

**MEMORANDUM**

**To:** Councilmember Rob Johnson, Chair  
Councilmember Mike O'Brien  
Councilmember Lisa Herbold, Members  
Planning, Land Use and Zoning (PLUZ) Committee

**From:** Aly Pennucci and Lish Whitson, Council Central Staff

**Date:** January 4, 2017

**Subject:** U District Rezone Potential Amendments for Consideration

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Beginning Thursday, January 19, the Planning, Land Use and Zoning (PLUZ) Committee will start discussing Council amendments to Council Bill (CB) 118862, which would change the zoning in the U District and implement the U District Urban Design Framework. Attachment 1 to this memo sets out potential amendments under consideration and discusses other issues that have been raised in public comments. Attachment 2 includes information on the potential development capacity and affordable housing production impacts of different changes under consideration. Attachment 3 includes a draft resolution that describes future on-going work to address issues that are not appropriate for the Land Use Code. Attachments 4 through 19 include draft amendment language for issues Councilmembers have raised. These amendments may be modified or abandoned based on committee discussion, further public comment and ongoing review.

**Background**

Council Bill 118862 would amend the land use code to add a new Seattle Mixed-University District zone or SM-U. The SM-U zone would allow for significantly more development in and around the new light rail station under construction at Brooklyn Avenue NE and NE 43<sup>rd</sup> Street. The SM-U regulations would also respond to community concerns identified through an extensive planning process by providing incentives for the creation of publicly accessible open space; the preservation of landmarks and vulnerable masonry buildings; active street-level uses; and community facilities including childcare facilities, schools, and human services. The PLUZ Committee received four briefings on the proposed regulations and held one public hearing.

**Potential Amendments**

Attachment 1 contains a table of potential amendments to the Mayor's recommended bill and discusses a range of issues that have been raised by members of the public. Issues are grouped by the following categories:

- I. The Ave: ways to support commercial affordability or limit the potential displacement of small locally-owned businesses along University Way NE between NE 41st Street and NE 50th Street
- II. Housing Affordability: support for affordable housing and family-size units

- III. Livability: measures to support a vibrant mixed-use community at the core of the U District
- IV. North of NE 50th Street: requests from community institutions and property owners for additional changes north of NE 50<sup>th</sup> Street
- V. Light Rail Station Site: recommendations from the University of Washington to provide predictability for development above the light rail station
- VI. Environmental concerns: issues raised related to the natural environment
- VII. Schools and childcare: methods to support the creation of schools and childcare to accommodate the needs of families in the area
- VIII. Technical amendments

Based on discussion at the December 6 PLUZ Committee meeting and requests from Committee members, we have drafted specific language for some of these amendments. These are found in attachments 4 through 19. In these documents, double underlines indicate proposed new language. ~~Double strikeouts~~ indicate language that would be removed from the Council Bill.

Some of these amendments would make changes to sections of the Land Use Code that were not proposed to be amended in the Mayor's Recommended Bill and will necessitate additional public comment and the introduction of a new version of the bill with a new title. We are asking for your direction regarding whether or not to include the amendments in Attachments 4 through 21 in a required notice of opportunity to comment.

### **Analysis of effects of changes**

Councilmember Johnson has asked that we analyze the effects of any potential changes on the production of affordable housing through the MHA program. The Executive has estimated that over the next twenty years, between 620 and 910 units of affordable housing could be created through the MHA programs in the U District. Attachment 2 presents an analysis of how that may change if various amendments are adopted. Generally, we have found that the Committee's amendments would increase the amount of affordable housing produced through MHA.

### **Draft Resolution**

Attachment 3 includes a draft resolution for Committee consideration. This resolution recognizes the extensive work members of the U District community have put into the proposal and responds to community interest in additional work on key issues: childcare, support for small locally-owned businesses, and parks and open space. Members of the business community have asked that this resolution be held until they can undertake additional study of business needs. A draft Resolution is included with this memo to allow members of the community to read and respond to it.

**Attachments:**

1. Table of potential amendments for discussion
2. Analysis of effects of potential amendments on the MHA program
3. Draft Resolution
4. Heights along The Ave (I A 1)
5. Ave sending site for Transferable Development Rights (TDR) (I B 1)
6. Limit uses exempt from floor area to small commercial spaces (I C 1 and I E 1)
7. Maximum building width (I D 1)
8. Mandatory Housing Affordability requirements – M2 in U District core (II A 1)
9. MHA requirements – MHA-C table (II A 3)
10. Midrise TDR (III A 1)
11. Clarify that bonus open space will be publicly accessible (III B 1)
12. Transportation Management Program requirements (III C 1)
13. Zoning on north side of NE 50th Street (IV A 1)
14. LR3 to MR north of NE 50th Street (IV A 2)
15. Zoning at Brooklyn Ave NE and NE Ravenna Boulevard (IV B 1)
16. Non-residential floorplates in SM-U district (V A 1)
17. Non-residential floorplates at light rail station (V A 2)
18. Transparency requirements (V B 1)
19. Loading requirements (V C 1)

cc: Kirstan Arestad, Central Staff Executive Director  
Ketil Freeman, Supervising Analyst

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Topic/Issue	Mayor’s Proposal	Potential Amendment	Discussion
<p><b>I. The Ave: changes to support commercial affordability or limit the potential displacement of small locally-owned businesses along University Way NE between NE 41<sup>st</sup> Street and NE 50<sup>th</sup> Street</b></p>			
<p><b>A. Heights along the Ave.</b></p>	<p>The Ave (University Way) between N 41<sup>st</sup> Street and N 50<sup>th</sup> Street would be rezoned from Neighborhood Commercial 3 Pedestrian with a 65 foot height limit (NC3P-65) with the Light Rail Station Area Overlay to Seattle Mixed-University District with an 85 foot height limit (SM-U 85). Permitted heights would be increased to 85’ with a setback required at 45’.</p> <p>The SM-U 85 zone would have a 4.75 base Floor Area Ratio (FAR) limit and a maximum 6.0 FAR limit.</p> <p>The Mayor’s proposal allows for more development along the Ave, allowing for more incentives, including acting as a Transfer of Development Rights receiving area and additional floor area permitted for landmarks, human service uses, vulnerable masonry buildings, and family-size housing.</p>	<p>1. Rezone this section of the Ave to Seattle Mixed-University District with a 75 foot height limit (SM-U 75) (Johnson, O’Brien, Herbold)</p>	<p>This change will better reflect the existing height and character of buildings along the Ave than the Mayor’s proposal, but would also decrease the additional development capacity along the Ave compared to the Mayor’s Proposal. Consequently, the estimated number of units produced through the MHA program would decrease from the Mayor’s Proposal (see Attachment 2).</p> <p>However, a change from NC3P-65 to SM-U 75 still allows for additional development (4-8% increase). Because this change would limit the amount of development available on the Ave, the Committee should consider changes in rows B, C and E if a reduction in height is preferred.</p>

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<p><b>B. <i>Transfer of Development Rights (TDRs) program related to the Ave.</i></b></p>	<p>The SM-U 85 district would be a “sending” and “receiving” area for Transferable Development Rights (TDRs) and Transferable of Development Potential (TDP) from City of Seattle Landmarks, vulnerable masonry structures, and publicly-accessible open space.</p>	<p>1. Make the Ave a “sending” area only, not allowing transfers of floor area from other parts of the U District. (Johnson)</p>	<p>The Ave has a number of buildings including potential Landmarks and unreinforced masonry buildings that TDR or TDP programs can help to make economically viable to preserve. However, given concern about redevelopment of buildings on the Ave, the Council should consider whether to allow TDR and TDP to be transferred from other parts of the neighborhood to the Ave.</p>
<p><b>C. <i>Reduce the number and types of uses that would be exempt from floor area calculations along the Ave</i></b></p>	<p>The Mayor’s proposal for the SM-U district exempts a number of different types of floor area and allows an additional increment of floor area above the base FAR limit for a number of different purposes. These include: Exemptions:</p> <ul style="list-style-type: none"> <li>• Landmarks</li> <li>• Required street-level uses (such as retail spaces)</li> <li>• Active uses abutting mid-block crossings</li> <li>• Preschools, elementary schools or secondary schools</li> <li>• Theaters and art facilities</li> <li>• Vulnerable masonry buildings</li> <li>• Light rail stations</li> <li>• Human service uses</li> </ul>	<p>1. In the SM-U 75 district proposed under I.A.1, above, reduce the number of uses exempt from floor area limits, the number of uses that are granted additional floor area for the zone that fronts on the Ave, and the total amount of additional and/or exempt floor area permitted to be used in structures fronting on the Ave. The building envelope for an SM-U 75 district would be smaller than a building envelope for a SM-U 85 district and is able to accommodate fewer exemptions. (Johnson, O’Brien, Herbold)</p>	<p>Creating commercial spaces that are appropriately sized for small businesses is one of the recommendations included in the Commercial Affordability Advisory Committee Recommendations report. The simplest option would be to limit the use of these exemptions and/or increases in floor area to 0.5 FAR, but Councilmember may also want to take some of these items off the table of permitted exemptions.  Limiting the number of uses exempt from floor area calculations along the Ave to just small commercial spaces will incentivize the incorporation of smaller businesses into new development.</p>

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	<ul style="list-style-type: none"> <li>• Enclosed portions of mid-block crossings</li> <li>• City facilities and</li> <li>• Community centers</li> </ul> <p>Additional floor area above the base limit:</p> <ul style="list-style-type: none"> <li>• Landmarks</li> <li>• Human service uses</li> <li>• Vulnerable masonry buildings</li> <li>• Family-size units</li> </ul>		
<p><b>D. Maximum building width</b></p>	<p>The proposed SM-U zone includes a new building width limit (250’) to discourage property assembly and reduce the bulk of buildings in the U District where very wide buildings have resulted in less vibrant streetscapes.</p>	<ol style="list-style-type: none"> <li>1. Reduce maximum building width for buildings in the proposed SM-U 75 district to 160’ rather than 250’, equivalent to 4 traditional 40’ store fronts (Johnson, O’Brien)</li> </ol>	<p>Reducing the maximum building width will result in buildings with a maximum width of no more than 4 of the Ave’s traditional 40’ store fronts, better reflecting the character of the Ave.</p>
<p><b>E. Spaces for small locally-owned businesses</b></p>	<p>The Mayor’s proposal includes requirements for street-level retail uses occupying at least 75% of the street-level street-facing façade along key streets: (University Way NE from NE 50<sup>th</sup> Street to NE 41<sup>st</sup> Street, NE 45<sup>th</sup> Street from Roosevelt Way NE to 15<sup>th</sup> Avenue NE, NE 43<sup>rd</sup> Street from 12<sup>th</sup> Avenue NE to 15<sup>th</sup> Avenue NE and Brooklyn Avenue NE from NE 45<sup>th</sup> Street to NE 43<sup>rd</sup> Street).</p>	<ol style="list-style-type: none"> <li>1. Add a size limit for retail spaces to be exempt from floor area limits (only exempt spaces that are 2,000 square feet or less) (Johnson, O’Brien, Herbold)</li> <li>2. Allow buildings that front the Ave to be wider than the maximum size width if they provide smaller retail bays</li> </ol>	<p>Limiting floor area exemptions to commercial spaces under 2,000 square feet in area provides an incentive for smaller retail spaces more consistent with the existing character of the area and the needs of small locally-owned businesses.</p> <p>In combination with the amendment to limit the maximum building width to 160’ described in row D, the Committee could consider allowing an exemption to the maximum width if a certain percentage of the frontage</p>

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	<p>Other uses would also be allowed at street level facing these streets (restaurants, theaters, libraries, parks, arts facilities, religious institutions, human service uses, child care facilities and light rail transit stations.)</p> <p>These uses would be exempt from FAR limits.</p> <p>There are no minimum or maximum size limits for these uses.</p>	<p>3. Require spaces for individual small businesses in all buildings that front the Ave. The number of small spaces required would vary based on the total commercial floor area at the street level</p> <p>4. Require an entrance to retail spaces every 40 feet to mimic the current pattern of development, but do not limit size of spaces</p>	<p>along University Way NE is reserved for smaller retail spaces.</p> <p>In addition to, or instead of, options E1 and E2 that would incentivize including small business spaces, the Committee could consider requiring that a certain number of small commercial spaces are included in projects fronting the Ave.</p> <p>Requiring an entrance every 40 feet provides flexibility for the commercial spaces to accommodate small and larger commercial uses and could accommodate smaller commercial uses expanding over time if adjacent spaces become vacant.</p>
<p><b>F. Other support for retail businesses</b></p>	<p>The Office of Economic Development released a Commercial Affordability Advisory Committee report in September. The Mayor’s proposal for the University District does not reflect those recommendations, and most recommendations are not appropriate for the Land Use Code.</p>	<p>See Attachment 3: Draft Resolution</p>	<p>The draft Resolution indicates the City’s intent to continue work with the U District community to support small locally-owned businesses.</p>
<p><b>II. Housing Affordability: changes to support affordable housing and family-size units</b></p>			
<p><b>A. Mandatory Housing Affordability requirements</b></p>	<p>The Mayor’s proposal includes new requirements to implement the mandatory housing affordability program. New</p>	<p>1. Increase the mandatory housing affordability requirements for the core area from M1 (9% of units in the</p>	<p>Applying the M2 requirements to the areas proposed for high-rise development would increase the MHA contributions estimated from new</p>

