



**Legislative Department  
Seattle City Council  
Memorandum**

**Date:** April 2, 2015

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

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

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

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**A. Overview**

On April 7, 2015, the Planning, Land Use and Sustainability (PLUS) Committee will discuss proposals to map Pedestrian (P) designations in neighborhoods across the City. [Council Bill 118327](#) would add P designations to neighborhood commercial areas in 37 neighborhoods across the city. At the same time, it would remove restrictions on street-level residential uses in 17 areas and would revise regulations for Neighborhood Commercial areas.

This legislation follows and completes the work of the 2012 “regulatory reform” legislation. That ordinance allowed residential uses more broadly at street-level in commercial areas. In adopting that legislation, the Council added 60 maps to the Land Use Code. Those maps restricted street-level residential uses along arterials in Neighborhood Commercial 2 and 3 areas until further review. The executive has completed that review, and has proposed P designations for a majority of those areas.

This memorandum provides options and recommendations for PLUS Committee review and discussion of those proposed P designations and potential amendments to the Land Use Code related to these areas.

The City adds P designations to Neighborhood Commercial zones in locations where vibrant pedestrian-oriented retail districts can be supported. Criteria for P designations are found in the Seattle Municipal Code (SMC) ([SMC 23.34.086](#)) which states:

### **23.34.086 - Pedestrian designation (suffix P), function and locational criteria**

A. Function. To preserve or encourage an intensely retail and pedestrian-oriented shopping district where non-auto modes of transportation to and within the district are strongly favored, and the following characteristics can be achieved:

1. A variety of retail/service activities along the street front;
2. Large number of shops and services per block;
3. Commercial frontage uninterrupted by housing or auto-oriented uses;
4. Pedestrian interest and activity;
5. Minimal pedestrian-auto conflicts.

B. Locational criteria. Pedestrian-designated zones are most appropriate on land that is generally characterized by the following conditions:

1. Pedestrian district surrounded by residential areas or major activity centers; or a commercial node in an urban center or urban village;
2. NC zoned areas on both sides of an arterial, or NC zoned block fronts across an arterial from a park, major institution, or other activity center; and
3. Excellent access for pedestrians, transit, and bicyclists.

The primary effect of the P designation is to require a set of retail and other lively pedestrian-oriented uses at street level along Principal Pedestrian Streets and to limit driveways along those streets. Drive-in businesses and surface parking lots are prohibited in areas with P designations. In addition, development in areas with P designations when also located in urban villages must exceed a minimum floor area ratio (FAR) limit.

#### **B. Summary of the proposed legislation**

The Executive has proposed legislation to map P designations in 37 areas. The City maps P designations at the heart of neighborhood commercial areas to support a vibrant pedestrian-oriented retail environment. The Land Use Code does that by limiting parking along the street and by requiring that a pedestrian-oriented commercial or institutional use be located at the street front along principal pedestrian streets. These rules support interesting, unique retail corridors. Outside of these areas, neighborhood commercial zoning allows residential uses at street-level, bringing new residents to support the commercial businesses.

The legislation would also make improvements to the regulations for P-designated areas. The proposed legislation is the result of two years of work, analysis, and community meetings. It responds to the Council's direction in 2012 to study 60 areas for their appropriateness as P designations.

Along Principal Pedestrian Streets, P designations:

- Require retail and similar pedestrian-friendly uses occupy at least 80% of the ground floor street front,
- Require parking be located behind or beneath a building; and
- Designate the principal pedestrian street front as the least appropriate location for a curb cut or driveway.

Throughout P-designated areas, the regulations:

- Require a minimum FAR (in urban villages and centers),
- Waive or reduce some parking requirements,
- Prohibit surface parking lots, and
- Prohibit drive-in and drive-through businesses.

Outside of P-designated areas, developers and property owners may:

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

In addition to mapping new P designations in 37 areas and remove street-level use restrictions in 17 areas, the Executive proposes to:

- Increase the types of uses allowed along the Principal Pedestrian Street,
- Restrict the ability to waive some of these regulations through design review,
- Provide stronger storefront transparency rules,
- Require overhead weather protection,
- Require live-work units to have work space along the street,
- Remove special parking waivers, which in many cases duplicate waivers already granted, and
- By removing 54 maps from the code, allow residential uses and live-work units at the ground floor in those areas where P Designations are not proposed. DPD has delayed decisions on six areas, such as Ballard and the University District where a broader planning study is underway.

### C. Proposed Map Amendments

The Executive reviewed 54 areas,<sup>1</sup> and has proposed P designations for all or part of 37 areas. The Executive recommends against P designations in 17 additional areas. The following commercial areas would have new P designations in at least part of the area studied<sup>2</sup>. In testimony and letters to the Council, community members have raised questions about the areas in ***bold italics***; these areas are discussed in more detail below:

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<sup>1</sup> DPD is reviewing the zoning – including whether to add P designations – in six areas (Ballard, Uptown, Lake City, University District, 23<sup>rd</sup> and Jackson and Rainier Beach,) as part of community planning efforts.

