



**Agenda  
Planning Commission  
Wednesday, January 23, 2019  
City Hall Council Chambers 6:00 PM**

Page

1. CALL TO ORDER
2. ROLL CALL
3. FLAG SALUTE
4. PUBLIC COMMENT  
Individuals may speak for three minutes and representative of organizations for five minutes.  
Please approach the podium and state your name, city and neighborhood of residence prior to comment.
5. COMMISSION COMMENTS
6. APPROVAL OF FINAL AGENDA
  - 6.1 Finalization of Planning Commission Meeting Agenda for January 23, 2019
7. GENERAL BUSINESS
  - 7.1 Discussion of Downtown Parking 2-19  
Dave Van De Weghe, Senior Planner  
[AB to PC – Downtown Parking](#)  
[Exhibit 1 Zoning Map](#)  
[Exhibit 2 Parking Ratios Compared](#)  
[Exhibit 3 Functional Street Classification](#)
  - 7.2 Discussion of Nonconforming Buildings Downtown 20-24  
Dave Van De Weghe, Senior Planner  
[AB to PC – Nonconforming Buildings Downtown](#)  
[Exhibit 1 Aerial Photo](#)
9. PUBLIC COMMENT
10. REPORTS
  - 10.1 Commission Chair
  - 10.2 Community Development Director
11. PLANNING CALENDAR
  - 11.1. Special Planning Commission Meeting – Wednesday, February 27, 6 p.m. at City Hall Council Chambers
12. COMMISSION COMMENTS
13. ADJOURNMENT

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Please contact the City Clerk's Office by Noon on any meeting date for assistance at 425.649.4444 – X-102.  
Planning Commission Meetings are audio recorded.

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**Steve Osguthorpe**

COMMUNITY DEVELOPMENT DIRECTOR

**Charlie Gadzik   Stacy Lynch   Karin Blakley   Brian Cannard   Bryan Brewer   Rodd Kippen   Kurt Utterback**  
COMMISSIONERS



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# **PLANNING COMMISSION AGENDA ITEM**

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**TOTAL PAGES: 19**

**EXHIBITS:**

1. Newcastle Zoning Map
2. Parking Ratios Compared
3. Functional Street Classification

**TITLE:** Downtown Parking

**ACTION PROPOSED:** Discuss the city's current parking regulations and newly adopted changes to residential parking standards and provide direction to staff to draft potential amendments to existing regulations.

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**SUMMARY**

Planning Commissioners will review and discuss the City of Newcastle's current parking standards and review the information that they requested staff to provide at the December 14, 2017 meeting, relative to parking standards for the downtown. Planning Commissioners should provide staff with direction on what further research may be needed and what additional issues related to downtown parking should be considered.

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**FISCAL IMPACT**

No fiscal impact is anticipated.

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**BACKGROUND**

During the Planning Commission's review and discussion of the Downtown Strategic Plan in 2017, the Commission recommended that parking standards be added as a high priority work program item on the Commission's 2018 Work Plan. City Council requested that the Commission address the adequacy of existing parking standards for the downtown zones, should redevelopment occur prior to the parking standards being reviewed. In response, the Commission requested that staff provide a summary of the existing parking spaces within the two shopping centers in relation to the required parking ratio requirements currently in effect in the Newcastle Municipal Code and zoning code regulations. The analysis that staff provided to the Commission demonstrated that the two shopping centers had parking in excess of what the code required.

## AGENDA ITEM #7.1

SUMMARY OF PARKING AVAILABLE IN DOWNTOWN SHOPPING CENTERS							
	Parcel Description	Building Size (Sq. ft.)	Land Use	Parking Standard	Spaces provided	Spaces Required	Difference in spaces
	Safeway	46,940	Retail/Trade	3 per 1,000 square feet	201	140	60 (Excess)
	Starbucks/ Bartells/	41,481			220	124	96 (Excess)
	Key Bank	3398	Business Services	3 per 1,000 square feet	6	10	4 (required)
<b>Total</b>		91,819			427	275	152 (Excess)
	QFC Plaza	56,438	Retail/Trade	3 per 1,000 square feet	260	169	91 (Excess)

The Commission concluded that additional parking discussion would occur as part of the parking standards update in 2018. Due to staff turnover, a formal code amendment was delayed and shifted to the 2019 Planning Commission Work Plan.

At the time, the Commission believed that the City's existing parking standards are in line with, and perhaps more stringent than, parking requirements of other jurisdictions. However, the City Council expressed concerns over the implications of allowing new development to move forward without ensuring that residential development that may occur in the downtown under the proposed plan would not consume parking required for other non-residential uses and impact the availability of street parking.

In response, staff evaluated parking requirements of surrounding jurisdictions as they apply to multifamily development in both downtown settings and in typical multifamily zoning district. Parking requirements were studied for the cities of Newcastle, Bellevue, Renton, Seattle, Kirkland and Mountlake Terrace. Research indicated Newcastle than the cities of Bellevue and Kirkland, and more parking than the cities of Seattle, Renton and Mountlake Terrace.

Based upon the above comparisons, staff developed the following code provisions to ensure that the City's requirements are on the high side of parking in a downtown setting in comparison to other cities cited. The provisions would adopt the same parking requirements as Bellevue, except that they would impose slightly more parking than Bellevue for units of three bedrooms or more, and they would also require extra spaces for guest and surplus parking (i.e., one addition space for every 10 parking spaces). The provisions also ensure that parking for residential and commercial uses are kept separate and distinct, thereby addressing Council concerns that tenants of residential units might consume the surface and street parking spaces otherwise available for commercial uses. These standards apply to the Downtown Core (DC) and Downtown Transition (DT) zoning districts. Exhibit 1, the City's zoning map, illustrates the location of this zoning. The following provisions were adopted by Council as part of the Downtown Strategic Plan associated text amendments in 2017:

**18.15.140 Downtown Parking Provisions – Downtown Core and Downtown Transition Zones (DRAFT)**

A. Non-residential development. Parking for all nonresidential development in the downtown zones shall be provided as specified in NMC 18.80.030(F).

B. Residential development. Parking for all residential development in the downtown zones shall be provided as follows:

Land Use	Minimum Parking Spaces Required
One-bedroom or studio unit	1.2 per dwelling unit*
Two-bedroom unit	1.6 per dwelling unit*
Three or more bedroom unit	2.0 per dwelling unit*
Other residential unit types	As specified in NMC 18.18.030(F)
*Plus one extra space for every 10 dwelling units rounded upward to the nearest multiple of 10.	

