

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE amending the Seattle Comprehensive Plan to incorporate changes responding to Resolution 31577 to increase the Plan's emphasis on race and social equity and improve its readability; modifying or adding new goals and policies in several elements of the Plan that describe the City's objectives for distributing housing and employment growth; and amending Sections 5.72.020, 23.34.008, 23.45.516, 23.47A.012, 23.47A.013, 23.49.056, 23.49.058, 23.51A.004, 23.58A.040, 23.69.030, 23.75.002, and 23.84A.040 of the Seattle Municipal Code to revise references to the updated Comprehensive Plan.

..body

WHEREAS, the City of Seattle adopted its Comprehensive Plan with Ordinance 117221 in 1994, pursuant to the provisions of the State Growth Management Act, RCW 36.70A; and

WHEREAS, the City has made amendments to its Comprehensive Plan annually, as authorized by the State Growth Management Act; and

WHEREAS, the Department of Planning and Development, now known as the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2013 a series of programs and events, under the title Seattle 2035, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the Seattle 2035 Public Participation Plan and documented in the Seattle 2035 Public Engagement Report; and

WHEREAS, in May 2015 the Department of Planning and Development published a Draft Environmental Impact Statement analyzing the potential effects of four different growth distributions in the city through 2035, conducted a public hearing, and received comments from the public on this document; and

1 WHEREAS, in May 2015, the Department of Planning and Development published a Growth
2 and Equity report that analyzed the effects of four growth distributions on the city's
3 marginalized populations; and

4 WHEREAS, in July 2015 the Department of Planning and Development published a Draft
5 Comprehensive Plan and provided four months for the public to review and comment;
6 and

7 WHEREAS, in April 2016 the Puget Sound Regional Council certified that the City's
8 Comprehensive Plan, as amended in 2015, is consistent with multicounty planning
9 policies and the regional transportation plan and conforms to Growth Management Act
10 requirements for transportation planning; and

11 WHEREAS, the Director's Report accompanying this ordinance shows the recommended
12 changes to goals and policies between the current Comprehensive Plan and the updated
13 Plan; and

14 WHEREAS, in April 2016 the Office of Planning and Community Development published a
15 Final Environmental Impact Statement that included analysis of five growth scenarios,
16 including a preferred alternative; and

17 WHEREAS, the Council has considered public testimony made at public hearings and other
18 pertinent materials regarding the proposed amendments; and

19 WHEREAS, the Council finds that the amendments to be adopted are consistent with the Growth
20 Management Act, and will promote the health, safety and welfare of the general public;

21 NOW, THEREFORE,

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

Section 1. The Seattle Comprehensive Plan, last amended by Ordinance 124888, is hereby repealed and replaced by Attachment 1 to this ordinance.

Section 2. Subsection 23.34.008.A of the Seattle Municipal Code, which section was last amended by Ordinance 123770, is amended as follows:

23.34.008 General rezone criteria.

A. To be approved a rezone shall meet the following standards:

1. In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than ~~((one hundred twenty five percent ()))~~ 125((%))) percent of the growth ~~((targets))~~ estimates adopted in the Comprehensive Plan for that center or village.

2. For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan.

* * *

Section 3. Subsection 23.45.516.D of the Seattle Municipal Code, which section was last amended by Ordinance 124952, is amended as follows:

23.45.516 Additional height and extra residential floor area in MR and HR zones

* * *

D. Transferable Development Potential (TDP) from Landmark structures and open space

1. Sending lots. TDP may be transferred under the provisions of Section 23.58A.040, as modified by this Section 23.45.516, only from Landmark TDP sites and open space TDP sites. In order to be eligible as a Landmark TDP site or open space TDP site, a lot shall be located in ~~((the))~~ First Hill ~~((Urban Center Village))~~ and shall be zoned MR or HR. Sending lots are subject to the limits and conditions in this Chapter 23.45 and Chapter 23.58A.

The amount of TDP that may be transferred from a lot is limited to the amount by which the base FAR under Section 23.45.510 exceeds floor area on the lot that is not exempt under Section 23.45.510.

2. Receiving lots. Any lot located in an HR zone within ~~((the))~~ First Hill ~~((Urban Center Village))~~ is eligible for extra residential floor area according to the provisions of this Section 23.45.516 to receive TDP from an eligible sending lot, subject to the limits and conditions in this Chapter 23.45 and Chapter 23.58A.

* * *

Section 4. Subsection 23.47A.012.A of the Seattle Municipal Code, which section was last amended by Ordinance 124883, is amended as follows:

23.47A.012 Structure height

A. The height limit for structures in NC zones or C zones is 30 feet, 40 feet, 65 feet, 85 feet, 125 feet, or 160 feet, as designated on the Official Land Use Map, Chapter 23.32. Structures may not exceed the applicable height limit, except as otherwise provided in this Section 23.47A.012.

1. In zones with a 30 foot or 40 foot mapped height limit:

a. The height of a structure may exceed the otherwise applicable limit by up to 4 feet, subject to subsection 23.47A.012.A.1.c, provided the following conditions are met:

1) Either:

a) A floor-to-floor height of 13 feet or more is provided for non-residential uses at street level; or

b) A residential use is located on a street-level, street-facing facade, provided that the average height of the exterior facades of any portion of a story that is

1 partially below-grade does not exceed 4 feet, measured from existing or finished grade,
2 whichever is less, and the first floor of the structure at or above grade is at least 4 feet above
3 sidewalk grade; and

4 2) The additional height allowed for the structure will not allow an
5 additional story beyond the number that could be built under the otherwise applicable height
6 limit.

7 b. The height of a structure may exceed the otherwise applicable limit by
8 up to 7 feet, subject to subsection 23.47A.012.A.1.c, provided all of the following conditions are
9 met:

10 1) Residential and multipurpose retail sales uses are located in the
11 same structure;

12 2) The total gross floor area of at least one multi-purpose retail
13 sales use exceeds 12,000 square feet;

14 3) A floor-to-floor height of 16 feet or more is provided for the
15 multi-purpose retail sales use at street level;

16 4) The additional height allowed for the structure will not allow an
17 additional story beyond the number that could be built under the otherwise applicable height
18 limit if a floor-to-floor height of 16 feet were not provided at street level; and

19 5) The structure is not allowed additional height under subsection
20 23.47A.012.A.1.a.

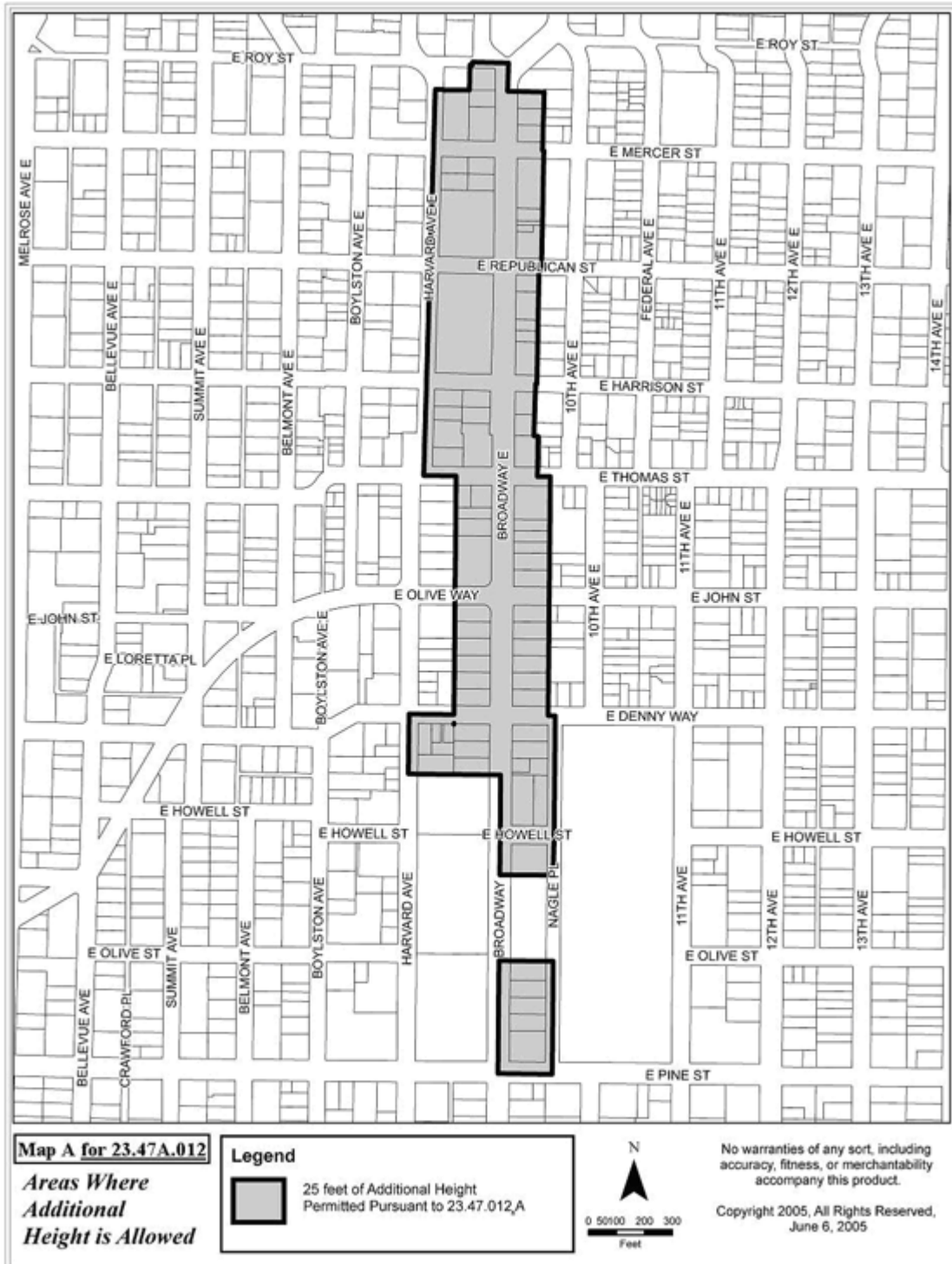
21 c. The Director shall reduce or deny the additional structure height
22 allowed by this subsection 23.47A.012.A.1 if the additional height would significantly block
23 views from neighboring residential structures of any of the following: Mount Rainier, the

1 Olympic and Cascade Mountains, the downtown skyline, Green Lake, Puget Sound, Lake
2 Washington, Lake Union, or the Ship Canal.