<sup>2</sup> The numbers refer to the numbering system used in the [DPD Director's Report](#) (warning: large .pdf).

| <b>Area</b>   | <b>Executive Recommendation</b>                   | <b>Central Staff Recommendation</b>               |
|---|---|---|
| <b>Northwest District</b>   |   |   |
| 1. Broadview  | Adopt a P designation                             | Adopt a P designation                             |
| 2. Aurora Ave. N. south of N. 80 <sup>th</sup> St                 | Adopt a P designation                             | Adopt a P designation                             |
| 3. North Green Lake   | Adopt a P designation                             | Adopt a P designation                             |
| 4. Green Lake   | Adopt a P designation in part of this area        | Adopt a P designation in part of this area        |
| 9. Phinney Ridge  | Adopt a P designation                             | Adopt a P designation                             |
| 10. N.W. 65 <sup>th</sup> St. west of 4 <sup>th</sup> Ave. NW     | Adopt a P designation                             | Adopt a P designation                             |
| 45. Aurora-Licton Springs   | Adopt a P designation                             | Adopt a P designation                             |
| <b>North District</b>   |   |   |
| 14. 15 <sup>th</sup> Ave. N.E. at N.E. 125 <sup>th</sup> St       | Adopt a P designation                             | Adopt a P designation                             |
| 15. 25 <sup>th</sup> Ave. N.E. at N.E. 55 <sup>th</sup> St        | Adopt a P designation                             | Adopt a P designation                             |
| 18a. Lake City Way at N.E. 80th                                   | Do not adopt a P designation                      | Do not adopt a P designation                      |
| 18b. Lake City Way at N.E. 96th                                   | Do not adopt a P designation                      | Do not adopt a P designation                      |
| 18c. Lake City Way at N.E. 145th                                  | Do not adopt a P designation                      | Do not adopt a P designation                      |
| 19. Pinehurst Way NE  | Do not adopt a P designation                      | Do not adopt a P designation                      |
| 20. Maple Leaf  | Adopt a P designation                             | Adopt a P designation                             |
| 22. Roosevelt Way N.E. at N.E. 125th St                           | Do not adopt a P designation                      | Do not adopt a P designation                      |
| <b>Ballard District</b>   |   |   |
| <b>11. 15<sup>th</sup> Ave. N.W. south of N.W. 83rd St.</b>       | <b>Adopt a P designation in part of this area</b> | <b>Adopt a P designation in part of this area</b> |
| 12. Ballard Locks   | Do not adopt a P designation                      | Do not adopt a P designation                      |
| 13. Loyal Heights   | Adopt a P designation                             | Adopt a P designation                             |
| <b>Northeast District</b>   |   |   |
| 16a. Wedgwood North (35th N.E. at 85th)                           | Adopt a P designation                             | Adopt a P designation                             |
| 16b. Wedgwood South (35th N.E. at 75th)                           | Adopt a P designation                             | Adopt a P designation                             |
| 17. 40 <sup>th</sup> Ave. N.E. at N.E. 55 <sup>th</sup> St        | Adopt a P designation                             | Adopt a P designation                             |
| 21. Ravenna (N.E. 65 <sup>th</sup> St. west of 25 <sup>th</sup> ) | Adopt a P designation                             | Adopt a P designation                             |
| 23. Sand Point Way N.E. at 36 <sup>th</sup> Ave. NE               | Adopt a P designation                             | Adopt a P designation                             |
| 24. Sand Point Way N.E. at 50 <sup>th</sup> Ave. NE               | Adopt a P designation                             | Adopt a P designation                             |
| 25. Sand Point Way N.E. at N.E. 63rd St                           | Do not adopt a P designation                      | Do not adopt a P designation                      |

| Area   | Executive Recommendation                   | Central Staff Recommendation                                     |
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| <b>Lake Union District</b>                         |  |  |
| 5. Stone Way                                       | Adopt a P designation                      | Adopt a P designation  |
| <b>6. South Wallingford</b>                        | <b><i>Do not adopt a P designation</i></b> | <b><i>Do not adopt a P designation, consider other tools</i></b> |
| 7. Fremont   | Adopt a P designation                      | Adopt a P designation  |
| 8. North Fremont                                   | Adopt a P designation                      | Adopt a P designation  |
| <b>Magnolia/Queen Anne District</b>                |  |  |
| 26. 21st Ave. W. and W. Dravus St                  | Adopt a P designation                      | Adopt a P designation  |
| <b>27. Magnolia Village</b>                        | <b><i>Adopt a P designation</i></b>        | <b><i>Adopt a P designation in part of this area</i></b>         |
| 28. 34th Ave. W. at W. Emerson St.                 | Do not adopt a P designation               | Do not adopt a P designation                                     |
| 29. Dexter Ave. N. at Garfield St                  | Adopt a P designation                      | Adopt a P designation  |
| 30. Upper Queen Anne                               | Adopt a P designation                      | Adopt a P designation  |
| <b>East District</b>                               |  |  |
| 31. E. Madison St. at Martin Luther King Jr. Way   | Adopt a P designation                      | Adopt a P designation  |
| <b>Central District</b>                            |  |  |
| 32. Martin Luther King Jr Way at E. Union          | Do not adopt a P designation               | Do not adopt a P designation                                     |
| 33. S. Jackson St., east of Rainier Ave.           | Adopt a P designation                      | Adopt a P designation  |
| 34. Martin Luther King Jr Way at S. Dearborn       | Do not adopt a P designation               | Do not adopt a P designation                                     |
| 35. Hiawatha Place S                               | Do not adopt a P designation               | Do not adopt a P designation                                     |
| <b>Southwest District</b>                          |  |  |
| 36. Morgan Junction                                | Do not adopt a P designation               | Do not adopt a P designation                                     |
| 41. Harbor Ave. SW                                 | Do not adopt a P designation               | Do not adopt a P designation                                     |
| 46. Admiral  | Adopt a P designation                      | Adopt a P designation  |
| 47. West Seattle Triangle                          | Adopt a P designation                      | Adopt a P designation  |
| <b>Delridge District</b>                           |  |  |
| 37. Delridge Way SW                                | Adopt a P designation                      | Adopt a P designation  |
| 38c. 35 <sup>th</sup> Ave. S.W. at S.W. Barton St  | Adopt a P designation                      | Adopt a P designation  |
| 38a. 35 <sup>th</sup> Ave. S.W. at S.W. Morgan St  | Adopt a P designation                      | Adopt a P designation  |
| 38d. 35 <sup>th</sup> Ave. S.W. at S.W. Roxbury St | Adopt a P designation                      | Adopt a P designation  |
| 38b. 35 <sup>th</sup> Ave. S.W. at S.W. Webster St | Adopt a P designation                      | Adopt a P designation  |
| 39. Westwood Park                                  | Adopt a P designation                      | Adopt a P designation  |

