

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010 and 23.41.012 of the Seattle Municipal Code to remove the Ballard Municipal Center Master Plan Area Guidelines and adopt the Ballard Neighborhood Design Guidelines, and delete reference to the Ballard Municipal Center Master Plan Area Guidelines.

..body

WHEREAS, The City of Seattle (“City”) designated Ballard as a Hub Urban Village; and

WHEREAS, in 1998, the City Council recognized the Crown Hill/Ballard Neighborhood Plan as a 20-year vision for how Ballard as a Hub Urban Village would grow; and

WHEREAS, in 2014, the Ballard Partnership’s Urban Design and Transportation committee (UDAT) formed and met 18 times over two years to partner with the City and created the Urban Design and Transportation Framework (UDTF). The UDTF provides community guidance for land use code amendments and neighborhood design guidelines to help shape new development in Ballard; and

WHEREAS, the UDAT included community members from the Ballard Chamber of Commerce, Central Ballard Residents Association, the Nordic Heritage Museum, Sustainable Ballard, Groundswell Northwest, East Ballard Community Association, North Seattle Industrial Association, as well as renters and business and property owners; and

WHEREAS, from 2014 to 2016, the UDAT partnered with the City to host four community workshops and open houses, conduct ongoing conversations with community members and groups involving over 440 community stakeholders, and the Ballard Urban Design and Transportation Framework, and Ballard Neighborhood Design Guidelines; and

1 WHEREAS, the Seattle City Council in 2016 adopted Land Use Code amendments applicable
2 within the Ballard Hub Urban Village to implement changes to zoning and development
3 standards recommended in the Urban Design and Transportation Framework; and

4 WHEREAS, the Ballard Neighborhood Design Guidelines reflect the unique historical character
5 of the Ballard community, and are intent on retaining the rich characteristics of its
6 different areas valued by the community; and

7 WHEREAS, on December 13, 2018, the Office of Planning and Community Development
8 released the Ballard Neighborhood Design Guidelines State Environmental Policy Act
9 (SEPA) Checklist and a Determination of Non-Significance; NOW, THEREFORE,

10 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

11 Section 1. Subsection 23.41.010.B of the Seattle Municipal Code, which section was last
12 amended by Ordinance 125776, is amended as follows:

13 **23.41.010 Design review guidelines**

14 * * *

15 B. The following neighborhood design guidelines are approved. These neighborhood
16 design guidelines apply in the areas shown on the map included in the guidelines.

- 17 1. “Admiral Design Guidelines, 2013”;
- 18 2. “Ballard (~~(Municipal Center Master Plan Area)~~) Neighborhood Design
19 Guidelines, ((2013)) 2019”;
- 20 3. “Belltown Urban Center Village Design Guidelines, 2004”;
- 21 4. “Capitol Hill Design Guidelines, 2013”;
- 22 5. “Central Area Design Guidelines, 2018”;
- 23 6. “Green Lake Design Guidelines, 2013”;

7. “Greenwood/Phinney Design Guidelines, 2013”;
8. “Morgan Junction Design Guidelines, 2013”;
9. “Mount Baker Town Center Design Guidelines, 2017”;
10. “North Beacon Hill Design Guidelines, 2013”;
11. “North District/Lake City Design Guidelines, 2013”;
12. “Northgate Design Guidelines, 2013”;
13. “Othello Design Guidelines, 2013”;
14. “Pike/Pine Design Guidelines, 2017”;
15. “Roosevelt Design Guidelines, 2013”;
16. “South Lake Union Design Guidelines, 2018”;
17. “University District Design Guidelines, 2019”;
18. “Upper Queen Anne Design Guidelines, 2013”;
19. “Uptown Design Guidelines, 2019”;
20. “Wallingford Design Guidelines, 2013”; and
21. “West Seattle Junction Design Guidelines, 2013.”