3 2. For any lot within the designated areas shown on Map A for 23.47A.012, the
4 height limit in NC zones or C zones designated with a 40-foot height limit on the Official Land
5 Use Map may be increased to 65 feet and may contain floor area as permitted for a 65 foot zone,
6 according to Section 23.47A.013, provided that all portions of the structure above 40 feet contain
7 only residential uses, and provided that no additional height is allowed under subsection
8 23.47A.012.A.1.
9

Map A for 23.47A.012

Areas Where Additional Height is Allowed



1 3. Within the Station Area Overlay District within the University ((~~District~~
2 Northwest)) Community Urban Center ((~~Village~~)), maximum structure height may be increased
3 to 125 feet when all of the following are met:

4 a. The lot is within two blocks of a planned or existing light rail station;

5 b. The proposed use of the lot is functionally related to other office
6 development, permitted prior to 1971, to have over 500,000 square feet of gross floor area to be
7 occupied by a single entity;

8 c. A transportation management plan for the life of the use includes
9 incentives for light rail and other transit use by the employees of the office use;

10 d. The development shall provide street-level amenities for pedestrians
11 and shall be designed to promote pedestrian interest, safety, and comfort through features such as
12 landscaping, lighting, and transparent facades, as determined by the Director; and

13 e. This subsection 23.47A.012.A.3 can be used only once for each
14 development that is functionally related.

15 4. On a lot containing a peat settlement-prone environmentally critical area, the
16 height of a structure may exceed the otherwise applicable height limit and the other height
17 allowances provided by this Section 23.47A.012 by up to 3 feet. In addition, 3 more feet of
18 height may be allowed for any wall of a structure on a sloped lot, provided that on the uphill
19 sides of the structure, the maximum elevation of the structure height shall be no greater than the
20 height allowed by the first sentence of subsection 23.47A.012.A.4. The Director may apply the
21 allowances in subsection 23.47A.012.A.4 only if the following conditions are met:

22 a. The Director finds that locating a story of parking underground is
23 infeasible due to physical site conditions such as a high water table;

b. The Director finds that the additional height allowed for the structure is necessary to accommodate parking located partially below grade that extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level above; and

c. Other than the additional story of parking allowed according to subsection 23.47A.012.A.4, the additional height allowed for the structure by subsection 23.47A.012.A.4 shall not allow an additional story beyond the number of stories that could be built under the otherwise applicable height limit.

5. In zones that are located within the Pike/Pine Conservation Overlay District with a mapped height limit of 65 feet, or with a mapped height limit of 40 feet with provisions allowing for additional height up to 65 feet according to subsection 23.47A.012.A.2, the provisions of Section 23.73.014 apply.

* * *

Section 5. Section 23.47A.013 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

23.47A.013 Floor area ratio

A. Floor area ratio (FAR) limits apply to all structures and lots in all NC zones and C zones.

1. All gross floor area not exempt under subsection 23.47A.013.D is counted against the maximum gross floor area allowed by the permitted FAR.

1 2. If there are multiple structures on a lot, the highest FAR limit applicable to any
2 structure on the lot applies to the combined non-exempt gross floor area of all structures on the
3 lot, subject to subsection 23.47A.013.A.4.

4 3. Except as provided in subsection 23.47A.013.D.7, parking that is within or
5 covered by a structure or portion of a structure and that is within a story that is not underground
6 shall be included in gross floor area calculations.

7 4. If a lot is in more than one zone, the FAR limit for each zone applies to the
8 portion of the lot located in that zone, and the floor area on the portion of the lot with the lower
9 FAR limit may not exceed the amount that would be permitted if it were a separate lot. If a lot is
10 in both a multifamily zone and a commercial zone, the floor area on the commercial portion of
11 the lot may not exceed the maximum that would be allowed if the commercial portion of the lot
12 were a separate lot.

13 B. Except as provided in subsections 23.47A.013.C, 23.47A.013.D, 23.47A.013.E,
14 23.47A.013.F, and 23.47A.013.G, maximum FAR allowed in C zones and NC zones is shown in
15 Table A for 23.47A.013, provided that if the commercial zone designation includes an incentive
16 zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to
17 obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation.

**Table A for 23.47A.013((?))
Maximum Floor Area Ratio (FAR) outside of the Station Area Overlay District**

	Height ((Limit) <u>limit</u> (in feet))					
	30	40	65	85	125	160
	Maximum FAR					
1. Total FAR permitted on a lot that is solely occupied by residential use or non-residential use.	2.25	3	4.25	4.5	5	5
2. Total permitted for any single use within a mixed-use structure.	n/a	n/a	4.25	4.5	5	5
3. Total FAR permitted for all uses on a lot that is occupied by a mix of uses, provided that the FAR limit for either all residential uses or the FAR limit for all non-residential uses shall not exceed the FAR limit established in Row 1.	2.5	3.25	4.75	6	6	7

C. Maximum FAR allowed in NC zones or C zones within the Station Area Overlay District is shown in Table B for 23.47A.013 provided that, if the commercial zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor exceeding that allowed by the FAR shown in the suffix designation.

**Table B for 23.47A.013((?))
Maximum Floor Area Ratio (FAR) in the Station Area Overlay District**

	Height ((Limit) <u>limit</u> (in feet))					
	30((?))	40((?))	65((?))	85((?))	125((?))	160((?))
Maximum FAR	3	4	5.75	6	6	7

D. The following gross floor area is not counted toward maximum FAR:

1. All underground stories or portions of stories;
2. All portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, excluding access;

3. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

4. Within the South Lake Union Urban Center, gross floor area occupied by mechanical equipment located on the roof of a structure;

5. Within the South Lake Union Urban Center, mechanical equipment that is accessory to a research and development laboratory, up to 15 percent of the gross floor area of a structure. The allowance is calculated on the gross floor area of the structure after all space exempt under this subsection 23.47A.013.D is deducted; ~~((and))~~

6. Within ~~((the))~~ First Hill ~~((Urban Center Village))~~, on lots zoned NC3, with a 160 foot height limit, all gross floor area occupied by a residential use ~~((;-))~~ ;

7. On a lot containing a peat settlement-prone environmentally critical area, above-grade parking within or covered by a structure or portion of a structure if the Director finds that locating a story of parking below grade is infeasible due to physical site conditions such as a high water table, if either:

a. the above-grade parking extends no more than 6 feet above existing or finished grade and no more than 3 feet above the highest existing or finished grade along the structure footprint, whichever is lower, as measured to the finished floor level or roof above, pursuant to subsection 23.47A.012.A.5; or

b. all of the following conditions are met:

1) ~~((no))~~ No above-grade parking is exempted by subsection 23.47A.013.D.7.a;

2) ~~((the))~~ The parking is accessory to a residential use on the lot;

3) ~~((total))~~ Total parking on the lot does not exceed one space for each residential dwelling unit plus the number of spaces required for non-residential uses; and

4) ~~((the))~~ The amount of gross floor area exempted by this subsection 23.47A.013.D.7.b does not exceed 25 percent of the area of the lot in zones with a height limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater ~~((:))~~ ; and

8. Rooftop greenhouse areas meeting the standards of subsection 23.47A.012.C.6 and 23.47A.012.C.7.

E. Within the Station Area Overlay District within the University ~~((District Northwest))~~ Community Urban Center ~~((Village))~~, for office structures permitted prior to 1971, the area of the lot for purposes of calculating permitted FAR is the tax parcel created prior to the adoption of Ordinance 121846 on which the existing structure is located, provided the office structure is to be part of a functionally related development occupied by a single entity with over 500,000 square feet of area in office use. The floor area of above grade pedestrian access is exempt from the FAR calculations of this subsection 23.47A.013.E, and the maximum permitted FAR is 8.

F. Within the West Seattle Junction Hub Urban Village, on lots zoned NC3 85(4.75), the total permitted FAR for all uses within a mixed use structure containing residential and non-residential uses is 5.5.

G. Within the portion of the Greenwood Residential Urban Village on lots zoned NC2 40 that are located abutting NW 85th Street between 1st Avenue NW and 3rd Avenue NW, the total permitted FAR within a mixed use structure containing residential and non-residential uses is 4.

H. Minimum FAR

1. A minimum FAR shown in Table C for 23.47A.013 is required whenever more than 1,000 square feet of gross floor area is added to or removed from a lot located in:

a. ~~((located in))~~ a pedestrian-designated zone in an Urban Center, Urban Village, or Station Area Overlay District; or

b. ~~((located in))~~ the Northgate Overlay District and abutting a Major Pedestrian Street as shown on Map A for ~~((subsection))~~ 23.71.004.

