



**Legislative Department  
Seattle City Council  
Memorandum**

**Date:** February 26, 2015

**To:** Councilmember Mike O'Brien, Chair  
Councilmember Tim Burgess, Vice-Chair  
Councilmember Nick Licata, Member  
Planning, Land Use and Sustainability Committee

**From:** Lish Whitson, Council Central Staff

**Subject:** Pedestrian Zone Proposal (CB 118327)

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**Overview**

On March 3, 2015, the PLUS Committee will discuss legislation intended to support pedestrian-oriented commercial districts ([Council Bill 118327](#)). This bill would add Pedestrian (P) designations to neighborhood commercial areas in 37 neighborhoods across the city (see attached map). At the same time, it would allow street-level residential uses throughout 17 areas and would revise some regulations for Neighborhood Commercial areas to better support pedestrian-friendly commercial districts.

The City adds P designations to Neighborhood Commercial zones in locations where vibrant pedestrian-oriented retail districts can be supported. According to the Seattle Municipal Code ([SMC 23.34.086](#)), P designations are intended to “preserve or encourage an intensely retail and pedestrian-oriented shopping district where non-auto modes of transportation to and within the district are strongly favored.” The P designations achieve those goals through requirements for street-level commercial or institutional uses and restrictions on surface parking and curb cuts.

This legislation follows and completes the work of the 2012 “regulatory reform” legislation. That ordinance allowed residential uses more broadly at street level in commercial areas (Neighborhood Commercial 2 and 3 and Commercial 1 zones.) In adopting that legislation, the Council added 60 maps of some of the city’s Neighborhood Commercial 2 and 3 districts to the Land Use Code. Those maps restricted street-level residential uses along arterials until further review.<sup>1</sup> The Executive has completed its review of most of those areas,<sup>2</sup> and has proposed P designations in 37 areas. The Executive recommends against P designations in 17 areas.

In addition to proposing 37 new areas across the city for P designation, the Executive has also proposed a number of code amendments intended to better support the intended character of all P designated areas.

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<sup>1</sup> The maps were recommended by DPD based on an early review of Neighborhood Commercial 2 and 3 zones. DPD reviewed all 60 areas, and added Neighborhood Commercial zones in the Admiral, Aurora-Licton and West Seattle Junction urban villages to their survey.

<sup>2</sup> DPD is reviewing designations in six areas (Ballard, Uptown, Lake City, University District, 23<sup>rd</sup> and Jackson and Rainier Beach) through a more in depth study of those areas outside of this proposal.

This memo summarizes the P designation regulations and the Executive's proposal and identifies next steps for Council review.

### **Existing regulations**

P designations are mapped along the City's most vibrant neighborhood commercial streets. Areas like University Way, Market Street, California Ave at Alaska Street, Broadway, and Rainier Avenue in Columbia City have had Pedestrian designations since the P designation was created in 1986.

Where appropriate, the Pedestrian designation is added to Neighborhood Commercial 2 and 3 zones: retail areas that draw customers from a broad area or the whole city. P designations currently cover 24% of Neighborhood Commercial zoned land, or 1.2% of the city.

There are two primary components to the P designation: the mapped commercial area and one or more Principal Pedestrian Streets (main retail streets) that run through that area. Along Principal Pedestrian Streets, P designations:

- Require that at least 80% of the street-level street-facing façade of buildings include one or more of the commercial or institutional uses identified as most appropriate for a pedestrian-oriented retail district, such as retail uses, libraries, or restaurants ([SMC 23.47A.005 D](#));
- Prohibit surface parking adjacent to the Principal Pedestrian Street, and require that parking be located behind or within a structure ([SMC 23.47A.032 B2](#));
- Discourage curb cuts and driveways ([SMC 23.47A.032 A2](#)).

Throughout P-designated areas, the regulations:

- Waive or reduce some parking requirements for businesses ([SMC 23.54.015 D1](#));
- Prohibit drive-in and drive-through businesses ([SMC 23.47A.028](#)).

