

September 15, 2017

MEMORANDUM

To: Planning, Land Use and Zoning Committee
From: Ketil Freeman and Lish Whitson, Council Central Staff
Subject: Uptown Rezone: Amendments for Committee Vote

On Tuesday, September 19, the PLUZ Committee is scheduled to vote on [Council Bill 119055](#), the Mayor’s proposed rezone of the Uptown Urban Center, and Resolution 31772, a companion resolution identifying future City actions and a work program for Uptown and Seattle Center. At this briefing the Committee will discuss amendments that were [presented](#) at the September 8 PLUZ Committee meeting. Additional amendments that respond to comments from members of the public at the public hearing held on Monday, September 11 will also be considered.

This memo includes proposed amendatory language for Committee consideration. These amendments have been identified through discussion with members of the community or as best practices identified during earlier zoning efforts.

Potential amendments

Councilmembers have identified a number of amendments, which are listed in Attachment A. Specific language for those amendments and discussion of the effects of the amendments is included with each attachment.

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cc: Kirstan Arestad, Central Staff Director

**Attachment A:
Potential Amendments to Uptown Rezone Bill**

Topic	Issue	Options	Discussion		
1. Heights	A. Heart of Uptown (the area surrounding Queen Anne Avenue N between Harrison and Roy streets)	Increase heights to 85' in the "Heart of Uptown" (5.25 FAR)	The Mayor proposed rezoning the "Heart of Uptown" from 40' to 65'. Councilmember Johnson has proposed considering an increase to 85' – an increase of two stories and 0.75 FAR. For a discussion of the pros and cons of the two heights, please see pages 24 and 25 of the Director's Report accompanying the rezone legislation.		
		Accept the Mayor's recommendation.			
	B. Mercer/Roy corridor	Increase heights to 125'		The Mayor proposed rezoning the Mercer/Roy corridor from 40' to 85'. Councilmember Johnson has proposed considering an increase to 125' – an increase of four stories and 1.75 FAR. This additional height could leverage City-owned property in an area where Queen Anne hill rises swiftly to the north. NOTE: Amendment withdrawn	
		Accept the Mayor's recommendation.			
	C. Design review departures	Remove ability to depart from height requirements			Currently there is a departure that allows projects up to 3 feet of additional height if the top floor of the structure is set back at least six feet from the abutting streets. Councilmembers should consider whether this departure continues to make sense given the height increases and upper-level setbacks proposed for Uptown. NOTE: Amendment withdrawn
		Accept the Mayor's recommendation.			
2. Floor Area Ratio (FAR) and Height Incentives	A. FAR Incentive for Arts Space and Landmark Preservation	Increase the FAR incentive from .5 to 1	The Mayor's proposal establishes a .5 FAR incentive for provision of arts and cultural facilities or preservation of landmark structures. Councilmember Johnson has proposed increasing the incentive from .5 to 1 FAR.		
		Accept the Mayor's recommendation.			
	B. FAR Incentive for Public schools	Provide additional FAR to encourage co-development of sites with the Seattle School District		The Mayor's proposal maintains an FAR incentive for school development, which provides that floor area developed with school space is exempt from chargeable FAR on a site. Councilmember Johnson has proposed adding an FAR incentive, as well, to encourage co-development of sites with the Seattle School District. This would be similar to existing regulations applicable to development in South Lake Union that provide a height bonus to encourage co-development.	
		Accept the Mayor's recommendation.			

Topic	Issue	Options	Discussion
			Note: The amendment has been rewritten to include preschools as well as schools.
	C. Incentives for Family-sized Units	Provide a height or FAR incentive for development that meets family-friendly design standards.	This year the Council amended bills rezoning the University District and Downtown to include incentives for the provision of family-sized units and amenity areas for families. Councilmember Johnson has proposed expanding those incentives to Uptown Note: The amendment has been rewritten to model the incentive on development standards applicable to SM zones in South Lake Union.
		Accept the Mayor's recommendation.	
	D. Incentives for Mandatory Housing Affordability (MHA) compliance through performance.	Provide a height or FAR incentive to development that complies with MHA through performance.	The bill would implement the Mandatory Housing Affordability (MHA) program throughout the Uptown Urban Center. New development would be required to provide affordable units on site (performance) or make a payment in-lieu of providing units. Some Uptown residents have expressed preference for MHA performance. Councilmembers may propose height or density incentives to encourage performance, including, potentially, performance with a deeper level of affordability. NOTE: Amendment withdrawn
		Accept the Mayor's recommendation.	
3. Physical Development Standards	A. Reduce the depth of upper-level Setbacks	Modify proposed upper-level setback standards.	The Mayor's proposal would establish an average upper-level setback of 10' for portions of structure above 65' in height along Roy Street, and 45' in height along Queen Anne Avenue, 1 st Avenue N, and 5 th Avenue N. Councilmember Johnson may propose amendments reducing the required setback from 10' to 5', or an average of 5'.
		Accept the Mayor's recommendation.	
	B. Add upper-level setbacks to more streets	Extend upper-level proposed upper-level setback standards along additional streets.	This amendment, from Councilmember Bagshaw, would extend requirements for upper-level setbacks along additional avenues: 1 st Avenue W, 2 nd Avenue W, 3 rd Avenue W and W Queen Anne Driveway. The setbacks would increase the