| Area  | Executive Recommendation            | Central Staff Recommendation        |
|---|-------------------------------------|-------------------------------------|
| <b>Greater Duwamish District</b>                |                                     |                                     |
| 40. South Park                                  | Adopt a P designation               | Adopt a P designation               |
| 42. Beacon Ave. S. at S. Columbian Way          | Adopt a P designation               | Adopt a P designation               |
| <b>Southeast District</b>                       |                                     |                                     |
| 43. Martin Luther King Jr Way S. at Holden      | Do not adopt a P designation        | Do not adopt a P designation        |
| <b>44a. Rainier Ave. S. at S. Graham</b>        | <b>Do not adopt a P designation</b> | <b>Consider a P designation</b>     |
| <b>44b. Rainier Ave. S. at S. Othello</b>       | <b>Do not adopt a P designation</b> | <b>Consider a P designation</b>     |
| <b>44c. Rainier Ave. S. at S. Kenyon/Holden</b> | <b>Do not adopt a P designation</b> | <b>Do not adopt a P designation</b> |

In addition to these areas, the Council has heard requests for new P designations from the Greenwood neighborhood and the neighborhoods around 23<sup>rd</sup> Ave. S. and S. Jackson Street. These areas are currently, or were recently, parts of more targeted planning studies, and are discussed below.

If the Council approves the Executive’s recommendation, 21% of Seattle’s commercial areas will have P designations. Commercial uses that are not permitted at street level along Principal Pedestrian Streets in P designated areas will continue to be permitted in the remaining 79% of Seattle’s commercial districts. Residential uses, and uses not on the list of permitted street-level uses (see section D1, below) will be allowed at street level throughout this larger area. Local communities support most of these proposals, and *I recommend approval of the proposed P designations, with a small change to the Magnolia proposal as discussed below.* Maps and photographs of these areas are included in the PowerPoint presentation accompanying this memo.

Community members or groups have raised questions about the following areas:

**1. 15<sup>th</sup> Ave. N.W., south of N.W. 83<sup>rd</sup> Street**

The Executive has proposed to add P designations at four signalized intersections along 15<sup>th</sup> Ave. N.W.: N.W. 80<sup>th</sup> St, N.W. 75<sup>th</sup> St, N.W. 70<sup>th</sup> St. and N.W. 65<sup>th</sup> St. 15<sup>th</sup> Ave. N.W. is a five lane arterial that connects the Ballard and Crown Hill urban villages. The corridor currently serves as a secondary business district between the larger districts in Ballard and Crown Hill and contains a mix of retail, residential, auto-oriented, and business-support uses. It is designated as a major truck street. Each of the proposed P designations is served by the RapidRide D line, which connects this area to Holman Road, Ballard, Uptown, and Downtown. The proposed P

designations are each located at a rapid ride stop. Surrounding 15<sup>th</sup> Ave. NW, the zoning is predominantly single family, with lowrise multifamily zones south of N. 70<sup>th</sup> St.

The Crown Hill Business Association has recommended against these designations. They are concerned about impacts to existing businesses, pedestrian/automobile conflicts, and the absence of a more integrated land use and transportation study of 15<sup>th</sup> Avenue N.W. Residential neighbors of the area support the designations as a way to increase the number of pedestrian-oriented destinations in their community.

Each of the proposed P designations along 15<sup>th</sup> Ave. N.W. is discussed in more detail below:

a. 15<sup>th</sup> Ave. N.W. at 80<sup>th</sup>

This node is located at the southern end of the Crown Hill urban village, one block south of an existing P designation at the heart of the urban village. N.W. 80<sup>th</sup> is a minor arterial in this area. It provides access to the Loyal Heights neighborhood to the east and Greenwood to the west. Businesses at 15<sup>th</sup> and 80<sup>th</sup> include a dentist's office, a hardware store and a tobacconist.

b. 15<sup>th</sup> Ave. N.W. at 75<sup>th</sup>

This node is located two blocks west of Whittier Heights Elementary. N.W. 75<sup>th</sup> is a local street, providing access to the immediate residential neighborhood. Among the uses at the northwest corner of this intersection are a garage, a tavern, and an adult business. To the southwest are residential buildings. Mixed-use buildings occupy the southeast corner. To the northeast, a new project is proposed that would contain 22 live-work units along the street-level street-facing façade. This project will extend north past the proposed P designated area.

c. 15<sup>th</sup> Ave. N.W. at 70<sup>th</sup>

This node is located one block west of a small, but thriving, residential/commercial area along N.W. 70<sup>th</sup> St. N.W. 70<sup>th</sup> St. is a local street providing access to the immediate residential neighborhood. Among the uses fronting 15<sup>th</sup> Ave. N.W. at N.W. 70<sup>th</sup> St. are a lawnmower repair shop, tax accountants, realtors, nail stores, a recording studio, dentists, an auto repair shop, a coffee shop and a gas station.

d. 15<sup>th</sup> Ave. N.W. at 65<sup>th</sup>

This node includes Ballard High School at its northwest corner, and is just south of the Ballard swimming pool. N.W. 65<sup>th</sup> is a minor arterial providing access to the north end of Ballard and Sunset Hill to the west and Phinney Ridge and Green Lake to the east. A range of restaurants, a vegetable stand, a gym, drycleaners, and a couple of multifamily buildings are located at this intersection.

