and shielded to minimize direct illumination of abutting properties and adjacent streets.

Please complete the following:

Applicant for Amendment: Deborah 'Deb' Moore - Marchant
Address: 16261 12th Avenue N.E. City: Shoreline State: WA
Zip: 98155
Phone - Day: 206--367-4145 Evening: 206--367-4145

Please specify:

Shoreline Development Code--Chapter 20, Section 50.

This amendment pertains not only to development but to the environment.

Amendment Proposed:

Please describe your amendment proposal.

It is anticipated that this amendment proposal be a compilation of already existing municipal codes & proposals for good lighting. This proposal includes several municipal codes & one other proposal, for review as examples for the creation of a customized code.
Please see Arizona city codes; Ketchum, Idaho code; Seattle Code; Island County, Washington code; Bothell's code; and Redmond's proposal, located within the submitted notebook.

Reason for Amendment:

Please describe why the amendment is necessary.

- ① the proposed amendment clarifies the intent, policies & the implementation of the Comp. Plan.
- ② the proposed amendment identifies lighting design measures that help reduce light reflected or emanating directly into the dark sky (and eliminate)
- ③ the proposed amendment seeks to limit conflicts between commercial lighting & residential uses, & between residential & recreation lighting & residential areas, (& street lights.)
- ④ the proposed amendment offers standardized guidelines for review & approval of lighting plans. It is anticipated that such guidelines will improve consistency of lighting plan & site plan review, & as such, help improve the overall design of development within the city.

Planning and Development Services

Decision Criteria Explanation:

1. Please describe how the amendment is in accordance with the Comprehensive Plan.

This amendment is in accordance with the Comp. Plan. If adopted, this amendment will implement policies in the Comp. Plan, for example, Safeguarding the environment & ensuring the quality of life.

2. Please describe how the amendment will not adversely affect the public health, safety or general welfare.

The purpose of this amendment is to protect the public health, safety & general welfare. This amendment will reduce glare, overlighting, light trespass, energy waste & sky glow. The type of lighting this amendment refers to still provides better public health, safety & security.

3. Please describe how the amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

This amendment is not contrary to the best interest of the citizens & property owners of the City of Shoreline. This amendment will help improve the quality of life; save energy costs; protect the environment; improve neighbor relations; create an attractive city & neighborhoods.

Please attach additional sheets if necessary

Please submit your request to the City of Shoreline, Planning and Development Services Department.

10/00

Summary of Public Hearing Testimony to Date

Note: See Planning Commission Minutes from October 18, 2001 Meeting for more detail.

TAB #	Name of Person Commenting	Comment Summary
24	Bruce Weertman 6749 18 th Avenue NW	He represents the International Dark Sky Association and supports amendments to reduce the impacts of glare from outdoor lighting on neighbors and the night sky.
24	Deb Moore- Marchant 16261 12 th Avenue NE	(Submitted the original amendment) She supports the amendment to reduce the impacts of glare from outdoor lighting on neighbors and the night sky. She presented a slide show to demonstrate her point.
24	Marty Johnston 111 NE 174 th Street	Supports the amendment to reduce the impacts of glare from outdoor lighting on neighbors and the night sky. He spoke extensively about energy conservation and indoor lighting.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Sections 120, 220, 380, 450 & 530*
Pages 145, 159, 189, 203 & 209

Amendment Proposed:

Please describe your amendment proposal.

Add new section between "Purpose" and "Standards" called "Thresholds" to clearly indicate how and when the provisions for site improvements apply to development proposals

Please describe the reason for your amendment proposal:

Currently the thresholds are found only in the Engineering section.

Legislative Language:

20.50.125 Thresholds
20.50.225 Thresholds
20.50.385 Thresholds
20.50.455 Thresholds
20.50.535 Thresholds
Required Site Improvements

The purpose of this section is to determine how and when the provisions for site improvement cited in the General Development Standards apply to development proposals. These provisions apply to all multi-family, non-residential, and mixed-use construction and uses.

Full site improvements are required for parking, lighting, landscaping, walkways, storage space and service areas, and free standing signs if a development proposal is:

- Completely new development;
- Expanding the square footage of an existing structure by 20%: or
- The construction valuation is 50% of the existing site and building valuation.

Note: For thresholds related to off-site improvements, see Section 20.70.030.

HOT TOPIC/DISCUSSION ITEM

Tab 26: Add garages covered carports either detached from or attached to the main structure shall not protrude beyond the front facade.

This amendment to the Parking and Access standards for single family attached and multifamily design standards clarifies an existing standard 20.50.140(F) in the Development Code that states, "Minimize the impact of individual garage entrances where they face the street by limiting the curb cut width and visually separating the garage entrance from the street with landscaped areas. Emphasize pedestrian entrances in order to minimize the garage entrances." The amendment language proposed adds specificity and states that garages or covered carports attached or detached shall not protrude beyond the front building facade. The proposal amends figure 20.50.140(F) to demonstrate the standard. This amendment is consistent with and implements Comprehensive Plan policy LU 32, which states that multifamily residential development should provide for an attractive street frontage.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 140 Page 149

Amendment Proposed:

Please describe your amendment proposal.

Clarify that garages/carports for multi family and single family attached developments

cannot protrude beyond the front façade.

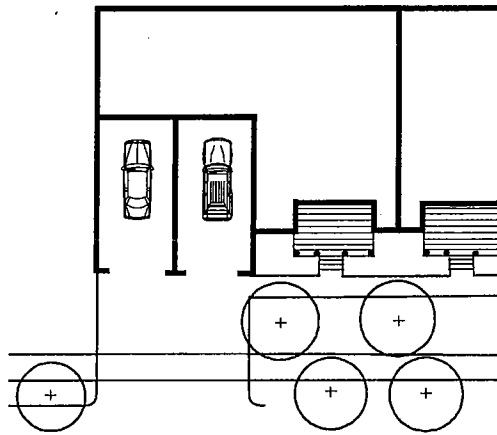
Please describe the reason for your amendment proposal:

In meetings with developers we have stated that the garage cannot be forward of the entrance and using the pictures on page 149 as the evidence of this requirement. It is a very "hard sell" so maybe if this is indeed the intent that it needs to be stated as such in the text format.

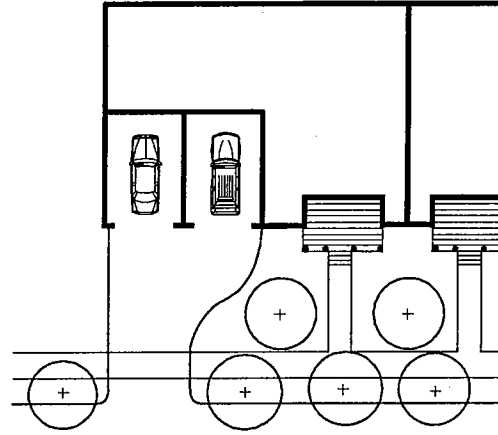
Legislative Language:

20.50.140

G. Garages or carports either detached from or attached to the main structure shall not protrude beyond the front building façade.