In addition, last year the Council adopted new regulations to require a minimum density for new construction in P designations in urban centers and villages ([SMC 23.47A.013 H](#)).

In Neighborhood Commercial areas that don't have P designations, developers and property-owners may:

- Build residential or live-work units at street-level; and
- Locate surface parking next to a building, along the street.

### **Executive's Proposal**

[Council Bill 118327](#) would add Pedestrian designations to 37 business districts across the City, based on the Seattle Municipal Code's locational criteria and community outreach. Nine of those districts are located within urban villages, and would be required to be developed according to the minimum floor area requirements of [SMC 23.47A.013 H](#). The bill also proposes to remove 54 of the 60 maps currently included in the Land Use Code, thereby allowing residential and live-work uses along arterials, particularly in the 17 areas where a P designation is not proposed. In addition, the bill proposes a number of changes to the P designation regulations.

*Proposed Pedestrian designations*

The following commercial areas would have new P designations (see also the attached map):

**Northwest Seattle**

15<sup>th</sup> Ave NW north of NW 65<sup>th</sup> St  
Aurora Ave N south of N 80<sup>th</sup> St  
Aurora-Licton Springs  
Broadview  
Fremont  
Green Lake  
North Green Lake  
Loyal Heights  
Maple Leaf  
North Fremont  
NW 65<sup>th</sup> St west of 4<sup>th</sup> Ave NW  
Phinney Ridge  
Stone Way

**Northeast Seattle**

15<sup>th</sup> Ave NE at NE 125<sup>th</sup> St  
25<sup>th</sup> Ave NE at NE 55<sup>th</sup> St  
Bryant (40<sup>th</sup> Ave NE at NE 55<sup>th</sup> St)  
Ravenna (NE 65<sup>th</sup> St west of 25<sup>th</sup> Ave NE)  
Sand Point Way NE at 36<sup>th</sup> Ave NE  
Sand Point Way NE at 50<sup>th</sup> Ave NE  
Wedgwood North (35<sup>th</sup> NE at NE 85<sup>th</sup> St)  
Wedgwood South (35<sup>th</sup> NE at NE 75<sup>th</sup> St)

**Capitol Hill/Central District**

E Madison St at Martin Luther King Jr. Way  
S Jackson St west of Rainier Ave

**Queen Anne/Magnolia**

21st Ave W and W Dravus St  
Dexter Ave N at Garfield St  
Magnolia  
Upper Queen Anne

**West Seattle**

Admiral  
35th Ave SW at SW Barton St  
35th Ave SW at SW Morgan St  
35th Ave SW at SW Roxbury St  
35th Ave SW at SW Webster St  
Delridge Way SW  
South Park  
West Seattle Triangle  
Westwood Park

**Southeast Seattle**

Beacon Ave S at S Columbian Way

In most of these proposed districts, the Executive proposes to include the entire Neighborhood Commercial zone. In some cases, this includes clusters of residential buildings at the edge of the proposed P designation. This would render these buildings nonconforming to the Pedestrian designation street-level use requirements. The buildings would be allowed to remain in residential use and could be remodeled, but would not be allowed to expand. If they were vacant for at least a year, the P designation would require 80% of the street-level street-facing facade to have a non-residential use.

*Proposed Principal Pedestrian Streets*

The Executive proposes to add the following streets to the list of “Principal Pedestrian Streets” in SMC [23.47A.005 D2](#). In most cases, these streets are proposed to be designated along their entire length.