Table C for 23.47A.013(~~(?)~~)

Minimum Floor Area Ratio (FAR)

Height ((Limit)) <u>limit (in feet)</u>	30 ((feet))	40 ((feet))	65 ((feet))	85 ((feet))	125 ((feet))	160 ((feet))
Minimum FAR	1.5	1.5	2	2	2.5	2.5

2. The minimum FAR requirement provided in subsection 23.47A.013.H.1 does not apply if:

a. additional floor area is added to an existing structure on a lot that is nonconforming with respect to the minimum FAR shown in Table C for 23.47A.013;

b. the lot is larger than five acres;

c. all existing gross floor area is demolished to create a vacant lot; or

d. parks and open space is the principal use of the lot.

3. Portions of the lot designated as a steep slope, wetland, or riparian corridor or as a buffer to one of these areas, as defined in Chapter 25.09, shall not be included when calculating lot size for the purpose of determining the minimum FAR requirement provided in subsection 23.47A.013.H.1.

4. The Director, in consultation with the Director of the Department of Neighborhoods, may waive the minimum FAR requirement provided in subsection

23.47A.013.H.1 for lots that contain a designated ~~((landmark))~~ Landmark, or for lots within a Landmark District pursuant to Title 25 or within a Special Review District pursuant to Chapter 23.66, if the Director determines a waiver is necessary to preserve the integrity of a ~~((landmark))~~ Landmark or meet adopted District design and development guidelines.

5. The Director may waive the minimum FAR requirement provided in subsection 23.47A.013.H.1 for lots within the Pike/Pine Conservation Overlay District pursuant to Chapter 23.32, if the Director determines that the proposed development promotes neighborhood conservation objectives.

6. The following gross floor area is not counted toward the minimum FAR requirement provided in subsection 23.47A.013.H.1:

- a. Gross floor area below grade; and
- b. Gross floor area containing parking.

7. In zones with an incentive zoning suffix, the minimum FAR requirement is the FAR indicated by the incentive zoning suffix if that FAR is less than the FAR required by subsection 23.47A.013.H.1.

Section 6. Section 23.49.056 of the Seattle Municipal Code, last amended by Ordinance 124680, is amended as follows:

23.49.056 Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), and Downtown Mixed Commercial (DMC) street facade, landscaping, and street setback requirements

Standards are established in this Section 23.49.056 for DOC1, DOC2, and DMC zones, for the following elements:

~~((minimum))~~ Minimum facade heights,

1 ~~((setback))~~ Setback limits,

2 ~~((facade))~~ Facade transparency,

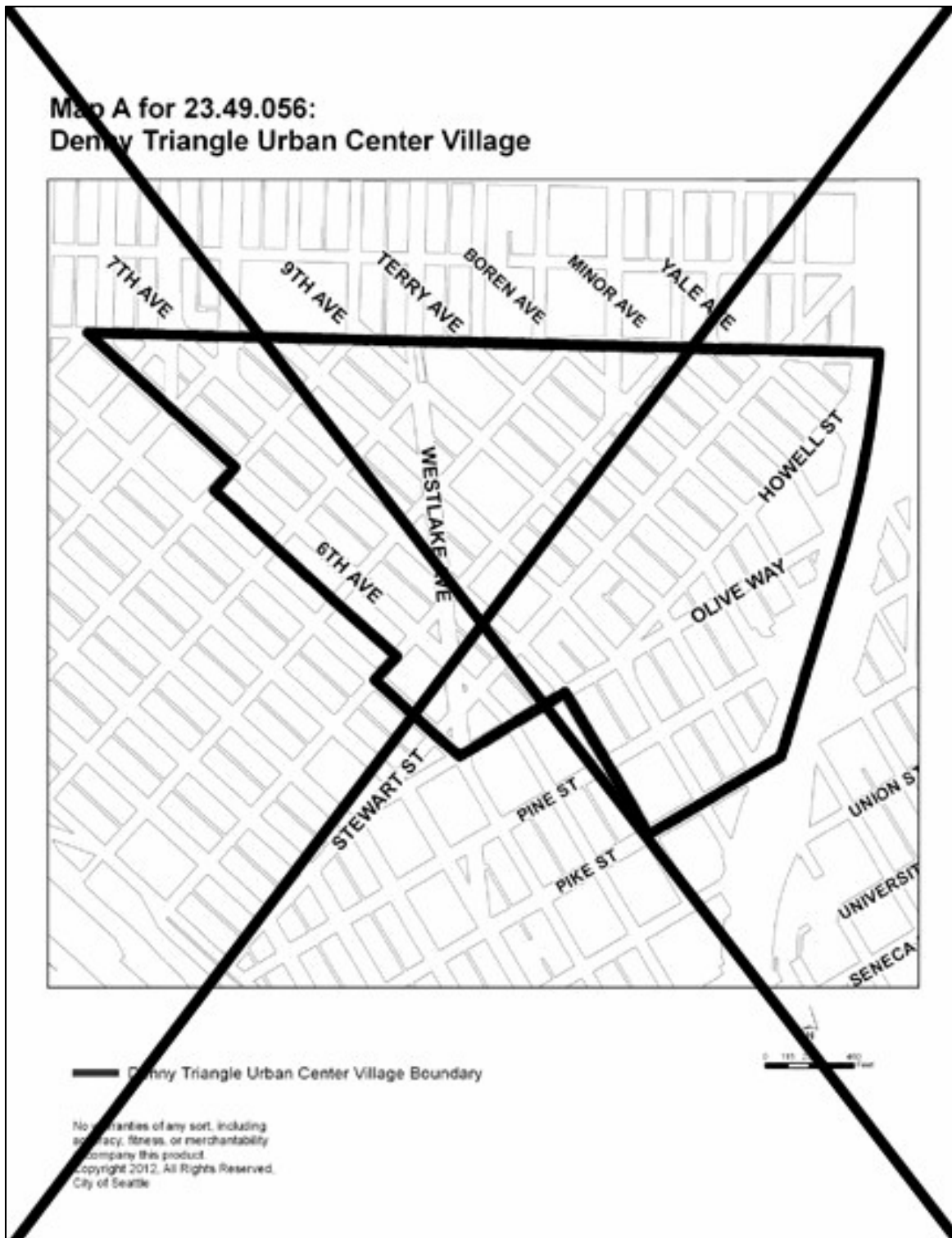
3 ~~((blank))~~ Blank facade limits,

4 ~~((street))~~ Street trees, and

5 ~~((setback))~~ Setback and landscaping requirements in the Denny Triangle ~~((Urban Center~~
6 ~~Village))~~.

7 These standards apply to each lot line that abuts a street designated on Map 1F or another map
8 identified in a note to Map 1F as having a pedestrian classification, except lot lines of open space
9 TDR sites, and apply along other lot lines and to circumstances as expressly stated in this Section
10 23.49.056. The standards for each street frontage shall vary according to the pedestrian
11 classification of the street on Map 1F or another map identified in a note to Map 1F and to
12 whether property line facades are required by Map 1H. Standards for street landscaping and
13 setback requirements in subsection 23.49.056.F also apply along lot lines abutting streets in the
14 Denny Triangle ~~((Urban Center Village))~~, as shown on Map A for 23.49.056.

15 **Map A for 23.49.056: Denny Triangle ~~((Urban Center Village))~~**



1

2

Map A for 23.49.056 Denny Triangle



— Denny Triangle Boundary

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City of Seattle

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A. Minimum facade height

1. Minimum facade height(s) are prescribed in Table A for 23.49.056 and Exhibit A for 23.49.056, but minimum facade heights do not apply if all portions of the structure are lower than the elevation of the required minimum facade height.

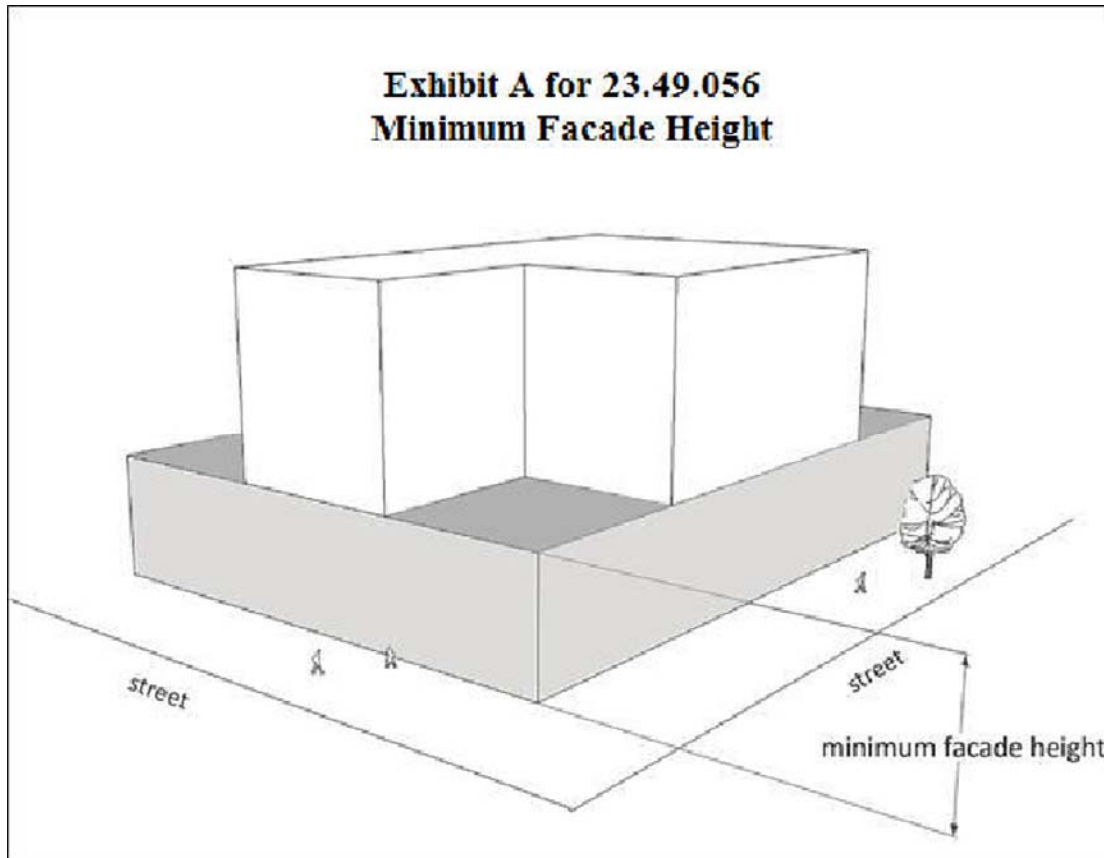
~~((Table A for 23.49.056
Minimum Façade Height))~~