15<sup>th</sup> Ave. N.W. is an eclectic street, and each of these nodes has a distinctive character. As the DPD Director's report states: a P designation "may be appropriate at key intersections that align with the Bus RapidRide stops, where local residents are most likely to cross at signalized intersections to access shops and services, in addition to parks, schools, and other community facilities." Between the proposed P designations, existing uses are more likely to include residential and auto-oriented buildings. Directing the creation of retail spaces at these intersections will help to shape the street as it develops over time, concentrating pedestrian-oriented uses where there are signalized intersections and transit access, and I recommend adoption of the Executive's proposal.

**Committee direction regarding 15<sup>th</sup> Ave. N.W.:**

**2. *Magnolia***

This proposed P designation in Magnolia would cover 12 blocks in the Magnolia Village business district, with proposed Principal Pedestrian Streets along 32<sup>nd</sup> Avenue West and West McGraw Street. The area serves as the primary shopping district for Magnolia. Along W. McGraw St., there is a variety of small buildings built to the street front, almost exclusively occupied by retail and restaurant uses. Along 32<sup>nd</sup> Ave. W., particularly across from Magnolia Playfield and Magnolia High School, lots and businesses are larger. Retail continuity is interrupted by residential buildings. Off these two main streets, the area includes a wider mix of buildings and uses, including auto-oriented businesses and residential uses. Single-family residential areas surround the Magnolia Village business district. Multiple bus routes serve this business district, primarily providing access to Downtown Seattle, but also connecting the area to the University District.

The Magnolia Community Council (MCC) testified regarding a desire to limit change in the Magnolia Village. The question in front of the Committee is not one of keeping regulations the same. If a P designation is not adopted in this area, residential and live-work units will be allowed at street level, allowing a move away from the retail focus of this district. By restricting street-level residential uses, the P designation is closer to existing regulations than not applying the P designation.

The MCC also voiced a concern that the proposal would result in the widening of sidewalks and displacement of on-street parking. While generous sidewalks can support a business district, this zoning proposal does not require wider sidewalks. Sidewalk width standards are set in the Right-of-Way Improvement Manual (ROWIM) based on a wide range of factors including zoning, but also the intended function of a street and its relationship to the wider transportation network. In many cases, the wider sidewalk can be created by setting back a



new building, rather than moving a curb line. Moving the location of a curb is a very costly project because it requires relocating utilities under the curb. It generally only occurs in the context of an area-wide transportation project that would include significant public outreach.

The Committee could choose to adopt the Executive's proposal for a P designation covering the entire business district; adopt a smaller P designation covering the highest-intensity retail areas along W. McGraw St., or choose to reject the Executive's recommendation for a P designation in this area. *I recommend the second option, with a smaller P designation.*

**Committee direction regarding Magnolia:**

**3. N. 34<sup>th</sup> Street in South Wallingford**

The P designation study area at Wallingford Ave. N. and N. 34<sup>th</sup> St. is located one block north of Gasworks Park. N. 34<sup>th</sup> St. in this area is a principal arterial, connecting Fremont and the University District. West of the study area is the North Transfer Station and industrial zoning. North of the study area is lowrise and single-family residential zoning. The 26 bus runs along N. 35<sup>th</sup> St. and Wallingford Ave. N., one block north of the study area, connecting to Green Lake, Fremont, and Downtown Seattle. A single block face of Neighborhood Commercial zoning is located at the southwest corner of N. 34<sup>th</sup> St. at Wallingford.

Currently, according to the City's criteria in SMC 23.34.086 B2, P designations are only appropriate in Neighborhood Commercial districts. The Neighborhood Commercial district at N. 34<sup>th</sup> St. and Wallingford Ave. N. extends across a single block face. It was developed with a mixed-use building under a contract rezone. Under the rezone conditions, the building on that site is required to provide commercial uses along the street front. The Executive has recommended not adding a P designation because it does not meet criterion that B.2. that a P designation cover Neighborhood Commercial zones along both sides of an arterial, and would not provide additional benefit beyond the current conditions that apply to the site.

Since that project was developed, DPD has approved conditional use permits for residential buildings in the adjacent Commercial 2 zone. Street-level uses in those buildings will be live-work units, rather than more active retail uses. The Wallingford Community Council has asked for P designations along N. 34<sup>th</sup> St. in this area.

This area just north of Gas Works park has proven attractive to development, and it is likely that additional C1 and C2 zoned sites in the area will seek conditional use permits for residential development.