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	<p>development would be required to set aside affordable housing and/or make payment-in-lieu so that new growth contributes to the supply of affordable housing.</p> <p>The Core area, which would see increases from 65’ and 85’ to 240’ and 320’ is proposed to receive M1 requirements, reflecting a larger than standard increase in capacity and a larger than standard housing requirement to reflect that increase. Other areas proposed to be classified as M1 are the areas proposed to be rezoned from LR3 to MR, and areas north of 50<sup>th</sup> Street that are proposed to be rezoned from multifamily to NC3 zones.</p>	<p>structure or \$20/SF for residential units) to M2 (10% of units in the structure or \$22.25/SF for residential units). (Herbold, O’Brien)</p> <p>2. Modify the MHA program to increase the estimated number of affordable units that could be produced through MHA.</p>	<p>development in those areas (see Attachment 2).</p> <p>Increased development costs resulting from such changes may influence the feasibility of high-rise projects in the U District and may result in increased rents for market rate units. It is difficult to determine the extent this modification would have on future development given the range of factors that contribute to the feasibility of any given development project.</p> <p>The Committee could also consider adding a recital to clarify Council’s intent to apply the MHA program’s M2 requirements when the proposal is to rezone an area from a zone with height limits of 85’ or less to a highrise zone.</p> <p>The framework legislation establishing the MHA program includes language expressing the Council’s intent to “consider whether to include higher performance and payment amounts, subject to statutory limits... Factors to consider are (a) areas that have been identified in <i>Seattle 2035, Growth and Equity, Analyzing Impacts on Displacement and Opportunity Related to Seattle’s Growth Strategy</i>,</p>



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			<p>May 2016, as having a high displacement risk; (b) areas where the increment of increased development capacity is greater than the standard MHA-implementing zone change...”</p> <p>Portions of the U District were identified as having a high displacement risk ; the committee could consider additional adjustments to increase the estimated number of affordable units that could be produced through MHA.</p>
		<p>3. Amend to include performance and payment amounts for the Mandatory Housing Affordability Commercial program for all levels of MHA and all areas.</p>	<p>When the U District legislation was drafted, these numbers were not yet available. Since then, the Mayor has published figures that range from \$5.00 a square foot or 5% of floor area to \$14.50 a square foot or 9% of floor area for non-highrise projects and from \$7.00 a square foot or 6% of floor area to \$32.75 a square foot or 11% of floor area for highrise projects. Adding these numbers to the code will provide more clarity going into the discussion of broader citywide zoning changes and for projects that seek a contract rezone and will be required to comply with the Mandatory Housing Affordability program.</p>

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<p><b>B. Family size units</b></p>	<p>In the SM-U zone, up to 0.5 FAR above the base FAR limit would be permitted for projects that include 10 family-size dwelling units with accessible outdoor space.</p>	<p>1. Exempt floor area for family-size units, rather than allowing additional FAR.</p>	<p>Depending on lot size and configuration, exempting floor area may be a greater incentive than adding FAR.</p>
<p><b>III. Livability: changes to support a vibrant mixed-use community at the core of the U District</b></p>			
<p><b>A. Midrise zone Transfer of Development Rights/Transfer of Development Potential</b></p>	<p>The proposed SM-U zone would allow transferable development rights (TDR) and transferable development potential (TDP) for landmarks, vulnerable masonry buildings and public open space. This would provide additional support for preservation of key structures in the district by removing an economic incentive to demolish them.</p>	<p>1. Allow TDR from landmark structures in the proposed MR zone south of NE 45<sup>th</sup> Street and west of 9<sup>th</sup> Avenue NE to preserve structures in that area. (Johnson, O’Brien, Herbold)</p>	<p>This change would provide additional incentives to designate and preserve landmark-worthy structures in a residential area of the U District.</p> <p>Note: this change would require amendments to sections of the Land Use Code that are not currently proposed to be rezoned. This change would require a new bill.</p>
<p><b>B. Parks and Open Space</b></p>	<p>The proposal provides for the private development of open space in the following ways:</p> <ul style="list-style-type: none"> <li>• projects on sites larger than 30,000 square feet would be required to provide open space</li> <li>• the code provides zoning incentives (additional floor</li> </ul>	<p>See Attachment 3: Draft Resolution</p>	<p>The draft resolution indicates the City’s intent to continue to work with the U District Community to:</p> <ul style="list-style-type: none"> <li>• secure the development of a publicly accessible open space near the new light rail station</li> <li>• build a festival street along Brooklyn Ave</li> <li>• identify additional locations for parklets in the community, and</li> </ul>

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	<p>area) for publicly-accessible on-site open spaces</p> <ul style="list-style-type: none"> <li>the code allows transfers of development rights from publicly-accessible open spaces</li> <li>the code requires mid-block corridors on large lots</li> </ul> <p>The proposed legislation will require open space provided through TDR and bonus programs to be publicly accessible, however those requirements are in sections of the Land Use Code that are not being amended and are therefore not visible to members of the public reading the proposed legislation.</p>	<ol style="list-style-type: none"> <li>Amend Section 23.48.624 related to bonuses for open space to make it clear that open space amenities that receive a bonus are required to be publicly-accessible (Herbold)</li> </ol>	<ul style="list-style-type: none"> <li>design and build pedestrian improvements along the Ave and NE 43<sup>rd</sup> Street</li> </ul> <p>Members of the community have indicated concern that open space produced through the proposal won’t be publicly-accessible. This change would clarify that bonus open space will be publicly-accessible.</p>
<p><b>C. Transportation and Parking</b></p>	<p>Non-residential projects over the base FAR are required to prepare a Transportation Management Program (TMPs) to provide options for employees to travel to and from work without driving alone. These TMPs include a requirement that either the building or its tenants provide subsidized transit passes for employees working in the building.</p> <p>Residential projects do not have similar requirements, although</p>	<ol style="list-style-type: none"> <li>Require TMPs for non-residential buildings that could result in 50 or more single-occupant vehicle trips for residential buildings that either result in 50 or more single-occupant vehicle trips during the PM peak hour or that are projected to lead to demand for 25 vehicles parked on-street overnight, including subsidization of transit passes to reduce trips and car</li> </ol>	<p>The EIS for the U District indicated that increased development and growth will result in increased congestion, one mitigation measure identified was to increase requirements for commute trip reduction programs such as the TMP requirement.</p> <p>The proposed amendment is based on requirements that have been used successfully to mitigate transportation impacts in the Northgate Urban Center.</p>

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	<p>conditions can be placed on projects with 30 or more units if the Directors of the Seattle Department of Construction and Inspections and Seattle Department of Transportation find that a project is likely to result in traffic that exceeds the City’s transportation level of service standards or have significant transportation impacts.</p>	<p>ownership. (Johnson, O’Brien, Herbold)</p>	<p>Note: this change would require new sections to be added to the Land Use Code that are not currently proposed to be changed. This change would require a new bill.</p>
<p><b>IV. North of NE 50th Street: changes to support community institutions north of NE 50<sup>th</sup> Street</b></p>			
<p><b>A. Area near the YMCA</b></p>	<p>The north side of NE 50<sup>th</sup> Street from 11<sup>th</sup> Ave NE to 12<sup>th</sup> Ave NE would be rezoned from LR3 to NC3-55 (M1).</p>	<ol style="list-style-type: none"> <li data-bbox="972 708 1409 1222">1. Increase the heights on the north side of NE 50th from 11th Ave NE to a half block east of Brooklyn Ave NE from NC3-55 (M1) to NC3-75 (M1) and extend NC3-75 (M1) a half block east to Brooklyn Avenue NE. (Johnson)</li> <li data-bbox="972 1222 1409 1401">2. Rezone the multifamily district between NE 50<sup>th</sup> Street and NE 52<sup>nd</sup> Street from LR3 to MR. (Johnson)</li> </ol>	<p>This responds to a request from the YMCA and a property owner just north of 50th on the west side of Brooklyn Ave NE to increase the proposed heights, and will make the heights on the west side of the University Heights block consistent with the expected zoning on the east side of the University Heights block. Increasing the heights will result in some additional development capacity, increasing the potential MHA production estimates (see attachment 2).</p> <p>The Mayor’s proposal did not recommend changing the zoning in this area, however, the area was considered in the U District EIS and was included in previous draft</p>

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			<p>recommendations shared with the community.</p> <p>A change from LR3 to MR will increase the development capacity in this area and will require participation in the MHA program (see Attachment 2 for MHA production estimates)</p>
<p><b>B. Cowan Park Grocery</b></p>	<p>The Mayor’s proposal would rezone two properties at the south side of Ravenna Boulevard at Brooklyn Ave NE from SF5000 to NC2P-30 (M1)</p>	<ol style="list-style-type: none"> <li>Increase the heights on these properties to NC2P-40’ (M1) (Johnson)</li> </ol>	<p>This responds to a request from the property owner to provide more flexibility for the site of the Cowan Park Grocery, a long-standing business that is currently non-conforming to the zoning at this location.</p> <p>Increasing the height from 30’ to 40’ will result in some additional development capacity, resulting in a small increase in the potential MHA production estimates (see attachment 2).</p> <p>Typically, a property changing from a single-family zone to a neighborhood commercial (NC) zone would be subject to M2 requirements, however, in this case the properties that would be rezoned are already developed in a manner that is more consistent with NC or multi-family zoning standards, therefore the proposal is to apply the M1 requirements.</p>

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<p><b>V. Light Rail Station Site: Recommendations from the University of Washington to provide predictability for development above the light rail station</b></p>			
<p><b>A. Commercial floorplates</b></p>	<p>The Mayor’s proposal would limit the floorplate size for floors above 45’ with non-residential uses in the SM-U 75-240 and 95-320 to 20,000 square feet on average and 24,000 square feet for any individual floor. Floors with residential uses would be limited to 12,000 square feet on average and 13,000 square feet maximum up to 160 feet, with smaller floorplates required above 160 feet.</p> <p>The Mayor has recommended commercial floorplates that reflect urban design goals and are consistent with the commercial floorplates in some new buildings.</p>	<ol style="list-style-type: none"> <li>1. Increase the average floorplate size to 24,000 square feet and the maximum floor plate size to 26,000 square feet throughout these zones to accommodate a wider range of uses.</li> <li>2. Increase the average floorplate size to 24,000 square feet and the maximum floor plate size to 26,000 square feet at the light rail station site to provide more flexibility for development on that site.</li> </ol>	<p>These amendments would allow for larger floorplates for office uses that may be easier for property owners to lease.</p>
<p><b>B. Transparency</b></p>	<p>The Mayor’s proposal would require that 60% of facades at the street level be transparent.</p>	<ol style="list-style-type: none"> <li>1. Exclude light rail station uses from transparency requirements.</li> </ol>	<p>Approved design for the light rail station would have lower-than-required transparency. Because they will be incorporated into a building to be built above the station, the proposed building would need to compensate for the light rail station.</p>
<p><b>C. Loading</b></p>	<p>The Mayor’s recommendation does not change loading standards for projects in the rezone area.</p>	<ol style="list-style-type: none"> <li>1. Allow waivers of loading space requirements for the SM-U district if findings included in <a href="#">23.54.035.B.2</a> are met.</li> </ol>	<p>The proposed zoning in the core of the U District is likely to have similar conditions to denser parts of South Lake Union and Yesler Terrace, the</p>

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			<p>Council may want to allow for waivers of off-street loading requirements in this area consistent with how those areas are treated.</p> <p>Note: this amendment would amend sections of the code that were not originally part of the legislation and will require a new version of the bill.</p>
<b>VI. Environmental concerns</b>			
<p><b>A. Combined Sewer Overflow systems</b></p>	<p>The Mayor’s recommendation does not include new stormwater regulations. Much of the proposed rezone area is on a partially separated sewer overflow system. Areas north of NE 50<sup>th</sup> Street are on a combined sewer overflow system.</p> <p>Regulations for stormwater flow control and water quality emphasize the use of green infrastructure to meet drainage requirements.</p>	<p>No changes proposed</p>	<p>According to the FEIS prepared for the Urban Design Framework: “Current drainage code will require redeveloped sites that discharge to the storm sewers to provide stormwater detention with Green Storm Water Infrastructure (GSI) that allows some water to infiltrate, and be kept on site, before the rest is released to the storm sewer. Current stormwater code standards will help control peak rates of stormwater through the local combined sewer systems, limiting the frequency of street flooding from the local collector pipes and reducing the risk of combined sewer overflows from the trunk mains.” (page 1-40)</p>
<p><b>B. Tree canopy</b></p>	<p>The Mayor’s proposal continues requirements that street trees be provided when development is proposed and requiring existing</p>	<p>No changes proposed</p>	<p>According to the FEIS prepared for the Urban Design Framework: “The City of Seattle has aggressive urban forest goals in order to help restore tree</p>

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	<p>trees to be retained, when possible.</p> <p>All rezoned areas in this proposal, including the SM designations at the core, would be required to comply with Green Factor landscaping standards that encourages tree preservation, rain gardens, green roofs, rooftop gardens, and other types of planting. In the core of the U District, most of the large development sites have a tree canopy cover of less than 5% (in many cases, it is 0%, without even street trees). Under the proposed standards, canopy for redeveloped sites would increase to greater than 15%, the City’s target for mixed use and commercial areas like the U District.</p>		<p>cover which has been lost due to development. Trees can provide stormwater management, habitat value, noise buffering, air purification, carbon sequestration, and mitigation of the urban heat island effect. Trees also have a positive effect on property values and neighborhood quality. Protection of existing trees, as feasible, and careful attention to new tree planting could help meet the Seattle Comprehensive Urban Forest Management Plan Goals for multifamily residential and commercial office development by achieving 15-20 percent overall tree canopy within 30 years.” (page 1-33)</p>
<b>VII. Schools and childcare</b>			
<b>A. Incentives for schools</b>	<p>The Mayor’s proposal would allow a floor area exemption for schools within a development. Churches, schools, community centers, and buildings over the light rail station would be exempt from maximum building width limits</p>	No changes proposed	<p>According to the FEIS prepared for the Urban Design Framework: “An increase in households in the U District would contribute to a continuing need by the Seattle School District to manage capacity at local schools and to construct new and expanded facilities to accommodate a</p>



**Attachment 1: Potential Amendments for PLUZ Committee Consideration**

Topic/Issue	Mayor’s Proposal	Potential Amendment	Discussion
			growing student population.” (page 1-38) and “Ongoing capacity management by the Seattle School District will help meet future school capacity needs associated with growth in the U District study area. The School District also has the option of collecting impact fees under Washington State’s Growth Management Act and voluntary mitigation fees paid pursuant to the State Environmental Policy Act.” (page 1-39).
<b>B. Childcare</b>	The Mayor’s proposal would require that non-residential buildings that exceed the base Floor Area Ratio limits include a childcare facility or provide funding to create childcare facilities with subsidized spaces.	See Attachment 3: Draft Resolution	The draft resolution calls for a U District Childcare Task Force to discuss ways to support childcare for children of U District workers.
<b>VIII. Technical Amendments</b>			
Staff are compiling a list of non-substantive technical amendments to maintain consistency between the U District Bill and other legislation and to fix typos and other drafting errors. Those amendments will be available at the January 19 PLUZ Committee meeting.			