* * *

Section 2. Subsection 23.41.012.B of the Seattle Municipal Code, which section was last amended by Ordinance 125612, is amended as follows:

23.41.012 Development standard departures

* * *

B. Departures may be granted from any Land Use Code standard or requirement, except for the following:

1. Procedures;

- 1 2. Definitions;
- 2 3. Measurements;
- 3 4. Provisions of the Shoreline District, Chapter 23.60A;
- 4 5. Lot configuration standards in subsections 23.22.100.C.3, 23.24.040.A.9,
5 and 23.28.030.A.3;
- 6 6. Permitted, prohibited, or conditional use provisions, except that departures
7 may be granted from development standards for required street-level uses, subject to the
8 limitations of subsection 23.41.012.B.34;
- 9 7. Maximum size of use;
- 10 8. Residential density limits;
- 11 9. Noise and odor standards;
- 12 10. Floor area ratios (FAR), except that:
 - 13 a. In the Pike/Pine Conservation Overlay District shown on Map A
14 for 23.73.004, departures from the development standards for floor area exemptions from FAR
15 calculations in subsection 23.73.009.C and for retention of a character structure on a lot in
16 Section 23.73.015 are allowed;
 - 17 b. Departures of up to an additional 0.5 FAR may be granted if the
18 applicant demonstrates that:
 - 19 ~~((f))~~ 1) ~~((the))~~ The departure is needed to protect a tree that is
20 located on the lot that is either an exceptional tree, as defined in Section 25.11.020, or a tree
21 greater than 2 feet in diameter measured 4.5 feet above the ground; ~~((;))~~ and
22 ~~((f))~~ 2) ~~((avoiding))~~ Avoiding development in the tree protection
23 area will reduce the total development capacity of the site.

1 11. Structure height, except that:

2 a. Within the Roosevelt Commercial Core building height departures
3 up to an additional 3 feet may be granted for properties zoned NC3-65 (Map A for 23.41.012,
4 Roosevelt Commercial Core);

5 ~~((b.) Within the Ballard Municipal Center Master Plan area building~~
6 ~~height departures may be granted for properties zoned NC3-65 (Map B for 23.41.012, Ballard~~
7 ~~Municipal Center Master Plan Area). The additional height may not exceed 9 feet, and may be~~
8 ~~granted only for townhouses that front a mid-block pedestrian connection or a park identified in~~
9 ~~the Ballard Municipal Center Master Plan.~~

10 e)) b. Within the Uptown Urban Center building height departures up to
11 3 feet of additional height may be granted if the top floor of the structure is set back at least 6
12 feet from all lot lines abutting streets;

13 ~~((c.))~~ c. Within the Queen Anne Residential Urban Village and
14 Neighborhood Commercial zones as shown on Map ~~((C))~~ B for 23.41.012, Upper Queen Anne
15 Commercial Areas, building height departures up to 3 feet of additional height may be granted if
16 the top floor of the structure is set back at least 6 feet from all lot lines abutting streets;

17 ~~((e.))~~ d. Within the PSM 85-120 zone in the area shown on Map A for
18 23.49.180, departures may be granted from development standards that apply as conditions to
19 additional height, except for floor area ratios and provisions for adding bonus floor area above
20 the base FAR;

21 ~~((f.))~~ e. Within the Pike/Pine Conservation Overlay District shown on Map
22 A for 23.73.004, departures may be granted from:

- 1 16. Provisions of Chapter 23.58A, except that departures may be granted from
2 the requirements of subsections 23.48.021.C.1.b.2, 23.48.021.C.1.b.3.a, 23.48.021.C.1.b.4, and
3 23.48.021.C.1.b.5;
- 4 17. Provisions of Chapter 23.58B and Chapter 23.58C;
- 5 18. In SM-SLU zones, floor area limits for all uses provided in subsections
6 23.48.245.A, 23.48.245.B.1, 23.48.245.B.2, and 23.48.245.B.3, except that departures of up to a
7 five percent increase in floor area limit for each story may be granted for structures with non-
8 residential uses meeting the requirements of subsections 23.48.245.B.1.d.1 and
9 23.48.245.B.1.d.2;
- 10 19. In SM-SLU zones, provisions in Section 23.48.245 for upper-level
11 setbacks;
- 12 20. In SM-SLU zones, provisions in Section 23.48.245 limiting the number of
13 towers permitted per block;
- 14 21. In Downtown zones, provisions in Chapter 23.49 for exceeding the base
15 FAR or achieving bonus development;
- 16 22. In Downtown zones, provisions in Section 23.49.036 for the minimum
17 size for planned community developments;
- 18 23. In Downtown zones, the average floor area limit for stories in residential
19 use in Table B for 23.49.058;
- 20 24. In Downtown zones, provisions in Section 23.49.041 for combined lot
21 developments;

1 25. In the Downtown Mixed Commercial 170 zone, minimum floor-to-floor
2 height for street-level uses required as a condition of the additional height allowed by subsection
3 23.49.008.E;

4 26. In Downtown zones, Downtown view corridor requirements, except that
5 departures may be granted to allow open railings on upper-level roof decks or on rooftop open
6 space to project into the required view corridor, if the railings are determined to have a minimal
7 impact on views;

8 27. In Downtown zones, the quantity of open space required for major office
9 projects as provided in subsection 23.49.016.B;

10 28. In Downtown zones, standards for the location of access to parking;

11 29. In Downtown Mixed Commercial zones, tower spacing requirements
12 contained in subsection 23.49.058.D;

13 30. Within the Pike/Pine Conservation Overlay District shown on Map A for
14 23.73.004, the requirement that all character structures on a lot be retained in order to qualify as
15 a transferable development potential (TDP) receiving site in subsection 23.73.024.B, the
16 exception allowing additional FAR for non-residential uses in subsection 23.73.009.B, the FAR
17 exemption for residential uses in subsection 23.73.009.C.3, the exception to floor area limits in
18 subsections 23.73.010.B.1 and 23.73.010.B.2, the exception for width and depth measurements
19 in subsection 23.73.012.B, or the exception for an additional 10 feet in height in subsection
20 23.73.014.B.

21 a. However, departures from the development standards identified
22 above may be granted under the following conditions:

1 1) The character structure is neither a designated Seattle
2 Landmark nor identified in a rule promulgated by the Director according to Section 23.73.005;
3 and

4 2) The proposed development entails the demolition of a
5 wood-frame character structure originally built as a single-family residence or single-family
6 accessory structure; or

7 3) The proposed development entails the demolition of a
8 character structure that is determined to have insufficient value to warrant retention when the
9 following applies:

10 a) The structure lacks a high degree of architectural
11 integrity as evidenced by extensive irreversible exterior remodeling; or

12 b) The structure does not represent the Pike/Pine
13 neighborhood’s building typology that is characterized by the use of exterior materials and
14 design elements such as masonry, brick, and timber; multi-use loft spaces; very high and
15 fully ((-)) glazed ground-floor storefront windows; and decorative details including cornices,
16 emblems, and embossed building names; or

17 c) Demolishing the character structure would allow for
18 more substantial retention of other, more significant character structures on the lot, such as a
19 structure listed in a rule promulgated by the Director according to Section 23.73.005; or would
20 allow for other key neighborhood development objectives to be achieved, such as improving
21 pedestrian circulation by providing through-block connections, developing arts and cultural
22 facilities, or siting publicly ((-)) accessible open space at key neighborhood locations.

1 b. In addition to the provisions of subsection 23.41.012.B.30.a, the
2 following provisions apply:

3 1) At least one character structure shall be retained on the lot
4 if any of the following are to be used by the development proposal:

5 a) Subsection 23.73.009.C.3 regarding the FAR
6 exemption for residential uses;

7 b) Subsection 23.73.010.B.2 regarding increases in the
8 floor area limits;

9 c) Subsection 23.73.012.B regarding the exception
10 from width and depth measurements; or

11 d) Subsection 23.73.014.B regarding the exception
12 allowing for an additional 10 feet in height.