DON'T DO THIS



DO THIS

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

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

Development Code: Chapter 20.50 Section 240 Page 162

Amendment Proposed:

Please describe your amendment proposal.

New Exception 20.50.240(A)(3): Properties that have less than 80 feet of frontage and
no other access point other than through the frontage are exempt from the requirement for
50% building frontage.

Please describe the reason for your amendment proposal:

There are many properties that are small and cannot meet the dimensional and especially
the design standards for multi family and commercial development. For ex. A 65'
wide lot can only get its parking in before the frontage is used/designated. A lot of 80'
in width, could put in an entry and one side of parking – leaving 40' of frontage for a
building.

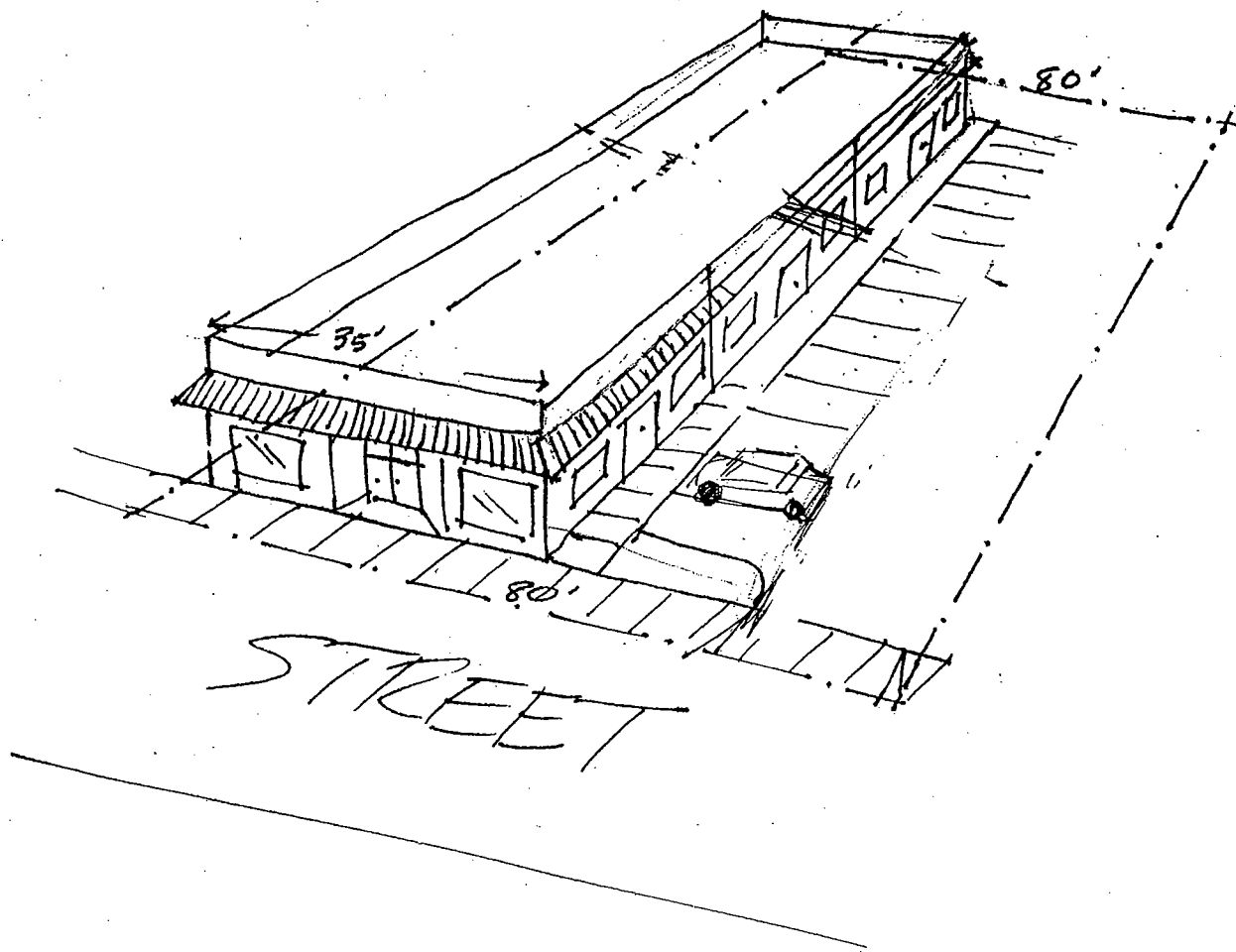
Legislative Language:

20.50.240

Exception 20.50.240(A)(3): Properties that have less than 80 feet of street frontage and
no other access other than through the street frontage are exempt from the requirement
for 50% building frontage however, the building façade shall front on the street.

Please use additional sheets if necessary.

* For illustration.





Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 280 Page 169

Amendment Proposed:

Please describe your amendment proposal.

Building Design – Feature and Standards B. “All new buildings...of the first floor facing
the street treated with transparent windows and doors.”

Please describe the reason for your amendment proposal:

The example/figure and the use of “street façade” make the requirement apply to

Buildings that are to the back of sidewalks only. “Facing the street” will apply to all

Buildings facing streets no matter how far they are from the street.

Legislative Language:

20.50.280 Building design – Features – Standards

- A. Building design shall reinforce the building’s location adjacent to street edge and public space.
- B. All new buildings and additions increasing the square footage by 50 percent, except residential structures, must have a minimum of 50 percent of the first floor facing the street ~~façade~~ treated with transparent windows or doors.

Please use additional sheets if necessary.

HOT TOPIC/DISCUSSION ITEM

Tab 29: Change clearing and grading from a Type B to a Type A process; and increase the SEPA threshold from "100" cubic yards and replace with "500" cubic yards.

This amendment was not a hot issue. Staff is highlighting the amendment because it represents a change in process. Currently, clearing and grading permits are processed as "Type B" applications. "Type B" applications require a neighborhood meeting, public notice, and may be appealed to the Hearing Examiner. Some applicants of small-scale clearing and grading projects, such as landscaping projects, have expressed to staff that the requirements for a neighborhood meeting and noticing are not necessary. The Planning Commission agreed with staff that the intent of making the Clearing and Grading permit a "Type B" process was not to increase the regulatory requirements for small-scale projects. The intent was to notice the public and provide for appeal of large-scale projects and those located in a critical area. The recommended amendment would change the process used to review clearing and grading permits from a "Type B" to a "Type A". "Type A" permits are approved or denied by the Director based on compliance with specific, non-discretionary and/or technical standards and do not require public notice.