## Attachment 2: Analysis of effects of potential amendments on the MHA program

The amount of new affordable housing that will be produced through the Mandatory Housing Affordability (MHA) program will depend on the amount of development that occurs. The Executive estimates that new development in the U District over the next 20 years will result in 3,500 to 5,000 new households and 4,800 new jobs. Using these growth estimates, executive staff estimated that between 620 and 910 units of affordable housing could be created through the MHA program in the U District. For more information on the methodology used for the MHA production estimates, see the [MHA Affordable Housing Production Model Summary](#).

There are several amendments under consideration that may impact the MHA production estimates for these specific areas within the U District. Generally, we have found that the Committee’s amendments individually have modest impacts on the estimates and, taken together, could increase the amount of affordable housing that could be produced through MHA in these specific areas.

<b>Amendment</b> Numbers correspond to the table in Attachment 1	<b>Changes to MHA Production Estimates</b>
I.A1 Rezone the Ave (University Way) to SM-U 75, rather than SM-U 85	-12 to -30
II.A1 Increase the requirements for the core area from M1 to M2	+44 to +64
IV.A1 Increase the heights on the north side of NE 50th from 11th Ave NE to a half block east of Brooklyn Ave NE from NC3-55 (M1) to NC3-75 (M1) and extend NC3-75 (M1) a half a block east to Brooklyn Avenue NE	+9 to +17
IV.A2 Increase multifamily district between NE 50th Street and NE 52nd Street from LR3 to MR.	+20 to +30
IV.B1 Increase the heights on the Cowan Park Grocery properties from 30’ to 40’	≤1

**ATTACHMENT 3 – Draft Resolution related to next steps in the U District**

Lish Whitson  
LEG University District Planning RES  
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**CITY OF SEATTLE**

**RESOLUTION \_\_\_\_\_**

..title  
A RESOLUTION recognizing the University District Urban Design Framework and identifying next steps in implementing a common vision of an eclectic, affordable and diverse University District

..body  
WHEREAS, in 2011 planners from the City of Seattle began working with the University District community to plan for growth and change in the neighborhood; and

WHEREAS, in 2021 a new light rail station will open at Brooklyn Ave NE and NE 43<sup>rd</sup> Street, providing faster and more reliable transit connections to Downtown Seattle, Northgate and the rest of the region; and

WHEREAS, in collaboration with the community, the Office of Planning and Community Development, in 2013 prepared an urban design framework containing a broad set of recommendations to address community concerns and indicate and provide options for zoning changes in the neighborhood; and

WHEREAS, in October 2016, the Mayor proposed a set of zoning changes to implement the urban design framework along with a coordinated set of infrastructure improvements and actions to implement the framework; and

WHEREAS, in reviewing the Mayor’s recommendation, the City Council heard a range of opinions in support of and in opposition to the proposed rezoning, but identified a number of areas of common interest within the community that can be addressed through a coordinated implementation plan; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE  
MAYOR CONCURRING, THAT:**

1           Section 1. The City Council recognizes the tremendous effort of all community members  
2 who participated in the creation of the U District Urban Design Framework, beginning in 2011,  
3 as well as their deep commitment to the U District and its diverse community and their common  
4 interest in working to accommodate growth in the neighborhood in ways that enhances the  
5 community for current and future residents, employees, businesses and non-profits.

6           Section 2. The City recognizes the completion of the U District Urban Design Framework  
7 as a combined effort of the community and the City, identified as Attachment 1 to this resolution.

8           Section 3. The City recognizes a common interest with the community to support  
9 opportunities to increase access to childcare within the U District and for children of employees  
10 working within the U District. The City will convene a U District Childcare Task Force to  
11 explore opportunities to create a multi-employer childcare voucher fund with membership  
12 including the City of Seattle’s Department of Education and Early Learning and the Human  
13 Services Department, the University of Washington and employees of the University, child care  
14 providers in the U District, the U District Partnership and other interested persons or  
15 organizations to develop a U District Childcare Strategy with a report to the City Council’s  
16 Planning, Land Use and Zoning Committee in January of 2018.

17           Section 4. The City recognizes the importance of the Ave (University Way Northeast) as  
18 one of Seattle’s most important business districts, and intends to continue working with the  
19 merchants on the Ave to maintain the vibrancy and diversity of businesses found on the Ave.

20 The City commits to taking the following actions to support businesses in the U District:

- 21           a. Bring the Community Affordability Consulting Team to work with businesses  
22 in the U District on issues such as the design of tenant spaces, feasibility analysis for building  
23 renovations and business plan development;

1                   b. In consultation with local businesses, revise the U District Neighborhood  
2 Design Guidelines to support the creation of spaces on the Ave that are attractive to and  
3 functional for small locally-owned businesses;

4                   c. Provide financial support for businesses that have five or fewer employees  
5 through Individual Development Accounts and 0% interest loans;

6                   d. Collaborate with the local businesses to develop additional programs to  
7 support small locally-owned businesses such as a commercial affordability tax abatement  
8 program, adjustments to property taxes based on income streams, or a commercial affordability  
9 fund; and

10               Section 5. The City recognizes the work of the U District Community led by the U  
11 District Partnership to develop a 2015 update to the University District Parks Plan (“Parks  
12 Plan”). The City commits to taking the follow actions to implement the plan in collaboration  
13 with the U District Partnership and members of the U District Community:

14                   a. Work with University of Washington to inform the design of a public space at  
15 the northwest corner of Brooklyn Ave NE and NE 43<sup>rd</sup> St;

16                   b. Explore options for the Seattle Department of Parks and Recreation, U District  
17 Partnership, and UW to partner on programming of the open space at Brooklyn and 43<sup>rd</sup>;

18                   c. Improve and expand Christie Park;

19                   d. Support Sound Transit’s plan to build a festival street on Brooklyn Avenue  
20 NE between NE 45<sup>th</sup> Street and NE 42<sup>nd</sup> Street, and support the University Farmers Markets plan  
21 to start a weekday farmer’s market at that location;

22                   e. Work with businesses on the Ave and the U District Partnership to identify  
23 additional locations for and support for parklets in the community;

1                   f. In consultation with the U District community, the City will design and build  
2 substantial pedestrian improvements along NE 43<sup>rd</sup> Street between Brooklyn Avenue NE and the  
3 University of Washington to improve connections between the University and the new light rail  
4 station, and to contribute to the public realm along that corridor.

5                   Section 5. The City recognizes the importance of the new U District light rail station to  
6 the U District and its future. The City commits to collaborating with the U District Community,  
7 Sound Transit, and King County Metro to integrate transit systems to best serve the U District  
8 community and surrounding neighborhoods. The Council requests a report from the Seattle  
9 Department of Transportation on these efforts to the Sustainability and Transportation  
10 Committee or its successor committee with a report on these efforts in January 2018 or a later  
11 date agreed upon by the Chair of the committee.

12                   Section 6. The City recognizes the importance of the strong network of social service  
13 providers in the U District. The City commits to collaborating with the ROOTS shelter for young  
14 adults, the U District Partnership and the University of Washington to build a “shelter to  
15 employment” pipeline to provide job training and employment opportunities for clients of the  
16 ROOTS shelter. Further, the City will continue to support social services in the neighborhood  
17 through organizations such as Teen Feed and the University District Food Bank.

1           Adopted by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
2 and signed by me in open session in authentication of its adoption this \_\_\_\_\_ day of  
3 \_\_\_\_\_, 2016.

4 \_\_\_\_\_  
5           President \_\_\_\_\_ of the City Council

6           The Mayor concurred the \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
7 \_\_\_\_\_  
8           Edward B. Murray, Mayor

9           Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
10 \_\_\_\_\_  
11           Monica Martinez Simmons, City Clerk

12 (Seal)  
13  
14  
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16 Attachments

- 17       1. U District Urban Design Framework  
18       2. U District Parks Plan

## Attachment 4: Heights along The Ave

Amendment to rezone the Ave (University Way NE) and one adjacent half-block to Seattle Mixed-University District with a 75 foot height limit (SM-U 75) from Neighborhood Commercial 3 with a Pedestrian designation and 65 foot height limit (NC3P-65), removing the base FAR limit and the associated incentive zoning requirements.

*This amendment would amend:*

- the Official Land Use Map on Page 60, 78, and 79 to reflect the new zone (see map at end of this attachment)
- subsection 23.48.620.A to incorporate FAR requirements for the SM-U 75 zone (page 78 of [Council Bill \(CB\) 118862](#))
- subsection 23.48.620.B to remove the incentive zoning requirements in the SM-U 75 zone (page 80 of CB 118862)

*Note: other sections of the Council Bill would also need to be amended to change references from “SM-U 85” to “SM-U 75”. A full list will be provided at the January 19 PLUZ Committee meeting.*

### 23.48.620 Floor area ratio in SM-U zones

A. Floor area ratio (FAR) limits. Except as otherwise specified in this Section 23.48.620, FAR limits for the SM-U ~~85~~75 zone are as shown in Table A for 23.48.620; FAR limits for the SM-U/R 75-240 zone are as shown in Table B for 23.48.620; and FAR limits for the SM-U 75-240 and the SM-U 95-320 zones are as shown in Table C for 23.48.620.

<b>Table A for 23.48.620 FAR limits for SM-U <del>85</del><u>75</u> zone</b>	
<del>Base FAR</del>	<b>Maximum FAR</b>
<del>4.75</del>	6.0

B. Additional increment of chargeable floor area above the base FAR. On lots [in the SM-U/R 75-240, SM-U 75-240, or SM-U 95-320 zones](#) that include uses or features specified in this subsection 23.48.620.B, an additional increment of chargeable floor area is permitted above the base FAR as follows:



1. ~~For all SM-U zones, an~~ An additional increment of 0.5 FAR is permitted above the base FAR of the zone shown on ~~Table A,~~ Table B, or Table C for 23.48.620 if a lot includes one or more qualifying Landmark structures, subject to the following conditions:

a. The structure is rehabilitated to the extent necessary so that all features and characteristics controlled or designated by ordinance pursuant to Chapter 25.12 are in good condition and consistent with the applicable ordinances and with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of Neighborhoods; and

b. A notice is recorded in the King County real estate records, in a form satisfactory to the Director, regarding the bonus allowed and the effect thereof under the terms of this Chapter 23.48.

c. For purposes of this subsection 23.48.620.B, a "qualifying Landmark" is a structure that:

1) is subject, in whole or in part, to a designating ordinance pursuant to Chapter 25.12; and

2) is on a lot on which no improvement, object, feature, or characteristic has been altered or removed contrary to any provision of Chapter 25.12 or any designating ordinance.

d. A qualifying Landmark that allows for the additional increment of FAR under this subsection 23.48.620.B.1 is not eligible as a Landmark transferable development rights (TDR) or transferable development rights (TDP) sending site. For so long as any of the chargeable floor area of the increment allowed above the base FAR of the zone under this subsection 23.48.620.B.1 remains on the lot, each Landmark for which the increment was

granted shall remain designated as a Landmark under Chapter 25.12 and the owner shall maintain the exterior and interior of each qualifying Landmark in good condition and repair and in a manner that preserves the features and characteristics that are subject to designation or controls by ordinance unless the Landmarks Preservation Board has issued a certificate of approval for the modification or demolition of the Landmark.

e. In the SM-U/R 75-240 zone, the additional increment of chargeable floor area allowed above the base FAR shall be for residential use only.

2. ~~For all SM-U zones, an~~ An additional increment of up to 0.5 FAR is permitted above the base FAR of the zone if a lot includes a human service use, subject to the following conditions:

a. The amount of the additional increment of FAR permitted above the base FAR under this subsection 23.48.620.B.2 shall not exceed the gross square footage of floor area in the human service use.

b. The minimum area provided for one or more human service uses shall be 2,500 square feet of interior space;

c. The location of the human service use shall be accessible to the elderly and disabled, with exterior and interior directional signage clearly visible from the street;

d. The space shall be occupied by a human service use for the life of the project on the lot. If the property owner is unable to secure a human service use to occupy the space, after a six-month period, if the space remains unoccupied, it may be used for non-profit purposes as a community and/or public area, under the following conditions:

1) The space shall be made available to community and charitable organizations and is not to be used for profit-making activities;

2) The space shall be made available for both day and evening use;

3) The space shall be made available on a first-come, first-served basis to community and charitable organizations;

4) There shall be no charge for use of the space, except for any costs that may be necessary by the interim use; and

5) Availability of the space and the contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, flyers to organizations, and contacts with umbrella organizations such as the University District Conversation on Homelessness.

e. The property owner shall maintain all elements of the human service space, including but not limited to landscaping, seating, and lighting, in a safe, clean, and well-maintained condition, and the following shall apply:

1) Any additional improvements beyond the minimum requirements needed for specific service activities may be provided either by the applicant or the agency. The specifics shall be included in the lease agreement. Depending on the terms of the agreement, the tenant may be required to pay for utilities, insurance, taxes, and maintenance expenses. In addition, the tenant may be required to pay for development costs specifically required to meet the needs of the lessee.

