



Legislation Details (With Text)

File #: CB 120266 **Version:** 1 **Name:** CB 120266
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 3/15/2022
Final Action: 3/24/2022 **Ord. No.** Ord 126548

Title: AN ORDINANCE relating to land use and zoning; amending Sections 23.47A.012 and 23.47A.013 of the Seattle Municipal Code to allow for transfer of development potential or transfer of development rights in the NC3-200 and the NC3P-200 zones.

Sponsors: Dan Strauss

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Director's Report, 3. Central Staff Memo, 4. Presentation (2/23/22), 5. Signed Ordinance 126548, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
3/24/2022	1	City Clerk	attested by City Clerk	
3/24/2022	1	Mayor	returned	
3/24/2022	1	Mayor	Signed	
3/17/2022	1	City Clerk	submitted for Mayor's signature	
3/15/2022	1	City Council	passed	Pass
3/9/2022	1	Land Use Committee	pass	Pass
2/23/2022	1	Land Use Committee	discussed	
2/15/2022	1	City Council	referred	
11/10/2021	1	Council President's Office	sent for review	
11/2/2021	1	City Clerk	sent for review	
11/2/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending Sections 23.47A.012 and 23.47A.013 of the Seattle Municipal Code to allow for transfer of development potential or transfer of development rights in the NC3-200 and the NC3P-200 zones.

WHEREAS, Seattle provides incentives for preservation of designated Landmarks by allowing transfer of development rights or transfer of development potential from designated Landmarks Downtown, in Uptown, in the University District and various zones throughout the City; and

WHEREAS, transfer of development rights and transfer of development potential is an important tool to provide financing to ensure ongoing rehabilitation and maintenance of designated Landmarks; and

WHEREAS, the Seattle Municipal Code does not afford designated Landmarks, such as the Sorrento Hotel, in the NC3-200 and NC3P-200 zones the ability to transfer development rights or development potential;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.47A.012 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.47A.012 Structure height

* * *

F. Additional height in NC3-200 and NC3P-200 zoned areas in the First Hill/Capitol Hill Urban Center³²

In the NC3-200 and NC3P-200 zones in the First Hill/Capitol Hill Urban Center, additional height above the otherwise applicable height limit of 200 feet may be permitted to accommodate floor area achieved through the provisions of subsection 23.47A.013.F and Section 23.58A.042 if the development meets the following requirements:

1. The development does not exceed 350 feet in height, except that rooftop features may exceed 350 feet in height if they comply with subsection 23.47A.012.C.

2. Only extra floor area achieved through subsection 23.47A.013.F may be located above 200 feet.

Section 2. Section 23.47A.013 of the Seattle Municipal Code, last amended by Ordinance 126287, is amended as follows:

23.47A.013 Floor area ratio

* * *

F. Extra floor area in NC3-200 and NC3P-200 zoned areas in the First Hill/Capitol Hill Urban Center

In the NC3-200 and NC3P-200 zones in the First Hill/Capitol Hill Urban Center, extra floor area above the otherwise applicable FAR limit of 8.25 for nonresidential structures or 12 for structures with at least 4 FAR in residential use may be achieved pursuant to the provisions of this subsection 23.47A.013.F and Section 23.58A.042 if the development meets the following conditions:

1. Extra floor area must be gained through the transfer of TDP/TDR pursuant to the provisions of Section 23.58A.042. For purposes of calculating the amount of TDP/TDR that may be transferred, the otherwise applicable FAR limits in subsection 23.47.013.A shall be the base FAR.

2. The sending site must be located in a NC3-200 or NC3P-200 zoned area in the First Hill/Capitol Hill Urban Center and the lot receiving the transfer of floor area must be on the same block as the sending site.

3. The amount of extra floor gained from this subsection 23.47A.013.F by any one development may not exceed 110,526 square feet.

4. For purposes of this subsection 23.47A.013.F, the transfer of development rights to gain extra non-residential floor area is TDR and the transfer of development potential to gain extra residential floor area is TDP.

5. The only types of TDP and TDR that may be transferred pursuant to this subsection 23.47A.013.F are Landmark TDP and TDR.

Section 3. 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 _____, 2022, and signed by me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)