<u>Table A for 23.49.056</u> <u>Minimum Facade Height</u>	
Street classification	Minimum facade height* within designated zone
Streets requiring property line facades	DOC1, DOC2, DMC: 35 feet
Class I pedestrian streets	DOC 1, DOC 2: 35 feet DMC: 25 feet
Class II pedestrian streets	DOC 1, DOC 2: 25 feet DMC: 15 feet
Designated green streets	DOC1, DOC2, DMC: 25 feet
<u>Footnote to Table A for 23.49.056</u> *Except as provided in subsection 23.49.056.A.2 regarding view corridor requirements.	

2. On designated view corridors specified in Section 23.49.024, the minimum facade height is the maximum height permitted in the required setback, if it is less than the minimum facade height required in subsection 23.49.056.A.1.

Exhibit A for 23.49.056

Minimum Facade Height



B. Facade setback limits

1. Setback limits for property line facades. The following setback limits apply to all streets designated on Map 1H as requiring property line facades, except as specified in subsection 23.49.056.B.1.d.

a. The facades of structures 15 feet or less in height shall be located within 2 feet of the street lot line.

b. Structures greater than 15 feet in height are governed by the following criteria:

1 1) No setback limits apply up to an elevation of 15 feet above
2 sidewalk grade.

3 2) Between the elevations of 15 and 35 feet above sidewalk grade,
4 the facade shall be located within 2 feet of the street lot line, except that:

5 a) Any exterior public open space that satisfies the
6 Downtown Amenity Standards, whether it receives a bonus or not, and any outdoor common
7 recreation area required for residential uses, is not considered part of the setback.

8 b) Setbacks between the elevations of 15 and 35 feet above
9 sidewalk grade at the street lot line are permitted according to the following standards, as
10 depicted in Exhibit B for 23.49.056:

11 i. The maximum setback is 10 feet.

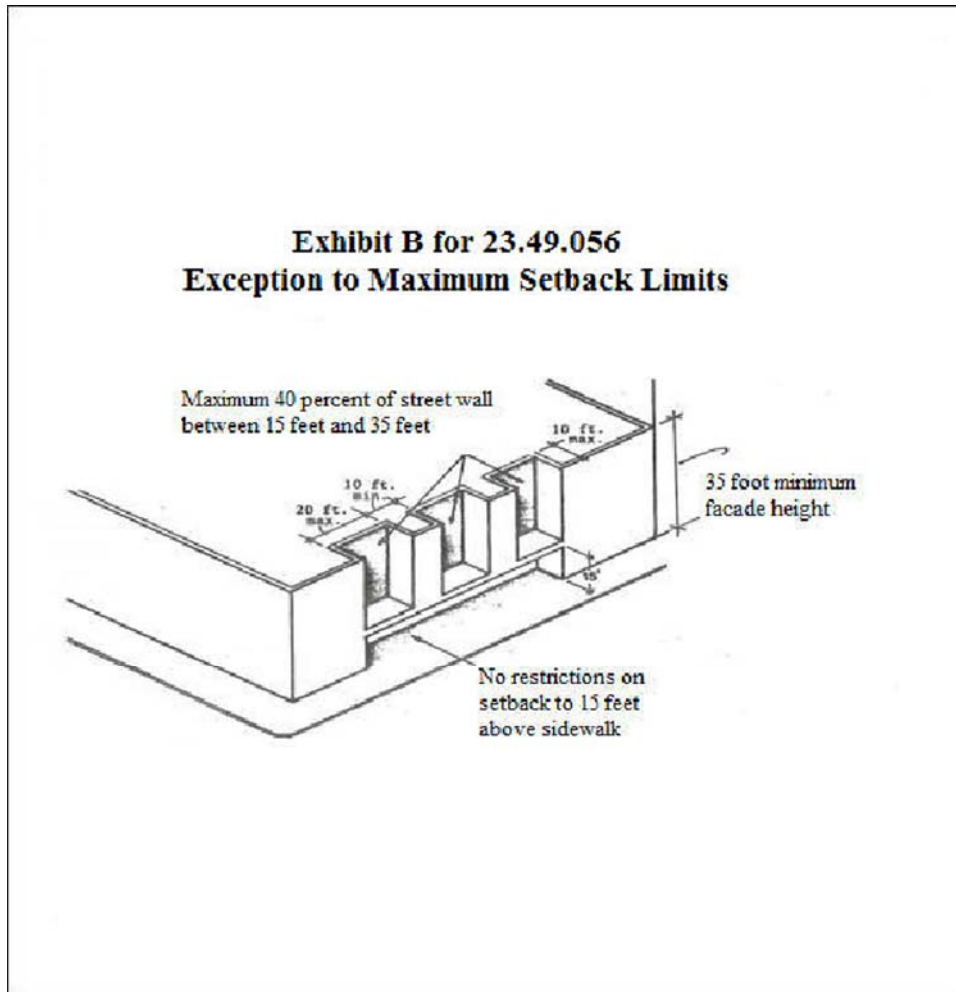
12 ii. The total area of a facade that is set back more
13 than 2 feet from the street lot line shall not exceed 40 percent of the total facade area between the
14 elevations of 15 and 35 feet.

15 iii. No setback deeper than 2 feet shall be wider
16 than 20 feet, measured parallel to the street lot line.

17 iv. The facade of the structure shall return to within
18 2 feet of the street lot line between each setback area for a minimum of 10 feet. Balcony railings
19 and other nonstructural features or walls are not considered the facade of the structure.
20

Exhibit B for 23.49.056

Exception to Maximum Setback Limits



c. If sidewalk widening is required by Section 23.49.022, setback standards shall be measured to the line established by the new sidewalk width rather than the street lot line.

d. In the DMC 160 zone, on lots that abut Alaskan Way, as an alternative to the standards for required property line facades in subsections 23.49.056.B.1.a, 23.49.056.B.1.b, and 23.49.056.B.1.c, a continuous setback of up to 16 feet from the lot line abutting Alaskan Way is allowed for the street-facing facade. If the alternative setback allowed by this subsection 23.49.056.B.1.d is provided, the setback area shall be used for outdoor uses

related to abutting street-level uses, for landscaped open space, for a partially above-grade story that meets the conditions of subsection 23.49.011.B.1.u, or to widen the abutting sidewalk for pedestrian use.

2. General (~~(Setback Limits)~~) setback limits. The following setback limits apply on streets not requiring property line facades, as shown on Map 1H:

a. The portion of a structure subject to setback limits shall vary according to the structure height and required minimum facade height, as follows:

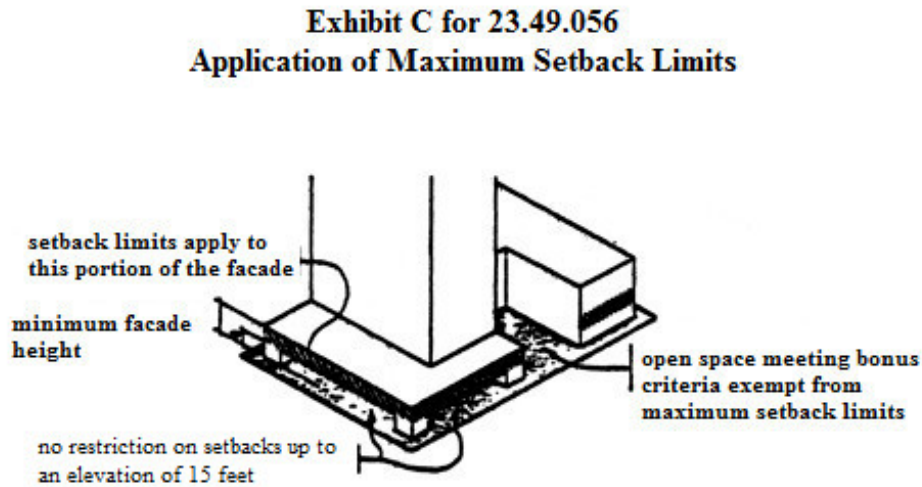
1) Except as provided in subsection 23.49.056.B.2.a.3, if the structure is greater than 15 feet in height, the setback limits apply to the facade between an elevation of 15 feet above sidewalk grade and the minimum facade height established in subsection 23.49.056.A and illustrated in Exhibit C for 23.49.056.