2) Rent shall not be charged for use of the space.

f. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes a human service use to gain the increase in base FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with

a qualified human service agency has been secured to occupy the space for a minimum of five years.

g. In the SM-U/R 75-240 zone, the additional increment of chargeable floor area allowed above the base FAR shall be for residential use only.

3. For the SM-U 75-240 and SM-U 95-320 zones, an additional increment of 0.5 FAR is permitted above the base FAR of the zone as shown on Table C for 23.48.620 if a lot includes a preschool, an elementary school, or a secondary school, provided that the school meets the conditions for floor area exempt from FAR in subsection 23.48.620.C.4.

~~4. For the SM-U 85 zone, an additional increment of chargeable floor area up to 0.5 FAR is permitted above the base FAR of the zone shown on Table A for 23.48.620 for a lot that includes one or more vulnerable masonry structures included on a list of structures that meet specified criteria in a rule promulgated by the Director under Section 23.48.627, provided that the following conditions are met:~~

~~a. The amount of the additional increment of FAR permitted above the base FAR under this subsection 23.48.620.B.4 shall not exceed the gross square footage of floor area in the vulnerable masonry structures retained on the lot, and shall in no case exceed 0.5 FAR; and~~

~~b. The vulnerable masonry structure shall be retained according to the provisions of subsection 23.58A.042.F.3 for a structure that qualifies as a vulnerable masonry structure TDR or TDP sending site, and the structure shall be retained on the lot for the life of the project.~~

~~5. For all SM-U zones, an~~ An additional increment of 0.5 FAR is permitted above the base FAR of the zone for a lot that includes residential dwelling units that comply with all of the following conditions, as illustrated in Exhibit A for 23.48.620:

a. Unit number and size. The project includes a minimum of ten dwelling units that each have a minimum area of 900 gross square feet and include two or more bedrooms;

b. Private amenity area. Each dwelling unit provided to meet the minimum number of units required in subsection 23.48.620.B.5.a shall have direct access to a private amenity area, such as a private patio or roof deck, that is located either at ground-level or on the roof of a story that is not above 45 feet in height and that has a minimum area of 150 square feet and a minimum horizontal dimension of 8 feet. Private amenity area that is provided to meet the conditions of this subsection 23.48.620.B.5.b shall be allowed to count as residential amenity area required by Section 23.48.045; and

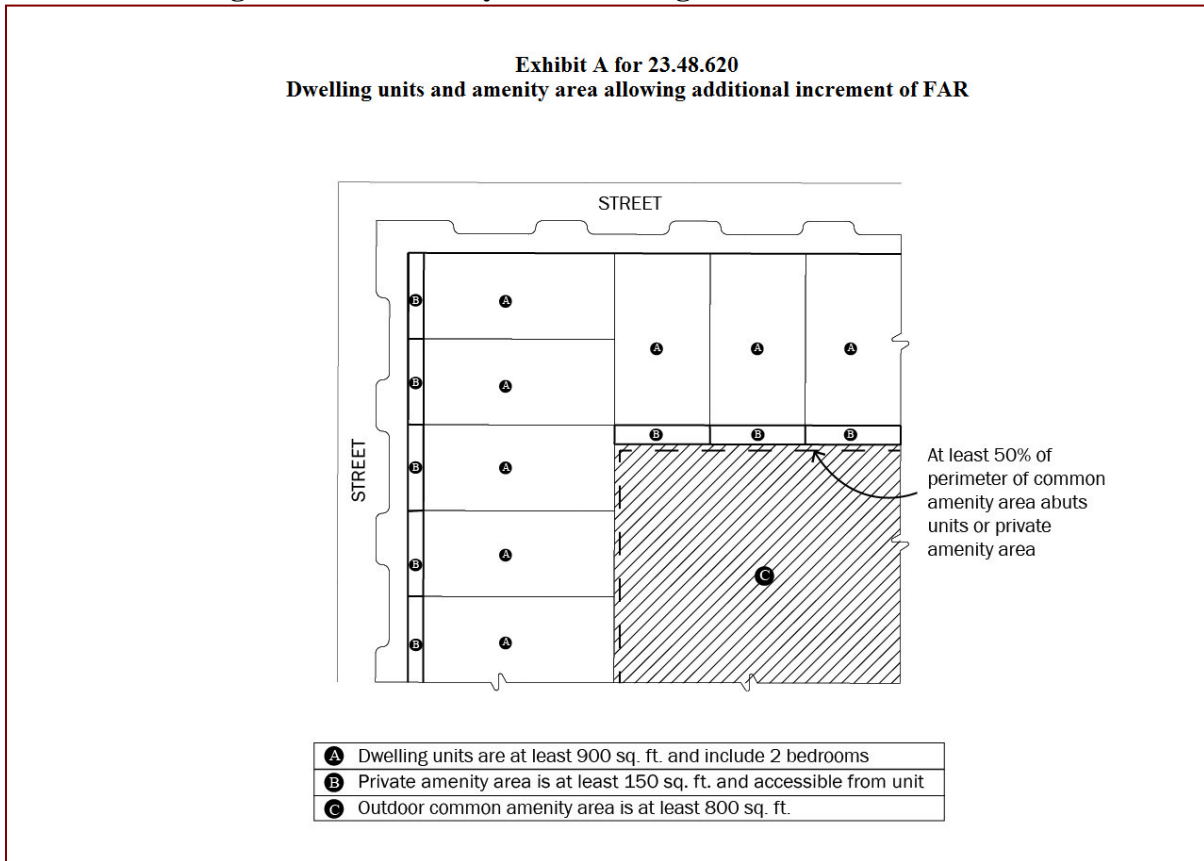
c. Common amenity area. All units provided to meet the minimum number of units required in subsection 23.48.620.B.5.a shall have access to an outdoor common amenity area that is located on the same story as the dwelling unit, is accessible only to the residents of the building, and meets the following standards:

1) the common amenity area has a minimum area of 800 square feet and a minimum horizontal dimension of 10 feet;

2) the common amenity area abuts and is visually or physically accessible from the dwelling units that meet the standards of subsection 23.48.629.B.5.a, or the private amenity area of these units, along at least 50 percent of its perimeter; and

3) the common amenity area includes space for children's play equipment.

**Exhibit A for 23.48.620**  
**Dwelling units and amenity area allowing additional increment of FAR**

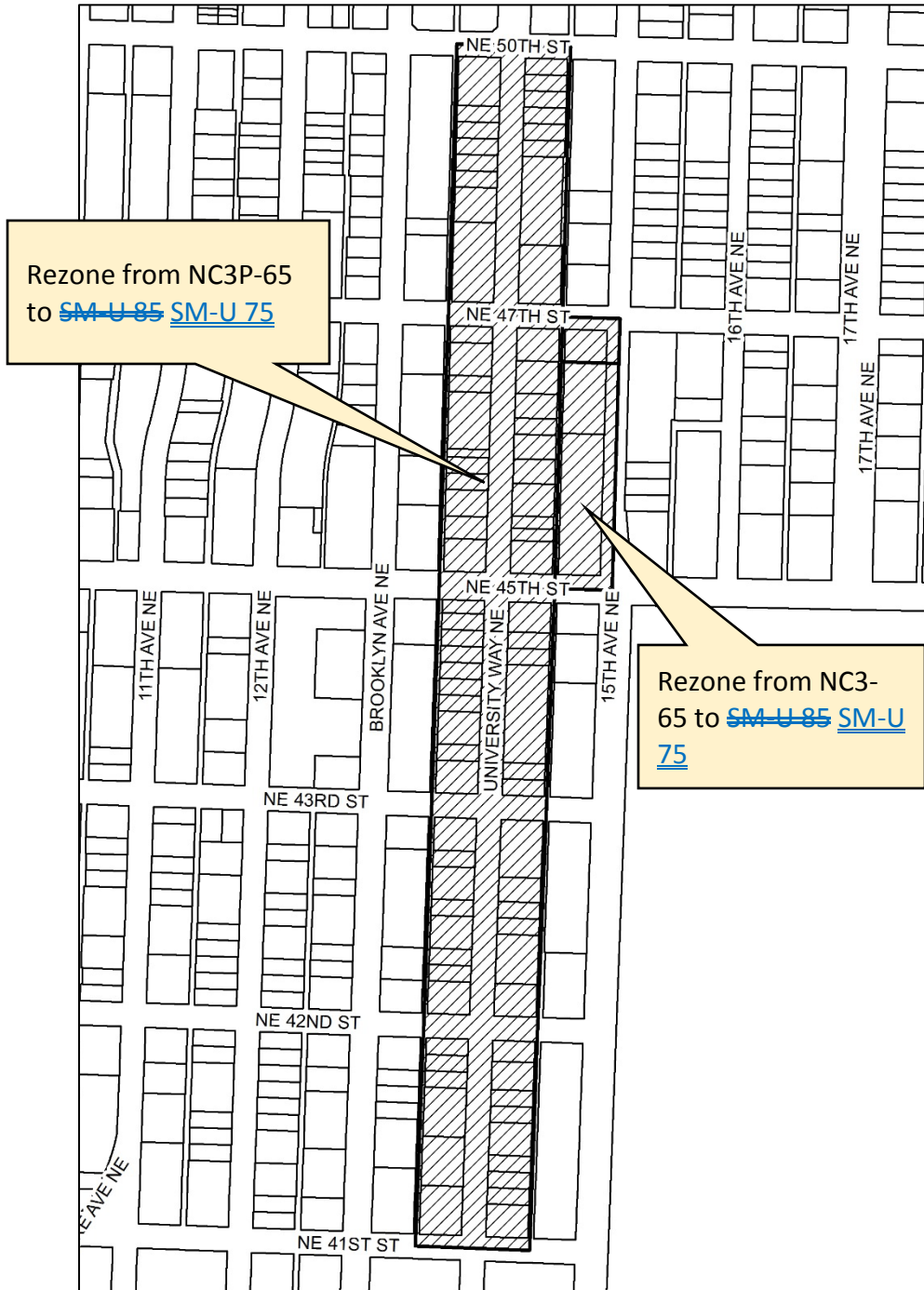


6. The additional chargeable floor area allowed as an increment above the base FAR for individual uses and features specified in this subsection 23.48.620.B may be combined, provided that in no case shall the total amount of additional chargeable floor area allowed above the base FAR exceed 1 FAR and in no case shall more than one increment of additional floor area be allowed for the same use or feature on the lot.

7. Extra floor area achieved as provided for in Section 23.48.622 shall be chargeable floor area added above the increment of FAR allowed under the provisions of this subsection 23.48.620.B.

\* \* \*

# MAP OF PROPOSED AVE REZONE



**Attachment 5: Transfer of Development Rights (TDRs) program related to the Ave.**

Amendment to limit University Way to being a sending site for TDR and TDP, but not a receiving site.

This amendment would amend section 23.48.623 (page 90 of [Council Bill 118862](#)) to make the SM-U 75 zoning district a sending site for TDR only. If Amendment I.A1 is not adopted, replace “SM-U 75” with “SM-U 85.”

**23.48.623 Transfer of development rights (TDR) and potential (TDP) in SM-U zones**

A. General standards

1. For the purposes of this Section 23.48.623, the transfer of development rights to gain extra non-residential floor area in a project on a receiving site is TDR and the transfer of development potential to gain extra residential floor area in a project on a receiving site is TDP.

2. The following types of TDR and TDP may be transferred to the extent permitted in Table A for 23.48.623, subject to the limits and conditions of this Chapter 23.48 and the standards for the use of TDR and TDP in Section 23.58A.042:

- a. Landmark TDR and TDP;
- b. Open space TDR and TDP; and
- c. Vulnerable masonry structure TDR and TDP.

<b>Table A for 23.48.623 Permitted use of TDR and TDP</b>			
<b>Zone</b>	<b>Type of TDR or TDP</b>		
	<b>Landmark</b>	<b>Open space</b>	<b>Vulnerable masonry structure</b>
<del>((SM-U 85))</del> SM-U 75-240, and SM-U 95-320	S, R	S, R	S, R
<u>SM-U 75</u>	<u>S</u>	<u>S</u>	<u>S</u>
SM-U/R 75-240	S, R <sup>1</sup>	S, R <sup>1</sup>	S, R <sup>1</sup>
NC3-55 <sup>2</sup> , NC3-65 <sup>2</sup>	S	S	S
S = Eligible sending lot location R = Eligible receiving lot location Footnotes to Table A for 23.48.623 <sup>1</sup> Only TDP can be used on receiving lots			



<b>Table A for 23.48.623</b>			
<b>Permitted use of TDR and TDP</b>			
<b>Zone</b>	<b>Type of TDR or TDP</b>		
	<b>Landmark</b>	<b>Open space</b>	<b>Vulnerable masonry structure</b>
<sup>2</sup> Only lots located within the University Community Urban Center west of 15 <sup>th</sup> Avenue NE.			

B. Sending sites. Eligible sending site locations are shown on Table A for 23.48.623.

Eligible TDR and TDP sending sites shall meet the definition of an open space, vulnerable masonry structure, or Landmark TDR or TDP sending site in Chapter 23.84A and comply with all applicable standards in this Chapter 23.48 and Section 23.58A.042.

C. Receiving sites. Receiving site locations are shown on Table A for 23.48.623. Only lots zoned SM-U within the University Community Urban Center west of 15<sup>th</sup> Avenue NE are eligible receiving sites, and the amount of extra floor area that can be gained through the use of TDR and TDP on an eligible receiving site is specified in Section 23.48.622.

D. Except as provided in subsection 23.47A.009.E.2.b, the maximum amount of TDR and TDP that can be transferred from an eligible sending site shall not exceed an amount of floor area equivalent to the numerical value of the base FAR of the zone in which the sending site is located, as shown on Table A, Table B, and Table C for 23.48.620, multiplied by the lot area of the sending site and minus the sum of any chargeable floor area on the lot plus any TDR and TDP previously transferred.