C. Designated and reserved residential parking spaces. Required parking for residential dwelling units shall be located in areas separate from parking for other onsite uses, and shall be reserved for use of the residential tenants on the site. Required residential parking spaces shall not be let out or used for other uses on the site, for uses on abutting sites, or for commuter parking.

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**DISCUSSION****Separate Parking Areas**

The existing code that was amended as part of the Downtown Strategic Plan references a requirement for “separate” parking areas between residential uses and other on-site uses. The Commission requested that thresholds for the separate parking areas be better defined.

NMC 18.15.150.C. states “Required parking for residential dwelling units shall be located in areas separate from parking for other on-site uses, and shall be reserved for use of the residential tenants on the site. Required residential parking spaces shall not be let out or used for other uses on the site, for uses on abutting sites, or for commuter parking.” Staff is recommending clarifying the provision by specifying that parking areas for residential uses be designated as separate lots or garages from non-residential parking areas.

**Parking Ratios**

Because Newcastle does not currently have requirements for on-street parking, the Commission wanted to discuss including such provisions. Staff has included as Exhibit 2, a comparison of off-street parking ratios in

neighboring jurisdictions, for the Commission's review and discussion. Coal Creek Parkway would not be able to accommodate on-street parking due to the high traffic speeds and its classification as an arterial. Neighborhood collectors currently have provisions for a parking lane. On-street parking also occurs informally on local access streets, whether there is a designated parking lane or not. Exhibit 3 illustrates the functional classifications of all the streets within Newcastle and where they exist. The City's Public Works standards could also be amended to provide for on-street parking if there is sufficient width. However, parking lanes would only be added as a result of new development or redevelopment.

Both Newcastle and the majority of the jurisdictions listed in Exhibit 2 have parking ratios which require that each land use within a mixed use development provide adequate parking for each specific land use individually, unless the development were able to demonstrate through a parking study that a different ratio could be utilized, or through a shared or cooperative parking agreement.

While parking standards may need adjustment, staff notes that parking ratios and minimum standards that result in an excess of parking are inconsistent with the City's policies of reducing impervious surface and implementing the City's National Pollutant Discharge Elimination System (NPDES) requirements under the Clean Water Act. Additionally, excess parking takes away from development potential that could be utilized for other uses, which is particularly constrained in Newcastle given the limited area that has the opportunity to be redeveloped. Finally, excess parking could discourage development and redevelopment due to the increased costs of providing the added parking.

### **Compact Parking Standards**

NMC 18.18.120.C allows for a maximum of up to 25 percent of parking spaces to be designated as compact spaces. During the code amendment to incorporate Low Impact Development, the Commission discussed this issue extensively. It appears from the record that staff was recommending up to 35 percent as compact spaces, whereas the Commission felt unequivocally that the 35 percent threshold was too high. With recent changes in staffing it is not clear where the 35 percent figure came from, but current staff agrees that 35 percent may indeed be too high. Newcastle is still much more suburban than, for example, Seattle, and larger vehicles still appear to be a common preference of Newcastle residents. Staff is requesting that the Commission provide direction on the scope of information to be evaluated relative to compact parking spaces.

**Parking Stall Dimensions and Enforcement**

NMC 18.18.120.B provides the minimum parking dimensions, which are included below:

**MINIMUM PARKING STALL AND AISLE DIMENSIONS**

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY	2-WAY	UNIT DEPTH 1-WAY	2-WAY
0	Min 9.0	22.5	9.0	12.0	20.0	29.0	37.0
30	Min 9.0	18.0	16.0	10.0	20.0	42.0	53.0
45	Min 9.0	12.5	17.0	12.0	20.0	50.0	58.0
60	Min 9.0	10.5	18.0	18.0	20.0	58.0	60.0
90	Min 9.0	9.0	18.0	23.0	23.0	63.0	63.0

The dimensions and number of parking spaces are reviewed for conformance to the above requirements during site plan review, and they are enforced during final punch-list inspections by the City. The developer is required to meet the minimum number of parking spaces based on the land use, or as amended through a parking analysis which provides the Director with authority to provide alternate parking ratios if the analysis supports the proposed parking count. If the Commission sees the need to adjust these standards, then staff requests guidance on possible changes.

**Charging Stations & Rideshare Spaces**

The Commission also requested additional information relating to requirements for electric vehicle charging stations being provided as part of any new development. In reviewing regulations in the jurisdictions used for comparison, the majority of the jurisdictions did not regulate a minimum threshold for electric vehicle charging stations when new development or redevelopment was being proposed; with the exception of Mountlake Terrace.

The table below illustrates the minimum standards used in the City of Mountlake Terrace.

**Required Number of Electric Vehicle Charging Stations**

Land Use Type	Percentage of Parking Spaces
Multi-household residential	10%
Lodging	3%
Retail, eating and drinking establishment	1%
Office, medical	3%
Industrial	1%
Institutional, municipal	3%
Recreational/entertainment/cultural	1%
Other	3%

All the other jurisdictions in question had requirements for the number of accessible electric vehicle charging stations, if charging stations were being incorporated into the new development, and minimum spacing and design requirements. Staff is requesting that the Commission provide direction on whether this provision is adequate, if additional thresholds should be evaluated, or if the City should even move in this direction.

NMC 18.18.100 requires that one space for every 20 required spaces be designated as reserved for rideshare purposes. This standard could be adjusted should the Commission determine more or less spaces are needed.

### **Provisions for shared parking**

NMC 18.18.150 provides the following requirements when shared parking is being proposed.

- A. The total parking area exceeds 5,000 square feet;
- B. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than 800 feet from the most remote shared facility;
- C. The amount of the reduction shall not exceed 20 percent for each use, unless:
  - 1. The normal hours of operation for each use are separated by at least one hour; or
  - 2. A parking demand study is prepared by a professional traffic engineer and submitted by the applicant documenting that the hours of actual parking demand for the proposed uses will not conflict and that uses will be served by adequate parking if shared parking reductions are authorized;
  - 3. The director will determine the amount of reduction but subject to subsection (D) of this section; D. The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;
- E. A covenant or other contract for shared parking between the cooperating property owners is approved by the director. This covenant or contract must be recorded with the county records and elections division as a deed restriction on both properties and cannot be modified or revoked without the consent of the director; and
- F. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the director.