**Northwest Seattle**

Aurora Avenue North  
East Green Lake Way North  
Green Lake Drive North  
North 34th Street  
North 35th Street  
Northwest 65th Street

Phinney Avenue North

Stone Way North  
West Green Lake Drive North

**Northeast Seattle**

15th Avenue Northeast  
35th Avenue Northeast

39th Avenue Northeast  
 Northeast 55th Street  
 Sand Point Way Northeast

West Dravus Street  
 West Galer Street  
 West McGraw Street

**Capitol Hill/Central District**

South Jackson Street

**West Seattle**

35th Avenue Southwest  
 Delridge Way Southwest  
 South Cloverdale Street

**Queen Anne/Magnolia**

32nd Avenue West  
 Dexter Avenue North  
 Galer Street

**Southeast Seattle**

14th Avenue South

Within Pedestrian-designated areas, requirements for street-level uses and restrictions on the locations of parking and curb cuts would apply along these streets.

*Street-level Uses*

The proposal would increase the number and range of commercial and institutional uses allowed along the Principal Pedestrian Street, as shown in the following table:

Table 1: Existing and Proposed Uses allowed at street-level along Principal Pedestrian Streets

<b>Category</b>	<b>Currently Allowed</b>	<b>Proposed to be allowed</b>
<b>Agricultural uses</b>	None	Community gardens
<b>Commercial Uses</b>		
Eating and drinking establishments (Restaurants, cafes and bars)	All	All
Entertainment uses	Indoor sports and recreation (gyms, bowling alleys, skating rinks, pool halls, etc.) Theaters and spectator sports facilities	Indoor sports and recreation Theaters and spectator sports facilities
Food Processing and Craft Work	All	All
Research & Development Laboratories	None	None
Lodging	All	All
Medical services	All	All
Offices	None	All (provided that the width of the street-level street-facing façade doesn't exceed 30 feet)
Automotive sales and services	Automotive retail sales and services only in the Pike/Pine Conservation Overlay District	Automotive retail sales and services only in the Pike/Pine Conservation Overlay District
General sales and services	All	All

<b>Category</b>	<b>Currently Allowed</b>	<b>Proposed to be allowed</b>
Heavy sales and services	Major durable retail sales (ex. appliance or furniture stores)	Major durable retail sales Non-household retail sales and services (ex. blueprint companies, restaurant supply stores, medical laboratories)
Marine sales and services	None	None
<b>Institutions</b>	Community clubs and centers Elementary or secondary schools Libraries Museums Religious facilities	Community clubs and centers Elementary or secondary schools Libraries Museums Religious facilities Adult care centers Arts facilities Childcare centers Colleges and universities (other than Major Institutions) Family support centers Institutes for advanced study Private clubs Schools, vocational or fine arts

The additional uses are intended to respond to changes in commerce, including e-commerce, and to allow flexibility for business districts that may not be mature enough to sustain the more limited range of commercial uses permitted under the current code. Of special note are office uses, which would be limited to situations where the street-level street-facing façade does not exceed thirty feet. This is intended to recognize that most office uses - such as attorney, insurance, or architectural offices – support and contribute to business districts, but do not encourage significant pedestrian activity.

*Design Review Waivers and Exceptions from Street-level Design Standards*

The bill proposes to limit design review departures and administrative exceptions throughout P designations for street-level residential uses, street-level transparency requirements (amount of clear windows required along the street), and height requirements for street-level non-residential spaces. These requirements provide reasonable standards to keep commercial spaces viable for a wide range of commercial activity. From time to time, Design Review Boards and DPD waived these requirements for particular buildings. While lower ground floor height or less transparency may be appropriate for a particular intended tenant for a building, waiving those standards can result in a space that is less flexible for new uses in the future, and therefore more likely to become vacant.

*Storefront Transparency Rules*

Storefront transparency is key to inviting and vibrant commercial shopping areas. Being able to look in to businesses attracts shoppers and pedestrian activity. In addition, transparency allows shopkeepers and employees to see activity on the street, increasing safety. The City has heard complaints about businesses

that block their windows with furniture, blinds, or signs, in spite of current transparency requirements, and the proposed bill is intended to clarify rules to prohibit that behavior.

#### *Overhead Weather Protection*

The proposed bill would require overhead weather protection in order to support a pleasant pedestrian environment. It would also eliminate street-use fees for installing and maintaining awnings and marquees that can be a deterrent to installing an awning or marquee. This waiver would apply anywhere in the city, but is most likely to be used in commercial and downtown areas, where buildings are built up to the street.