2) If the entire structure is 15 feet or less in height, the setback limits apply to the entire street-facing facade.

3) If the minimum facade height is 15 feet, the setback limits apply to the portion of the street-facing facade that is 15 feet or less in height.

Exhibit C for 23.49.056

Application of Maximum Setback Limits

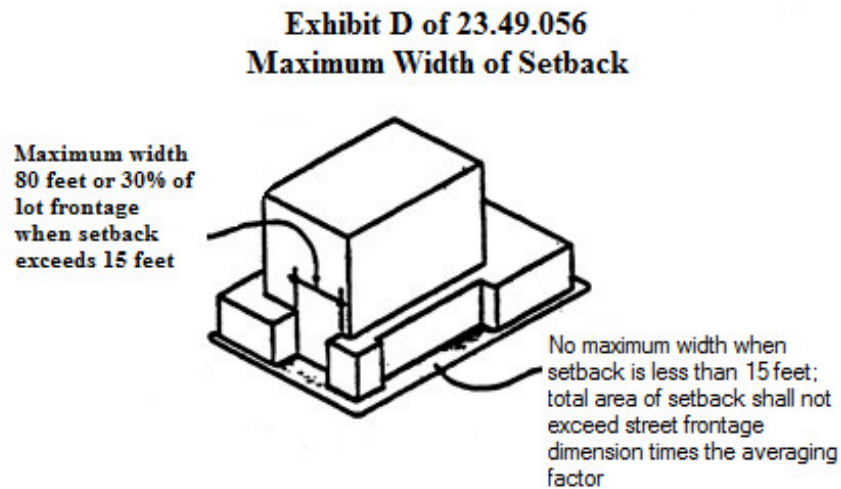


b. The maximum area of all setbacks between the street lot line and facade along each street frontage of a lot shall not exceed the area derived by multiplying the averaging factor by the width of the street frontage of the structure along that street (see Exhibit D for 23.49.056). The averaging factor is five on Class I pedestrian streets and ten on Class II pedestrian streets and designated green streets.

c. The maximum width, measured along the street lot line, of any setback area exceeding a depth of 15 feet from the street lot line shall not exceed 80 feet, or 30 percent of the lot frontage on that street, whichever is less. (See Exhibit D for 23.49.056.)

Exhibit D for 23.49.056

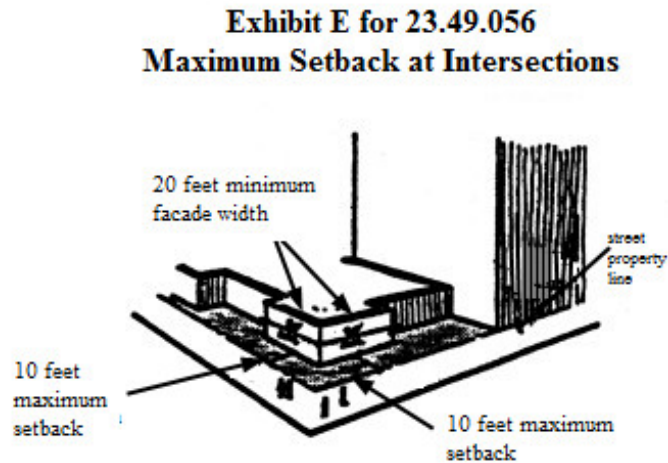
Maximum Width of Setback



d. The maximum setback of the facade from the street lot lines at intersections is 10 feet. The minimum distance the facade must conform to this limit is 20 feet along each street. (See Exhibit E for 23.49.056.)

Exhibit E for 23.49.056

Maximum Setback at Intersections



e. Any exterior public open space that meets the Downtown Amenity Standards, whether it receives a bonus or not, and any outdoor common recreation area required for residential uses, is not considered part of a setback. (See Exhibit C for 23.49.056.)

f. If a sidewalk is widened into the lot as a condition to development, setback standards shall be measured to the line established by the new sidewalk width rather than the street lot line.

C. Facade (~~(Transparency Requirements.)~~) transparency requirements

1. Facade transparency requirements apply to the area of the facade between 2 feet and 8 feet above the sidewalk, except that if the slope along the street frontage of the facade exceeds 7.5 percent, the transparency requirements apply to the area of the facade between 4 feet and 8 feet above sidewalk grade. Only clear or lightly tinted glass in windows, doors, and display windows is considered to be transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Facade transparency requirements do not apply to portions of structures in residential use.

3. If the transparency requirements of this subsection 23.49.056.C are inconsistent with the glazing limits in the Energy Code, this subsection 23.49.056.C applies to the extent permitted by applicable law.

4. Transparency requirements are as follows:

a. Class I pedestrian streets and designated green streets: A minimum of 60 percent of the street-level, street-facing facade shall be transparent.

b. Class II pedestrian streets: A minimum of 30 percent of the street-level, street-facing facade shall be transparent.

c. Where the slope along the street frontage of the facade exceeds 7.5 percent, the required amount of transparency shall be reduced to 50 percent on Class I pedestrian streets and designated green streets and 25 percent on Class II pedestrian streets.

~~D. Blank ((Facade Limits.))~~ facade limits

~~1. General ((Provisions.))~~ provisions

a. Blank facade limits apply to the area of the facade between 2 feet and 8 feet above the sidewalk, except that where the slope along the street frontage of the facade exceeds 7.5 percent, blank facade limits apply to the area of the facade between 4 feet and 8 feet above sidewalk grade.

b. Any portion of a facade that is not transparent shall be considered to be a blank facade.

c. Blank facade limits do not apply to portions of structures in residential use.

2. Blank ~~((Facade Limits))~~ facade limits for Class I ~~((Pedestrian Streets))~~

pedestrian streets and ~~((Designated Green Streets.))~~ designated green streets

a. Blank facades shall be no more than 15 feet wide except segments with garage doors may exceed a width of 15 feet and may be as wide as the driveway plus 5 feet.

Blank facade segment width may be increased to 30 feet if the Director in a Type I decision determines that the facade segment is enhanced by features with visual interest such as architectural detailing, artwork, landscaping, or similar features.

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

c. The total width of all blank facade segments, including garage doors, shall not exceed 40 percent of the street-facing facade of the structure on each street frontage, or 50 percent if the slope of the street frontage of the facade exceeds 7.5 percent.

3. Blank ~~((Facade Limits))~~ facade limits for Class II ~~((Pedestrian Streets.))~~

pedestrian streets

a. Blank ~~((façade))~~ facade segments shall be no more than 30 feet wide, except for garage doors, which may exceed 30 feet. Blank facade segment width may be increased to 60 feet if the Director in a Type I decision determines that the facade segment is enhanced by architectural detailing, artwork, landscaping, or similar features that have visual interest. The width of garage doors shall be limited to the width of the driveway plus 5 feet.

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

1 c. The total of all blank facade segments, including garage doors, shall not
2 exceed 70 percent of the street facade of the structure on each street frontage; or 75 percent if the
3 slope of the street frontage of the facade exceeds 7.5 percent.

4 E. Street ~~((Tree Requirements))~~ tree requirements. Street trees are required on all streets
5 that have a pedestrian classification and abut a lot. If areaways are located beneath the sidewalk,
6 the street trees shall be planted in below-grade containers with provisions for watering the trees.
7 Street trees shall be planted according to street tree planting standards in the Right-of-Way
8 Improvements Manual.

9 F. Setback and landscaping requirements for lots located within the Denny Triangle
10 ~~((Urban Center Village))~~

11 1. Landscaping in the street right-of-way for all streets other than those with green
12 street plans approved by Director's Rule. All new development in DMC zones in the Denny
13 Triangle ~~((Urban Center Village))~~, as shown on Map A for 23.49.056, shall provide landscaping
14 in the sidewalk area of the street right-of-way, except on streets with a green street plan approved
15 by Director's Rule. The square footage of landscaped area provided shall be at least 1.5 times the
16 length of the street lot line (in linear feet). The following standards apply to the required
17 landscaped area:

18 a. The landscaped area shall be at least 18 inches wide and shall be located
19 in the public right-of-way along the entire length of the street lot line, except for building
20 entrances, vehicular access or other connections between the sidewalk and the lot, provided that
21 the exceptions may not exceed 50 percent of the total length of the street lot line(s).

b. As an alternative to locating the landscaping at the street lot line, all or a portion of the required landscaped area may be provided in the sidewalk area within 5 feet of the curb line.

c. Landscaping provided within 5 feet of the curb line shall be located and designed in relation to the required street tree planting and be compatible with use of the curb lane for parking and loading.

d. All plant material shall be planted directly in the ground or in permanently installed planters if planting in the ground is not feasible. A minimum of 50 percent of the plant material shall be perennial.

2. Landscaping on a designated green street. If required landscaping is on a designated green street with a green street plan approved by Director's Rule, the planting shall be consistent with designs identified in that green street plan.