Staff is requesting that the Commission provide specific direction relating to additional changes that they would like incorporated within the shared parking provisions.

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### **ACTION RECOMMENDED**

Discuss the city's current parking regulations and newly adopted changes to residential parking standards and provide direction to staff to draft potential amendments to existing regulations based on tonight's discussion.







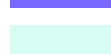



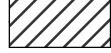
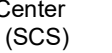
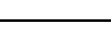
AGENDA ITEM #7.1  
City of Newcastle  
Zoning Map







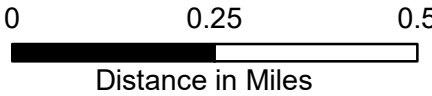
EXHIBIT 1

Legend

Zoning Districts

	DC		R-01
	DT		R-04
	NB		R-06
	MU		R-12
	MU-C		R-24
	MU-R		LOS
	Shopping Center Subdistrict (SCS)		

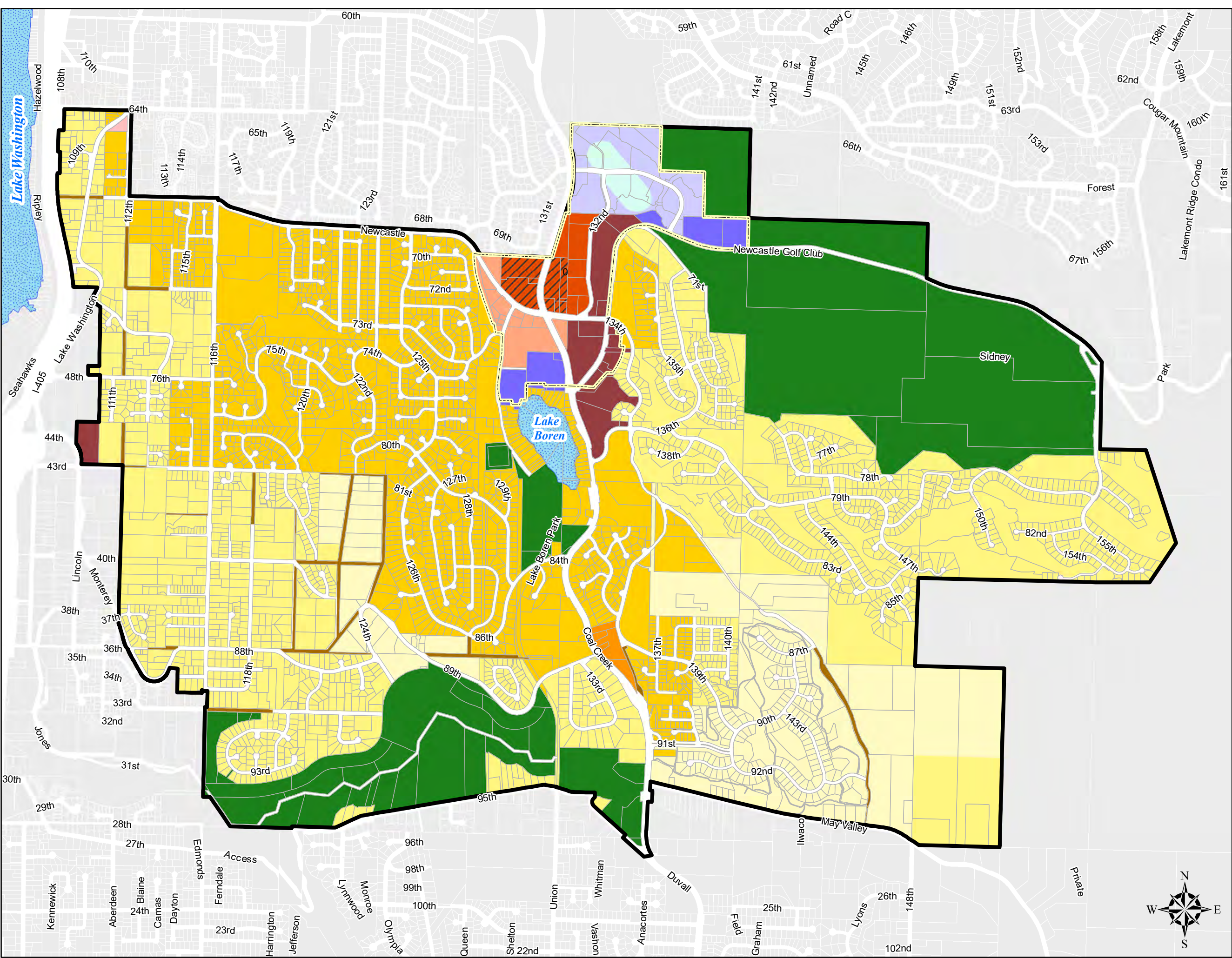
	Community Business Center Overlay Boundary
	City Boundary
	Unbuilt Rights-of-Way
	Lake Boren



Source: King County (Parcel Data; Street Labels; Water Bodies) & City of Newcastle (Zoning Districts; CBC Boundary; Unbuilt ROW)

Adopted: XX/XX/2017, Newcastle City Council  
Created: Thara Johnson, 11/27/2017

Disclaimer: No claims are made as to the accuracy or the completeness of the data contained on this map. The information is presented solely for reference purposes. Exact locations of all property lines, structures, site conditions, or zoning districts should be verified.