Along the same line of reason, the current threshold for clearing and grading activities for SEPA review is 100 cubic yards. This is a low threshold for clearing and grading. The Planning Commission recommends that the threshold be increased to 500 cubic yards. This would mean that clearing and grading projects that propose to move less than 500 cubic yards of earth and are not located in a critical area would be processed as a "Type A" application. Any clearing and grading that occurs in a critical area and/or proposes to move more than 500 cubic yards of earth will be processed as a "Type B" application and include SEPA review.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.30 Section 040 Page 41
 20.30 050 42
 20.30 550 70
 20.30 560 70

Amendment Proposed:

Please describe your amendment proposal.

Change Clearing and Grading permits from a Type B process to a Type A process.

Increase the SEPA threshold for exemption for landfill or excavation from 100

cubic yards to 500 cubic yards.

Amend note under categorical exemptions if the Council adopts an increase in the SEPA

exempt level for clearing and grading. Note states “lowest exempt level applies” – this will no longer be the case.

Please describe the reason for your amendment proposal:

Request is to change a clearing and grading permit from a Type B action to a Type A action. It has been difficult to administer small-scale grading activities as full-fledged Type B actions, with a neighborhood meeting, public noticing, etc. For larger-scale projects, SEPA would be required and the action would become a Type B action, thereby meeting the intent of notifying neighbors of such projects.

In conjunction, 100 cubic yards is too low of threshold for SEPA review.

Legislative Language:

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

Action Type	Target Time Limits for Decision	Section
Type A:		
1. Accessory Dwelling Unit	30 days	20.40.120, 20.40.210
2. Lot Line Adjustment including Lot Merger	30 days	20.30.400
3. Building Permit	120 days	All applicable standards
4. Final Short Plat	30 days	20.30.450
5. Home Occupation, Bed & Breakfast, Boarding House	120 days	20.40.120, 20.40.250, 20.40.260, 20.40.400
6. Interpretation of Development Code	15 days	20.10.050, 20.10.060, 20.30.020
7. Right-of-Way Use	30 days	20.70.240-20.70.330
8. Shoreline Exemption Permit	15 days	Shoreline Master Program
9. Sign Permit	30 days	20.50.530-20.50.610
10. Site Development Permit	30 days	20.30.430
11. Variances from Engineering Standards	30 days	20.30.290
12. Temporary Use Permit	15 days	20.40.100, 20.40.540
13. Clearing and Grading Permit	60 days	20.50.290-20.50.370

Table 20.30.050 - Summary of Type B Actions, Notice Requirements, Target Time Limits for Decision, and Appeal Authority

Action	Notice Requirements: Application and Decision *	Target Time Limits for Decision	Appeal Authority	Section
Type B:				
1. Binding Site Plan	Mail	90 days	HE	20.30.480
2. Conditional Use Permit (CUP)	Mail, Post Site, Newspaper	90 days	HE	20.30.300
3. ~~Clearing and Grading Permit~~	Mail	~~60 days~~	HE	~~20.50.290-20.50.370~~
4. ~~3.~~ Preliminary Short Subdivision	Mail, Post Site, Newspaper	90 days	HE	20.30.410
5. ~~4.~~ SEPA Threshold Determination	Mail, Post Site, Newspaper	60 days	HE	20.30.490-20.30.710
6. ~~5.~~ Shoreline Substantial Development Permit , Shoreline Variance and Shoreline CUP	Mail, Post Site, Newspaper	120 days	State Shoreline Hearing Board	Shoreline Master Program
7. ~~6.~~ Zoning Variances	Mail, Post Site, Newspaper	90 days	HE	20.30.310

Key: HE = Hearing Examiner

* Public hearing notification requirements are specified in Section 4.e).

20.30.550

197-11-800 Categorical exemptions (flexible thresholds).

Note: the lowest exempt level applies unless otherwise indicated.

20.30.560

D. Any landfill or excavation of ~~100~~500 cubic yards throughout the total lifetime of the fill or excavation; any fill or excavation classified as Class I, II, or II forest practice under RCW 76.09.050 or regulations thereunder.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 360.C.1 & C.2 Page 184

Amendment Proposed:

Please describe your amendment proposal.

Reduce the number of replacement trees required.

Please describe the reason for your amendment proposal:

In administering this section of the code, it has become apparent that applicants are having a difficult time in fitting the required replacement trees on the lot after building is completed. We have had several arborists also mention the difficulty of putting this many trees on a built lot and expecting them to survive. This small change makes the code more reasonable while still meeting the intent.

Legislative Language:

1. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one ~~two~~ new trees.
 2. Each additional three inches in diameter at breast height equals one additional new tree, up to three ~~four~~ trees per significant tree removed.
-

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 410 Page 196 and 197

Amendment Proposed:

Please describe your amendment proposal.

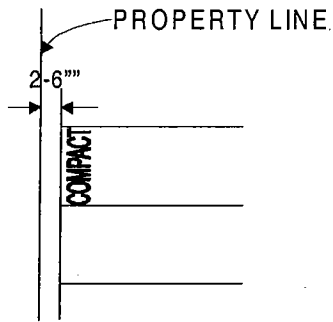
Change the dimension on the illustration for accessible space from 4'-5" to 3'-5" and

WAC citations to reflect State regulations.

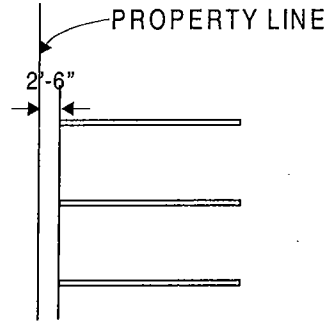
Please describe the reason for your amendment proposal:

Legislative Language:

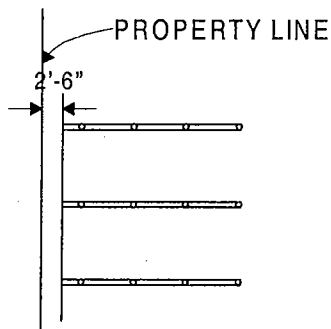
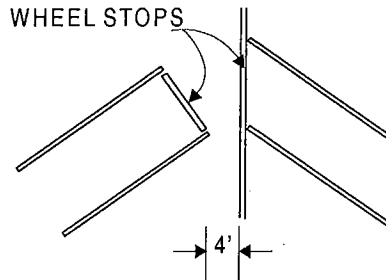
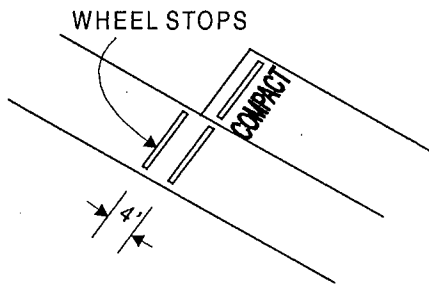
20.50.410