3. Landscaping in setbacks

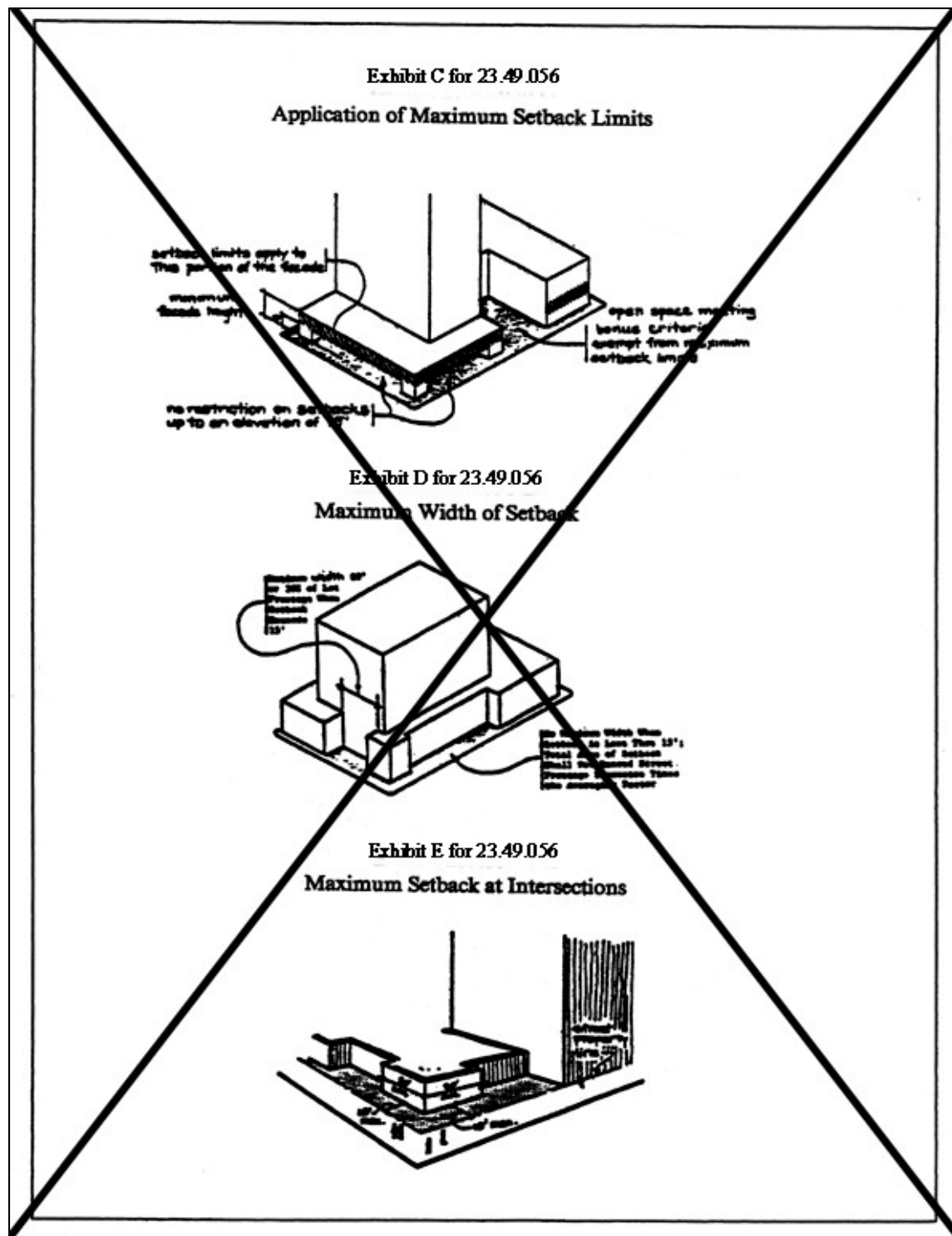
a. In the Denny Triangle (~~Urban Center Village~~), as shown on Map A for 23.49.056, at least 20 percent of the total square footage of all areas abutting the street lot line that are not covered by a structure, have a depth of 10 feet or more from the street lot line and are larger than 300 square feet, shall be landscaped. Any area under canopies or marquees is considered uncovered. Any setback provided to meet the minimum sidewalk widths established by Section 23.49.022 is exempt from the calculation of the area to be landscaped.

b. All plant material shall be planted directly in the ground or in permanently installed planters if planting in the ground is not feasible. A minimum of 50 percent of the plant material shall be perennial and shall include trees if a contiguous area, all or a portion of which is landscaped pursuant to subsection 23.49.056.F.1.a, exceeds 600 square feet.

4. Terry and 9th Avenues (~~((green-street))~~) Green Street setbacks

a. In addition to the requirements of subsections 23.49.056.F.2 and 23.49.056.F.3, a 2 foot wide setback from the street lot line is required along the Terry and 9th Avenue Green Streets within the Denny Triangle (~~((Urban Center Village))~~) as shown on Map A for 23.49.056. The Director may allow averaging of the setback requirement of this subsection 23.49.056.F.4.a to provide greater conformity with an approved green street plan.

b. Fifty percent of the setback area shall be landscaped.



((Exhibits C, D, and E for 23.49.056))

Section 7. Subsection 23.49.058.F of the Seattle Municipal Code, which section was last amended by 124680, is amended as follows:

**23.49.058 Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), and
Downtown Mixed Commercial (DMC) upper-level development standards**

* * *

F. Tower spacing for all structures over 160 feet in height in those DMC zoned areas specified below:

1. For the purposes of this Section 23.49.058, no separation is required:

a. between structures on different blocks, except as may be required by view corridor or designated green street setbacks ((7)) ; or

b. from a structure on the same block that is not located in a DMC zone; or

c. from a structure allowed pursuant to the Land Use Code in effect prior to May 12, 2006; or

d. from a structure on the same block that is 160 feet in height or less, excluding rooftop features permitted above the applicable height limit for the zone pursuant to Section 23.49.008; or

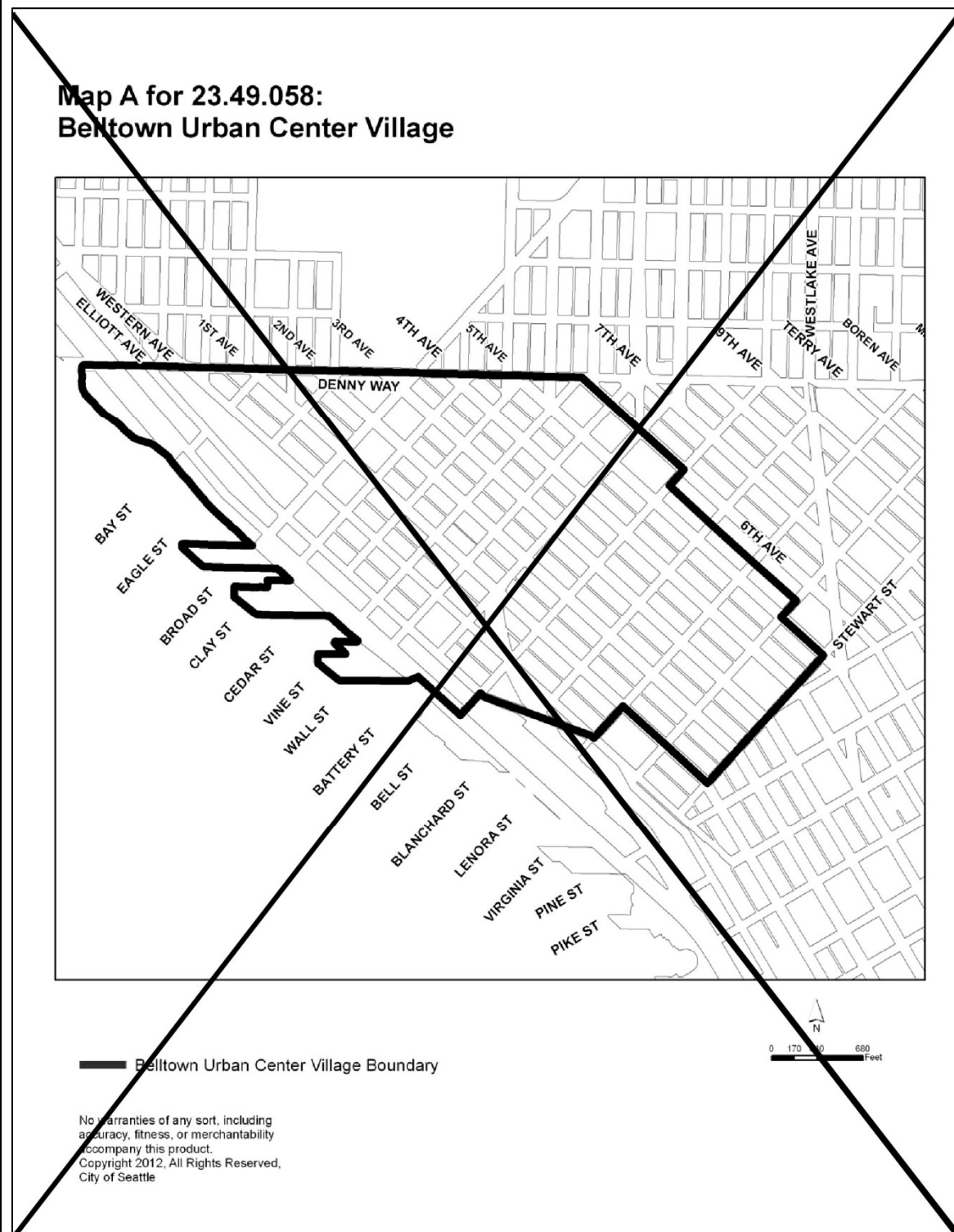
e. from a structure in a DMC 160 zone that gains additional height through subsection 23.49.008.E.