# AGENDA ITEM #7.1

## EXHIBIT 2

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
Residential													
Single detached	2.0 per dwelling unit	Single family more than 3,000 sq ft	3 stalls, 2 covered stalls	Single-family detached	2:unit	Single detached/townhome	2.0 per dwelling unit	Detached dwellings:	A minimum of 2 per dwelling unit, however, 1 per dwelling unit may be permitted for 1 bedroom or less dwelling units. Tandem parking is allowed. A maximum of 4 vehicles may be parked on a lot, including those vehicles under repair and restoration, unless kept within an enclosed building.	Assisted Living Facility	1.7 per independent unit. 1 per assisted living unit.	Single household dwelling	2 spaces per dwelling
Townhome	2.0 per dwelling unit (tandem spaces allowed)	Single family less than 3,000 sq ft	2 stalls, 1 covered stall	Multifamily 1 unit	1.2:unit			Manufactured homes within a manufactured home park:	A minimum of 2 per manufactured home site, plus a screened parking area shall be provided for boats, campers, travel trailers and related devices at a ratio of 1 screened space per 10 units. A maximum of 4 vehicles may be parked on a lot, including those vehicles under repair and restoration, unless kept within an enclosed building.	Attached or stacked dwelling units	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit.		
							Apartment:					Multiple household dwellings:	
Apartments:		Multi-family	2 per unit	Multifamily 2 unit	1.6:unit	Studio units	1.2 per dwelling unit*	Congregate residences:	A minimum and maximum of 1 per sleeping room and 1 for the proprietor, plus 1 additional space for each 4 persons employed on the premises.			Studio: 1.0 space	1 space
Studio units	1.0 per dwelling unit*	Nursing homes and residential care facilities	1 per four beds	Multifamily 3 unit	1.8:unit	One-bedroom units	1.5 per dwelling unit*	Assisted living:	A minimum and maximum of 1 space per residential unit of assisted living, plus dedicated parking spaces for facility fleet vehicles.			1 bedroom: 1.5 spaces	1.5 spaces
One-bedroom units	1.0 per dwelling unit*			Senior Housing:		Two-bedroom units	1.7 per dwelling unit	Attached dwellings in RMF, R-14 and R-10 Zones:	A minimum and maximum of 1.6 per 3 bedroom or large dwelling unit; 1.4 per 2 bedroom dwelling unit; 1.0 per 1 bedroom or studio dwelling unit.			2 or more bedrooms: 2 spaces	2 spaces
Two-bedroom units	1.5 per dwelling unit* (tandem spaces allowed)			Nursing home	0.33:bed (min)/ 0.55:bed (max)	Three-bedroom units or larger	2.0 per dwelling unit	Attached dwellings within all other zones:	1 per dwelling unit is required. A maximum of 1.75 per dwelling unit is allowed.			Guest spaces:	1 guest or loading space per 10 units (excluding any development of 10 or less units)
Three-bedroom units or larger	2.0 per dwelling unit* (tandem spaces allowed)			Congregate care	0.5:unit (min)/ 1.5:unit (max)			Attached dwelling for low income:	A minimum of 1 for each 4 dwelling units is required. A maximum of 1.75 per dwelling unit is allowed.				
				Senior citizen dwelling	0.8:unit (min)/ 1.5:unit (max)	Mobile home park	2.0 per dwelling unit	Live-work unit, residential unit:	A minimum and maximum of 1 per unit.				
Mobile home park	2.0 per dwelling unit			Rooming boarding	1:rented room	Senior citizen assisted	1 per 2 dwelling or sleeping units	Accessory dwelling unit:	1 per unit is required. A maximum of 2 per unit is allowed.				
Senior citizen assisted	1 per 3 dwelling units					Community residential facilities	1 per 2 bedrooms	Attached dwellings:	A minimum and maximum of 1 per unit.				

## AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace		
Residential														
Community residential facilities	1 per 2 bedrooms					Dormitory, including religious	1 per 2 bedrooms	Attached dwellings for low income:	1 for every 4 dwelling units is required. A maximum of 1.75 per dwelling unit is allowed.					
Dormitory, including religious	1 per 2 bedrooms					Hotel/motel, including organizational hotel/ lodging	1 per bedroom	Congregate residences:	A minimum and maximum of 1 per 4 sleeping rooms and 1 for the proprietor, plus 1 additional space for each 4 persons employed on the premises.					
Hotel/motel, including organizational hotel/ lodging	1 per bedroom					Bed and breakfast guesthouse	1 per guest room, plus 2 per facility	Assisted living:	A minimum and maximum of 1 space per residential unit of assisted living, plus dedicated parking spaces for facility fleet vehicles.					
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility							Detached dwellings (existing legal):	A minimum of 2 per unit. A maximum of 4 vehicles may be parked on a lot, including those vehicles under repair and restoration, unless kept within an enclosed building.					

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace		
RECREATIONAL/CULTURAL														
Recreation/culture uses:	3 per 1,000 square feet	Civic and social organizations, public facilities, and theaters with fixed seats	1 per 4 fixed seats	Auditorium/assembly room/exhibition hall/theater/commercial recreation	1:4 fixed seats or 10:1,000 nsf if there no fixed seats	Recreation/culture uses:	3 per 1,000 square feet	Outdoor and indoor sports arenas, auditoriums, stadiums, movie theaters, and entertainment clubs:	A minimum and maximum of 1 for every 4 fixed seats or 10 per 1,000 square feet of floor area of main auditorium or of principal place of assembly not containing fixed seats, whichever is greater.	Church	1 for every four people based on maximum occupancy load of any area of worship	Public Assembly	1 space for each adults	
Exceptions:		Civic and social organizations, public facilities, and theaters without fixed seats	1 space per 75 square feet of gross floor area			Exceptions:		Bowling alleys:	A minimum and maximum of 2 per alley.	Private lodge or club	1 per 300 square feet of gross floor area	Lodging	1 space for each unit/suite	
Bowling center	5 per lane	Hotels and Motels	1 per sleeping unit, plus 1 per full-time employee on duty on any given shift			Bowling center	5 per lane	Dance halls, dance clubs, and skating rinks:	A minimum and maximum of 1 per 40 square feet of net floor area.	Funeral homes or mortuary	1 per 300 square feet of gross floor area			
Golf course	3 per hole, plus 3 per 1,000 square feet of club house facilities	Places of worship	1 per 5 seats in the chapel, nave, sanctuary or similar workshop area			Golf course	3 per hole, plus 1 per 300 square feet of club house facilities	Golf driving ranges:	A minimum and maximum of 1 per driving station.	Marinas:	1 per each 2 slips			
Golf driving range	1 per tee	Recreational areas	1 per 100 square feet of gross floor area			Tennis club	4 per tennis court plus 1 per 300 square feet of clubhouse facility	Marinas:	A minimum and maximum of 2 per 3 slips. For private marina associated with a residential complex, then 1 per 3 slips. Also 1 loading area per 25 slips.					
Park/playfield	(Director)					Golf driving range	1 per tee	Miniature golf courses:	A minimum and maximum of 1 per hole.					
Theater	1 per 3 fixed seats					Park/playfield	(Director)	Other recreational:	A minimum and maximum of 1 per occupant based upon 50% of the maximum occupant load as established by the adopted Building and Fire Codes of the City of Renton.					
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces			Travel trailers:	A minimum and maximum of 1 per trailer site.									
Churches, synagogues, temples, and other group assembly	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes			Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces									