## Attachment 6: Limit uses exempt from floor area to small commercial spaces

Amendment to subsection 23.48.620 C (page 86 of [Council Bill 118862](#)) and new subsection 23.48.620 D to reduce the floor area exemptions available to property in the SM-U 75 district along the Ave to only include individual commercial spaces that are 2,000 square feet or less in size. If amendment I.A1 is not approved, replace SM-U 75 with SM-U 85.

### 23.48.620 Floor area ratio in SM-U zones

\* \* \*

C. Floor area exempt from FAR [in the SM-U/R 75-240, SM-U 75-240, or SM-U 95-320 zones](#). In addition to the exempt floor area identified in subsection 23.48.020.D, the following floor area is exempt from FAR limits [on lots in the SM-U/R 75-240, SM-U 75-240, or SM-U 95-320 zones](#):

1. The floor area contained in a Landmark structure subject to controls and incentives imposed by a designating ordinance if the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board providing for the rehabilitation and maintenance of the historically significant features of the structure including but not limited to a certificate of approval for the modification of the Landmark. This exemption does not apply to a lot from which a Landmark TDR or TDP has been transferred under Chapter 23.58A and does not apply for purposes of determining TDR or TDP available for transfer under Chapter 23.58A;

2. Except in the SM-U/R 75-240 zone, uses identified in subsection [23.48.605.C](#), whether required or not, that meet the development standards of subsection 23.48.040.C;

3. Except in the SM-U/R 75-240 zone, uses identified in subsection [23.48.605.C](#), that abut and have access onto a mid-block corridor meeting the standards of subsection 23.48.640.F and the applicable standards in Section 23.58A.040;

4. Floor area for a preschool, an elementary school, or a secondary school, which may include minimum space requirements for associated uses including but not limited to academic core functions, child care, administrative offices, a library, maintenance facilities, food service, interior recreation, and specialty instruction space, provided that;

a. Prior to issuance of a Master Use Permit, the applicant shall submit a letter to the Director from the operator of the school indicating that, based on the Master Use Permit plans, the operator has determined that the development would meet the operator's specifications; and

b. Prior to issuance of a building permit, the applicant shall submit a written certification by the operator to the Director that the operator's specifications have been met;

5. Floor area used for theaters or arts facilities, which for the purposes of this Section 23.48.620 may be operated either by for-profit or not-for-profit organizations;

6. Floor area in a vulnerable masonry structure included on a list of structures that meet specified criteria in a rule promulgated by the Director under Section 23.48.627, provided that the structure is retained for a minimum of 50 years according to the provisions that apply to a qualifying “vulnerable masonry structure” TDR or TDP sending site in subsection 23.58A.042.F.3;

7. All gross floor area of a light rail transit station and related passenger amenities;

8. All gross floor area of a human service use;

9. Floor area in enclosed portions of a mid-block corridor or other enclosed open space feature that would be eligible for a bonus according to Section 23.48.624 on the lot where

the feature is located. The exemption applies regardless of whether a floor area bonus is obtained;

10. Up to a maximum of 50,000 square feet of the floor area occupied by a City facility, including but not limited to fire stations and police precincts, but not a City facility predominantly occupied by office use; and+

11. Up to 25,000 square feet of a community center that is open to the general public for a minimum of six hours per day, five days per week, 42 weeks per year.

D. Floor area exempt from FAR in the SM-U 75 zone. In the SM-U 75 zone, floor area for individual commercial uses identified in subsection 23.48.605.C that are 2,000 square feet or less in size and that are located at street level along the street-facing facades abutting streets shown on Map A for 23.48.605 is exempt from FAR limits are exempt from FAR in the SM-U 75 zone.

## Attachment 7: Maximum building width

Amendment to reduce the maximum building width for buildings in the SM-U 75 district, including those fronting on the Ave, to 160' rather than 250'.

This amendment would amend section 23.48.635 (page 95 of [Council Bill \(CB\) 118862](#)) to add a separate width requirement for the SM-U 75 district. If Amendment I.A1 is not adopted, replace "SM-U 75" with "SM-U 85."

### 23.48.635 Maximum width and depth limits in SM-U zones

A. In the SM-U/R 75-240, SM-U 75-240, and SM-U 95-320 zones, ~~the~~ the maximum width and depth limit of a structure is 250 feet, except as otherwise provided in this Section 23.48.635.

B. In the SM-U 75 zone, the maximum width and depth limit of a structure is 160 feet, except as otherwise provided in this Section 23.48.635.

C. The width and depth limits do not apply to below-grade or partially below-grade stories with street-facing facades that do not extend more than 4 feet above the sidewalk, measured at any point above the sidewalk elevation to the floor above the partially below-grade story, excluding access.

~~B~~ D. For the stories of a structure subject to width and depth limits, all portions of the same story that are horizontally contiguous, including any portions connected by doorways, ramps, bridges, elevated stairways, and other such devices, shall be included in the measurement of width and depth. The width and depth limit of stories in separate structures or structures on the same lot that abut but are not internally connected shall be measured separately, except that designated Landmark structures and structures that qualify as vulnerable masonry structures according to Section 23.48.630 that are retained on the lot are excluded from the width and depth measurement, whether internally connected to a new structure or not.

~~C~~ E. Width and depth limits do not apply to stories of a structure with more than 50 percent of the total gross floor area occupied by any of the following uses:

1. Community clubs or community centers;
2. Religious facilities;
3. Arts facilities;
4. Preschool, elementary, or secondary schools; or
5. Performing arts theaters.

D.F. Width and depth limits do not apply to the portion of a structure that is 55 feet or less in height on a lot that includes a light rail transit station.

**Attachment 8: Mandatory Housing Affordability requirements – M2 in U District core**

Amendment to increase the requirements for the core area from M1 (9% of units in the structure or \$20/SF for residential units) to M2 (10% of units in the structure or \$22.25/SF for residential units).

This amendment would amend tables in sections 23.58B.040, 23.58B.050, 23.58C.040 and 23.58C.050 (pages 146, 150, 160 and 163 of [Council Bill \(CB\) 118862](#)) to increase payment and performance calculations for SM-U districts. If Amendment I.A1 is not adopted, do not amend “SM-U 85” to “SM-U 75”.

**23.58B.040 Mitigation of impacts - payment option**

\* \* \*

<b>Table A for 23.58B.040</b>	
<b>Payment calculation amounts:</b>	
<b>In Downtown, ((and)) SM-SLU, and SM-U zones</b>	
<b>Zone</b>	<b>Payment calculation amount per square foot</b>
* * *	
SM-U <del>85</del> 75	\$7.00
SM-U/R 75-240	<del>\$20.00</del> 22.25
SM-U 75-240	<del>\$20.00</del> 22.25
SM-U 95-320	<del>\$20.00</del> 22.25

\* \* \*

**23.58B.050 - Affordable housing impact mitigation - performance option**

\* \* \*

<b>Table A for 23.58B.050</b>	
<b>Performance calculation amounts:</b>	
<b>In Downtown, ((and)) SM-SLU, and SM-U zones</b>	
<b>Zone</b>	<b>Performance calculation amount per square foot</b>
* * *	
SM-U <del>85</del> 75	5.0%
SM-U/R 75-240	<del>9.0</del> 10%
SM-U 75-240	<del>9.0</del> 10%

<b>Table A for 23.58B.050</b> <b>Performance calculation amounts:</b> <b>In Downtown, <del>((and))</del> SM-SLU, and SM-U zones</b>	
Zone	Performance calculation amount per square foot
SM-U 95-320	<del>9.0</del> <u>10%</u>

\* \* \*

Section 31. Subsection 23.58C.040.A of the Seattle Municipal Code, which section was enacted by Ordinance 125108, is amended as follows:

**23.58C.040 Affordable housing – ~~((Payment))~~ payment option**

\* \* \*

<b>Table A for 23.58C.040</b> <b>Payment calculation amounts:</b> <b><del>((inside))</del> <u>In Downtown, <del>((and))</del> SM-SLU, and SM-U zones</u></b>	
Zone <del>((category))</del>	<del>((Dollars per square foot of gross floor area according to subsection 23.58C.040.A.1))</del> <b><u>Payment calculation amount per square foot</u></b>
<del>((RESERVED))</del> SM-U <del>8575</del>	<del>((RESERVED))</del> \$13.25
SM-U/R 75-240	<del>\$20.00</del> <u>22.25</u>
SM-U 75-240	<del>\$20.00</del> <u>22.25</u>
SM-U 95-320	<del>\$20.00</del> <u>22.25</u>

\* \* \*

Section 32. Section 23.58C.050 of the Seattle Municipal Code, enacted by Ordinance 125108, is amended as follows:

**23.58C.050 Affordable housing – ~~((Performance))~~ performance option**

\* \* \*



<b>Table A for 23.58C.050</b> <b>((Affordable housing to be provided (performance option))) <u>Performance calculation amounts:</u></b> <b>((inside)) <u>In Downtown, ((and)) SM-SLU, and SM-U zones</u></b>	
<b>Zone ((category))</b>	<b>Percentage <u>set-aside per ((of)) total number of units to be developed in each structure</u></b>
<del>((RESERVED))</del> <u>SM-U <del>8575</del></u>	<del>((Reserved))</del> <u>6.0%</u>
<u>SM-U/R 75-240</u>	<del>9.0</del> <u>10%</u>
<u>SM-U 75-240</u>	<del>9.0</del> <u>10%</u>
<u>SM-U 95-320</u>	<del>9.0</del> <u>10%</u>

**Attachment 9: Mandatory Housing Affordability requirements: MHA-C tables**

Amendment to add Mandatory Housing Affordability payment and performance calculation amounts for commercial development in areas outside of Downtown, Seattle Mixed-South Lake Union and Seattle Mixed-University District zones.

This amendment would amend tables in sections 23.58B.040 and 23.58B.050 (pages 146 and 151 of [Council Bill \(CB\) 118862](#)) to incorporate these performance and payment amounts and remove footnotes that would no longer be required because a map showing the low, medium and high MHA districts was adopted in Ordinance 125233.

<b>Table B for 23.58B.040</b>			
<b>Payment calculation amounts:</b>			
<b>Outside Downtown, <del>(and)</del> SM-SLU, and SM-U zones</b>			
<b>Zone</b>	<b>Payment calculation amount per square foot<sup>±</sup></b>		
	<b>Low</b>	<b>Medium</b>	<b>High</b>
All <del>((industrial buffer))</del> <u>Industrial Buffer</u> zones (IB)	Not applicable	Not applicable	Not applicable
All <del>((industrial general))</del> <u>Industrial General</u> zones (IG)	Not applicable	Not applicable	Not applicable
All <del>((master planned communities))</del> <u>Master Planned Communities – Yesler Terrace</u> zones (MPC-YT)	Not applicable	Not applicable	Not applicable
IC 85-160	\$10.00	\$10.00	\$10.00
<u>Zones with an (M) suffix</u>	<del>RESERVED</del> \$5.00	<del>RESERVED</del> \$7.00	<del>RESERVED</del> \$8.00
<u>Zones with an (M1) suffix</u>	<del>RESERVED</del> \$8.00	\$11.25	<del>RESERVED</del> \$12.75
<u>Zones with an (M2) suffix</u>	<del>RESERVED</del> \$9.00	<del>RESERVED</del> \$12.50	<del>RESERVED</del> \$14.50
Other zones where provisions refer to Chapter 23.58B	\$5.00	\$7.00	\$8.00
<del>Footnotes to Table B for 23.58B.040</del>			
<del>± Area within the University Community Urban Center is medium.</del>			

**Table B for 23.58B.050**

**Performance calculation amounts:**

**Outside Downtown, ~~((and)) SM-SLU, and SM-U zones~~**

Zone	Performance calculation amount per square foot <sup>±</sup>		
	<u>Low</u>	<u>Medium</u>	<u>High</u>
All <del>((industrial buffer))</del> <u>Industrial Buffer zones</u> (IB)	Not applicable	<u>Not applicable</u>	<u>Not applicable</u>
All <del>((industrial general))</del> <u>Industrial General zones</u> (IG)	Not applicable	<u>Not applicable</u>	<u>Not applicable</u>
All <del>((master planned communities))</del> <u>Master Planned Communities –</u> <u>Yesler Terrace zones</u> (MPC-YT)	Not applicable	<u>Not applicable</u>	<u>Not applicable</u>
IC 85-160	6.1%	<u>6.1%</u>	<u>6.1%</u>
<u>Zones with an (M) suffix</u>	<u>5%</u> <del>[RESERVED]</del>	<u>5%</u> <del>[RESERVED]</del>	<u>5%</u> <del>[RESERVED]</del>
<u>Zones with an (M1) suffix</u>	<u>8%</u> <del>[RESERVED]</del>	<u>8.0%</u>	<u>8%</u> <del>[RESERVED]</del>
<u>Zones with an (M2) suffix</u>	<u>9%</u> <del>[RESERVED]</del>	<u>9%</u> <del>[RESERVED]</del>	<u>9%</u> <del>[RESERVED]</del>
Other zones where provisions refer to Chapter 23.58B	5.0%	<u>5.0%</u>	<u>5.0%</u>

~~Footnotes to Table B for 23.58B.050~~

~~± Area within the University Community Urban Center is medium.~~

## Attachment 10: Midrise TDR

Amendment to allow Landmark TDR and Landmark TDP from the Midrise zone in the U District Urban Center.