13 2) A departure may allow removal of character structures if
14 the requirement for retaining structures is limited to the following:

15 a) Subsection 23.73.009.B regarding the exception to
16 allow additional FAR for non-residential uses;

17 b) Subsection 23.73.010.B.1 regarding increases in the
18 floor area limits; or

19 c) Section 23.73.024 for the use of TDP on a lot that is
20 an eligible TDP receiving site under the provisions of subsection 23.73.024.B;

21 31. In the MPC-YT zone, affordable housing production requirements in
22 Section 23.75.085;

1 32. In the MPC-YT zone, limits on floor area for uses in Sections 23.75.040,
2 23.75.085, or 23.75.090;

3 33. In the MPC-YT zone, limits on the number of highrise structures,
4 distribution of highrise structures, and gross floor area per story for highrise structures in Section
5 23.75.040 or Section 23.75.120;

6 34. In pedestrian-designated zones, provisions for residential uses at street
7 level, as provided in subsection 23.47A.005.C.1, except that a departure may be granted to allow
8 residential uses at street level to occupy, in the aggregate, no more than 50 percent of the street-
9 level, street-facing facade;

10 35. In pedestrian-designated zones, provisions for transparency requirements,
11 as provided in subsection 23.47A.008.B, except that departures may be granted to reduce the
12 required transparency from 60 percent to no less than 40 percent of the street-facing facade;

13 36. In pedestrian-designated zones, provisions for height requirements for
14 floor-to-floor height, as provided in subsection 23.47A.008.B, except that departures to allow a
15 mezzanine with less than the minimum floor-to-floor height may be granted provided that the
16 outer edge of the mezzanine floor is at least 15 feet from the exterior wall facing a principal
17 pedestrian street;

18 37. Area-specific development standards for Lake City, identified in
19 subsection 23.47A.009.E, except departures may be requested if the development provides at
20 least one of the following features:

21 a. A usable open space that:

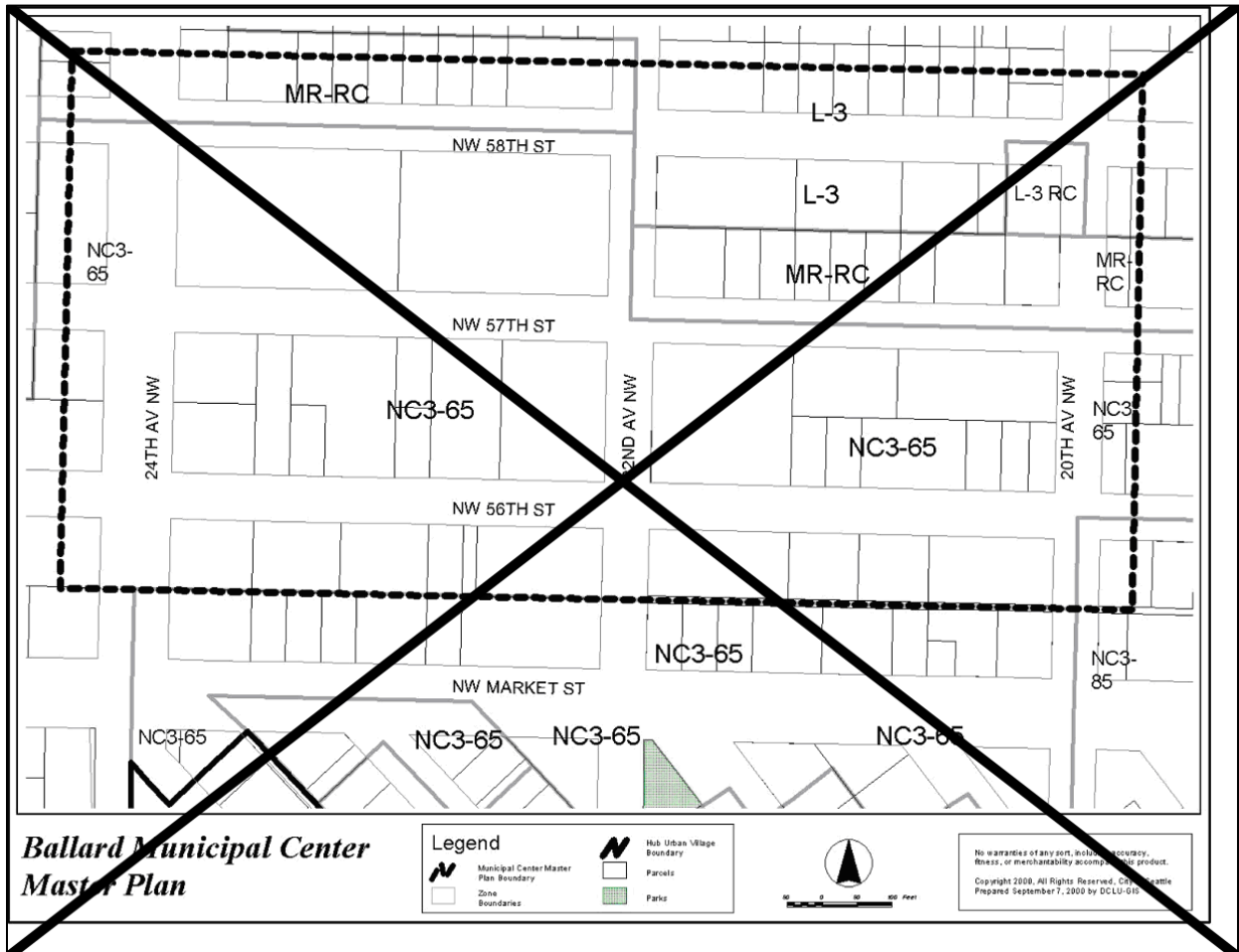
22 1) ~~((abuts))~~ Abuts the street;

- 1 b. A separation between structures that:
- 2 1) ~~((has))~~ Has a minimum east-west dimension width of 20
- 3 feet;
- 4 2) ~~((is))~~ Is no more than 4 feet above or below the adjacent
- 5 sidewalk grades; and
- 6 3) ~~((is))~~ Is either developed as:
- 7 a) ~~((a))~~ A north-south, through-block pedestrian
- 8 passageway;
- 9 b) ~~((a))~~ A woonerf;
- 10 c) ~~((an))~~ An amenity area that is available for public
- 11 use and not counting towards the minimum requirement of Section 23.47A.024; or
- 12 d) ~~((a))~~ A combination thereof.