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
GENERAL SERVICES													
General services uses:	3 per 1,000 square feet	Day care facilities	2 spaces plus 1 space per each employee. Adequate off-street loading and unloading facilities taking into consideration the expected number of children or adults being cared for, the location of the facility, and the traffic on adjacent streets.	Financial Institution	4:1000 nsf(min) / 5:1,000 nsf (max)	Exceptions:		Convalescent centers:	A minimum and maximum of 1 for every 2 employees plus 1 for every 3 beds.	Nursing home	1 for each bed	Auto related services	5 spaces for each 1,000 square feet of GFA
Exceptions:		Financial and insurance services, healthcare services, office uses and professional, scientific, and technical services	1 space per 300 square feet of gross floor area of building	Funeral home/mortuary	1: 5 seats	Funeral home/crematory			Day care centers, adult day care (I and II):	Convalescent center	1 per bed		
Funeral home/crematory	1 per 50 square feet of chapel area	Mortuary	one parking space for every three employees, and if funerals are held on the premises, one parking space for every four seats in the chapel.	Hospital/in-patient treatment facility/outpatient surgical facility	1:patient bed	Daycare I			Mortuaries or funeral homes:	A minimum and maximum of 10 per 1,000 square feet of floor area of assembly rooms.			
Daycare I	2 per facility	Personal & Repair services	1 per 400 square feet of gross floor area	Personal services without fixed stations	3:1,000 nsf	Daycare II		2 per facility, plus 1 space for each 20 children					
Daycare II	2 per facility, plus 1 space for each 20 children	Public and private schools	2 per classroom unless additional parking spaces are deemed necessary through design commission or administrative SEPA review and shall provide adequate off-street loading and unloading facilities as determined by the city engineer.	Personal services with fixed stations	1.5: station	Churches, synagogue, temple		1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes					
Outpatient and veterinary clinic offices	3 per 1,000 square feet of office, labs and examination rooms					Outpatient and veterinary clinic offices		1 per 300 square feet of office, labs and examination rooms					
Nursing and personal care facility	1 per 4 beds					Nursing and personal care facility		1 per 4 beds					
Hospital	1 per bed					Hospital		1 per bed					
Elementary schools	1 per classroom, plus 1 per 50 students					Elementary schools		1 per classroom, plus 1 per 50 students					
Secondary schools	1 per classroom, plus 1 per 50 students					Secondary schools							
Middle/junior high schools	1 per classroom, plus 1 per 10 students					Middle/junior high schools		1 per classroom, plus 1 per 10 students					
High schools	Greater of 1 per classroom plus 1 per 10 students, or					High schools		1 per classroom plus 1 per 10 students					
High schools with stadiums	1 per 3 fixed seats in stadium					High schools with stadiums		Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium					
Vocational schools	1 per classroom, plus 1 per 5 students					Vocational schools		1 per classroom, plus 1 per 5 students					
Specialized instruction schools	1 per classroom, plus 1 per 2 students					Specialized instruction schools		1 per classroom, plus 1 per 2 students					
						Artist studios		0.9 per 1000 square feet of area used for studios					

# AGENDA ITEM #7.1

Newcastle	Mercer Island	Bellevue	Sammamish	Renton	Kirkland						
GOVERNMENT/BUSINESS SERVICES											
Government/business services uses:	3 per 1,000 square feet	Government services and museums and art exhibitions	1 space per 200 square feet of gross floor area of building	Boat moorage, public or semi-public	1:2 docking slips	Government/business services uses:	3 per 1,000 square feet	Religious institutions:	A minimum and maximum of 1 for every 5 seats in the main auditorium; however, in no case shall there be less than 10 spaces. For all existing institutions enlarging the seating capacity of their auditoriums, 1 additional parking space shall be provided for every 5 additional seats provided by the new construction. For all institutions making structural alterations or additions that do not increase the seating capacity of the auditorium, see "outdoor and indoor sports arenas, auditoriums, stadiums, movie theaters, and entertainment clubs."	Office	1 per 300 square feet of gross floor area
Exceptions:				Office/Professional services/general office	4:1000 nsf(min) / 5:1,000 nsf (max)	Exceptions:		Medical institutions:	A minimum and maximum of 1 for every 3 beds, plus 1 per staff doctor, plus 1 for every 3 employees.		
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly area			Office medical/dental/health-related services	4:1000 nsf(min) / 5:1,000 nsf (max)	Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	Cultural facilities:	A minimum and maximum of 40 per 1,000 square feet.		
Police facility	(Director)					Public agency archives	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	Public post office:	A minimum and maximum of 3.0 for every 1,000 square feet.		
Fire facility	(Director)					Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly area	Secure community transition facilities:	A minimum and maximum of 1 per 3 beds, plus 1 per staff member.		
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident manager unit					Police facility	(Director)	Schools:			
Office	2 per 1,000 square feet					Fire facility	(Director)	Elementary and junior high:	A minimum and maximum of 1 per employee. In addition, if buses for the transportation of students are kept at the school, 1 off-street parking space shall be provided for each bus of a size sufficient to park each bus.		
								Senior high schools: public, parochial and private:	A minimum and maximum of 1 per employee plus 1 space for every 10 students enrolled. In addition, if buses for the private transportation of children are kept at the school, 1 off-street parking space shall be provided for each bus of a size sufficient to park each bus.		

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
GOVERNMENT/BUSINESS SERVICES													
						Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area	Colleges and universities, arts and crafts schools/studios, and trade or vocational schools:	A minimum and maximum of 1 per employee plus 1 for every 3 student rooming units, plus 0.5 space for every full-time student not residing on campus. In addition, if buses for transportation of students are kept at the school, 1 off-street parking space shall be provided for each bus of a size sufficient to park each bus.				
						Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area						
						Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident manager unit						
						Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area						
						Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas						
						Office	1 per 300 square feet						