This amendment would amend:

- the title of Council Bill 118862 to add a new section 23.45.509 (this will require the introduction of a new Council Bill.)
- Chapter 23.45 “Multi-family,” adding a new section 23.45.509 related to TDR and TDP from sites in Midrise zones in the U District.
- subsection 23.48.623 A (page 90 of [Council Bill \(CB\) 118862](#)) to allow the MR zone to send TDR to sites in the SM-U zone (see also the amendments in Attachment 5 which also amend this subsection).

a. Amend the title to include a new section 23.45.509  
(Note, this will require introduction of a new Council Bill)

AN ORDINANCE relating to land use and zoning, amending Sections 23.30.010, 23.45.502, 23.45.510, 23.45.512, 23.45.514, 23.47A.002, 23.47A.009, 23.47A.012, 23.47A.013, 23.48.002, 23.48.005, 23.48.020, 23.48.021, 23.48.025, 23.48.040, 23.48.045, 23.48.055, 23.48.085, 23.48.240, 23.58A.040, 23.58A.042, 23.58B.040, 23.58B.050, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, 23.61.008, 23.61.014, 23.84A.004, 23.84A.025, 23.84A.028, 23.84A.038, 23.84A.042, and 23.84A.048 of the Seattle Municipal Code (SMC), adding new Sections 23.45.509, 23.45.517, 23.47A.017, 23.48.602, 23.48.605, 23.48.615, 23.48.620, 23.48.621, 23.48.622, 23.48.623, 23.48.624, 23.48.627, 23.48.630, 23.48.635, 23.48.640, 23.48.645, 23.48.646, 23.48.650, 23.48.680, 23.48.685, and 23.48.690 to the SMC; and amending the Official Land Use Map at pages 60, 61, 78, and 79 to rezone areas and remove the University District Station Area Overlay District.

\* \* \*

Section XX. A new Section 23.45.509 is added to the Seattle Municipal Code as follows:

23.45.509 Standards applicable to specific areas

A. Resolution of standards conflicts. To the extent there is a conflict between this Section 23.45.509 and other sections of Title 23, the provisions of this Section 23.45.509 apply.

B. University Community Urban Center. The following provisions apply to development in the MR (M1) zone.

1. Lots located in MR (M1) zones are eligible as Landmark TDR and TDP sending sites if the lot meets the definition of the applicable TDR or TDP sending site in Chapter 23.84A and meets all applicable standards in Section 23.58A.042.

2. The maximum amount of TDR and TDP that can be transferred from an eligible sending site shall not exceed an amount of floor area equivalent to the numerical value of the FAR permitted on a lot in a Midrise zone with a mandatory housing affordability suffix as listed in subsection 23.45.517 B2, multiplied by the lot area of the sending site and minus the sum of any chargeable floor area on the lot plus any TDR and TDP previously transferred.

3. Eligible receiving sites are limited to those lots in SM-U zones specified in subsection 23.48.623.C.

\* \* \*

c. Amend section 23.48.623 to authorize MR district as a sending site for TDR and TDP

**23.48.623 Transfer of development rights (TDR) and potential (TDP) in SM-U zones**

A. General standards

1. For the purposes of this Section 23.48.623, the transfer of development rights to gain extra non-residential floor area in a project on a receiving site is TDR and the transfer of development potential to gain extra residential floor area in a project on a receiving site is TDP.

2. The following types of TDR and TDP may be transferred to the extent permitted in Table A for 23.48.623, subject to the limits and conditions of this Chapter 23.48 and the standards for the use of TDR and TDP in Section 23.58A.042:

- a. Landmark TDR and TDP;
- b. Open space TDR and TDP; and
- c. Vulnerable masonry structure TDR and TDP.

<b>Table A for 23.48.623 Permitted use of TDR and TDP</b>			
<b>Zone</b>	<b>Type of TDR or TDP</b>		
	<b>Landmark</b>	<b>Open space</b>	<b>Vulnerable masonry structure</b>
SM-U 85, SM-U 75-240, and SM-U 95-320	S, R	S, R	S, R
SM-U/R 75-240	S, R <sup>1</sup>	S, R <sup>1</sup>	S, R <sup>1</sup>
NC3-55 <sup>2</sup> , NC3-65 <sup>2</sup>	S	S	S
<u>MR<sup>2</sup></u>	<u>S</u>	<u>X</u>	<u>X</u>
S = Eligible sending lot location R = Eligible receiving lot location <u>X = Not eligible as either a sending lot or receiving lot location</u> Footnotes to Table A for 23.48.623 <sup>1</sup> Only TDP can be used on receiving lots <sup>2</sup> Only lots located within the University Community Urban Center west of 15 <sup>th</sup> Avenue NE.			

B. Sending sites. Eligible sending site locations are shown on Table A for 23.48.623.

Eligible TDR and TDP sending sites shall meet the definition of an open space, vulnerable masonry structure, or Landmark TDR or TDP sending site in Chapter 23.84A and comply with all applicable standards in this Chapter 23.48 and Section 23.58A.042.

C. Receiving sites. Receiving site locations are shown on Table A for 23.48.623. Only lots zoned SM-U within the University Community Urban Center west of 15<sup>th</sup> Avenue NE are eligible receiving sites, and the amount of extra floor area that can be gained through the use of TDR and TDP on an eligible receiving site is specified in Section 23.48.622.

D. Except as provided in subsection 23.47A.009.E.2.b, the maximum amount of TDR and TDP that can be transferred from an eligible sending site shall not exceed an amount of floor area equivalent to the numerical value of the base FAR of the zone in which the sending site is located, as shown on Table A, Table B, and Table C for 23.48.620, multiplied by the lot area of

the sending site and minus the sum of any chargeable floor area on the lot plus any TDR and TDP previously transferred.

## **Attachment 11: Clarify that bonus open space will be publicly accessible**

Amendment to clarify that open space created through floor area bonuses would be required to be publicly-accessible. This amendment would add words “publicly accessible” in two locations in Section 23.48.624 (page 92 of [Council Bill 118862](#)).

### **23.48.624 Bonus floor area for publicly accessible open space amenities in SM-U zones**

A. In SM-U zones, extra floor area may be gained above the base FAR specified for the zone in Section 23.48.620 in projects that provide publicly accessible open space amenities in accordance with Section 23.58A.040 and subject to the limits and conditions of Section 23.48.622 and this Section 23.48.624.

B. The following open space amenities are eligible for a floor area bonus to gain an amount of extra floor area specified in Section 23.48.622:

1. Neighborhood open space;
2. Green street improvements on designated Neighborhood Green Streets shown on Map A for 23.48.640;
3. Green street setback on lots abutting a designated Neighborhood Green Street shown on Map A for 23.48.640; and
4. Mid-block corridor.

C. To be eligible for a floor area bonus, open space amenities shall comply with the applicable development standards and conditions specified in Section 23.58A.040, except that for a mid-block corridor, in addition to the conditions of Section 23.58A.040, the provisions of subsection 23.48.640.E apply.



## Attachment 12: Transportation Management Program requirements

Amendment to require Transportation Management Programs (TMPs) for development in the SM-U district. TMPs are guided by SDOT and SDCI Joint Directors' Rule [27-2015](#), which requires developers to develop programs that mitigate transportation impacts. Requiring TMPs for both residential and non-residential development will provide occupants of new buildings in the U District with tools to reduce SOV trips such as subsidized transit passes and bicycle storage, along with information about other transportation options and other measures to limit single-occupant vehicle use. This section is based on comparable requirements in the Northgate Overlay but adds requirements for TMPs when a residential development would create demand for overnight parking in the district.

*This amendment would amend the title of Council Bill (CB) 118862, amend the introductory section of Section 23 of CB 118862 (page 74 of [CB 118862](#)) and add a new section 23.48.610 in the Seattle Mixed-University District zone to require TMPs. This would require the introduction of a new Council Bill.*

AN ORDINANCE relating to land use and zoning, amending Sections 23.30.010, 23.45.502, 23.45.510, 23.45.512, 23.45.514, 23.47A.002, 23.47A.009, 23.47A.012, 23.47A.013, 23.48.002, 23.48.005, 23.48.020, 23.48.021, 23.48.025, 23.48.040, 23.48.045, 23.48.055, 23.48.085, 23.48.240, 23.58A.040, 23.58A.042, 23.58B.040, 23.58B.050, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, 23.61.008, 23.61.014, 23.84A.004, 23.84A.025, 23.84A.028, 23.84A.038, 23.84A.042, and 23.84A.048 of the Seattle Municipal Code (SMC), adding new Sections 23.45.517, 23.47A.017, 23.48.602, 23.48.605, 23.48.610, 23.48.615, 23.48.620, 23.48.621, 23.48.622, 23.48.623, 23.48.624, 23.48.627, 23.48.630, 23.48.635, 23.48.640, 23.48.645, 23.48.646, 23.48.650, 23.48.680, 23.48.685, and 23.48.690 to the SMC; and amending the Official Land Use Map at pages 60, 61, 78, and 79 to rezone areas and remove the University District Station Area Overlay District.

\* \* \*

Section 23. A new Subchapter V, which includes new Sections 23.48.602, 23.48.605, 23.48.615, 23.48.610, 23.48.620, 23.48.621, 23.48.622, 23.48.623, 23.48.624, 23.48.627, 23.48.630, 23.48.635, 23.48.640, 23.48.645, 23.48.646, 23.48.650, 23.48.680, 23.48.685, and 23.48.690, is added to Chapter 23.48 of the Seattle Municipal Code as follows:

\* \* \*

### 23.48.610 Transportation management programs

A. When a development is proposed that is expected to generate 50 or more employee or student single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and

implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.

2. Compliance with this section does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

B. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

C. Each owner subject to the requirements of this section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D. The TMP shall be approved by the Director if, after consulting with Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the University Community Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.

**Attachment 13: Zoning on north side of NE 50<sup>th</sup> Street**

Amendment to increase the heights on the north side of NE 50th from 11th Ave NE to a half block east of Brooklyn Ave NE from NC3-55 (M1) to NC3-75 (M1) and extend NC3-75 (M1) a half a block east to Brooklyn Avenue NE. (Johnson)

*This amendment will require changes to the Official Land Use Map on Page 60 to reflect the new zone and changes to Sections 23.47A.017.B and 23.47A.017.C (page 36 of [Council Bill 118862](#)), to incorporate the height and FAR requirements for the NC3-75 zone.*

**23.47A.017 Commercial zones with a mandatory housing affordability suffix**

The following standards apply to NC zones with a mandatory housing affordability suffix of either (M), (M1), or (M2):

A. Affordable housing requirements. Development is subject to the provisions of Chapters 23.58B and 23.58C.

B. Floor area ratio (FAR). The maximum FAR allowed in NC zones with a mandatory housing affordability suffix is shown on Table A for 23.47A.017.

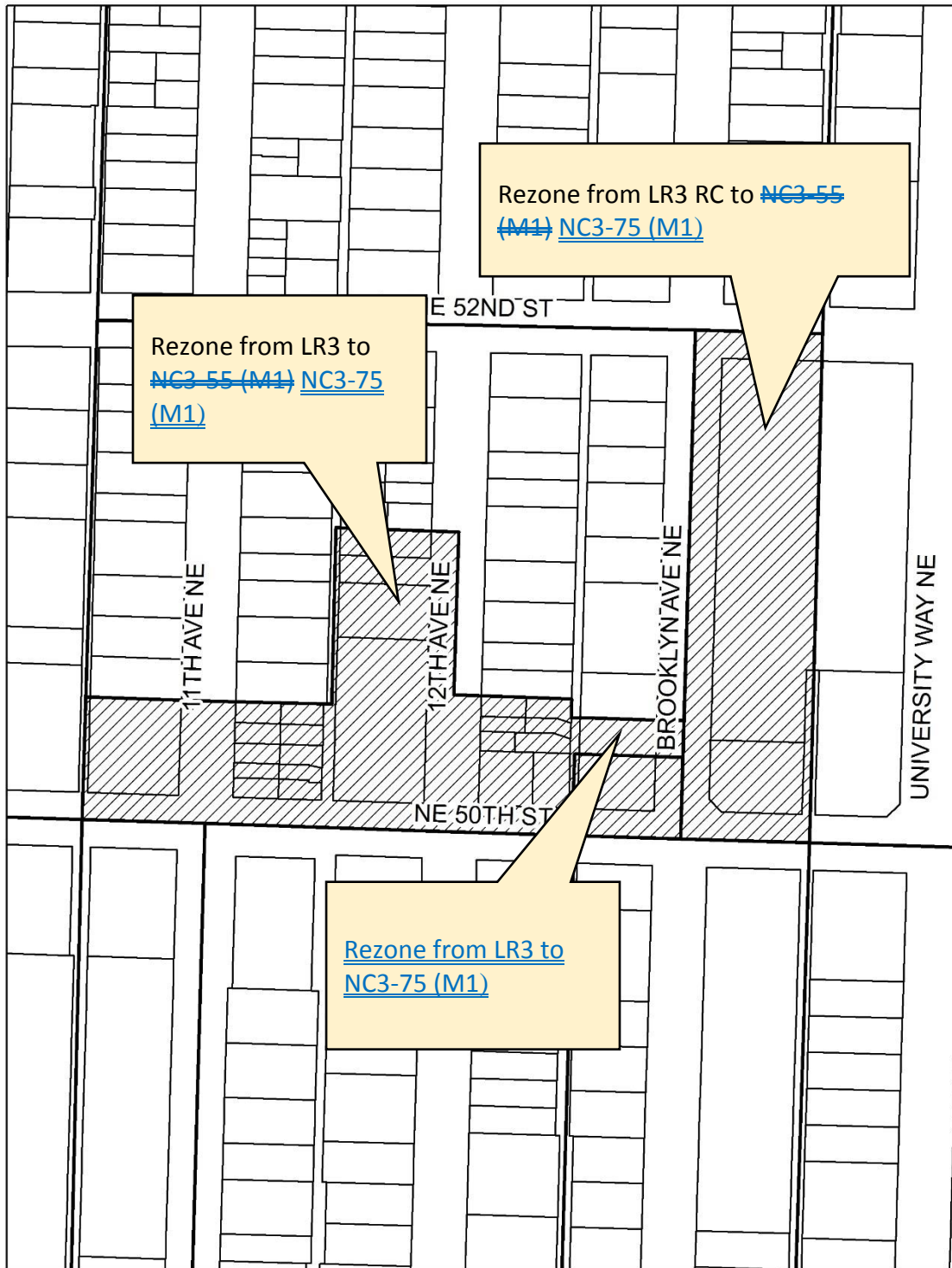
<b>Table A for 23.47A.017</b>			
<b>Maximum floor area ratio (FAR) for NC zones with a mandatory housing affordability suffix</b>			
Height limit (in feet)	30	55	<u>75</u>
Maximum FAR <sup>1</sup>	2.5	3.75	<u>5.5</u>
Footnote to Table A for 23.47A.017 <sup>1</sup> Total FAR permitted for all uses on a lot			

C. Minimum FAR. The minimum FAR required in NC zones with a mandatory housing affordability suffix is shown on Table B for 23.47A.017.