Topic	Issue	Options	Discussion
		Accept the Mayor's recommendation.	potential for light and air at street level along these streets within the SM-UP district.
4. Transportation and Parking	A. Transportation Management Programs (TMP)	Add a requirement for a TMP to reduce transportation impacts. A TMP requires a property owner to provide alternatives to reduce the number of SOV trips to and from the	According to the Downtown Seattle Association's 2014 and 2016 Mode Split studies, Uptown has the highest share of single-occupant vehicle (SOV) work trips of any center-city neighborhood. The FEIS for the Uptown rezone indicated that the number of SOV trips in the Uptown Urban Center will almost double between 2015 and 2035. The City has used TMPs as a way to manage and limit SOV trips in other urban centers, including Downtown Seattle, South Lake Union, Northgate and the University District. The University TMP requirements are triggered by either expected SOV rates or overnight on-street parking rates. Councilmember Johnson has proposed using the University District requirements as a model for Uptown.
		Accept the Mayor's recommendation.	
	B. Off-street parking maximums	Add an off-street parking maximum for some or all non-residential uses	The abutting urban centers, Downtown and South Lake Union, each have parking maximums of one space per 1,000 square feet for non-residential uses. No maximum is proposed for Uptown. With increases in density for non-residential buildings in Uptown, this may encourage the development of more auto-oriented office buildings in Uptown, resulting in increased SOV use compared to the adjacent urban centers. Councilmember Johnson has proposed considering parking maximums for non-residential development in Uptown.
		Accept the Mayor's recommendation.	

Attachment B:
Amendment 1A: Rezone the Heart of Uptown

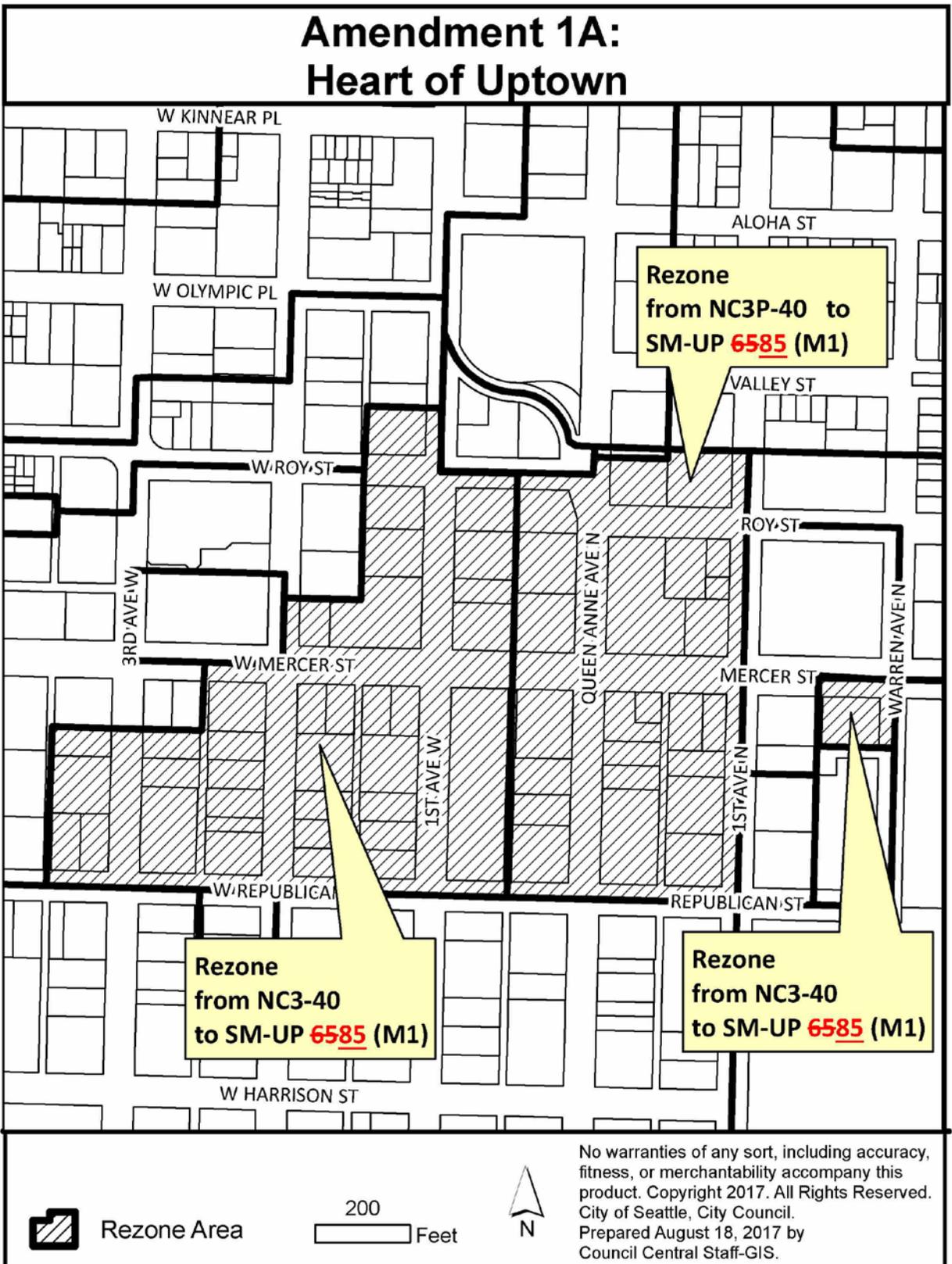
This amendment would rezone property north of Republican Street to SM-85 (M1), rather than the proposed SM-65 (M1). The 85 foot zone would allow two more stories of development, and 0.75 additional FAR.