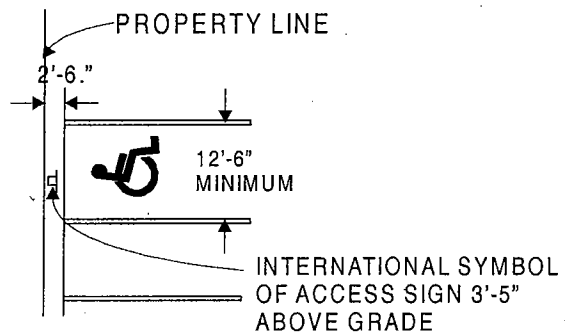
COMPACT MARKING



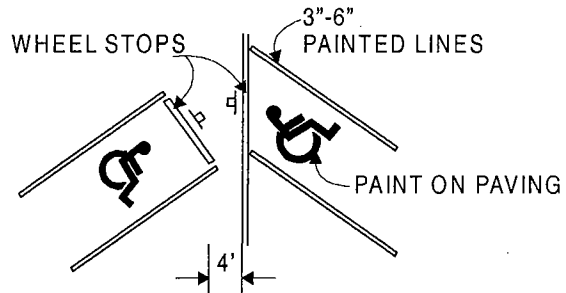
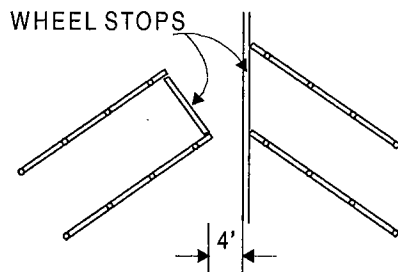
PAINTED HORSESHOE MARKING



**METAL OR PLASTIC
TRAFFIC MARKING**



HANDICAP MARKING



Please use additional sheets if necessary.

17544 Midvale Avenue North, Shoreline, Washington 98133-4921

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20.50.410 Parking design standards.

- I. Off street parking and access for physically handicapped persons shall be provided in accordance with ~~Section 7503 of the regulations adopted pursuant to Chapter 19.27 RCW, WAC 51-40-1100 Chapter 11 – Accessibility and subsequent addendum, State Building Code, and Chapter 70.92 RCW, Public Buildings—Provisions for Aged and Handicapped.~~

HOT TOPIC/DISCUSSION ITEM

Tab 32: Rewrite "Signs" sub-chapter

Staff proposed many amendments to the sub chapter on signs. Through the implementation of these regulations over the past year, staff noted the need to simplify or clarify several terms and add regulations for types of signage and scenarios that are not currently addressed. The Planning Commission received several comments on the original staff proposal that included adding banners and inflatable signs to the list of prohibited signs. Currently the Code regulates banners and inflatable signs as either freestanding or building mounted signs. By regulating banners and inflatable signs under these provisions, they are in effect prohibited in most cases.

The Planning Commission considered the public's comments regarding the proposed amendments to the Signs Subchapter and in response amended the proposed amendment by removing banners and inflatable signs from the list of prohibited signs and recommend adopting the amended proposal.

The current Code and the proposal as amended by the Planning Commission would regulate banners and inflatable signs on the basis of whether or not the sign could meet the Development Code's standards for signs found in Table 20.50.540 (B) and 20.50.540(C). Table 20.50.540 (B) specifies the maximum area per sign face, maximum height, maximum number permitted, and illumination of signs, and 20.50.540 (C) states that all signs must be constructed of durable and maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted. The debate at the Planning Commission ended with a recommendation to adopt the less controversial changes to this section of the Code at this time and work on refining some sections of the regulations for signs, including inflatable signs and banners, in 2002.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 530-610 Page 209-214

Amendment Proposed:

Please describe your amendment proposal.

Rewrite "Signs" sub-chapter. Note: The original proposal by staff has been amended by the Planning Commission in response to public testimony regarding the proposed prohibition on banners and inflatable signs. In the legislative version attached, you will find that banners and inflatable signs are **not** prohibited. Banners and inflatable signs would continue to be regulated using the maximum number, height and area per sign and other applicable standards as described in Subchapter 8 – Signs.

Please describe the reason for your amendment proposal:

The existing regulations are confusing and have been difficult to consistently administer.

Please see attached Legislative Language.

Please use additional sheets if necessary.

Subchapter 8.Signs

20.50.530 Purpose.

The purposes of this subchapter are:

- A. To provide standards for the effective use of signs as a means of identification that enhances the aesthetics of business properties, economic viability, and safety of the commercial districts.
- B. To protect the public interest and safety by minimizing the possible adverse effects of signs on nearby properties, traffic safety, and aesthetic welfare of the City.
- C. To establish regulations for the type, number, location, size, and lighting of signs that are complementary with the building use and harmonious with their surroundings. (Ord. 238 Ch. V § 8(A), 2000).

20.50.540 Sign standards.

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

B.Table.

Table 20.50.540B – Standards for Signs.

	All Residential (R) Zones	NB and O	CB, RB, and I
Free Standing Signs:			
Maximum Area Per Sign Face	4 sq. ft. (home occupation) Monument 10 sq. ft. (child care) 25 sq. ft. (non residential use, residential subdivision or multifamily development) 32 sq. ft. (schools)	Only Monument Signs are Permitted: 25 sq. ft. (single tenant) 10 sq. ft. for each tenant to max 50 sq. ft. (multi-tenant)	Monument Signs: 50 sq. ft. ~~25~~ (single tenant) 10 sq. ft. for each tenant to max. 50 sq. ft. (multi-tenant) Shopping Center/Mall Signs: 40 sq. ft. (single tenant) ~~Malls~~ must have more than 1 business 10 sq. ft. for each tenant to Max 100 sq. ft. (multi-tenant)
Maximum Height	42 inches	6 feet	20 feet Shopping Center/Mall: 20 feet monument: 8 feet
Maximum Number Permitted	1 per street frontage	1 per street frontage and <u>150 ft. apart.</u> <u>Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs.</u>	1 per street frontage <u>per property</u> and 150 ft. apart . <u>Two per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs.</u>
Illumination	External Only: Maximum 6 ft. from the sign display	Permitted	Permitted
Building-Mounted Signs:			
Maximum Sign Area	Same as for Freestanding Signs	25 sq. ft. (single tenant) <u>each tenant</u> <u>Building Directory 10 sq. ft.</u> for each tenant and maximum 50 sq. ft. (multi-tenant); 25 sq. ft. for <u>Building name sign.</u> <u>See Figure 20.50.580.</u>	
Canopy or Awning	Sign shall be maximum 25% of the canopy vertical surface Note: Counts toward total allowable signage		
Maximum Height (ft.)	Not to extend above the building parapet, eave line of the roof, or the windowsill of the second floor, which ever is less.		
Number Permitted	1 per street frontage	1 per business located on street frontage Note: <u>One building mounted sign per façade facing street frontage or parking lot</u>	1 per business located on street frontage Note: <u>One building mounted sign per façade facing street frontage or parking lot</u>
Illumination	External illumination only	Permitted	Permitted
Projecting Signs From A Building:			
Maximum Sign Area	6 sq. ft. <u>Non-Residential uses,</u> <u>schools, residential</u> <u>subdivision or multifamily</u> <u>development</u>	12 sq. ft.	12 sq. ft.
Minimum Clearance from	9 feet	9 feet	9 feet