#### *Live-work Standards*

Live-work units combine living spaces and space for business within one unit. The proposed bill will add new standards for live-work units to help them succeed as spaces for business. Some live-work units have been designed without clear space for business activity, and have been used primarily as residential units. The proposed bill would require a 15-foot deep work area along the width of the unit's street front. The work area would not be permitted to contain any of the residential portions of a live-work unit, such as kitchens, bathrooms or sleeping areas.

#### *Parking waivers*

There are three different parking waivers available to businesses in Seattle's commercial zones. In urban centers and urban villages with frequent transit service, no parking is required. In P designations, parking requirements are waived for the first 5,000 square feet of business space. In other Neighborhood Commercial zones, parking requirements are waived for the first 1,500 square feet of business space.

The proposed bill would eliminate the P designation-specific waivers. Communities outside of urban villages have been particularly concerned about these waivers, and have, as a result, rejected P designations in the past. By removing these waivers, no parking would be required for businesses of any size in urban centers and near frequent transit service; and no parking would be required for 1,500 square foot businesses in areas without frequent transit service.

### **Potential Issues**

At the public hearing on March 24, Councilmembers will likely hear from communities that disagree with DPD's recommendations. Some communities are concerned that adding the P designation will result in vacant storefronts, or otherwise negatively impact their commercial areas. Other communities, where P designations are not proposed, would like a P designation in order to make sure that their commercial area is not redeveloped with residential structures.

#### *Proposed Pedestrian Designations*

I recommend that the PLUS Committee consider removing areas at the edges of the P designations that are predominantly in residential use outside of urban centers or villages. This would be consistent with the mapping of P designations in other parts of the city. Removing the designation from residential block faces would reduce the amount of nonconformity that will arise because of the proposed designations. Among the areas where the P designation might be removed are areas fronting on residential streets in the

Broadview commercial district or areas at the edges of the commercial district at 35<sup>th</sup> Avenue SW and SW Webster Street.

### *Proposed Principal Pedestrian Streets*

Five of the proposed Principal Pedestrian Streets would run through existing P designations. For example, adding 55<sup>th</sup> Avenue NE as a P designation to support the business district in the Bryant neighborhood would also require street-level uses facing 55<sup>th</sup> Avenue NE where it crosses University Way. I will propose amendments to limit the inadvertent application of the P designation rules where a new Principal Pedestrian Street touches an existing P designation.

### *Street-Level Uses*

I also recommend that the PLUS Committee consider whether all of the proposed new street-level uses are appropriate for P designations. The proposed amendments will provide a much broader list of uses that can occupy the street front in these areas. Many of the proposed uses are likely to add to the pedestrian environment. However, uses such as offices and non-household retail services are less likely to support a lively pedestrian environment. In areas that are struggling to fill vacant spaces, these uses can contribute to the commercial district. However, in more successful areas, street level office and non-household service uses are likely to detract from a lively pedestrian environment. In addition, the Committee should clarify the proposed rules for street-level office space. As drafted, it is not clear whether the proposed 30 foot width limit applies per business or per building.

### *Landscaping standards*

The City of Seattle uses a “green factor” as the standard for determining how much landscaping is required for an area. In commercial areas, a green factor of 0.3 is required, which is intended to be equivalent to landscaping over approximately 30% of a site. That landscaping can be provided in the right of way, at street-level, on green walls or on roofs. The standard for midrise and highrise multifamily areas is a green factor of 0.5. Councilmember Rasmussen is interested in considering whether the green factor for commercial areas should be increased to encourage more landscaping along commercial streets.

### **Next Steps**

The PLUS Committee will hold a public hearing at 5:30 pm on Tuesday, March 24 in the Council Chambers.

On April 7, the Committee intends to identify issues.

On April 21, the Committee intends to consider specific amendments to the legislation.