Under the Mayor's proposal, the Heart of Uptown – the area generally bounded by N/W Republican Street, 2nd Avenue W, 1st Avenue N and N/W Roy Street would be surrounded by 85 foot zones to the south and east. To the west would be a Midrise zone with a Mandatory Housing Affordability suffix, which would allow buildings up to 80 feet.

The Executive's proposal is intended to maintain the existing pattern of lower height limits at the base of Queen Anne Hill. It is intended to encourage the development of mixed-use structures with pedestrian-oriented uses at street level. New buildings in this area would be visible from key viewpoints.

Increasing the height to 85 feet would apply a more consistent height across Uptown. It would allow more development near the light rail station, which is planned to serve this area. It could increase the number of housing units built on any particular site, resulting in higher contributions toward affordable housing and more people living near businesses and transit.

The proposed amendment would provide a transition along Queen Anne Avenue N to the north by not rezoning the northwest corner of W Roy Street and Queen Anne Avenue N.



**Attachment C:
Amendment 2A: Incentives for arts space and landmark preservation**

This amendment would increase by .5 the proposed Floor Area Ratio (FAR) density incentive for (1) provision of arts space and (2) preservation of designated historic landmarks.

The proposed legislation would establish density incentives for the SM-UP zone to encourage provision of arts and cultural space and rehabilitation and maintenance of designated landmarks. The incentives would allow additional floor area above prescribed limits for developers and property owners who either develop, and make available for the life of the building, arts space available to for-profit and non-profit entities or rehabilitate landmark structures.

Section 13. A new Subchapter VI is added to Chapter 23.48 of the Seattle Municipal Code as follows:

Subchapter VI Uptown

23.48.720 Floor area ratio (FAR) in SM-UP zones

A. General provisions. Except as otherwise specified in this subsection 23.48.720.A, FAR limits for SM-UP zones are as shown in Table A for 23.48.720.

Table A for 23.48.720			
FAR limits for specified zones in the Uptown Urban Center			
Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
SM-UP 65	NA	4.5	4.5
SM-UP 85	NA	5.25	5.25
SM-UP 95	NA	5.75	5.75
SM-UP 160	5	7 ¹	2 ²

Table A for 23.48.720

FAR limits for specified zones in the Uptown Urban Center

Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
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Footnotes to Table A for 23.48.720

¹ All chargeable floor area above the base FAR is considered extra floor area. Extra floor area must be achieved according to Sections 23.48.021, 23.48.722, and Chapter 23.58A.

² In the SM-UP 160, zone structures that do not exceed 125 feet in height are permitted an FAR of 7 for non-residential uses.

B. Additional increment of floor area above the maximum FAR. On lots that include uses or features specified in this subsection 23.48.720.B, an additional amount of chargeable floor area is permitted above the maximum FAR as follows:

1. For all SM-UP zones an additional amount of ~~0.5~~ 1 FAR is permitted above the maximum FAR of the zone shown on Table A for 23.48.720 if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

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

c. A Landmark structure that obtains additional FAR under this subsection 23.48.720.B.1 may not be a sending site for Landmark transferable development rights (TDR) or for transferable development rights (TDP);

d. If the increased amount of FAR allowed under this subsection 23.48.720.B.1 remains on the lot, the structure must remain designated as a Landmark; and

e. The owner shall maintain the exterior and interior of the Landmark structure in good condition in a manner that preserves the Landmark features and characteristics of the structure.