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Minimum Clearance from Grade	9 feet	9 feet	9 feet
Maximum Height (ft.)	Not to extend above the building parapet, eave line of the roof, or the windowsill of the second floor, which ever is less.		
Number Permitted	1 per street frontage	1 per street frontage	1 per business located on street frontage
Driveway Entrance/Exit:			
Maximum Sign Area	4 sq. ft. <u>Non-Residential uses, schools, residential subdivision or multifamily development</u>	4 sq. ft.	4 sq. ft.
Maximum Height	42 inches	42 inches	42 inches
Number Permitted	<u>1 per driveway</u>	<u>1 per driveway</u>	<u>1 per driveway</u>

Exception 20.50.540(B)(1): If the applicant demonstrates that signs are an integral part of the architecture and site design, the Director may waive the above restrictions.

- C. 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 example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted.
- D. Window signs are permitted to occupy maximum 25 percent of the total window area.
- E. Street numbers should be installed on all buildings and will not be counted towards the permitted sign area. (Ord. 238 Ch. V § 8(B), 2000).
- F. Freestanding signs under 6' height can be at the property line without overhanging sidewalks or blocking sight distance requirements. All other signs must meet building setback requirements.*
- G. All externally illuminated signs shall shield adjacent properties from direct lighting.

20.50.550 Prohibited signs.

- A. Spinning devices; flashing lights; pennants.

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

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B. Portable signs, ~~banners and inflated signs or figures.~~

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

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

D. Outdoor advertising signs (billboards).

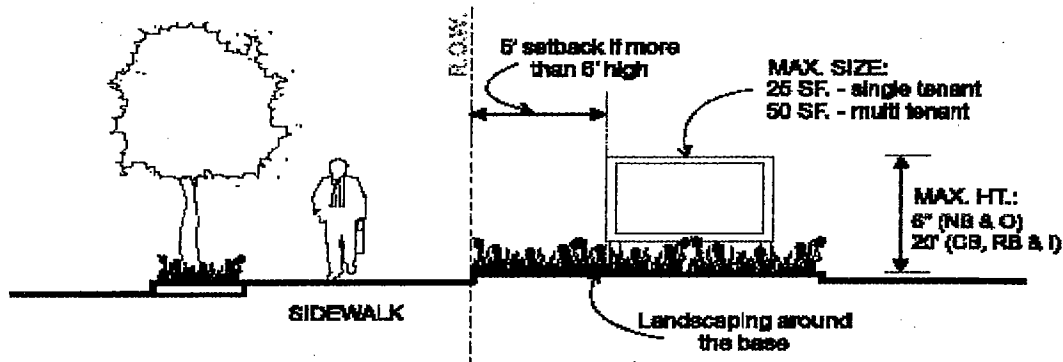
E. Signs mounted on the roof. (Ord. 238 Ch. V § 8(C), 2000).

20.50.560 Site-specific sign standards – Monument signs.

~~A. Number Per Site/Minimum Spacing. One per site, or 150-foot minimum spacing for sites with more than 250 linear feet of street frontage, more than six businesses, and with businesses without signs visible from the street. The sign should be near the principal entrance. Sites fronting on two streets may have one sign per street, provided the signs are at least 150 feet apart.
2 per street frontage if the frontage is greater than 250 ft. and each sign is minimally 150 ft. apart from other signs.~~

A. B. Location.

- Minimum Distance From Public Sidewalk: Zero feet if under 6 ft. in height.
 - Minimum Distance From Public Right-of-Way: five feet
 - Distance from side Property Line: 20 ft. If this setback not feasible, the Director may modify the requirement, subject to the approval of a signage plan.
- B. Mounting.** Solid base under at least 75 percent of sign width. Must be double sided if the back is visible from the street.
- C. Landscaping.** Low shrubs or floral displays. Provide a perimeter strip at least two feet wide around the base of the sign or a four-foot-wide strip of lawn or an alternate landscaping scheme as approved.



Change maximum sign size for single tenant to 50 sq. ft.
Redraw to show 0 ft setback if sign is 6 ft or under in height

Figure 20.60.560: Monument Sign.

(Ord. 238 Ch. V § 8(D-1), 2000).

20.50.570 Site-specific sign standards – Shopping center/mall type signs in CB, RB, and I Zones.

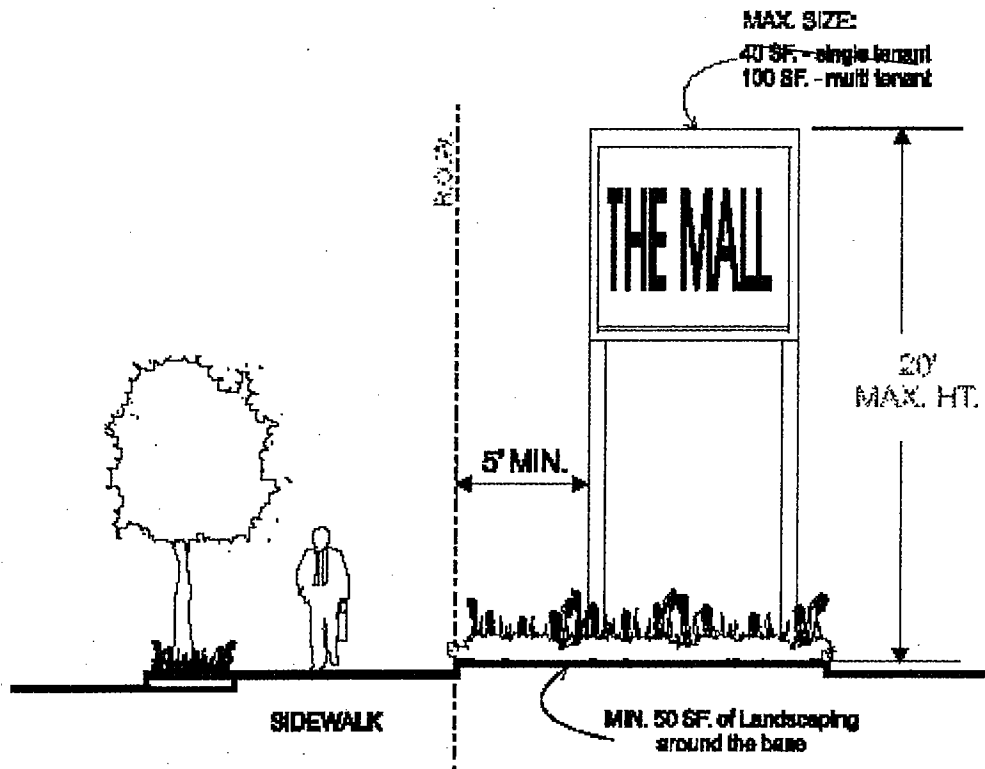
Site must be occupied by more than one business and have at least ~~200~~ 250 linear feet of frontage. Sites occupied by only one business may have a mall type sign *when a monument sign would interfere with safe visibility as designated in SMC*
 20.50.540. *A specific shopping center/mall signage plan is mandatory. The submittal requirements are available from the department.*