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
RETAIL/WHOLESALE													
Retail trade uses:	3 per 1,000 square feet	Bars and Restaurants	1 per 100 square feet of gross floor area, exclusive of kitchen and storage areas	Home furnishing – retail and major appliances – retail	1.5:1,000 nsf (min)/ 3:1000 nsf (max)	Retail trade uses:	1 per 300 square feet	Drive-through retail or drive-through service:	Stacking spaces: The drive-through facility shall be so located that sufficient on-site vehicle stacking space is provided for the handling of motor vehicles using such facility during peak business hours. Typically 5 stacking spaces per window are required unless otherwise determined by the Community and Economic Development Administrator. Stacking spaces cannot obstruct required parking spaces or ingress/egress within the site or extend into the public right-of-way.	Retail	1 per 300 square feet of gross floor area	Offices/medical clinics	3 spaces for each 1,000 square feet of GFA
Exceptions:		Retail	IN GENERAL: 1 per 400 sf of gross floor area (excluding storage areas). Minimum 2 spaces.  FOOD STORES/MARKETS: 1 stall per 200 sf (excluding storage areas).	Restaurant sit down	14:1,000 nsf	Exceptions:		Banks:	A minimum of 2.5 per 1,000 square feet of net floor area and a maximum of 5.0 per 1,000 square feet of net floor area except when part of a shopping center.			Retail except eating/drinking	3.5 spaces for each 1,000 square feet of GFA
Nonfood retail in mixed-use development, less than 5,000 square feet and less than 40% of the gross floor area of the development	2 per 1,000 square feet	Service stations with convenience stores	1 per 400 square feet of gross floor area of the building, exclusive of storage areas, with a minimum of two spaces.	Restaurant takeout only	16:1,000 nsf	Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet	Hotels and motels:	A minimum and maximum of 1 per guest room plus 1 for every 3 employees.				
Food stores, in mixed-use development, less than 15,000 square feet and less than 40% of the gross floor area of the development	3 plus 2 per 1,000 square feet	Service stations without convenience stores	1 per full-time employee on duty on any given shift plus two 2 for each repair stall.	Retail/Mixed use shopping center:		Gasoline service stations without grocery	3 per facility, plus 1 per service bay	Bed and breakfast houses:	A minimum and maximum of 1 per guest room.				
Gasoline service stations without grocery	3 per facility, plus 1 per service bay			Less than 15,000 nsf	5:1000 nsf(min) / 5.5:1,000 nsf (max)	Gasoline service stations with grocery, no service bays	1 per facility, plus 1 per 300 square feet of store	Vehicle sales (large and small vehicles) with outdoor retail sales areas:	A minimum and maximum of 1 per 5,000 square feet. The sales area is not a parking lot and does not have to comply with dimensional requirements, landscaping or the bulk storage section requirements for setbacks and screening. Any arrangement of motor vehicles is allowed as long as:				
Gasoline service stations with grocery, no service bays	1 per facility, plus 1 per 300 square feet of store			15,000 - 400,000 nsf	4:1000 nsf(min) / 4.5:1,000 nsf (max)	Restaurants	1 per 75 square feet in dining or lounge areas		• A minimum 5-foot perimeter landscaping area is provided;				
Restaurants, delis, bakeries and prepared foods	1 per 100 square feet in dining, lounge and customer ordering area			400,000 - 600,000 nsf	4:1000 nsf(min) / 5:1,000 nsf (max)	Wholesale trade uses	.9 per 1,000 square feet		• They are not displayed in required landscape areas; and				
				More than 600,000 nsf	5:1000 nsf(min) / 5:1,000 nsf (max)						• Adequate fire access is provided per Fire Department approval.		
Wholesale trade uses	.9 per 1,000 square feet					Retail and wholesale trade mixed use	1 per 300 square feet	Vehicle service and repair (large and small vehicles):	A minimum and maximum of 2.5 per 1,000 square feet of net floor area.				

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
RETAIL/WHOLESALE													
Retail and wholesale trade mixed use	3 per 1,000 square feet							Offices, medical and dental:	A minimum and maximum of 5.0 per 1,000 square feet of net floor area.				
								Offices, general:	A minimum of 2.0 per 1,000 square feet of net floor area and a maximum of 4.5 parking spaces per 1,000 square feet of net floor area.				
								Eating and drinking establishments and taverns:	A minimum and maximum of 10 per 1,000 square feet of dining area.				
								Eating and drinking establishment combination sit-down/drive-through restaurant:	A minimum and maximum of 1 per 75 square feet of dining area.				
								Retail sales and big-box retail sales:	A minimum and maximum of 2.5 per 1,000 square feet of net floor area, except big-box retail sales, which is allowed a maximum of 5.0 per 1,000 square feet of net floor area if shared and/or structured parking is provided.				
								Retail marijuana:	A minimum of 4.0 and a maximum of 5.0 per 1,000 square feet of net floor area.				
								Services, on-site (except as specified below):	A minimum and maximum of 3.0 per 1,000 square feet of net floor area.				
								Clothing or shoe repair shops, furniture, appliance, hardware stores, household equipment:	A minimum and maximum of 2.0 per 1,000 square feet of net floor area.				
								Uncovered commercial area, outdoor nurseries:	A minimum and maximum of 0.5 per 1,000 square feet of retail sales area in addition to any parking requirements for buildings.				
								Shopping centers (includes any type of business occupying a shopping center):	A minimum of 2.5 per 1,000 square feet of net floor area and a maximum of 5.0 per 1,000 square feet of net floor area. In the UC-N1 and UC-N2 Zones, a maximum of 4.0 per 1,000 square feet of net floor area is permitted unless structured parking is provided, in which case 5.0 per 1,000 square feet of net floor area is permitted. Drive-through retail or drive-through service uses must comply with the stacking space provisions listed above.				

## AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland	
MANUFACTURING (NMC 18.08.080A):											
Manufacturing uses	.9 per 1,000 square feet	Manufacturing	1 per 3 employees with a minimum of six spaces	High technology/industry	4:1000 nsf(min) / 5:1,000 nsf (max)	Manufacturing uses	.9 per 1,000 square feet	Airplane hangars, tie-down areas:	No parking required for hangars/tie-down areas. Minimum and maximum parking for offices associated with hangars is 5 per 1,000 square feet.	Light manufacturing	2 spaces for each 1,000 square feet of GFA
Winery/brewery	.9 per 1,000 square feet, plus 1 per 100 square feet of testing or tasting area		Manufacturing/assembly (other than high technology/light industry)	1.5:1,000 nsf	Winery/brewery	.9 per 1,000 square feet, plus 1 per 100 square feet of testing or tasting area	Manufacturing and fabrication, laboratories, and assembly and/or packaging operations:	A minimum of 1.0 per 1,000 square feet of net floor area and a maximum of 1.5 spaces per 1,000 square feet of net floor area (including warehouse space).			
		Wholesale/warehouse	1.5:1,000 nsf		Self service storage:	A minimum and maximum of 1 per 3,500 square feet of net floor area. Maximum of three moving van/truck spaces is permitted.					
					Outdoor storage area:	A minimum and maximum of 0.5 per 1,000 square feet of area.					
								Warehouses and indoor storage buildings:	A minimum and maximum of 1 per 1,500 square feet of net floor area.		