2. For SM-UP zones, an additional increment of up to ~~0.5~~ 1 FAR is permitted above the maximum FAR limit of the zone if a lot includes an arts facility operated by a for-profit or not-for-profit operator, subject to the following conditions:

a. The amount of the additional increment of FAR shall not exceed floor area of the arts facility.

b. The minimum floor area provided for a qualifying arts facility is 2,500 square feet.

c. The space shall be occupied by an arts facility for the life of the project on the lot. If the property owner is unable to secure a for-profit or not-for-profit organization to operate the arts facility, after a six-month period, if the space remains unoccupied, it may be used for other non-profit purposes such as a community and/or public area, under the following conditions:

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

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

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

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

**Attachment D:
Amendment 2B: Incentives for public schools**

This amendment would establish a Floor Area Ratio (FAR) density incentive for development or co-development of a school in all SM-UP zones.

The proposed legislation currently exempts floor area for schools from FAR limits. The proposed amendment would add an additional FAR incentive to encourage school development or co-development.

Section 13. A new Subchapter VI is added to Chapter 23.48 of the Seattle Municipal

Code as follows:

Subchapter VI Uptown

23.48.720 Floor area ratio (FAR) in SM-UP zones

A. General provisions. Except as otherwise specified in this subsection 23.48.720.A,

FAR limits for SM-UP zones are as shown in Table A for 23.48.720.

Table A for 23.48.720			
FAR limits for specified zones in the Uptown Urban Center			
Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
SM-UP 65	NA	4.5	4.5
SM-UP 85	NA	5.25	5.25
SM-UP 95	NA	5.75	5.75
SM-UP 160	5	7 ¹	2 ²
Footnotes to Table A for 23.48.720			

Table A for 23.48.720

FAR limits for specified zones in the Uptown Urban Center

Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
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¹ All chargeable floor area above the base FAR is considered extra floor area. Extra floor area must be achieved according to Sections 23.48.021, 23.48.722, and Chapter 23.58A.

² In the SM-UP 160, zone structures that do not exceed 125 feet in height are permitted an FAR of 7 for non-residential uses.

B. Additional increment of floor area above the maximum FAR. On lots that include uses or features specified in this subsection 23.48.720.B, an additional amount of chargeable floor area is permitted above the maximum FAR as follows:

1. For all SM-UP zones an additional amount of 0.5 FAR is permitted above the maximum FAR of the zone shown on Table A for 23.48.720 if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

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

c. A Landmark structure that obtains additional FAR under this subsection 23.48.720.B.1 may not be a sending site for Landmark transferable development rights (TDR) or for transferable development rights (TDP);

d. If the increased amount of FAR allowed under this subsection 23.48.720.B.1 remains on the lot, the structure must remain designated as a Landmark; and

e. The owner shall maintain the exterior and interior of the Landmark structure in good condition in a manner that preserves the Landmark features and characteristics of the structure.

2. For SM-UP zones, an additional increment of up to 0.5 FAR is permitted above the maximum FAR limit of the zone if a lot includes an arts facility operated by a for-profit or not-for-profit operator, subject to the following conditions:

a. The amount of the additional increment of FAR shall not exceed floor area of the arts facility.

b. The minimum floor area provided for a qualifying arts facility is 2,500 square feet.

c. The space shall be occupied by an arts facility for the life of the project on the lot. If the property owner is unable to secure a for-profit or not-for-profit organization to operate the arts facility, after a six-month period, if the space remains unoccupied, it may be used for other non-profit purposes such as a community and/or public area, under the following conditions:

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

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

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

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

3. For SM-UP zones, an additional increment of up to 1 FAR is permitted above the maximum FAR limit of the zone if a lot includes a preschool, an elementary school, or a secondary school, subject to the following conditions:

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

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

c. Should the school use be discontinued and replaced by commercial use, the commercial use shall be considered development to which Chapter 23.58B applies, notwithstanding any contrary provision of Section 23.58B.020.B.

C. Floor area exempt from FAR. In addition to floor area that is exempt from FAR limits according to subsection 23.48.020.B, the following floor area is exempt from FAR limits:

1. The floor area contained in a Landmark structure if the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board providing for the rehabilitation of the structure. This exemption does not apply to a lot from which a Landmark TDR or TDP has been transferred under Chapter 23.58A and does not apply for purposes of determining TDR or TDP available for transfer under Chapter 23.58A;

2. Floor area for a preschool, an elementary school, or a secondary school;

3. Floor area used for theaters or arts facilities, which for the purposes of this Section 23.48.720 may be operated either by for-profit or not-for-profit organizations;

4. Floor area of street-level uses identified in subsection 23.48.005.D that meet the development standards of subsection 23.48.040.C; and

5. Floor area in a vulnerable masonry structure that is included on a list of structures that meet specified criteria in a rule promulgated by the Director under Section 23.48.627, provided that the structure is retained for a minimum of 50 years according to the

provisions that apply to a qualifying vulnerable masonry structure TDR or TDP sending site in subsection 23.58A.042.F.3.