In order to address this broader issue, council has three options:

- a. Change the rezone criteria to allow the addition of P designations to C1 and C2 districts, and add a P designation to the C1 and C2 zoned properties along N. 34<sup>th</sup> Street. The Executive has floated a draft proposal for the Bitter Lake neighborhood that would amend the rezone criteria to allow P designations in C1 zones. This option would broaden that to include C2-zoned property. Amending these criteria would require a new version of the bill, as the current bill does not propose to amend the criteria. Analysis of the impact of having a P designation in C2 districts would be required.
- b. Amend section 23.47A.005 C1 related to street-level uses. This section currently includes the requirement that buildings in P designations and other locations have non-residential uses along the street front. This section currently states:
  1. In all neighborhood commercial and C1 zones, residential uses may occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade in the following circumstances or locations:
    - a. In a pedestrian-designated zone, facing a designated principal pedestrian street; or
    - b. Within the Bitter Lake Village Hub Urban Village; or
    - c. Within the Lake City Hub Urban Village, except as provided in subsection 23.47A.005.C.2; or
    - d. Within a zone that has a height limit of 85 feet or higher, except as provided in subsection 23.47A.005.C.2; or
    - e. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2; or
    - f. Within the Northgate Overlay District, except as provided in [Section 23.71.044](#); or
    - g. In areas shown on Maps 1 through 60 for 23.47A.005.C at the end of this [Chapter 23.47A](#) when facing an arterial street.

This section currently only applies to NC and C1 zones, but could be amended to also include C2 districts along N. 34<sup>th</sup> St. in Wallingford. Including these requirements in the text of the code would increase complexity. In addition, for the purposes of this section, live-work units are considered non-residential uses and would be permitted at street level.

- c. Ask DPD to study the N. 34<sup>th</sup> St. corridor in more detail and to propose zoning more appropriate to the area. This would require either additional resources or would require DPD to shift resources from other projects.

*I agree with the Executive that just adding a P designation to one already developed block along N. 34<sup>th</sup> St. will not provide a significant benefit to the neighborhood, and will not address the neighborhood's primary concerns, which are with predominantly residential or live/work uses along the street on C-zoned sites. Option b is the most efficient approach, but may not achieve all of the community's goals because live-work units would still be permitted.*

**Committee direction regarding South Wallingford:**

**4. Rainier Avenue S. at S. Graham Street, S. Othello Street and S. Kenyon Street**

The Executive reviewed three commercial nodes along Rainier Ave. S. between Hillman City and Rainier Beach and recommended not adding P designations at these locations. There are currently P designations at each of the light rail stations along Martin Luther King Jr. Way S, parallel to Rainier Ave. S. In addition, there are P designations north and south of the study areas in Columbia City, Hillman City, and Rainier Beach. The three study areas along Rainier are each made up of areas with a mix of small retail and restaurant businesses, auto-oriented businesses and vacant lots. Rainier Ave. in this area is currently a 4 to 5-lane road. The Seattle Department of Transportation (SDOT) is currently studying the configuration of the street in order to reduce vehicular speeds and crashes. The Executive's recommendation was not to add P designations in these areas in order to focus retail activity at the light rail stations in southeast Seattle.

The few comments that DPD received in response to their questionnaire on this area supported a P designation.

a. Rainier Ave. S. at S. Graham Street

The commercial district at S. Graham St. is located a couple of blocks east of Graham Hill Elementary school and a couple of blocks west of Aki Kurose Middle School. The surrounding area is predominantly single family. The 7 and 9 buses stop at Graham, providing access to Rainier Beach, Downtown Seattle, and Capitol Hill. There is a small collection of retail businesses on the southwest corner of Graham and Rainier. Other uses in this area include a gas station, a lot used for vehicle parking by Sound Oil, a Comcast service building, vacant lots, and multifamily developments. The most promising location for a P designation in this area would be along S. Graham St., near the bus stop and signalized intersection. I recommend a small P designation at this location.

b. Rainier Ave. S. at S. Othello Street

The commercial district at S. Othello St. is located six blocks east of the Othello light rail station. In addition to the 7 and 9 buses stopping along Rainier, the 50 bus runs east west and provides a connection to Othello Station. The commercial district extends north from S. Othello St. to S. Willow St. It includes restaurants, small retail stores, an auto parts store, and a gas station at Othello. Further north, toward Willow, are additional gas stations, restaurants, auto shops, vacant lots and multifamily buildings. Single-family zoning surrounds the area. The most promising location for a P designation in this area would be at the intersection of Rainier and Othello, where the bus routes cross. I recommend a small P zone at this location.

c. Rainier Ave. S. at S. Kenyon Street

The commercial district at S. Kenyon St. is located four blocks north of the Rainier Beach Urban Village. It extends two blocks north to S. Holden Street, where there are stops for the 7 and 9 buses. This district contains a small collection of retail and restaurant uses, large vacant lots, a church, and residential buildings. Single-family zoning surrounds the area. This area has the least retail continuity of the three nodes, and is the closest to an existing P designated- area. *I do not recommend adding a P designation to this district.* However, the most promising location for a P designation in this area would be at the intersection of Rainier Ave. S. and S. Holden St., where the bus stops and pedestrians cross.

**Committee direction regarding Rainier Avenue S:**

**5. 23<sup>rd</sup> Avenue S. and S. Jackson Street**

The Department of Planning and Development (DPD) is working with communities in the Central Area on the 23<sup>rd</sup> Avenue Action Plan. This project is developing zoning recommendations for three key commercial nodes along 23<sup>rd</sup> Avenue: Union Street, Cherry St., and S. Jackson Street. Consideration of potential P designations at these nodes is being discussed as part of this project. DPD expects to send zoning recommendations to the Council later this year.

DPD's preliminary recommendation was not to add a P designation at 23<sup>rd</sup> and Jackson, in order to provide the greatest flexibility for redevelopment at this location. Community members have voiced concern that without a P designation, the largest commercial area in the Central District would not be appropriately zoned to support the intensive retail environment that they desire. DPD is continuing their conversations with the community about the appropriateness of a P designation in this location. They have agreed to study a P designation at 23<sup>rd</sup> and Jackson in

their environmental review of zoning changes, in order to allow the Council to discuss and potentially add a P designation at 23<sup>rd</sup> and Jackson.