A. Location.

- Minimum Distance From Public Right-of-Way: five feet.
- Distance from Property Line: 20 feet. Minimum distance from interior property line: 20 feet. If this setback not feasible, the Director may modify the requirement, subject to the approval of a signage plan.

~~B. Number Per Site/Minimum Spacing.~~ ~~One per site, or 150-foot minimum spacing for sites with more than 250 linear feet of street frontage, more than six businesses, and with business without signs visible from the street. The sign should be near the principal entrance. Sites fronting on two streets may have one sign per street, provided the signs are at least 150 feet apart.~~
~~2 or more per street frontage if the frontage is greater than 250 feet and each sign is minimally 150 feet apart from the other freestanding signs.~~

- B. **Mounting.** Single-post mounting is discouraged unless the post is an architectural feature reflecting the architecture of building(s) or other site elements.
- C. **Landscaping.** Planting bed with small trees, shrubs, and/or floral displays, provided there is at least 50 square feet of landscaped area with trees, bushes, flowers, shrubs, or 100 square feet of lawn.



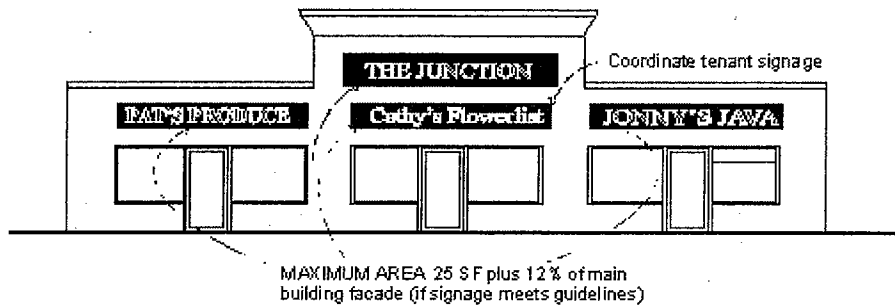
Redraw figure to include multi-tenant signage to add up to 100 sq. ft. and draw the figure to have dimensions matching the square footage.

Figure 20.50.570: Mall Sign.

(Ord. 238 Ch. V § 8(D-2), 2000).

20.50.580 Site-specific sign standards—Building-mounted signs—Individual letters (and symbols) or “boxed” display signs. Multi – Tenant Sign Bonus and Guidelines.

Tenant signs in multiple tenant buildings must be similar in mounting location, configuration, materials, and construction.



Amend above to read: Maximum Area 25 SF each sign plus 12% of main building façade (if signage meets guidelines)

Figure 20.50.580: Building-Mounted Sign.

(Ord. 238 Ch. V § 8(D-3), 2000).

20.50.590 Nonconforming signs.

- A. Nonconforming signs shall not be structurally altered without being brought to compliance with the requirements of this Code.
- B. Outdoor advertising signs (billboards) now in existence are declared nonconforming and may remain subject to the following restrictions:
 - 1. Shall not be increased in size or elevation, nor shall be relocated to another location.
 - 2. Shall be kept in good repair and maintained in a neat, clean, attractive, and safe condition. Grounds surrounding a billboard shall be kept free of debris, litter, and unsightly vegetation.
 - 3. **Removal.** Any outdoor advertising sign not meeting this Code shall be removed within 30 days of the date when an order by the City to remove such sign is given. (Ord. 238 Ch. V § 8(E), 2000).

20.50.600 Temporary signs.

Temporary signs are allowed subject to a temporary use permit; and provided, that no more than one such permit shall be issued at any time per business occupancy, nor shall more than four such permits be issued to any one business during any 12-month period. (Ord. 238 Ch. V § 8(F), 2000).

20.50.610 Exempt signs.

- A. Historic site markers or plaques, gravestones, and address numbers.
- B. Signs required by law, including but not limited to:
 - 1. Official or legal notices issued and posted by any public agency or court; or
 - 2. Traffic directional or warning signs.
- C. 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, which are nonilluminated, and which do not exceed four square feet in surface area.
- D. 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.
- E. State or Federal flags.
- F. Religious symbols.
- G. The flag of a commercial institution, provided no more than one flag is permitted per business premises; and further provided, the flag does not exceed 20 square feet in surface area.
- H. Neighborhood identification signs with approved placement and design by the City.
- I. Neighborhood and business blockwatch signs with approved placement of standardized signs acquired through the City of Shoreline Police Department.
- J. Plaques, signs or markers for landmark tree designation with approved placement and design by the City. (Ord. 238 Ch. V § 8(G), 2000).
- K. Existing signs that only replace the copy face and do not alter the size or structure of the existing sign.
- L. Real estate signs for single family residences.
- M. City sponsored event signs up for no more than 2 weeks.

Summary of Written Comments Received to date for Tab 32:

TAB #	Name of Person Commenting	Comment Summary	Notes
32	Jeanne Monger	Exempt signs that are part of the architecture from the total sign area calculations.	
32	Jeanne Monger	Do not prohibit banners for special community events.	The Planning Commission amended the proposed amendment by removing banners from the list of prohibited signs.
32	Robert Ransom	Amend Section 20.50.550 (E) to allow signs mounted on the roof.	
32	Cindy Ryu	20.50.550 – Ensure that provisions remain in the Code to allow businesses to use sandwich board signs. Asks questions about open house signs on private property and how to prove nonconforming signs existed prior to adoption of the Code.	The proposed amendment to the Sign Subchapter leaves the exception for one sidewalk sandwich board sign per business in the NB, O, CB, RB and I zones.
32	Rick Stevens	Disagrees with the prohibition of banners and inflated signs or figures.	The Planning Commission amended the proposed amendment by removing banners and inflatable signs from the list of prohibited signs.
32	Rick Stevens	Disagrees with clarifying that the exceptions provided for prohibited signs should only be allowed in commercial zones.	
32	Jerilee Noffsinger	Requests that banners and moveable signs be allowed in commercial zones.	The Planning Commission amended the proposed amendment by removing banners and inflatable signs from the list of prohibited signs.