**Attachment E:
Amendment 2C: Incentives for family-size units**

This amendment would establish a Floor Area Ratio (FAR) density incentive for provision of family-sized units in new residential and mixed-use development.

The proposed amendment would allow for a .5 or 1 FAR incentive for developments that provide at least 10 or at least 20 family-sized units, respectively. Family sized units must meet development standards for size, number, of bedrooms and access to private and common amenity areas. This amendment is consistent with changes made by the Council with the University-district rezone and the Downtown / South Lake Union rezone.

Section 13. A new Subchapter VI is added to Chapter 23.48 of the Seattle Municipal

Code as follows:

Subchapter VI Uptown

23.48.720 Floor area ratio (FAR) in SM-UP zones

A. General provisions. Except as otherwise specified in this subsection 23.48.720.A,

FAR limits for SM-UP zones are as shown in Table A for 23.48.720.

Table A for 23.48.720			
FAR limits for specified zones in the Uptown Urban Center			
Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
SM-UP 65	NA	4.5	4.5
SM-UP 85	NA	5.25	5.25
SM-UP 95	NA	5.75	5.75
SM-UP 160	5	7 ¹	2 ²

Table A for 23.48.720

FAR limits for specified zones in the Uptown Urban Center

Zone	Base FAR limit for all uses	Maximum FAR for structures that include residential use	FAR Limits for non-residential uses
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Footnotes to Table A for 23.48.720

¹ All chargeable floor area above the base FAR is considered extra floor area. Extra floor area must be achieved according to Sections 23.48.021, 23.48.722, and Chapter 23.58A.

² In the SM-UP 160, zone structures that do not exceed 125 feet in height are permitted an FAR of 7 for non-residential uses.

B. Additional increment of floor area above the maximum FAR. On lots that include uses or features specified in this subsection 23.48.720.B, an additional amount of chargeable floor area is permitted above the maximum FAR as follows:

1. For all SM-UP zones an additional amount of 0.5 FAR is permitted above the maximum FAR of the zone shown on Table A for 23.48.720 if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

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

c. A Landmark structure that obtains additional FAR under this subsection 23.48.720.B.1 may not be a sending site for Landmark transferable development rights (TDR) or for transferable development rights (TDP);

d. If the increased amount of FAR allowed under this subsection 23.48.720.B.1 remains on the lot, the structure must remain designated as a Landmark; and

e. The owner shall maintain the exterior and interior of the Landmark structure in good condition in a manner that preserves the Landmark features and characteristics of the structure.

2. For SM-UP zones, an additional increment of up to 0.5 FAR is permitted above the maximum FAR limit of the zone if a lot includes an arts facility operated by a for-profit or not-for-profit operator, subject to the following conditions:

a. The amount of the additional increment of FAR shall not exceed floor area of the arts facility.

b. The minimum floor area provided for a qualifying arts facility is 2,500 square feet.

c. The space shall be occupied by an arts facility for the life of the project on the lot. If the property owner is unable to secure a for-profit or not-for-profit organization to operate the arts facility, after a six-month period, if the space remains unoccupied, it may be used for other non-profit purposes such as a community and/or public area, under the following conditions:

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

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

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

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

3. Additional increment of chargeable floor area above the maximum FAR. For all SM-UP zones, an additional increment of up to .5 FAR is permitted above the maximum FAR of the zone for a lot that includes residential dwelling units that comply with all of the following conditions:

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

b. Amenity area. Each dwelling unit shall have access to an outdoor amenity area that is located on the same story as the dwelling unit and meets the following standards:

1) The amenity area has a minimum area of 1300 square feet and a minimum horizontal dimension of 20 feet; and

2) The amenity area must be common amenity area, except that up to 40 percent of the amenity area may be private provided that the private and common amenity area are contiguous and are not separated by barriers more than 4 feet in height; and the private amenity areas are directly accessible from units meeting these requirements; and

3) The common amenity area includes children's play equipment; and

4) The common amenity area is located at or below a height of 85 feet.