*I recommend waiting to discuss a P designation at this location until the Council receives DPD's recommendations for zoning to implement the 23<sup>rd</sup> Avenue Action Plan.*

**Committee direction regarding 23<sup>rd</sup> Ave. S. and S. Jackson Street:**

**6. Greenwood Ave. N**

The Greenwood neighborhood around the intersection of N. 85<sup>th</sup> St. and Greenwood Ave. N. has been the subject of two zoning studies in the last ten years. In 2006, the City added P designations to areas along Greenwood Ave. N. at N. 85<sup>th</sup> Street, N. 80<sup>th</sup> St. and N. 74<sup>th</sup> St. In 2013, the Council adopted new zoning, including P designations, for property north and west of N/N.W. 85<sup>th</sup> St. and Greenwood. Consequently, the Executive did not study Greenwood Ave. for additional P designations as part of this project.

The Greenwood Community Council (GCC) has asked that a P designation to be added to fill in the block and a half gap between the P designation at Greenwood and N. 83<sup>rd</sup> St. and the P designation at Greenwood Ave. N. and N. 81<sup>st</sup> St. This block and a half contains a mix of retail, residential, and veterinary uses, and will be the site of a new park. The surrounding area consists of single-family zoning. A number of buses stop at Greenwood and N. 85<sup>th</sup> St. and the 5 has a stop at Greenwood and N. 80<sup>th</sup> St. The GCC suggests that this area contains neighborhood destinations, and a P designation would enhance the continuity of the retail district, "ensuring that future development is aligned with current uses." It appears to meet the P designation criteria. Adding this area to the proposal will require additional analysis, public comment, and environmental review prior to adoption of the legislation.

In addition to the area along Greenwood Ave. N. between N. 81<sup>st</sup> St. and N. 83<sup>rd</sup> St., the GCC has recommended further studying the area between N. 80<sup>th</sup> and N. 75<sup>th</sup> streets to connect those two P designations. This area contains a mix of retail, religious, restaurant, and residential uses. Studying this area would require additional resources, or a realignment of DPD's existing resources.

**Committee direction regarding Greenwood Ave. N.:**

## D. Proposed Text Amendments

The proposed bill includes a number of changes to the regulation of P designated areas and commercial districts citywide. The proposed changes would:

- Increase the range of uses allowed along Principal Pedestrian Streets,
- Restrict the ability to waive some of these regulations through design review,
- Provide stronger storefront transparency rules,
- Require overhead weather protection,
- Require live-work units to have work space along the street, and
- Remove special parking waivers, which in many cases duplicate waivers already granted.

The following sections discuss issues identified by Councilmembers and Central Staff.

### 1. *Street-Level Uses*

One of the primary functions of the P designation is to support the vitality of our neighborhood business districts by making sure that uses along Principal Pedestrian Streets will encourage both pedestrian interest and pedestrian activity. The P designation does this by limiting the types of uses that are permitted at street level facing the Principal Pedestrian Street. At least 80% of the street-level street-facing façade along the Principal Pedestrian Street must be occupied by one of the uses listed below. The remaining 20% of the façade can have residential uses or other commercial uses.

Based on conversations with communities across the City, the Executive has recommended increasing the types of uses that are allowed at street-level in P designations.

The following table shows the existing and proposed uses to be allowed at street level along the Principal Pedestrian Streets.

| <b>Category</b>  | <b>Currently Allowed</b>  | <b>Proposed to be allowed</b>        |
|--|---|--------------------------------------|
| <b>Agricultural uses</b>   | None  | Community gardens                    |
| <b>Commercial Uses</b>   |   |                                      |
| Eating and drinking establishments (Restaurants, cafes and bars) | All   | All                                  |
| Entertainment uses   | Indoor sports and recreation: gyms, bowling alleys, skating rinks, pool halls, etc.<br>Theaters and spectator sports facilities | All, except adult entertainment uses |

| <b>Category</b>                     | <b>Currently Allowed</b>   | <b>Proposed to be allowed</b>   |
|-------------------------------------|--|---|
| Food Processing and Craft Work      | All  | All   |
| Research & Development Laboratories | None   | None  |
| Lodging                             | All  | All   |
| Medical services                    | All  | All   |
| Offices                             | None   | All (up to 30 feet wide)  |
| Automotive sales and services       | Automotive retail sales and services only in Pike/Pine   | Automotive retail sales and services only in Pike/Pine  |
| General sales and services          | All  | All   |
| Heavy sales and services            | Major durable retail sales (large appliances)  | Major durable retail sales<br>Non-household sales and services (business-oriented retail and services)  |
| Marine sales and services           | None   | None  |
| <b>Institutions</b>                 | Community clubs and centers<br>Elementary or secondary schools<br>Libraries<br>Museums<br>Religious facilities | Community clubs and centers<br>Elementary or secondary schools<br>Libraries<br>Museums<br>Religious facilities<br>Adult care centers<br>Arts facilities<br>Childcare centers<br>Colleges and universities (other than Major Institutions)<br>Family support centers<br>Institutes for advanced study<br>Private clubs<br>Schools, vocational or fine arts |

Many of these proposed uses, particularly the institutional uses, can provide the type of pedestrian activity that is desired in these areas. However, two of the proposed uses (offices and non-household sales and services) may not elicit the type of activity that is otherwise desired.