13 * * *

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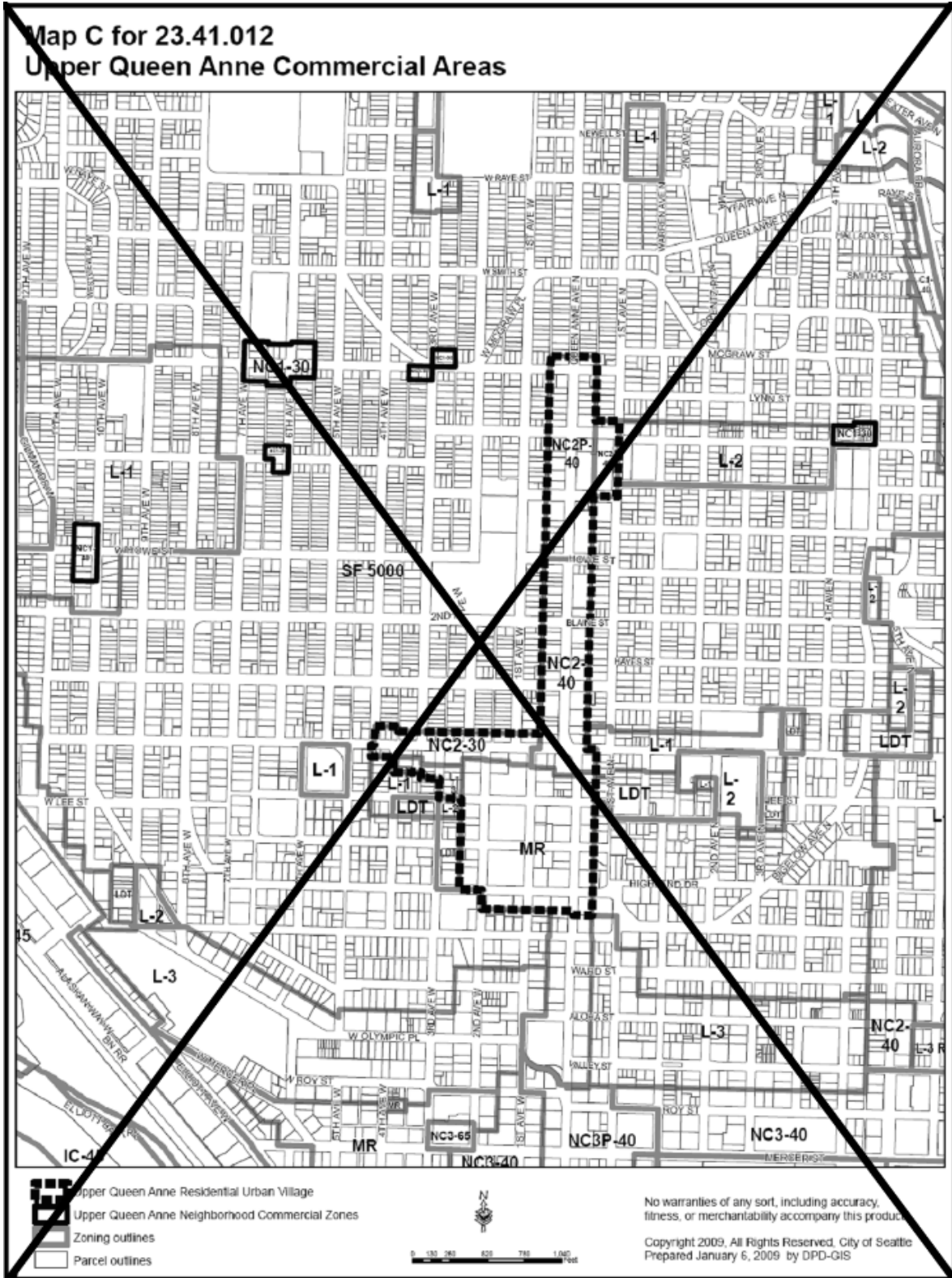
((Map B for 23.41.012 Ballard Municipal Center Master Plan Area))