C. Floor area exempt from FAR. In addition to floor area that is exempt from FAR limits according to subsection 23.48.020.B, the following floor area is exempt from FAR limits:

1. The floor area contained in a Landmark structure if the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board providing for the rehabilitation of the structure. This exemption does not apply to a lot from which a Landmark TDR or TDP has been transferred under Chapter 23.58A and does not apply for purposes of determining TDR or TDP available for transfer under Chapter 23.58A;

2. Floor area for a preschool, an elementary school, or a secondary school;

3. Floor area used for theaters or arts facilities, which for the purposes of this Section 23.48.720 may be operated either by for-profit or not-for-profit organizations;

4. Floor area of street-level uses identified in subsection 23.48.005.D that meet the development standards of subsection 23.48.040.C; and

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

Attachment F:
Amendment 3A: Reduce upper-level setback requirement

This amendment would reduce proposed upper level setbacks on four streets to an average of 5’.

The Mayor’s proposal would establish an average upper-level setback of 10’ for portions of structure above 45’ or 65’ in height along Roy Street, Queen Anne Avenue, 1st Avenue, and 5th Avenue. The proposed amendment would reduce that setback to an average of 5’.

Section 13. A new Subchapter VI is added to Chapter 23.48 of the Seattle Municipal

Code as follows:

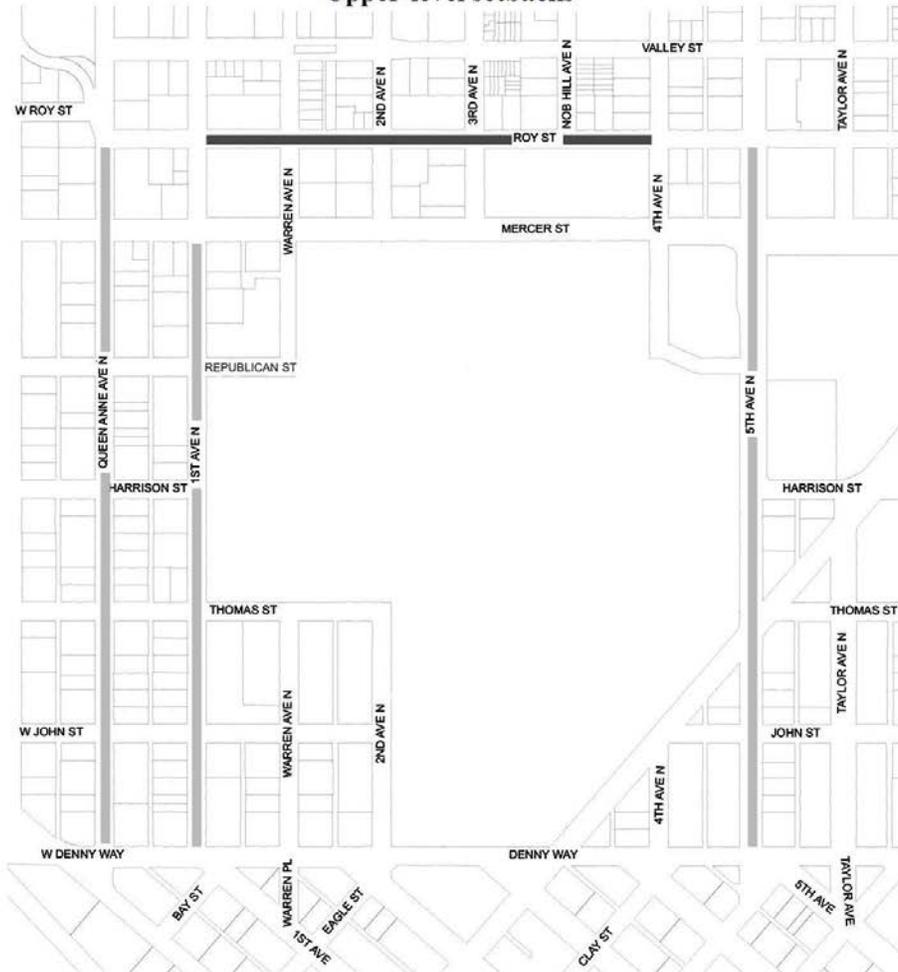
Subchapter VI Uptown

23.48.735 Upper-level setback requirements in SM-UP zones

A. In all SM-UP zones, any portion of a structure greater than 45 feet in height or 65 feet in height must be set back from a lot line that abuts a designated street shown on Map A for 23.48.735. A setback of an average of ~~10~~ 5 feet from the front lot line is required for any portion of a structure exceeding the maximum height that is permitted without a setback.

**Map A for 23.48.735
Upper-level setbacks**

**Map A for 23.48.735
Upper-level setbacks**



Upper-Level Setbacks

-  45' Upper-Level Setbacks Required
-  65' Upper-Level Setbacks Required



0 195 390 780 Feet

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Attachment G:
Amendment 3B: Expand upper-level setbacks

This amendment would add upper-level setback requirements along a few additional streets to increase light and air at street level in areas that are being rezoned to the SM-UP zone west of Seattle Center. The amendment would implement a recommendation of the Uptown Urban Design Strategy which stated: “If heights are increased, consider development standards that maintain important view corridors and setback appropriate to maintain light and openness at street level.”