2. Except as otherwise provided in this subsection 23.49.058.F, in the DMC 240/290-400 zone located between Stewart Street, Union Street, Third Avenue, and First Avenue, if any part of a tower exceeds 160 feet in height, then all portions of the tower that are above 125 feet in height shall be separated from any other existing tower that is above 160 feet in

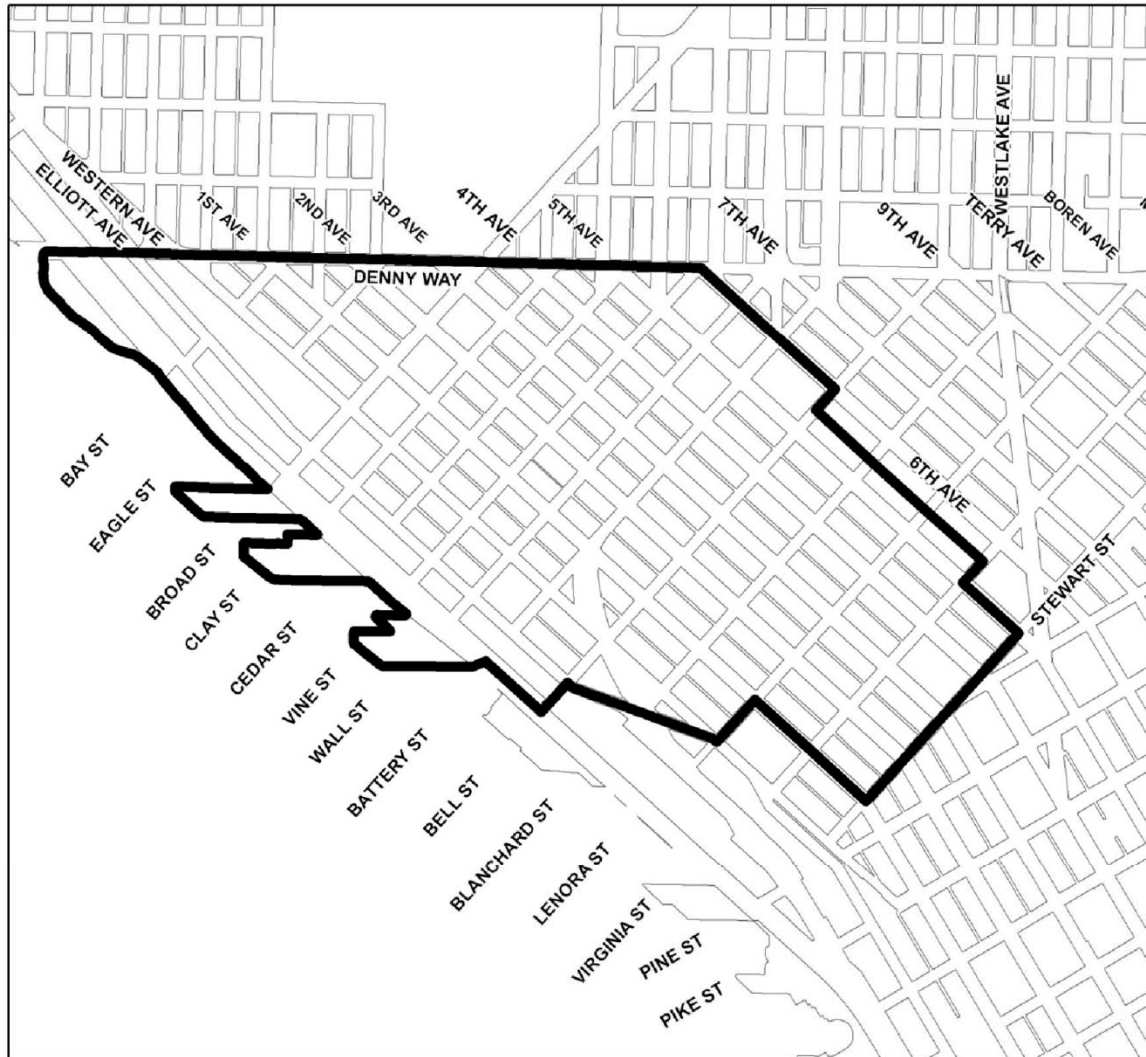
height, and the minimum separation required between towers from all points above the height of 125 feet in each tower is 200 feet.

3. Except as otherwise provided in this subsection 23.49.058.F, in the DMC zone with a mapped height limit of more than 160 feet located either in ~~((the))~~ Belltown ~~((Urban Center Village))~~, as shown on Map A for 23.49.058, or south of Union Street, if any part of a tower exceeds 160 feet in height, then all portions of the tower that are above 125 feet in height must be separated from any other existing tower that is above 160 feet in height, and the minimum separation required between towers from all points above the height of 125 feet in each tower is 80 feet.

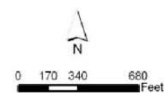
1 **Map A for 23.49.058((:))**
2 **Belldtown ((Urban Center Village))**



Map A for 23.49.058 Belltown



— Belltown Boundary



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1 4. Except as otherwise provided in this subsection 23.49.058.F, in the DMC zone
2 with a mapped height limit of more than 160 feet located in the Denny Triangle ((Urban Center
3 Village)), as shown on Map A for 23.49.056, if any part of a tower exceeds 160 feet in height,
4 then all portions of the tower that are above 125 feet in height must be separated from any other
5 existing tower that is above 160 feet in height, and the minimum separation required between
6 towers from all points above the height of 125 feet in each tower is 60 feet.

7 5. The projection of unenclosed decks and balconies, and architectural features
8 such as cornices, shall be disregarded in calculating tower separation.

9 6. If the presence of an existing tower would preclude the addition of another
10 tower proposed on the same block, as a special exception, the Director may waive or modify the
11 tower spacing requirements of this Section 23.49.058 to allow a maximum of two towers to be
12 located on the same block that are not separated by at least the minimum spacing required in
13 subsections 23.49.058.F.2, 23.49.058.F.3, and 23.49.058.F.4, other than towers described in
14 subsection 23.49.058.F.1. The Director shall determine that issues raised in the design review
15 process related to the presence of the additional tower have been adequately addressed before
16 granting any exceptions to tower spacing standards. The Director shall consider the following
17 factors in determining whether such an exception shall be granted:

18 a. ((potential)) Potential impact of the additional tower on adjacent
19 residential structures, located within the same block and on adjacent blocks, in terms of views,
20 privacy, and shadows;

21 b. ((potential)) Potential public benefits that offset the impact of the
22 reduction in required separation between towers, including the provision of public open space,
23 designated green street or other streetscape improvements, preservation of landmark structures,

1 and provision of neighborhood commercial services, such as a grocery store, or community
2 services, such as a community center or school;

3 c. ~~((potential))~~ Potential impact on the public environment, including
4 shadow and view impacts on nearby streets and public open spaces;

5 d. ~~((design))~~ Design characteristics of the additional tower in terms of
6 overall bulk and massing, facade treatments and transparency, visual interest, and other features
7 that may offset impacts related to the reduction in required separation between towers;

8 e. ~~((the))~~ The City's goal of encouraging residential development
9 downtown; and

10 f. ~~((the))~~ The feasibility of developing the site without an exception from
11 the tower spacing requirement.

12 7. For purposes of this Section 23.49.058, an "existing" tower is either:

13 a. a tower that is physically present, except as provided below in this
14 subsection 23.49.058.F.7~~((;))~~_i; or

15 b. a proposed tower for which a Master Use Permit decision that includes
16 approval of the Design Review element has been issued, unless and until either

17 ~~((i))~~ 1) the Master Use Permit issued pursuant to such decision
18 expires or is cancelled, or the related application is withdrawn by the applicant, without the
19 tower having been constructed; or

20 ~~((ii))~~ 2) a ruling by a hearing examiner or court of competent
21 jurisdiction reversing or vacating such decision, or determining such decision or the Master Use
22 Permit issued thereunder to be invalid, becomes final and no longer subject to judicial review.

A tower that is physically present shall not be considered "existing" if the owner of the lot where such tower is located shall have applied to the Director for a permit to demolish such tower and such application shall be pending or a permit issued for such demolition shall be in effect, but any permit decision or permit for any structure that would not be permitted under this subsection 23.49.058.F.7 if such tower were considered "existing" may be conditioned upon the actual demolition of such tower.

* * *

Section 8. Section 23.51A.004 of the Seattle Municipal Code, last amended by Ordinance 124610, is amended as follows:

23.51A.004 Public facilities in multifamily zones

A. Except as otherwise provided in subsection 23.51A.004.D, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under the applicable zoning are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards, and administrative conditional use criteria that govern the similar use.