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number ?

Comments:

*Modify sign ordinance to allow
a ~~bar~~ sign attached to building as part
of the "architecture" shall not count
as sign area - need design
parameters & standards*

PLEASE PRINT:

Name: Jeanne Monger

Address.: 1832 N 190th 98133

**PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.**

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number 160

Comments:

Event signage - ie 'Shoreline
Ants festival banners etc?
prohibit? against if true.
these advertise major community events.

PLEASE PRINT:

Name: Jeannie Monger

Address: 1832 N. 190th 98133

PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number _____

Comments:

There is A INCONSISTENCY between
20.50.550 (E) SIGNS mounted on the
Roof. The Council After much
debate specifically Allowed the sign
on "AURORA RENTS" ~~AND~~ AS AN Allowable
sign. Since this section says Prohibited,
this is INCONSISTENT with the Comprehensive
PLAN.

PLEASE PRINT:

Name: _____

Address: _____

Robert L. Ransom

16745 BURKE NORTH, 98133

PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number 157 & 162

Comments:

B - PORTABLE SIGNS

20.50.550 - PLS. MAKE SURE BUSINESSES CAN
DISPLAY ^{SIDEWALK} SANDWICH SIGNS.

- HOW ARE "OPEN HOUSE" SIGNS @
PRIVATE DWELLINGS AFFECTED?

ARE THERE TIME LIMITS ON
HOW LONG THESE CAN STAY OUT?

20.50.550 - E SIGNS ON ROOFS - EXISTING ONES
HOW DO WE PROVE IT WAS ALREADY THERE

PLEASE PRINT:

Name: CINDY RYN

Address.: 15215 Aurora Ave N Shoreline, WA 98133

**PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.**

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number 162

Comments:

DISAGREE. BAD FOR BUSINESS

PLEASE PRINT:

Name: Rick STEPHENS

Address.: 18005 BUNOAT AVE N

**PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.**

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number 157

Comments:

DISAGREE LBNB AS IS

PLEASE PRINT:

Name: Rick Stephens

Address.: 18005 Aurora Ave N

**PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.**

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921



Development Code Amendment Comment Form

Submit only one request per form. (You may submit as many forms as needed)

PLEASE SPECIFY:

Amendment Log Number _____

Comments:

Please do not take away
the banners and movable signs
business use, as a means of
keeping advertising affordable.
Businesses need affordable adver-
tising in addition to newspaper ads, etc.

PLEASE PRINT:

Name: Jerilee Noffsinger

Address: 14731 Aurora Ave N.

PLEASE RETURN COMMENTS TO RACHAEL MARKLE AT THE ADDRESS
BELOW ON OR BEFORE 5:00 P.M. ON OCTOBER 11, 2001.

To: Planning and Development Services
17544 Midvale Avenue North, Shoreline, Washington 98133-4921

Additional Public Comment Received After the Public Hearing		
TAB #	Name of Person Commenting	Comment Summary
32	Dan Mann 17920 Stone Avenue N	Thanked the Commission for listening to the merchants regarding the proposed changes to the sign ordinance. Urged the Commission to enlist the Chamber of Commerce if further review of the sign subchapter is planned. <i>(For more information see the 11/1/01, 11/16/01, and 12/6/01 Planning Commission Minutes)</i>



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.50 Section 490 Page 205

Amendment Proposed:

Please describe your amendment proposal.

Add after first sentence: "Multi-family development more than 4 units shall use Type I landscaping when adjacent to single family zoning and Type II landscape when adjacent to multi-family and commercial zoning with the required setbacks."

Please describe the reason for your amendment proposal:

This is a development category not addressed under the current development code.

Legislative Language: 20.50.490

B. Multifamily development of more than four (4) units shall use Type I landscaping when adjacent to single family residential zones and Type II landscaping when adjacent to multifamily residential and commercial zoning within the required yard setback.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.60 Section 30 Page 221

Amendment Proposed:

Please describe your amendment proposal.

All development proposals shall be served by ~~an adequate~~ a public wastewater disposal system, including both collection and treatment facilities. Prohibit septic tanks. Require connection to public wastewater system as a permitting requirement for building permits, certification of occupancy, preliminary plats, other land use approvals, change of use, final plat, building site plan and rezone.

Please describe the reason for your amendment proposal:

Septic tanks that fail are a health hazard that becomes a problem for the City.

Legislative Language:

20.60.030 Adequate wastewater (sewer) disposal

All development proposals shall be served by ~~an adequate~~ a public wastewater disposal system, including both collection and treatment facilities as follows:

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.70 Section 050 Page 237

Amendment Proposed:

Please describe your amendment proposal.

Adding regulations that describe under what circumstances the City will assume maintenance responsibilities for a privately maintained street.

Please describe the reason for your amendment proposal:

Clarification that the City does not maintain all public right-of-ways as streets, and that some right-of-ways have been improved for private use, and are privately maintained.

Legislative Language:

20.70.50 Dedication of right of way

C. The Public Works Department shall maintain a list of public streets maintained by the City. The City may assume maintenance responsibility of a privately maintained street only if the following conditions are met:

1. All necessary upgrades to the street to meet City standards have been completed;
2. All necessary easements and dedications entitling the City to properly maintain the street have been conveyed to the City;
3. The Director has determined that the facility is in the dedicated public right of way or that maintenance of the facility will contribute to protecting or improving the health, safety, and welfare of the community; and
4. The City has accepted maintenance responsibility in writing.

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.70 Section 190 Page 245-246

Amendment Proposed:

Please describe your amendment proposal.

Replace information under subsection C. as follows

A. For the intersection of a residential driveway with a public street, a sight distance triangle for a site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the end points of the first two sides of each triangle.

Please describe the reason for your amendment proposal:

This is a much simpler way explaining this requirement

Legislative Language:

20.70.190

C. For the intersection of a residential driveway with a public street, a sight distance triangle for a site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the end points of the first two sides of each triangle.

~~C. Residential Driveway Intersection~~

~~For the intersection of a residential driveway with a public street, the setback line joins a point in the center of the driveway (Point A) with a point in the center of the through-street approach lane (Point B). The setback distance of Point A from the edge of the traveled lane is 10 feet. The location of Point B is specified in the following table:~~

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Posted Speed Limit For Major Street	Distance from Center of Intersection to Point B
40 MPH	325 Feet
35 MPH	250 Feet
30 MPH	200 Feet
25 MPH	150 Feet

When the residential driveway is located on a residential street with a sharp curve adjacent to the driveway, the distance to Point B may be reduced from 150 feet to 100 feet. For residential driveways with major obstacles or special view problems, as determined by the Director, the setback distance on the driveway (Point A) may be reduced from 10 feet to eight feet.