The Mayor’s proposal would establish an average upper-level setback of 10’ for portions of structure above 45’ along Queen Anne Avenue N, 1st Avenue N, and 5th Avenue N. An average 10’ setback would apply above 65 feet along some segments of Roy Street.

The amendment would amend Map A for 23.48.735 to add upper-level setback requirements above 45’ in the area to be rezoned to SM-UP along 1st Avenue W, 2nd Avenue W, 3rd Avenue W and W Queen Anne Driveway.

Note: Additional public notice will be required for this amendment.

Section 13. A new Subchapter VI is added to Chapter 23.48 of the Seattle Municipal

Code as follows:

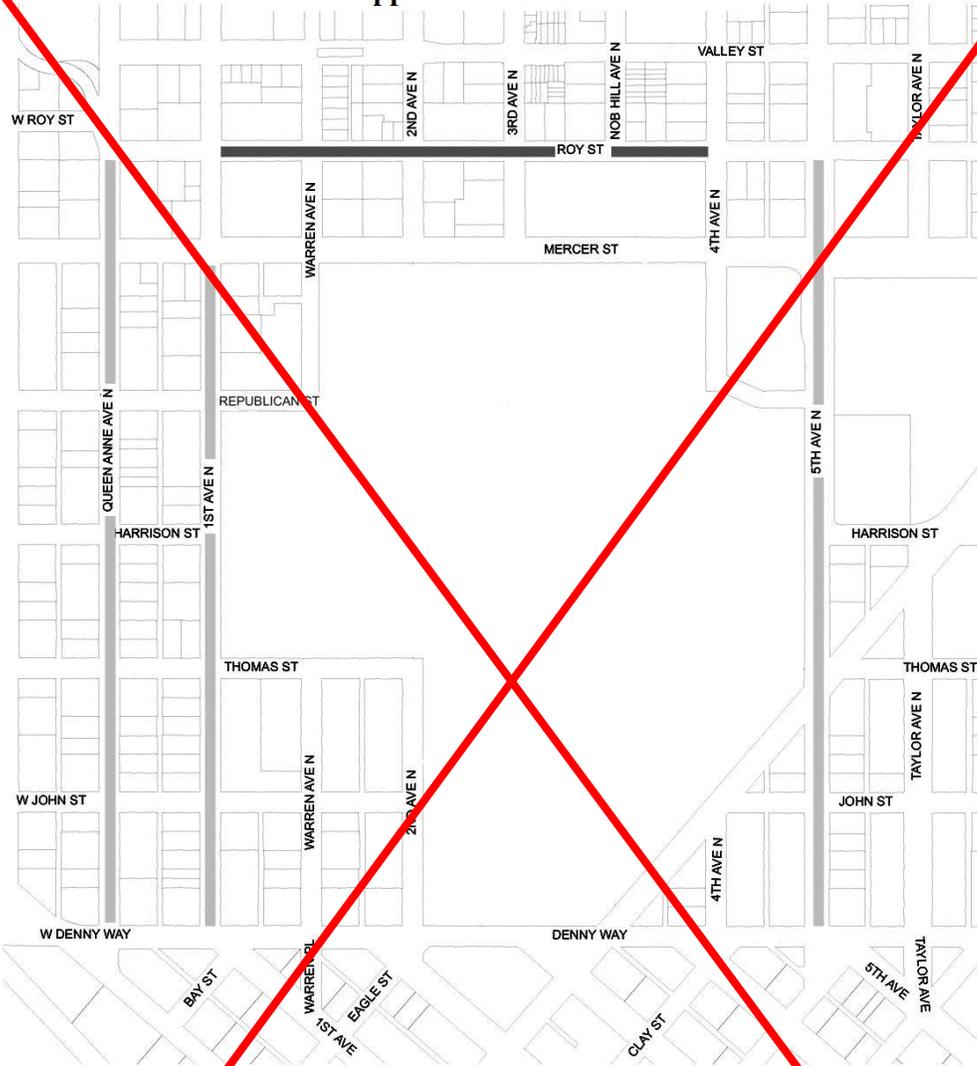
Subchapter VI Uptown

23.48.735 Upper-level setback requirements in SM-UP zones

A. In all SM-UP zones, any portion of a structure greater than 45 feet in height or 65 feet in height must be set back from a lot line that abuts a designated street shown on Map A for 23.48.735. A setback of an average of 10 feet from the front lot line is required for any portion of a structure exceeding the maximum height that is permitted without a setback.