## *Offices*

The Land Use Code ([SMC 23.84A.028](#)) defines an office use as a use that “provides... services... primarily by phone or mail, by going to the customer’s home or place of business, or on the premises by appointment...” By definition, they will not attract significant pedestrian activity. In addition, office employees are more likely to want or expect privacy compared to retail or restaurant employees, and street-level offices often have drawn blinds, particularly in areas where there is significant pedestrian activity. Offices that do attract pedestrian activity are defined in the land use code as “customer service offices.” These offices are permitted at street-level under the P designation regulations.

There are some offices that fit well at street level in neighborhood business districts: accountants can provide needed services to surrounding businesses, architects often keep their blinds open and display interesting models in their windows, and in larger business districts large companies may desire a generous ground-floor lobby. In order to allow some offices to support a business district, but not turn these Pedestrian districts into less lively office districts, the Executive proposes to allow them “provided that the width of the street-level street-facing façade does not exceed 30 feet”(proposed SMC 23.47A.005.D.1.i.)

## *Non-household sales and services*

Similar to offices, the Executive proposes to allow non-household sales and services uses at street level along Principal Pedestrian Streets. These are uses “in which goods and services are provided primarily for businesses, institutions and/or government agencies, rather than for households. Examples include but are not limited to... the sale of office or restaurant supplies... medical laboratories... merchant banks, assaying services and microfilming and copying services” ([SMC 23.84A.036](#)). As with offices, these uses may sometimes contribute greatly to the surrounding neighborhood, but due to their natures and customers, they are much less likely to attract pedestrian traffic than other uses that are permitted in these locations.

I would recommend that the Committee amend the Code to limit these uses at street-level in the P designated-areas. They are less likely than other types of businesses to attract pedestrian traffic. They would still be permitted to locate on upper floors, along 20% of a building’s façade facing a Principal Pedestrian Street, or in any location in the business district not facing a Principal Pedestrian Street.

If the Committee wants to allow greater flexibility in these areas, as proposed by the Executive, the 30-foot restriction should be clarified. As written, it is not clear whether the 30 feet is per business or per building, or is limiting office uses to buildings that are narrower than 30 feet wide. The Executive’s intent was that no more than one 30 foot wide office would be allowed within any building. *I would recommend amending this language as follows: “provided that no*



more than 30 feet the width of the street-level street-facing façade of a structure may contain an office use does not exceed 30 feet.” If permitted at street-level, the Committee should also consider applying the 30 foot width requirement to non-household sales and service uses.

**Committee direction regarding street-level Office and Non-household sale and service uses:**

## **2. Live-Work Units**

Live-work units combine living space with space for businesses. Seattle’s zoning generally treats live-work units as non-residential uses. They are not permitted at street-level along principal pedestrian streets in P designated areas, but they are allowed in other locations where non-residential uses are required.

According to the definition of live-work units, they must include a business with a business license. However, in a 2011 survey of live-work units, Councilmember Licata’s Office could not identify a business license connected to many live-work units.

The Executive’s proposed amendments would clarify rules for live-work units to make sure that they are designed with a work area along the street-level street-facing façade.

Councilmember Licata is interested in making sure that these units, which can be highly prized by small business-owners, fulfill their intended use as places of business. In order to aid in enforcement of these requirements, the Council could amend the live-work requirements in one or more of the following ways:

- Require property owners to keep business licenses on file for each live-work unit they own; or,
- Require property owners to provide an exterior sign for each live-work unit indicating the business that occupies that unit.

Either of these options would emphasize that the purpose of live-work units is to provide space for business as well as a residence. *I recommend adoption of both of these rules.*

**Committee direction regarding Live-Work unit businesses:**

### **3. Transparency**

As part of the proposed Council Bill, the Executive has proposed amendments to regulations regarding transparency at street level. Transparency is important to the strength and safety of neighborhood business districts. Customers to a business district are attracted and interested in window-shopping by seeing into businesses and seeing other people in those businesses. Business owners and employees being able to see out of a business contribute to safety on the street outside of the business. The current rules for transparency have not provided sufficient direction to make sure that transparency is maintained in new construction. Consequently, the Executive proposes the following edits to Section 23.47A.008 B2b of the Land Use Code:

b. Transparent areas of facades shall be designed and maintained to ~~((allow))~~ provide ~~((unobstructed))~~ views ~~((from the outside))~~ into and out of the structure ~~((or, in the case of live work units, into display windows that have a minimum 30 inch depth))~~. Except for institutional uses, no permanent signage, window tinting or treatments, shelving, other furnishings, fixtures, equipment or stored items shall completely block views into and out of the structure between 4 feet and 7 feet above adjacent grade. The installation of temporary signs or displays that completely block views may be displayed if such temporary sign complies with subsection 23.55.012.B.

Section 23.55.012 B contains the City's signage regulations. These regulations limit the size of temporary signs, and limit the amount of time that they can be displayed.

At the PLUS Committee's public hearing on March 24, the Committee heard testimony concerning this proposed new language, and its effect on window treatment that is used temporarily. The existing and proposed language would prohibit permanent window treatments from covering windows. However, temporarily using blinds to shield a business from the sun would be permitted under the proposed language. Under the City's rules for non-conforming uses and structures, existing buildings or businesses with display windows or window coverings would be allowed to remain, but new permanent window coverings would not be permitted.

*I recommend approving the Executive's proposed language.* If the Committee would like to provide greater clarity that temporary use of blinds is appropriate, the Committee could add a sentence making it explicit that temporary use of window treatments is permitted. This would require identification of a maximum amount of time that blinds would need to be closed.