<b>Table B for 23.47A.017</b>			
<b>Minimum floor area ratio (FAR) for NC zones with a mandatory housing affordability suffix</b>			
Height limit (in feet)	30	55	<u>75</u>
Minimum FAR	1.5	1.5	<u>2</u>

\* \* \*

# MAP OF PROPOSED NE 50<sup>TH</sup> STREET REZONE



**Attachment 14: LR3 to MR north of NE 50<sup>th</sup> Street**

Amendment to rezone the multifamily district between NE 50<sup>th</sup> Street and NE 52<sup>nd</sup> Street from LR3 to MR.

*This amendment will require changes to the Official Land Use Map on Page 60.*

**MAP OF PROPOSED NORTH OF NE 50<sup>TH</sup> STREET REZONE**



## Attachment 15: Zoning at Brooklyn Ave NE and NE Ravenna Boulevard

Amendment to increase the heights on two properties at the south side of Ravenna Boulevard at Brooklyn Ave NE from 30' to 40'

*This amendment will require changes to the Official Land Use Map on Page 60 and changes to Section 23.47A.017 (page 36 of [Council Bill \(CB\) 118862](#)) to reflect FAR requirements for an NC zone with a mandatory housing affordability suffix. Note also the amendment in Attachment 13, which would also require changes to Section 23.47A.017.*

### 23.47A.017 Commercial zones with a mandatory housing affordability suffix

The following standards apply to NC zones with a mandatory housing affordability suffix of either (M), (M1), or (M2):

A. Affordable housing requirements. Development is subject to the provisions of Chapters 23.58B and 23.58C.

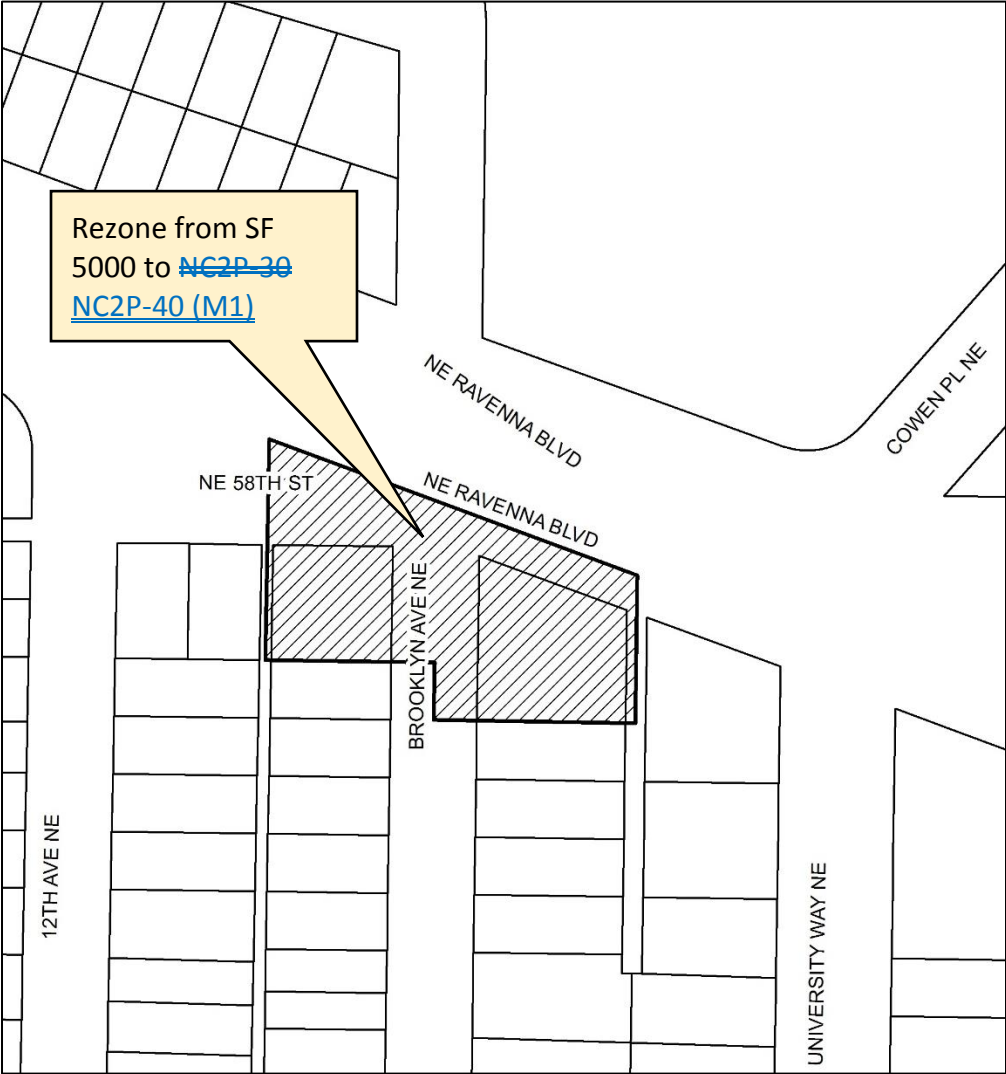
B. Floor area ratio (FAR). The maximum FAR allowed in NC zones with a mandatory housing affordability suffix is shown on Table A for 23.47A.017.

<b>Table A for 23.47A.017</b>			
<b>Maximum floor area ratio (FAR) for NC zones with a mandatory housing affordability suffix</b>			
Height limit (in feet)	30	<u>40</u>	55
Maximum FAR <sup>1</sup>	2.5	<u>3</u>	3.75
Footnote to Table A for 23.47A.017 <sup>1</sup> Total FAR permitted for all uses on a lot			

C. Minimum FAR. The minimum FAR required in NC zones with a mandatory housing affordability suffix is shown on Table B for 23.47A.017.

<b>Table B for 23.47A.017</b>			
<b>Minimum floor area ratio (FAR) for NC zones with a mandatory housing affordability suffix</b>			
Height limit (in feet)	30	<u>40</u>	55
Minimum FAR	1.5	<u>1.5</u>	1.5

**MAP OF PROPOSED REZONE AT BROOKLYN AVE NE AND NE RAVENNA BLVD**





**Attachment 16: Non-residential floorplates in the SM-U District**

Amendment to allow for larger floorplates for non-residential development in the SM-U zone. This amendment would amend Section 23.48.645 (page 106 of [Council Bill \(CB\) 118862](#)) to allow larger floorplates for non-residential development above 45 feet and below 160 feet in the SM-U zone and remove an exception to the standard floorplate limits that would no longer be required. See also the alternative proposal in Attachment 17, which limits the locations where larger floorplates would be permitted.

**23.48.645 Upper-level development standards in SM-U zones**

A. Highrise floor area limits. All highrise structures are subject to a limit on the floor area of stories above 45 feet in height except that, on a lot that includes a light rail transit station, the limit on floor area only applies to stories above 55 feet in height.

1. The height above which the highrise floor area limit applies is measured from the average grade level. Stories that do not exceed 45 feet in height or, on a lot that includes a light rail transit station, stories that do not exceed 55 feet in height, are not subject to a floor area limit.

2. Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones are shown on Table A for 23.48.645.

<b>Table A for 23.48.645 Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones</b>		
<b>Height of structure</b>	<b>Average gross floor area for all stories above 45 feet<sup>1</sup></b>	<b>Maximum gross floor area of any single story above 45 feet<sup>1</sup></b>
Greater than the first height limit of the height suffix, excluding rooftop features, but not exceeding 160 feet in height	<del>20,000</del> <u>24,000</u> square feet for stories in non-residential use, <del>except as provided in subsection 23.48.645.A.4;</del> or 12,000 square feet for stories in residential use <sup>2</sup>	<del>24,000</del> <u>26,000</u> square feet for stories in non-residential use; or 13,000 square feet for stories in residential use <sup>2</sup>
Greater than 160 feet but not exceeding 240 feet in height	10,500 square feet	11,500 square feet
Greater than 240 feet in height	9,500 square feet	10,500 square feet

**Table A for 23.48.645**

**Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones**

Height of structure	Average gross floor area for all stories above 45 feet <sup>1</sup>	Maximum gross floor area of any single story above 45 feet <sup>1</sup>
<p>Footnotes to Table A for 23.48.645</p> <p><sup>1</sup> On a lot that includes a light rail transit station, the limit on the floor area of stories applies to stories above 55 feet in height.</p> <p><sup>2</sup> For stories that include a mix of non-residential and residential uses, the applicable floor area limit shall be the limit that applies to the use that accounts for more than 50 percent of the total floor area of the story, or the greater of the two floor area limits if the story includes equal amounts of residential and non-residential uses.</p>		

3. In the SM-U/R 75-240 zone, for highrise structures, the gross floor area limit of stories or portions of stories that extend above 45 feet in height is 10,500 square feet.

~~4. In the SM-U 75-240 and SM-U 95-320 zones, for stories subject to a floor area limit under subsection 23.48.645.A.2, the average and maximum gross floor area limit is 24,000 square feet up to 160 feet if the following apply:~~

~~a. For each story subject to a floor area limit up to 160 feet in height, a minimum of 50 percent of the floor area is in research and development laboratory uses; and~~

~~b. The minimum floor-to-floor height of each story subject to a floor area limit up to 160 feet in height is 14 feet.~~

\* \* \*

**Attachment 17: Non-residential floorplates at the light rail station**

Amendment to allow for larger floorplates for non-residential development above the light rail station. This amendment would amend Section 23.48.645 to allow larger floorplates for non-residential development above 45 feet and below 160 feet in the SM-U zone on a lot that includes a light rail station. See also the alternative proposal in Attachment 17, which allows larger floorplates throughout the SM-U district.

**23.48.645 Upper-level development standards in SM-U zones**

A. Highrise floor area limits. All highrise structures are subject to a limit on the floor area of stories above 45 feet in height except that, on a lot that includes a light rail transit station, the limit on floor area only applies to stories above 55 feet in height.

1. The height above which the highrise floor area limit applies is measured from the average grade level. Stories that do not exceed 45 feet in height or, on a lot that includes a light rail transit station, stories that do not exceed 55 feet in height, are not subject to a floor area limit.

2. Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones are shown on Table A for 23.48.645.

<b>Table A for 23.48.645 Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones</b>		
<b>Height of structure</b>	<b>Average gross floor area for all stories above 45 feet<sup>1</sup></b>	<b>Maximum gross floor area of any single story above 45 feet<sup>1</sup></b>
Greater than the first height limit of the height suffix, excluding rooftop features, but not exceeding 160 feet in height	20,000 square feet for stories in non-residential use, except as provided in subsection 23.48.645.A.4; or  12,000 square feet for stories in residential use <sup>2</sup>	24,000 square feet for stories in non-residential use; or  13,000 square feet for stories in residential use <sup>2</sup>
Greater than 160 feet but not exceeding 240 feet in height	10,500 square feet	11,500 square feet
Greater than 240 feet in height	9,500 square feet	10,500 square feet

**Attachment 17: Non-residential floorplates at the light rail station**

<b>Table A for 23.48.645</b>		
<b>Highrise floor area limits in the SM-U 75-240 and SM-U 95-320 zones</b>		
<b>Height of structure</b>	<b>Average gross floor area for all stories above 45 feet<sup>1</sup></b>	<b>Maximum gross floor area of any single story above 45 feet<sup>1</sup></b>
Footnotes to Table A for 23.48.645		
<sup>1</sup> On a lot that includes a light rail transit station, the limit on the floor area of stories applies to stories above 55 feet in height.		
<sup>2</sup> For stories that include a mix of non-residential and residential uses, the applicable floor area limit shall be the limit that applies to the use that accounts for more than 50 percent of the total floor area of the story, or the greater of the two floor area limits if the story includes equal amounts of residential and non-residential uses.		

3. In the SM-U/R 75-240 zone, for highrise structures, the gross floor area limit of stories or portions of stories that extend above 45 feet in height is 10,500 square feet.

4. In the SM-U 75-240 and SM-U 95-320 zones, for stories subject to a floor area limit under subsection 23.48.645.A.2, the average and maximum gross floor area limit is 24,000 square feet up to 160 feet ~~if~~ for any of the following uses apply:

a. Research and development laboratory uses.

1) For each story subject to a floor area limit up to 160 feet in height, a minimum of 50 percent of the floor area is in research and development laboratory uses; and

2) ~~b=~~ The minimum floor-to-floor height of each story subject to a floor area limit up to 160 feet in height is 14 feet.

b. Station sites. The project containing the stories subject to a floor area limit is located on a lot that includes a light rail station.