**Map A for 23.48.735
Upper-level setbacks**

**Map A for 23.48.735
Upper-level setbacks**



Upper-Level Setbacks

-  45' Upper-Level Setbacks Required
-  65' Upper-Level Setbacks Required



0 195 390 780 Feet

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**Attachment H:
Amendment 4A: Transportation management programs**

This amendment would require Transportation Management Programs (TMPs) for development in the SM-UP district. It is intended to address the comparably high rates of SOV use within the Uptown Urban Center compared to adjacent centers. As shown in the Uptown [EIS](#), Uptown has the highest share of commuters using Single Occupant Vehicles (SOV) to commute to work of any neighborhood in Seattle’s Center City. With the preferred alternative, SOV trips in the Uptown Urban Center are anticipated to increase by 92% between 2015 and 2035.

Seattle’s goals for non-SOV mode share in Uptown are 60 percent for work trips and 85 percent for non-work trips. Under the no-action alternative of the FEIS, without changes to zoning, Uptown would not meet that threshold in 2035 absent construction of light rail to serve the neighborhood. According to the EIS, for the Preferred Alternative, “Even with HCT [high-capacity transit, ie. light rail] and increased transit, non-work trips would not meet the 15 percent SOV goal defined in the Comprehensive Plan.” These non-work trips include trips made by residents to non-work destinations, trips made by people travelling to and from the neighborhood for activities other than work, and employees traveling to and from work for purposes other than travelling to their home.

TMPs are one tool that the City uses to provide alternatives to use of SOVs in higher-density buildings. TMPs are guided by SDOT and SDCI Joint Directors’ Rule [27-2015](#), which requires developers to develop programs that mitigate transportation impacts. TMPs are prepared by the developer to address project-specific and site-specific transportation impacts. Projects most likely to impact the surrounding neighborhood by adding 50 or more pm peak hour trips or 25 on-street parking spaces would be required to prepare a TMP.

Each TMP is tailored to the specific needs of the development based on a common set of best management practices. Requiring TMPs for both residential and non-residential development will provide occupants of new buildings in Uptown with tools to reduce SOV trips such as subsidized transit passes and bicycle storage, along with information about other transportation options and other measures to limit single-occupant vehicle use.

23.48.710 ((Reserved)) Transportation management programs

A. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director’s Rule.

1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the

largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.

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

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

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

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

Attachment I:

Amendment 4B: Off-street parking maximums

This amendment would place a limit on parking accessory to office uses at 1 space per 1,000 square feet. This is based on similar limits that apply in the South Lake Union and Downtown urban centers. Uptown has a much higher rate of SOV commuters compared to the adjacent urban centers. A parking maximum is one tool to limit the number of drivers to the neighborhood. One space per 1,000 square feet is equivalent to one space per 4 or 5 employees.

In Downtown Seattle and South Lake Union, there are equal limits on all non-residential development. Given Seattle Center - its role as a regional destination and ongoing discussions regarding parking in the neighborhood - Council may want to focus the parking maximum in Uptown on office development.

23.48.780 Required parking in Uptown Urban Center

A. Parking at street level within structures. Parking in the Uptown Urban Center is permitted in a story that is partially above street level and partially below street level if the structure is permitted in a setback area under the provisions of subsection 23.48.740.B.2.b.

B. Maximum parking limit for office uses. Parking for office uses is limited to one parking space per every 1,000 square feet of gross floor area in office use.

Attachment J:
Amendment 5: Landmark TDR Reporting

This amendment would add a new subsection to Resolution 31772 requesting that The Office of Planning and Community Development (OPCD) and the Department of Neighborhoods report to the Council by June 30, 2018 on options for improving the market for Landmark TDR.

The City's Incentive Zoning program allows for transfers of development rights from Landmark structures as an incentive and benefit for preserving the structure. The primary market for transferable development rights is in the South Lake Union and Downtown Urban Centers. Some constituents report barriers with market participants not always able to fund willing buyers or sellers. OPCD will be reviewing the suite of incentive zoning programs in 2018

G. OPCD and DON should study TDR programs for historic landmarks and identify options for improving the overall dynamics of the landmark TDR market to ensure that the program functions to both preserve existing landmarks and provide a true economic incentive for owners of landmarked properties. Council requests that OPCD and DON report to the Council by June 30, 2018 on options to improve the landmark TDR market. The report should (1) identify and inventory landmark TDR sending and receiving sites, (2) identify regulatory and policy barriers to the transfer of development rights from landmark structures, and (3) analyze and make recommendations on options for improving the landmark TDR market, including, but not limited to, modifying boundaries for sending and receiving areas, allowing limited transfers between receiving areas, and further capitalizing the TDR bank.