# AGENDA ITEM #7.1

Newcastle		Mercer Island		Bellevue		Sammamish		Renton		Kirkland		Mountlake Terrace	
All uses	25%	Residential & Office	50%	All uses	50%	Developments with more than 20 spaces	50%	Outside Urban Center zones	40%	All uses	50%	All uses	50%
		All other uses	25%	Administrator Approval	65%	Developments with less than 20 spaces	40%	Structured Parking	50%				
								All other uses	30%				

**AGENDA ITEM #7.1**

EXHIBIT 3  
City of Newcastle  
Comprehensive Plan

Updated September 2014



**Figure TR-1  
Functional  
Street Classification**

**LEGEND**

Existing Streets

- Principal Arterial
- Minor Arterial
- Collector Arterial
- Neighborhood Collector
- Local Street

Proposed Streets

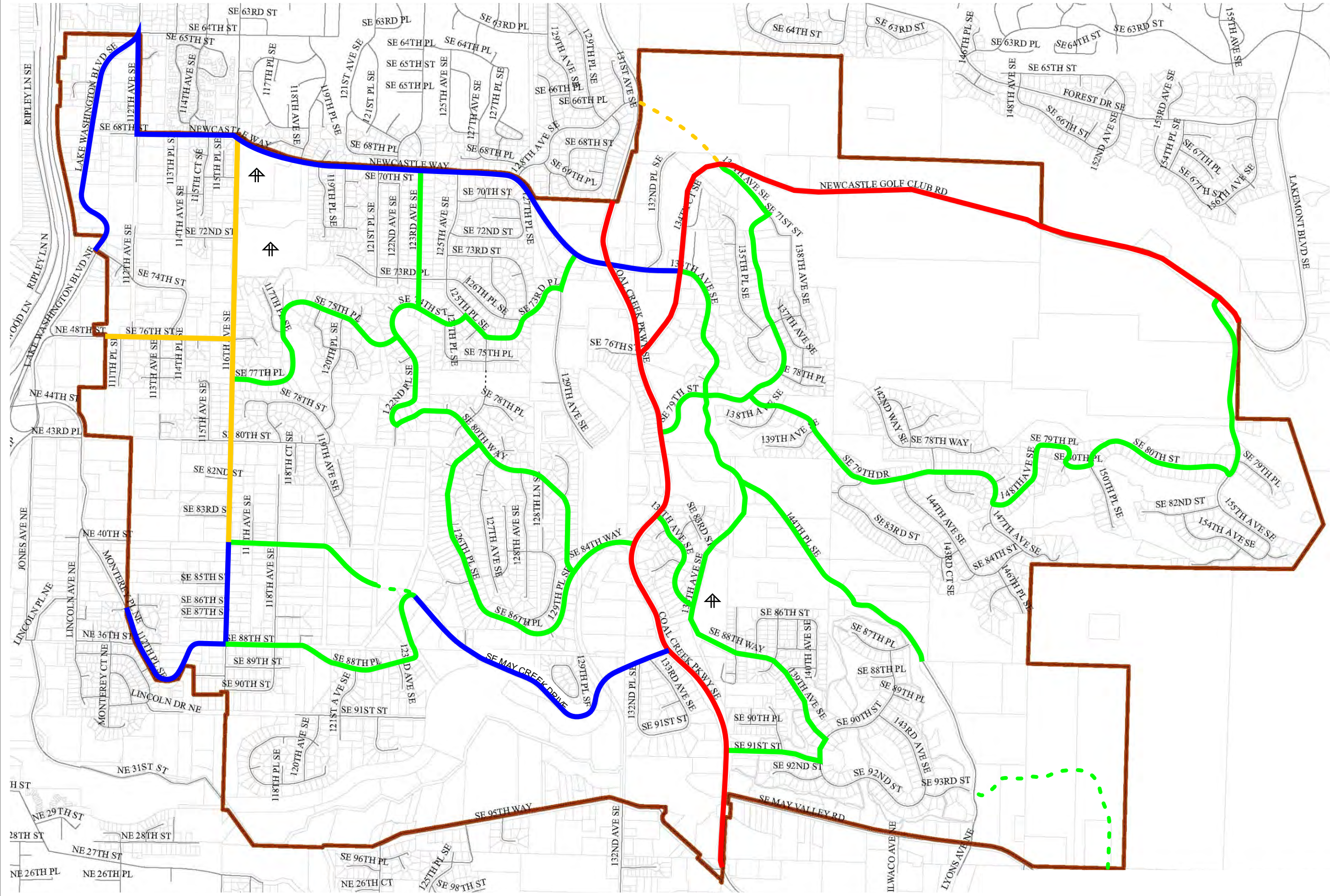
- Principal Arterial
- Minor Arterial
- Collector Arterial
- Neighborhood Collector
- Local Street

Existing Centerlines

Parcel Boundary

Newcastle City Boundary

Renton School District





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# PLANNING COMMISSION AGENDA ITEM

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**TOTAL PAGES: 5****EXHIBITS:**

1. Aerial photo of downtown

**TITLE:** Nonconformances Downtown**ACTION PROPOSED:** Discuss the City's current standards for expanding nonconformances and newly adopted changes to residential parking standards and provide direction to staff to draft potential amendments to existing regulations.

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**SUMMARY**

Current City development standards limit the expansion of Safeway, QFC and other nonconforming businesses downtown. Council directed staff to draft provisions allowing the expansion of such business within defined parameters.

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**FISCAL IMPACT**

No fiscal impact is anticipated.

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**BACKGROUND**

Adoption of the Downtown Strategic Plan and associated development regulations in late 2017 and early 2018 rendered some buildings in the downtown nonconforming due to maximum setback standards. The intent of the new standards is to place downtown buildings as close as possible to the street, with parking located behind, in order to make downtown more pedestrian friendly. Many existing buildings are setback considerably further away from the street with parking located in front. Those that were legally developed are considered "nonconforming" under City code. Most notably, the Safeway shopping center is about 300 feet from Coal Creek Parkway and the QFC shopping center is about 250 feet from Coal Creek Parkway. See Exhibit 1 for an aerial photo showing setbacks of both. The principal tenants are permitted uses ("food stores") but the structures they occupy are classified as nonconforming.