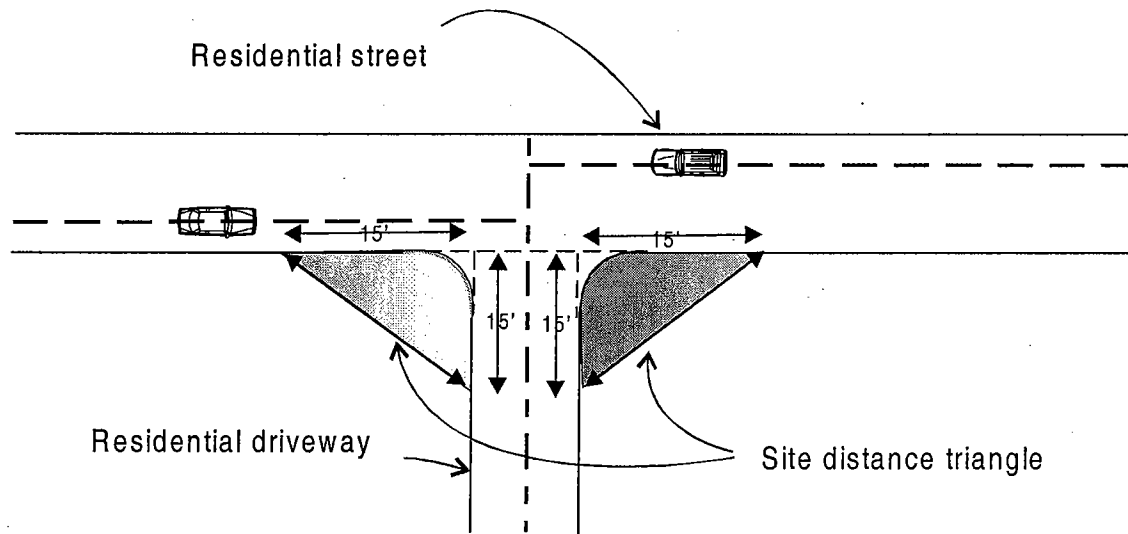


Figure 20.70.190(C) Site distance triangle for residential driveway intersections.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 20.80 Section 240 Page 276

Amendment Proposed:

Please describe your amendment proposal.

Develop regulations for Erosion Hazard Areas- Development Standards and Permitted Alterations.

Please describe the reason for your amendment proposal:

Provide more direction for modification of these areas.

Legislative Language:

Tab 43: Log #078 (Revised)

Note: change existing 20.80.240(E) to (F) and insert new (E)

(E) Erosion Hazard Areas .

1. Up to 1,500 square feet may be cleared on any lot in an erosion hazard area without a permit, unless the site also contains another type of critical area or any other threshold contained in SMC 20.50.320 would be exceeded.
2. All development proposals on sites containing erosion hazard areas shall include a temporary erosion and sediment control plan consistent with the requirements of the adopted surface water design manual and a revegetation plan to ensure permanent stabilization of the site. Specific requirements for revegetation plans shall be determined on a case by case basis during permit review and administrative guidelines shall be developed by the Department. Critical area

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- revegetation plans may be combined with required landscape, tree retention, and/or other critical area mitigation plans as appropriate.
3. All subdivisions, short subdivisions or binding site plans on sites with erosion hazard areas shall comply with the following additional requirements:
 - a. Except as provided in this section, existing vegetation shall be retained on all lots until building permits are approved for development on individual lots;
 - b. If any vegetation on the lots is damaged or removed during construction of the subdivision infrastructure, the applicant shall be required to implement the revegetation plan in those areas that have been impacted prior to final inspection of the site development permit or the issuance of any building permit for the subject property;
 - c. Clearing of vegetation on individual lots may be allowed prior to building permit approval if the City of Shoreline determines that:
 - i. Such clearing is a necessary part of a large scale grading plan,
 - ii. It is not feasible to perform such grading on an individual lot basis,
and
 - iii. Drainage from the graded area will meet water quality standards to be established by administrative rules.
 4. Where the City of Shoreline determines that erosion from a development site poses a significant risk of damage to downstream receiving water, the applicant shall be required to provide regular monitoring of surface water discharge from the site. If the project does not meet water quality standards established by law or administrative rules, the City may suspend further development work on the site until such standards are met.
 5. The City may require additional mitigation measures in Erosion Hazard Areas, including, but not limited to, the restriction of major soil disturbing activities associated with site development between October 15 and April 15 to meet the stated purpose contained in SMC 20.80.010 and SMC 20.80.210.
 6. The use of hazardous substances, pesticides and fertilizers in erosion hazard areas may be prohibited by the City of Shoreline.
-
-

Please use additional sheets if necessary.



Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

X Development Code: Chapter 20.50 Section 040 G1 Page 132

Amendment Proposed:

Please describe your amendment proposal.

1. Eliminate the word "side"

Please describe the reason for your amendment proposal:

As is written, allows projections into the 5 foot rear yard setback in medium and high density zones (or as allowed by aggregate setbacks). Intent was not to have any projections into the minimum 5 foot setback (I think).

Legislative Language:

20.50.40 Setbacks – Designation and measurement.

G. Projections into Setback.

1. Projections may extend into required yard setbacks as follows, except that no projections shall be allowed into any five foot ~~side~~-yard setback except:
 - a. Gutters;
 - b. Fixtures not exceeding three square feet in area (e.g., overflow pipes for sprinkler and hot water tanks, gas and electric meters, alarm systems, and air duct termination; i.e., dryer bathroom, and kitchens); or
 - c. On-site drainage systems.
-

Please use additional sheets if necessary.

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Comprehensive Plan/Development Code Amendment Proposal Form – Staff Initiated

Planning and Development Services

Name: Staff

☐ Comprehensive Plan: Element _____ Policy _____ Page _____

☒ Development Code: Chapter 50 Section 480.D.5 Page 299

Amendment Proposed:

Please describe your amendment proposal.

Redefine the phrase “educational facilities”. Currently the Code allows for educational facilities to be constructed in stream buffers, but does not define what an educational facility may encompass.

Please describe the reason for your amendment proposal:

It's too broad of a category to allow in a stream setback; could be interpreted to mean a school

Legislative Language:

20.80.480 Required buffer areas.

D. 5. the construction and placement of informational signs or educational demonstration facilities limited to no more than one square yard surface area and four feet high, provided there is no permanent infringement on stream flow.

Please use additional sheets if necessary.