B. The following uses in public facilities are permitted outright in all multifamily zones if the development standards for institutions in Section 23.45.570, other than dispersion requirements, are met, except as otherwise provided in subsection 23.51A.004.B.6:

1. Police precinct stations;
2. Fire stations;
3. Public boat moorages;
4. Utility service uses;
5. Other uses similar to any of the uses listed in this subsection 23.51A.004.B; and

6. Youth service centers existing as of January 1, 2013, in public facilities operated by King County in an LR3 zone within an Urban Center ((~~Village~~)) and replacement, additions or expansions to such King County public facilities. For youth service centers, the development standards for institutions in Section 23.45.570 apply, and subsections 23.45.570.D and 23.45.570.F relating to structure width and setbacks may be waived or modified by the Director as a Type II decision. The Director's decision to waive or modify standards shall be based on a finding that the waiver or modification is needed to accommodate unique programming, public service delivery, or structural needs of the facility and that the following urban design objectives are met. The Director's decision shall include conditions to mitigate all substantial impacts caused by such a waiver or modification.

a. Objective 1: Create visual interest along and activate each street frontage. Examples for achieving this objective include, but are not limited to, the following:

1) Incorporate prominent entrances and other features that welcome pedestrians;

2) Add visual interest using architectural detailing of the facade, transparency, decorative materials, or design features; and

3) Use signage consistent with the Sign Code, Chapter 23.55, that helps orient pedestrians and adds interest to the street environment.

b. Objective 2: Create a continuous pedestrian environment along each frontage of the development in LR3. Examples for achieving this objective include, but are not limited to, the following:

1) Incorporate shade and rain protection, such as awnings, building overhangs, benches, freestanding pavilions, or kiosks;

2) Where site dimensions and program conditions allow, provide a landscaped setback between the structure and sidewalk; and

3) Design new or existing bus stops to integrate transit shelters, benches, and decorative treatments with the adjacent facade.

c. Objective 3: Address the bulk and scale of the building by design treatments that transition to the scale of nearby development. Examples for achieving this objective include, but are not limited to, the following:

1) Break down the apparent scale of the building and reduce the impact of blank walls by using modulation or decorative facade elements, such as material, shape, color, architectural detailing, painting, screening, artwork, or vegetated walls; and

2) Use landscaped setbacks where appropriate.

C. Unless specifically prohibited in subsection 23.51A.004.D, uses in new public facilities not specifically listed in subsection 23.51A.004.B or permitted pursuant to subsection 23.51A.004.A, or that are listed in or permitted pursuant to subsections 23.51A.004.A or 23.51A.004.B but do not meet applicable development standards or administrative conditional use criteria, may be permitted by the City Council according to the provisions of Chapter 23.76, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions. In making the decision, the Council may waive or grant departures from development standards or administrative conditional use criteria for public facilities, if the following criteria are satisfied:

1. The location of the public facility addresses public service needs, and any waiver or departure from development standards or administrative conditional use criteria is necessitated by those public service delivery needs; and

2. The impact of the public facility on surrounding properties has been addressed in the design, siting, landscaping, and screening of the facility.

D. The following public facilities are prohibited in all multifamily zones:

1. Jails, except for youth service centers existing as of January 1, 2013, in public facilities operated by King County within an Urban Center ((Village));

2. Work-release centers;

3. Bus bases;

4. Park and ride lots;

5. Sewage treatment plants;

6. Animal control shelters; and

7. Post office distribution centers.

E. Expansion of uses in public facilities

1. Major expansion. Major expansion of public facilities that are permitted by subsection 23.51A.004.C may be approved by the City Council, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V land use decisions, subject to the criteria of subsections 23.51A.004.C.1 and 23.51A.004.C.2. A major expansion of a public facility occurs if an expansion would not meet development standards or, except for expansion of the Washington State Convention and Trade Center, the area of the expansion would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is greater. A major expansion of the Washington State Convention and Trade Center is one that is 12,000 square feet or more in size. For the purposes of this subsection 23.51A.004.E.1, "area of the use" includes gross floor area and outdoor area devoted actively to that use, excluding parking.

2. Minor expansion. An expansion of a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities that are permitted by subsections 23.51A.004.A, 23.51A.004.B, or 23.51A.004.C are permitted outright.

F. Essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

G. Uses in existing or former public schools

1. Child-care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses are permitted in existing or former public schools.

2. Other non-school uses are permitted in existing or former public schools pursuant to procedures established in Chapter 23.78, Establishment of Criteria for Joint Use or Reuse of Schools.

Section 9. Subsection 23.58A.040.A of the Seattle Municipal Code, which section was last amended by Ordinance 124513, is amended as follows:

23.58A.040 Bonus floor area for open space amenities

A. Findings. The City Council finds that:

1. Amenities, including public open space, are an important aspect of livability in areas targeted in the Comprehensive Plan for concentrated housing and employment growth. ~~((To address this need, the Comprehensive Plan establishes goals for the amount and distribution of open space. These goals are consistent with national standards developed to assist communities with planning to provide adequate open space serving specified population needs.))~~

2. Developments that add density will increase demand for public open space. If additional public open space is voluntarily provided to offset additional demand, the impacts on available open space resources will be mitigated.

3. Within Highrise zones, the average amount of public open space, including breathing room open space, needed to accommodate residential development is at least 0.14 square feet of open space per gross square foot of residential floor area in a development.

* * *

Section 10. Subsection 23.69.030.E of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.69.030 Contents of a master plan

* * *

E. The development program component shall include the following:

1. A description of alternative proposals for physical development including an explanation of the reasons for considering each alternative, but only if an Environmental Impact Statement is not prepared for the master plan; and

2. Density as defined by total maximum developable gross floor area for the MIO District and an overall floor area ratio (FAR) for the MIO District. Limits on total gross floor area and ~~((floor area ratios))~~ FARs may also be required for sub-areas within the MIO District but only when an MIO District is over 400 acres in size or when an MIO District has distinct geographical areas; and

3. The maximum number of parking spaces allowed for the MIO District; and

4. A description of existing and planned future physical development on a site plan that shall contain:

1 a. The height, description, gross floor area, and location of existing and
2 planned physical development, and

3 b. The location of existing open space landscaping and screening, and
4 areas of the MIO District to be designated open space. Designated open space shall be open
5 space within the MIO District that is significant and serves as a focal point for users of the Major
6 Institution. Changes to the size or location of designated open space requires an amendment
7 pursuant to Section 23.69.035, and

8 c. Existing public and private street layout, and

9 d. Existing and planned parking areas and structures; and

10 5. A site plan showing: property lines and ownership of all properties within the
11 applicable MIO District, or areas proposed to be included in an expanded MIO District, and all
12 structures and properties a Major Institution is leasing or using or owns within 2,500 feet of the
13 MIO District; and

14 6. Three-dimensional drawings to illustrate the height, bulk, and form of existing
15 and planned physical development. Information on architectural detailing such as window
16 placement and color and finish materials is not required; and

17 7. A site plan showing any planned infrastructure improvements and the timing of
18 those improvements; and

19 8. A description of planned development phases and plans, including development
20 priorities, the probable sequence for such planned development and estimated dates of
21 construction and occupancy; and

22 9. A description of any planned street or alley vacations or the abandonment of
23 existing rights-of-way; and

10. At the option of the Major Institution, a description of potential uses, development, parking areas and structures, infrastructure improvements or street or alley vacations. Information about potential projects is for the purpose of starting a dialogue with the City and the community about potential development, and changes to this information will not require an amendment to the master plan; and

11. An analysis of the proposed master plan's consistency with the purpose and intent of this ((chapter)) Chapter 23.69 as described in Section 23.69.002; and

12. A discussion of the Major Institution's facility decentralization plans and/or options, including leasing space or otherwise locating uses off-campus; and

13. A description of the following shall be provided for informational purposes only. The Advisory Committee, pursuant to Section 23.69.032.D.1, may comment on the following but may not subject these elements to negotiation nor shall such review delay consideration of the master plan or the final recommendation to Council:

a. A description of the ways in which the institution will address goals and applicable policies under ((~~Education and Employability and Health~~)) Healthy Growth, Aging, and Lifestyles and Lifelong Learning headings in the ((~~Human Development~~)) Community Well-Being Element of the Comprehensive Plan, and

b. A statement explaining the purpose of the development proposed in the master plan, including the public benefits resulting from the proposed new development and the way in which the proposed development will serve the public purpose mission of the Major Institution.

* * *

Section 11. Section 23.75.002 of the Seattle Municipal Code, enacted by Ordinance 123963, is amended as follows:

23.75.002 Purpose and intent

The Comprehensive Plan Land Use Element (~~((Section C))~~) establishes a Master Planned Community designation (MPC). The purpose of this Chapter 23.75 and the (~~((Master Planned Community))~~) MPC zone is to implement the Comprehensive Plan by regulating land use within MPC zones. By allowing greater flexibility in the application of zoning and development requirements, an MPC zone designation is intended to support highly coordinated infill development with a higher level of environmental sustainability, affordable housing, and publicly accessible open space than is typically provided through conventional lot-by-lot development.

Section 12. Section 23.84A.040 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended by deleting the following definition:

23.84A.040 “U”

* * *

~~((“Urban center village” means a portion of a larger urban center designated in Seattle’s Comprehensive Plan as an urban center village.))~~

* * *

Section 13. Subsection 5.72.020.L of the Seattle Municipal Code, which section was last amended by Ordinance 121700, is amended as follows:

5.72.020 Definitions.

L. “Urban village” as used in this (~~((chapter))~~) Chapter 5.72 means a neighborhood that:
(1) is within an area designated as either (~~((an urban center village,))~~) a hub urban village or a

- 1 residential urban village in the City’s Comprehensive Plan; and (2) meets the definition of an
- 2 “urban center” as defined in RCW ((Section)) 84.14.010.
- 3

Section 14. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2016,
and signed by me in open session in authentication of its passage this _____ day of _____, 2016.

President _____ of the City Council

Approved by me this _____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment 1 – Seattle 2035 Seattle Comprehensive Plan