City code also places restrictions on the expansion of nonconforming structures. The intent of the code is for nonconforming structures to be phased out over time and replaced with conforming development. As a result, businesses in the Safeway and QFC shopping centers are limited in expanding. Shopping centers are reviewed via

## AGENDA ITEM #7.2

the City's Type II binding site plan land use application process, requiring administrative approval by the Director of Community Development. Amendments to site plans are also subject to the same approval process as new site plans.

One set of standards adopted with the downtown plan in December 2017 allows the deferral of streetfront development (NMC 18.12.040.C). This option allows new buildings to be setback further from the street when accompanied by a site plan illustrating future phases of development on the site. In this option, landscaping serves as a temporary streetfront feature until zero-setback buildings are constructed in the future.

### **Current Newcastle Municipal Code (NMC) Excerpts Related to Downtown Setbacks and Nonconformances**

#### 18.12.040.B Maximum Front Setback in DT & DC zones

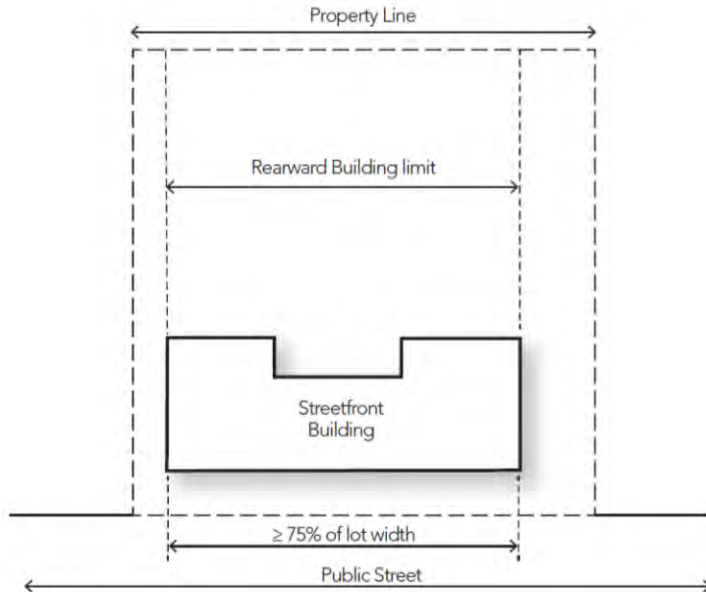
6. Buildings shall be placed no further from the front property line than is needed for required street frontage improvements such as sidewalks, plazas and required landscaping. These shall be considered streetfront buildings on the lot. Exceptions to streetfront building requirements are as follows:

- a. Increased Setbacks Along Street Type 1. Along Street Type 1 as defined in NMC [18.15.080](#), the setback of streetfront buildings may be further increased to allow for expanded landscape and plaza areas. No parking is permitted between streetfront buildings and the front lot line.



b. Development of Rearward Buildings. Buildings may be placed behind streetfront buildings; provided, that (i) streetfront buildings extend at least 75 percent of the lot width, or (ii) rearward buildings are aligned behind, and extend no wider than, the streetfront building(s).

Figure 18.12.040(1): Buildings Located Behind Streetfront Buildings



c. Deferral of Streetfront Buildings. Development of streetfront buildings may be deferred to allow construction of commercial or mixed use buildings to the rear of the site under the following provisions:

- i. The deferral is to allow construction of commercial or mixed use buildings only; provided, that the entire ground floor footprint of the building is designed for commercial use.
- ii. The site plan for the entire site includes streetfront buildings and associated parking, pedestrian areas, open space and landscaping as otherwise required under adopted development standards.
- iii. An interim landscape plan shall be developed for the area of the site where streetfront buildings and associated improvements will later be installed. The landscaping shall be installed prior to occupancy of any buildings on the site and shall be retained until the site is developed for the approved streetfront buildings and associated improvements. At the applicant's option, partial landscaping may be installed to at least include a manicured lawn area; provided, that financial security is posted to ensure completion of the interim landscape area per the approved landscape plan within three years of completion of the rearward building(s).
- iv. Construction of buildings and improvements within the interim landscape area must commence per the approved site plan within three years of completion of the rearward buildings. If construction does not commence within the three-year period, the interim landscape area of the site shall convert to and be deemed an area of permanent landscaping and all remaining landscaping as otherwise deferred through financial securities shall be completed per the approved landscape plan. The landscape area may thereafter be developed only if a new site plan application is submitted and approved.

### **18.06.410 Technical Terms and Land Use Definitions - Nonconformance.**

Any use, improvement or structure established in conformance with the city of Newcastle or county rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the code due to changes in the code or its application to the subject property.

### **18.32.080 Nonconformance – Modifications to nonconforming structure.**

Modifications to a nonconforming structure may be permitted, provided the modification does not increase the area, height or degree of an existing nonconformity. Modifications required by federal, state or local law shall be exempt from this provision.

### **17.25.060 Binding Site Plans - Amendment, modification and vacation.**

Except as provided in NMC 17.15.010, amendment, modification and vacation of a binding site plan shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new binding site plan application, as set forth in this chapter.

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## **DISCUSSION**

Concern was expressed at the Council level on whether there was opportunity for some of the larger stores such as Safeway and QFC to expand without having to be brought into full compliance with the new downtown standards. Staff suggested some possible approaches to this issue, allowing the Council to adopt the downtown plan with the understanding that revisions to address the nonconforming setback issue would be forthcoming. Staff will therefore draft a code amendment to allow the expansion of legally nonconforming buildings downtown within parameters to be determined.

One challenge in drafting code language is balancing the short term needs of existing businesses' expansion needs with the City's long-term interest in replacing existing buildings with the pedestrian-friendly environment envisioned by the downtown plan. Therefore, the parameters to allow an expansion should be drawn narrowly.

One option is to limit the expansion based on a percentage of floor area within a specified time frame. For example, allowing an expansion of five percent of floor area every five years. The City can also impose a lifetime total for all expansions. For example, a 15 percent limit on the total expansion of nonconforming buildings could be adopted.

Other jurisdictions provide an approval process for nonconforming structures to be expanded. These types of applications are similar to the City's Conditional Use Permit approval process, whereby a land use application is presented to the Hearing Examiner for approval per specific criteria.

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## **ACTION RECOMMENDED**

Discuss the city's current nonconformance regulations and newly adopted changes to downtown zoning districts and provide direction to staff to draft potential amendments to existing regulations based on tonight's discussion.