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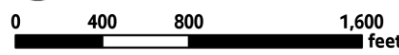
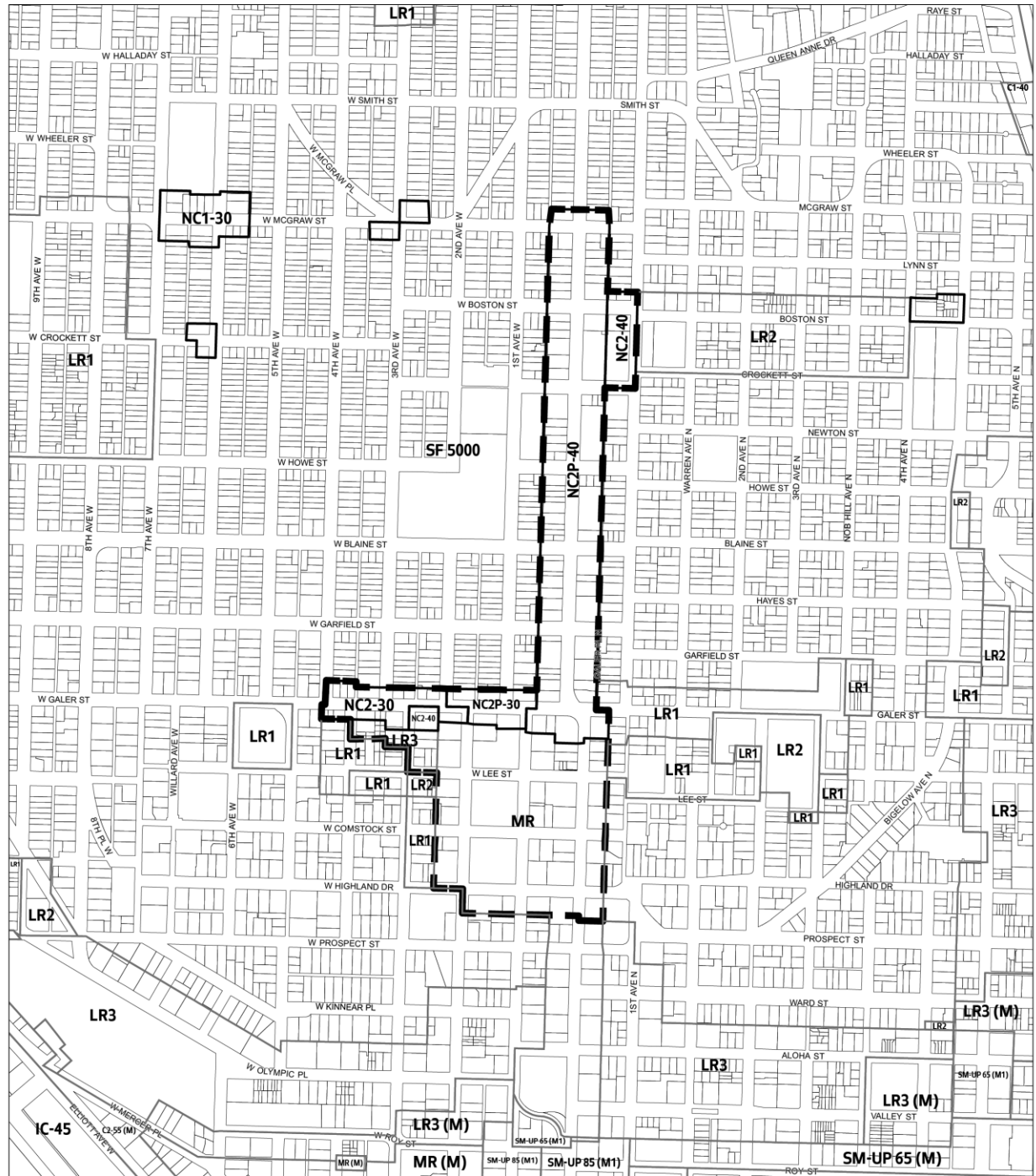
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Map ((C)) B for 23.41.012 Upper Queen Anne Commercial Areas



2

**Map B for 23.41.012
 Upper Queen Anne Commercial Areas**



- Upper Queen Anne Residential Urban Village
- Neighborhood Commercial zones
- Zoning outlines
- Parcel outlines

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 Prepared Monday, November 26, 2018, by OPCD.

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the _____ day of _____, 2019,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2019.

7 _____
8 President _____ of the City Council

9 Approved by me this _____ day of _____, 2019.

10 _____
11 Jenny A. Durkan, Mayor

12 Filed by me this _____ day of _____, 2019.

13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments:
17 Attachment 1 – Ballard Neighborhood Design Guidelines, 2019