\* \* \*

## Attachment 18: Transparency requirements

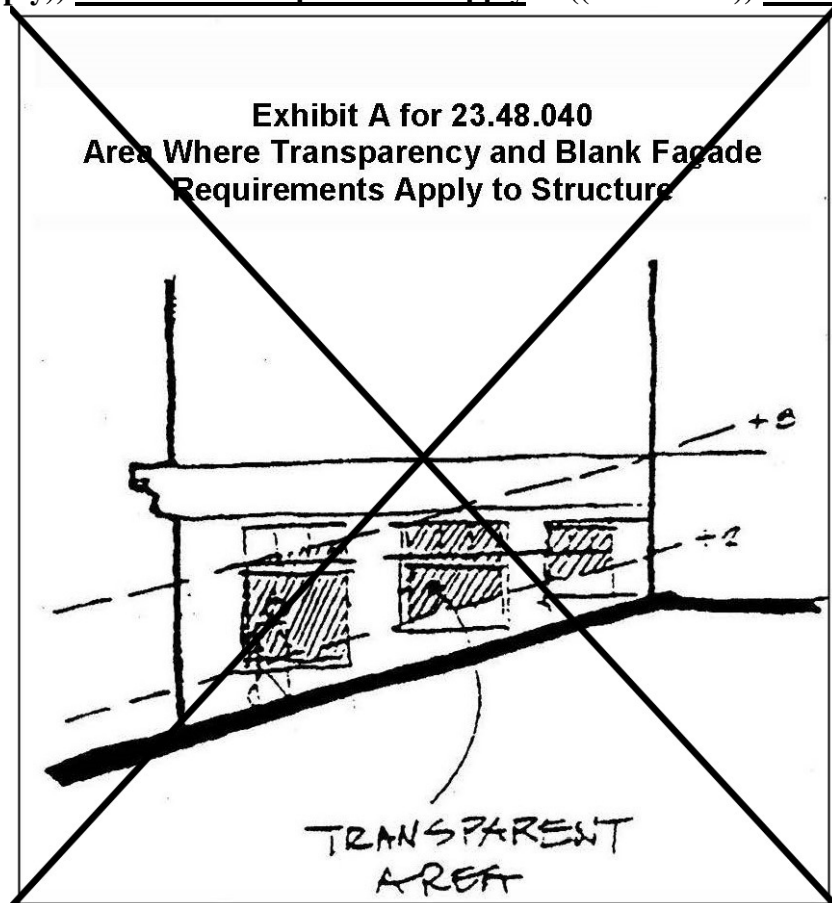
Amendment to exempt light rail transit stations from transparency requirements. This amendment would amend Section 23.48.040 (page 52 of [Council Bill \(CB\) 118862](#)) to exempt light rail transit stations from the street-level transparency requirements.

### 23.48.040 Street-level development standards

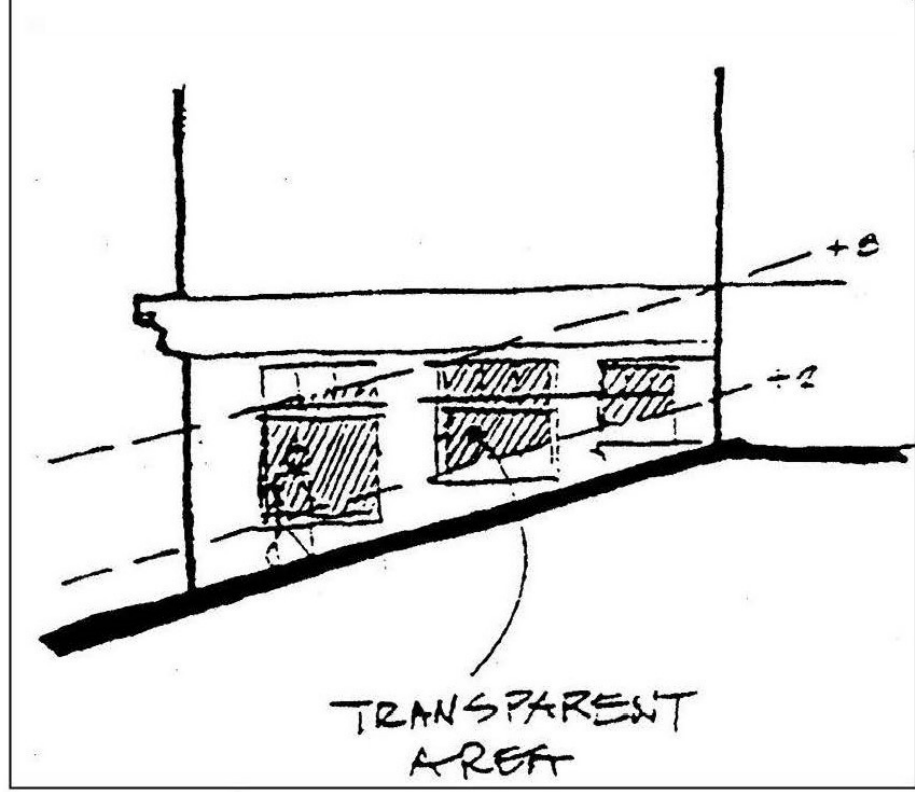
\* \* \*

B. Transparency and blank facade requirements. The provisions of this subsection 23.48.040.B apply to the area of a street-facing facade between 2 feet and 8 feet above a sidewalk, as shown on ((€))Exhibit A for 23.48.040((€) pursuant to subsection 23.48.040.B.1)), but do not apply to portions of a structure in residential use or, within the SM-U district, to portions of a structure in use as a light rail transit station.

**Exhibit A for 23.48.040**  
**Area ((Where Transparency)) where transparency and ((Blank Facade Requirements Apply)) blank facade requirements apply to ((Structures)) structure**



**Exhibit A for 23.48.040**  
**Area where transparency and blank facade requirements**  
**apply to structure**



((1. Transparency requirements apply to all street facing, street level facades, except for portions of structures in residential use as follows:

a. For Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets, shown on Map A for 23.48.240 and Map A for 23.48.440, a minimum of 60 percent of the street-facing facade must be transparent.

b. For all other streets, a minimum of 30 percent of the street facing facade must be transparent.

c. If the slope of the street frontage of the facade exceeds 7.5 percent, the required amount of transparency shall be reduced to 45 percent of the street facing facade on

~~Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets and 22 percent of the street facing facade on all other streets.~~

~~d. Only clear or lightly tinted glass in windows, doors, and display windows are considered transparent. Transparent areas shall be designed and maintained to provide views into and out of the structure. Except for institutional uses, no permanent signage, window tinting or treatments, shelving, other furnishings, fixtures, equipment, or stored items shall completely block views into and out of the structure between 4 feet and 7 feet above adjacent grade. The installation of temporary signs or displays that completely block views may be allowed if such temporary sign complies with subsection 23.55.012.B.~~

~~2. Blank facade limits. Any portion of the facade that is not transparent is considered to be a blank facade.~~

~~a. Blank facade limits for Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets.~~

~~1) Blank facades shall be limited to segments 15 feet wide, except for garage doors, which may be wider than 15 feet. Blank facade width may be increased to 30 feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or other similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus 5 feet.~~

~~2) Any blank segments of the facade shall be separated by transparent areas at least 2 feet wide.~~

~~3) The total of all blank facade segments, including garage doors, shall not exceed 40 percent of the street facade of the structure on each street frontage; or 55 percent if the slope of the street frontage of the facade exceeds 7.5 percent.~~

~~b. Blank facade limits for all other streets not specified in subsection 23.48.240.B.2.a or Section 23.48.440.~~

~~1) Blank facades are limited to segments 30 feet wide, except for garage doors which may be wider than 30 feet. Blank facade width may be increased to 60 feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or other similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus 5 feet.~~

~~2) Any blank segments of the facade shall be separated by transparent areas at least 2 feet wide.~~

~~3) The total of all blank facade segments, including garage doors, shall not exceed 70 percent of the street facade of the structure on each street frontage; or 78 percent if the slope of the street frontage of the facade exceeds 7.5 percent.~~

~~e. Blank facade limits do not apply to portions of structures in residential use.))~~

#### 1. Transparency requirements

a. In SM zones in the SM-SLU, SM-NR, and SM-U geographic areas, on Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets, a minimum of 60 percent of the street-facing facade must be transparent, except that if the slope of the street frontage of the facade exceeds 7.5 percent, the required amount of transparency shall be reduced to 45 percent of the street-facing facade.

b. In all SM zones either within or outside specific geographic areas, for all other streets not specified in subsection 23.48.040.B.1.a, a minimum of 30 percent of the street-facing facade must be transparent, except that if the slope of the street frontage of the



facade exceeds 7.5 percent, the minimum amount of transparency required shall be reduced to 22 percent of the street-facing facade.

c. Only clear or lightly tinted glass in windows, doors, and display windows is considered transparent. Transparent areas shall be designed and maintained to provide views into and out of the structure. Except for institutional uses, no permanent signage, window tinting or treatments, shelving, other furnishings, fixtures, equipment, or stored items shall completely block views into and out of the structure between 4 feet and 7 feet above adjacent grade. The installation of temporary signs or displays that completely block views may be allowed if such temporary installations comply with subsection 23.55.012.B.

2. Blank facade limits. Any portion of the street-facing facade that is not transparent is considered to be a blank facade and is subject to the following:

a. In SM zones in the SM-SLU, SM-NR, and SM-U geographic areas, for facades facing Class 1 and Class 2 Pedestrian Streets and Neighborhood Green Streets, the following apply:

1) Blank facades are limited to segments 15 feet wide, except segments with garage doors, which may exceed a width of 15 feet and may be as wide as the driveway plus 5 feet. Blank facade width may be increased to 30 feet if the Director determines that the facade is enhanced by architectural detailing, artwork, landscaping, or other similar features that have visual interest.

2) The total width of all blank facade segments, including garage doors, shall not exceed 40 percent of the width of the street-facing facade of the structure on each street frontage, or 55 percent of the width of the street-facing facade if the slope of the street frontage of the facade exceeds 7.5 percent.

b. In all SM zones either within or outside specific geographic areas, all other streets not specified in subsection 23.48.040.B.2.a are subject to the following:

1) Blank facades are limited to segments 30 feet wide, except for garage doors, which may be exceed a width of 30 feet and may be as wide as the driveway plus 5 feet. Blank facade width may be increased to 60 feet if the Director determines as a Type I decision that the facade is enhanced by architectural detailing, artwork, landscaping, or other similar features that have visual interest.

2) The total width of all blank facade segments, including garage doors, shall not exceed 70 percent of the width of the street-facing facade of the structure on each street frontage; or 78 percent if the slope of the street frontage of the facade exceeds 7.5 percent.

c. Any blank segment of a street-facing facade shall be separated by transparent areas that are at least 2 feet wide.

\* \* \*

## Attachment 19: Loading requirements

Amendment to allow waivers of loading berth requirements when: loading will occur on-site or can take place in the right-of-way without disrupting pedestrian circulation or vehicle traffic, or loading can take place in a central location without disrupting pedestrian circulation or vehicular traffic.

*This amendment would amend:*

- *The title to Council Bill 118862, adding section 23.54.035 to the list of sections proposed to be amended by the bill. Changing the title of the bill will require the introduction of a new Council Bill.*
- *Subsection 23.54.035 B2 to include the SM-U zone along with the Downtown and South Lake Union Urban Centers and the MPC-YT zone as an area where exceptions to loading berth requirements can be considered.*

AN ORDINANCE relating to land use and zoning, amending Sections 23.30.010, 23.45.502, 23.45.510, 23.45.512, 23.45.514, 23.47A.002, 23.47A.009, 23.47A.012, 23.47A.013, 23.48.002, 23.48.005, 23.48.020, 23.48.021, 23.48.025, 23.48.040, 23.48.045, 23.48.055, 23.48.085, 23.48.240, 23.54.035, 23.58A.040, 23.58A.042, 23.58B.040, 23.58B.050, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, 23.61.008, 23.61.014, 23.84A.004, 23.84A.025, 23.84A.028, 23.84A.038, 23.84A.042, and 23.84A.048 of the Seattle Municipal Code (SMC), adding new Sections 23.45.517, 23.47A.017, 23.48.602, 23.48.605, 23.48.615, 23.48.620, 23.48.621, 23.48.622, 23.48.623, 23.48.624, 23.48.627, 23.48.630, 23.48.635, 23.48.640, 23.48.645, 23.48.646, 23.48.650, 23.48.680, 23.48.685, and 23.48.690 to the SMC; and amending the Official Land Use Map at pages 60, 61, 78, and 79 to rezone areas and remove the University District Station Area Overlay District.

\* \* \*

Section XX: Section 23.54.035 of the Seattle Municipal Code, last amended by Ordinance 124680, is amended as follows:

23.54.035 - Loading berth requirements and space standards

A. Quantity of Loading Spaces.

1. The minimum number of off-street loading berths required for specific uses shall be set forth in Table A. (See Table A for Section 23.54.035.)

2. For uses not listed on Table A the Director shall determine the loading berth requirements. Loading demand and loading requirements for similar uses shall be considered in determining such requirements.

3. Existing deficits in the number of required loading berths shall be allowed to continue if a change of use occurs.

4. Uses shall be considered low-demand uses, medium-demand uses and high-demand uses, as follows. (See Table for 23.54.035 A.)

5. When a lot contains more than one (1) business establishment within the same category of low-, medium- or high-demand use, the square footage of the business establishments within the same category shall be added together in order to determine the number of required loading berths.

#### B. Exception to loading requirements

1. For uses with less than 16,000 square feet of gross floor area that provide a loading space on a street or alley, the loading berth requirements may be waived by the Director if, after review, the Director of Transportation finds that the street or alley berth is adequate.

2. Within the Downtown and South Lake Union Urban Centers and within the MPC-YT and SM-U zones, loading berth requirements may be waived or modified if the Director finds, after consultation with and approval by the Director of Transportation, that the number of loading berths in Table A for 23.54.035 is not required and that the modified number will be sufficient. The applicant shall submit specific information addressing the following criteria, upon which the Director's determination shall be based:

a. All loading is proposed to occur on-site; or

b. Loading that is proposed to occur in a public right-of-way can take place without disrupting pedestrian circulation or vehicular traffic;

c. Additional evidence relating to the size, character and operation of the building and likely tenancy; and

d. Where loading occurs at a central loading facility, goods can be distributed to other buildings on-site without disrupting pedestrian circulation or vehicular traffic.

\* \* \*