**Committee direction regarding edits to Transparency regulations:**

#### **4. Landscaping**

Well-designed and maintained landscaping can enhance a visitor's experience in a business district, as well as providing significant environmental benefits and mitigation of the impacts of development. The City of Seattle uses a "green factor" as the standard for determining how much landscaping is required on a site. In commercial areas, a green factor of 0.3 is required, which is intended to be equivalent to landscaping over approximately 30% of a site. That landscaping can be provided in the right-of-way, at street-level, on balconies or terraces, on green walls or on roofs. The standard for midrise and highrise multifamily districts is a green factor of 0.5.

The lower requirement in commercial zones reflects the City's different goals and development standards for the two types of areas, and differences between commercial and residential construction. Commercial uses often require a larger floor plate than residential uses, covering more of a lot and limiting the amount of area available for landscaping. In residential zones, the Land Use Code requires setbacks that allow more street-level landscaping on the site, hence the higher score. In areas with narrow sidewalks and planting strips, more landscaping must be placed on roofs and terraces, rather than at street or eye-level.

Councilmember Rasmussen has heard concerns from people who live in or near commercial areas that are undergoing re-development. Where once there were older residential or commercial buildings with landscaping abutting the sidewalk in "the front yard," the new building now abuts the sidewalk and the landscaping is removed because it is no longer required by code.

Councilmember Rasmussen has recommended increasing requirements for landscaping in commercial areas in order to increase the amount of landscaping provided at street level. According to DPD, because of bonuses for visible landscaping and deep soil, street-level landscaping tends to be the most cost effective approach to meeting the green factor requirements. DPD's experience is that developers already tend to "max out" plantings at grade before they move on to other more expensive features (green roofs and walls). Consequently, developers generally choose to add as much visible landscaping as site conditions allow.

In addition to the green factor requirement in the Land Use Code, the City also regulates planting areas in business districts through the Right-of-Way Improvement Manual (ROWIM). The ROWIM is adopted as a joint Director's Rule by SDOT and DPD, and includes requirements and guidelines for planting areas and sidewalk width throughout the City, based on both the classification of the street and the surrounding land uses. SDOT is in the process of updating the ROWIM. They expect to include requirements for a planting area adjacent to the sidewalk throughout neighborhood business districts.

Augmenting these citywide standards, SDOT and DPD have adopted Streetscape Concept Plans through Director's Rules. These concept plans guide streetscape design for particular neighborhoods. Developed in concert with property owners and communities, they help provide direction and certainty to developers seeking street improvement permits. Streetscape concept plans have been adopted for 12 neighborhoods, from Roosevelt to the West Seattle Junction. Adding Streetscape Concept Plans will require additional resources, but would be the best approach for context and neighborhood-appropriate streetscape designs, including increased landscaping.

The Committee could take one or more of the following approaches to increase landscaping in commercial areas.

- a. The current green factor rules provide a bonus for visible landscaping. That bonus could be increased, either in commercial districts or citywide. Increasing the bonus would further push developers to maximize landscaping to visible locations, particularly along the right-of-way, and in locations where deeper soil is possible. The trade-off would be less landscaping on roofs and terraces, and less planting overall.
- b. The green factor for development in commercial areas could be increased from 0.3 to 0.4 or 0.5. Landscape designers may have difficulty finding ways to achieve a higher goal, particularly on smaller sites with limited right-of-way adjacent to the project. In most cases, the result of a higher green factor will be a larger green roof and/or less outdoor amenity area for tenants.

Note: the Executive did not propose to amend the code sections related to the green factor. Changing the green factor regulations would require that a new version of the bill be introduced and will require additional environmental review.

- c. The Committee could ask DPD to review the green factor requirements for commercial areas, which were last amended in 2011, and report back separately regarding an appropriate approach to increasing landscaping in the right-of-way in commercial areas. This may require additional resources or reallocating existing resources within the planning division of DPD.
- d. The Committee could provide more direction to SDOT on the importance of landscaping in the ROWIM update.

I think that the Right-of-Way Improvement Manual update is the best venue for this discussion.

**Committee direction regarding edits to landscaping requirements:**

## **5. Principal Pedestrian Streets**

Along with the proposed new Pedestrian Designations, the Executive proposes to add 25 new Principal Pedestrian Streets, the streets along which most of the P designation regulations apply. The land use code identifies Principal Pedestrian Streets by name (e.g., West Dravus Street or 35<sup>th</sup> Avenue SW). In a few cases, these proposed Principal Pedestrian Streets would cross an existing P Designation in a location where the retail requirements would not be appropriate. *In order to reduce unintentional impacts to existing P designations, I recommend that the Committee further amend SMC 23.47A.005.D.2. to make it clear that regulations regarding development along Principal Pedestrian Streets do not apply along the following streets:*

- 14th Ave. S. in the North Beacon Hill Residential Urban Village
- 15th Ave. N.E. in the University Urban Center and Roosevelt Residential Urban Village;
- 35th Ave. N.E. in the Lake City Hub Urban Village;
- 35th Ave. S.W. in the West Seattle Junction Hub Urban Village;
- N.E. 55th St. in the University Urban Center; and
- 15<sup>th</sup> Ave. W. in the Upper Queen Anne Residential Urban Village.

### **Committee direction regarding edits to Principal Pedestrian Streets:**

## **E. Next Steps**

On April 21, I plan to provide a revised version of the Council Bill reflecting the Committee's intent as expressed on the issues above for a potential Committee vote.